

**TOWN OF NORTH EAST
TOWN BOARD
APRIL 17, 2015**

Members Present:

Supervisor Merwin
Councilman Kaye
Councilman Campbell
Councilman Merwin

Members Absent:

Councilman Fedele

Call to order:

Supervisor Merwin called the meeting to order at 4:00 P.M. with the Pledge of Allegiance.

Acceptance of Agenda:

On a motion by Councilman Campbell, seconded by Councilman Kaye the following was

ADOPTED – AYES - 4 (Merwin, Kaye, Campbell, Merwin)
NAYS – 0

RESOLVED, to accept the Agenda as presented

Public Comment on Agenda Items Only:

There was no comment on agenda items.

Department and Committee Reports:

POLICE – No report.

HIGHWAY – Superintendent Stevens informed the Board that the Highway Crew requested that they go to a ten hour work day starting May 4, 2015 until September 4, 2015.

On a motion by Councilman Kaye, seconded by Councilman Merwin the following was

ADOPTED – AYES – 4 (Merwin, Campbell, Kaye, Merwin)
NAYS – 0

RESOLVED, to approve a ten hour work day starting May 4, 2015 until September 4, 2015 for the Highway Crew

Superintendent Stevens reported that he received a high bid for the 1980 grader. The bid was for \$16,100.00.

On a motion by Councilman Merwin, seconded by Councilman Campbell the following was

ADOPTED – AYES – 4 (Merwin, Campbell, Kaye, Merwin)
NAYS – 0

RESOLVED, to grant to the Highway Superintendent permission to sell the 1980 John Deere grader as surplus equipment for \$16,100.00

ASSESSOR – no report.

PLANNING/ZONING/AND BUILDING - Supervisor Merwin told the Board that the Planning/Zoning and Building reports were on the table. He had asked Claudia Stevens the Secretary to Planning/Zoning and Building to enhance her reports to include what type of permits are being issued.

TOWN CLERK – Lisa Cope reported that the Town, along with the Towns of Dover, Beekman and Amenia had submitted a request for a Records Retention Grant to the State Archives. She also informed the Board that Tax Returns were at 88%.

EMS – Supervisor Merwin informed the Board that the quarterly meeting for EMS will be held on May 13, 2015 at 5:30 P.M. The Committee will consist of two Town Board members, two Commissioners, the Fire Chief and a Village Board Member.

**A RESOLUTION AUTHORIZING THE ISSUANCE AND SALE OF A STATUTORY INSTALLMENT
BOND OF**

THE TOWN OF NORTH EAST, DUTCHESS COUNTY, NEW YORK,

TO PAY THE COST OF ACQUISITION OF HIGHWAY EQUIPMENT FOR SAID TOWN, TO WIT:

2016 International Model 7500 4 x 4 Cab & Chassis with Plow, Wing and

Combination Dump Body/Spreader

WHEREAS, this Board desires to authorize a Statutory Installment Bond for the financing of the purchase of a 2016 International Model 7500 4 x 4 Cab & Chassis with Plow, Wing and Combination Dump Body/Spreader (hereinafter “the Equipment”); and

WHEREAS, this Board, by resolution, authorized the purchase of the Equipment per the Onondaga County Contract #7823.

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of North East, Dutchess County, New York as follows:

Section 1. The maximum estimated cost of the Equipment, including incidental expenses to be incurred in connection therewith, is \$216,763.00.

Section 2. The plan for the financing of the purchase is as follows: (a) by the issuance of a General Obligation Statutory Installment Bond of the Town of North East, hereby authorized to be issued pursuant to the Local Finance Law in the maximum amount of \$125,000.00; and by the expenditure of \$91,763.00 from the 2015 Highway Fund.

Section 3. The Statutory Installment Bond will be dated on a date to be determined by the Town Supervisor, and will mature no more than three (3) years following the date of execution of the Bond with prepayment received and will bear interest in the name of the Town of North East by the Town Supervisor and by the Town Clerk and will be sealed with the Corporate Seal of the Town of North East.

Section 4. It is hereby determined that the period of probable usefulness of the aforesaid object or purpose is three (3) years, pursuant to Section 11.00 of the Local Finance Law. It is further determined that the maximum maturity of the Bond herein authorized will not exceed three (3) years.

Section 5. The faith and credit of said Town of North East, Dutchess County, New York, are hereby irrevocably pledged to the payment of the principal of, and interest on, such Bond as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of, and interest on, such Bond becoming due and payable in such year. There shall annually be levied on all the taxable real property in said Town a tax sufficient to pay the principal of, and interest on, such Bond as the same become due and payable.

Section 6. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of, and to sell, Bond Anticipation Notes in anticipation of the issuance and sale of the Statutory Installment Bond herein authorized, including renewals of such Note, is hereby delegated to the Town Supervisor, the Chief Fiscal Officer. Such Notes shall be of such terms, form and content, and shall be sold in such manner, as may be prescribed by said Supervisor, consistent with the provisions of the Local Finance Law.

Section 7. The powers and duties of advertising such Bond of sale, conducting the sale, and awarding the Bond are hereby delegated to the Town Supervisor, who shall advertise

such Bond for sale, conduct the sale, and award the Bond in such a manner as he shall deem best for the interests of the Town; provided, however, that in the exercise of the delegated powers, he shall comply fully with the Local Finance Law and any order or rule of the State Comptroller applicable to the sale of Municipal Bonds. The receipt of the Town Supervisor shall be a full acquittance to the purchaser who shall not be obliged to see to the application of the purchase money. The Town Supervisor shall be authorized to execute any and all documents and to perform any and all steps necessary to obtain financing incident to this purchase.

Section 8. This Resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this Resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 9. The validity of such Bond, and Bond Anticipation Notes, may be contested only if:

(1) Such Bond is authorized for an object or purpose for which said Town is not authorized to expend money, or

(2) The provisions of law which should be complied with at the date of publication of this Resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of publication, or

(3) Such Bond is authorized in violation of the provisions of the Constitution.

Section 10. This action is a Type II action pursuant to Part 617 of the Rules and Regulations implementing the State Environmental Quality Review Act (SEQRA).

Section 11. This Resolution shall take effect immediately pursuant to Section 35.00(5)(2), and shall be published, in full, in the official paper, together with a Notice of the Town Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

The question of the adoption of the foregoing Resolution was duly put to a vote on roll call on April 17, 2015 which resulted as follows:

Councilman Campbell	AYE
Councilman Fedele	ABSENT
Councilman Kaye	AYE
Councilman Merwin	AYE
Supervisor Merwin	AYE

The Resolution was thereupon declared duly adopted.

LISA COPE, TOWN CLERK

District 19 Resolution to Purchase Trailer for Paver and Roller:

On a motion by Councilman Kaye, seconded by Councilman Merwin the following was

ADOPTED BY ROLL CALL:

AYE – Supervisor John Merwin
AYE – Councilman John Campbell
AYE – Councilman George Kaye
AYE – Councilman Steven Merwin

**TOWN BOARD OF THE TOWN OF NORTH EAST
APRIL 17, 2015
DISTRICT 19 SHARED SERVICES
TRAILER PURCHASE RESOLUTION**

Councilman Kaye offers and moves its adoption:
Seconded by: Councilman Merwin

RESOLVED, The Town Board of the Town of North East authorizes the Town of Milan Highway Superintendent to purchase one (1) 2015 Interstate Trailer, Model 40DL with the following options: paver package, lockable tool box, dual two speed landing gear, five foot of additional length, four additional tie down rings and a double break beavertail for a total cost of \$19,950.00, delivered to the Town of Milan, contingent on the concurrent approval of this purchase by the Town Board of the Towns of Amenia, North East, and Rhinebeck.

NOW THEREFORE, be it Resolved, that the Town Board of the Town of North East approves the purchase of one (1) 2015 Interstate Trailer, Model 40DL.

ROLL CALL VOTE:

Supervisor John Merwin	AYE
Councilman George Kaye	AYE
Councilman James Campbell	AYE
Councilman Ralph Fedele	ABSENT
Councilman Steven Merwin	AYE

This resolution was declared duly adopted on April 17, 2015

Dated: April 17, 2015
Millerton, NY

LISA COPE

Meeting with Counsel:

GENERAL LEGAL MATTERS – none

EXECUTIVE SESSION INVOLVING LEGAL MATTERS -

On a motion by Councilman Merwin, seconded by Councilman Campbell the following was

ADOPTED BY ROLL CALL:

AYE – Supervisor Merwin
AYE – Councilman Campbell
AYE – Councilman Kaye
AYE – Councilman Merwin

RESOLVED, to go into Executive Session, The Board went into Executive Session at 4:20 P.M.

On a motion by Councilman Campbell, seconded by Councilman Merwin the following was

ADOPTED – AYES – 4 (Merwin, Campbell, Kaye, Merwin)
NAYS – 0

RESOLVED, to return to regular session, The Board returned to regular session at 4:55 P.M.

Personnel Policy Change

Supervisor Merwin informed the Board that the Department Heads for Claudia Stevens, secretary to the Planning/Zoning and Building Departments request a change in her hours. The Department Heads would like her work day to start at 8:30 A.M. and on Tuesdays, work during her lunch hour as she returns back to the office in the evening to work with the Code Enforcement Officer.

On a motion by Councilman Kaye, seconded by Councilman Merwin the following was

ADOPTED – AYES – 4 (Merwin, Campbell, Kaye, Merwin)
NAYS – 0

RESOLVED, to change the Personnel Policy regarding working hours for the Claudia Stevens, Secretary to Planning, Building, and Zoning.

Bulk Trash Day:

Supervisor Merwin informed the Board that Bulk Trash Day will be held on Saturday April 18, 2015.

Appointment of Patty Ann Lloyd to Data Entry Position:

On a motion by Councilman Merwin, seconded by Councilman Campbell the following was

ADOPTED – AYES – 4 (Merwin, Campbell, Kaye, Merwin)
NAYS – 0

RESOLVED, to appoint Patty Ann Lloyd to Data Entry Position

Supervisor's Report:

Supervisor Merwin informed the Board that he had spoken to the Village regarding the Police Contract and that it would be approved on Monday April 20, 2015.

On a motion by Councilman Kaye, seconded by Councilman Merwin the following was

ADOPTED – AYES – 4 (Merwin, Campbell, Kaye, Merwin)
NAYS – 0

RESOLVED, to approve the monthly abstract dated April 17, 2015 in the following manner:

A Fund - \$36,914.23
B Fund - \$ 2,521.04
DB Fund - \$57,689.98

TOTAL: \$97,125.25

SPECIAL ABSTRACTS –

On a motion by Councilman Merwin, seconded by Councilman Kaye the following was

ADOPTED – AYES – 4 (Merwin, Campbell, Kaye, Merwin)
NAYS – 0

RESOLVED, to approve the special abstract dated March 24, 2015 in the following manner:

A Fund - \$3,447.13
DB Fund - \$3,437.55

TOTAL: \$6,884.68

On a motion by Councilman Campbell, seconded by Councilman Kaye the following was

ADOPTED – AYES – 4 (Merwin, Campbell, Kaye, Merwin)
NAYS - 0

RESOLVED, to approve the special abstract dated March 30, 2015 in the following manner:

A Fund - \$621.98

TOTAL \$621.98

BUDGET ADJUSTMENT –

On a motion by Councilman Campbell, seconded my Councilman Kaye the following was

ADOPTED – AYES – 4 (Merwin, Campbell, Kaye, Merwin)
NAYS – 0

RESOLVED, to accept Budget Adjustment #2, of 2015

VOUCHER COMMITTEE:

The Voucher Committee for May, 2015 consists of Councilmen Merwin and Fedele.

MINUTES:

On a motion by Councilman Merwin, seconded by Councilman Kaye the following was

ADOPTED – AYES – 4 (Merwin, Campbell, Kaye, Merwin)
NAYS – 0

RESOLVED, to approve the minutes of March 12, 2015 as presented

Adjournment:

Town of North East
Town Board
Minutes
April 17, 2015

On a motion by Councilman Merwin, seconded by Councilman Kaye the following was

ADOPTED – AYES – 4 (Merwin, Campbell, Kaye, Merwin)
NAYS – 0

RESOLVED, to adjourn the meeting

The meeting adjourned at 5:08 P.M

Respectfully Submitted,

Lisa Cope
Town Clerk

Approved: May 14, 2015