

**BUSINESS MEETING  
TOWN BOARD, TOWN OF NORTH EAST  
NOVEMBER 14, 2013**

**Members Present:**

Supervisor John Merwin  
Councilman Jim Campbell  
Councilman Ralph Fedele  
Councilman George Kaye  
Councilman Steve Merwin

**1. Call to Order:**

Supervisor Merwin called the meeting to order at 7:00 P.M. with the Pledge of Allegiance.

**2. County Legislature Debra Blalock** - Ms. Blalock could not attend.

**3. Acceptance of Agenda:**

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

ADOPTED - AYES - 5 (Merwin, Campbell, Fedele, Kaye, Merwin)  
NAYS - 0

RESOLVED, to accept the agenda as amended with removal of Ms. Blalock.

**12. Reappointment of John Campbell to the Board of Assessment Review:**

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

ADOPTED - AYES - 5 (Merwin, Campbell, Fedele, Kaye, Merwin)  
NAYS - 0

RESOLVED, to reappoint John Campbell to the Board of Assessment Review.

**16. Acceptance of General Code proposal:**

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

ADOPTED - AYES - 5 (Merwin, Campbell, Fedele, Kaye, Merwin)  
NAYS - 0

RESOLVED, to accept the General Code proposal to re-codify and upgrade the Town Code, and authorize the supervisor to sign it.

**15. Authorization to Pay Retirement Voucher:**

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

ADOPTED - AYES - 5 (Merwin, Campbell, Fedele, Kaye, Merwin)  
NAYS - 0

RESOLVED, to approve the payment of a retirement voucher.

**14. Resolution for Unpaid Water Bills**

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

ADOPTED - AYES - 5(Merwin, Campbell, Fedele, Kaye, Merwin)  
NAYS - 0

RESOLVED, to authorize the list of properties in the Town of North East Water District #1 with unpaid water bills to be sent to Dutchess County for collection in the amounts listed by the Village of Millerton.

**5. Public Hearing on 2014 Town of North East Preliminary Budget:**

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

ADOPTED - AYES - 5 (Merwin, Campbell, Fedele, Kaye, Merwin)  
NAYS - 0

RESOLVED, to open the Public Hearing.

The Town Clerk read the Notice of Public Hearing and Lorna Sherman, bookkeeper, gave a brief overview of the Preliminary Budget.

Supervisor Merwin inquired if there were any public comments and there were none. Lorna Sherman, Bookkeeper, noted the changes made from last year's budget. Supervisor Merwin stated his appreciation for all the work the Budget Committee had done.

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

ADOPTED - AYES - 5 (Merwin, Campbell, Fedele, Kaye, Merwin)  
NAYS - 0

RESOLVED, to close the Public Hearing.

**6. Department and Committee Reports:**

**POLICE** - Chief Rudin reported on the police activity for the month of September. He stated that the printed report contained errors, so he would correct it before he gave the Town copies. He would also get a copy of the report of revenue from tickets collected during the past year. Councilman Fedele asked for the Police to help with the school house move in December.

**HIGHWAY** - Superintendent Stevens stated that he had attended the DCDPW meeting on November 7th for the Snow and Ice Removal meeting. The Town will be maintaining the same roads that it has in the past, which is a total of 12.64 miles. Although equipment rates have gone up a little, the department is ready for snowy weather.

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

ADOPTED - AYES - 5(Merwin, Campbell, Fedele, Kaye, Merwin)  
NAYS - 0

RESOLVED, to request a speed analysis for Sheffield Hill Road.

Superintendent Stevens will contact the County.

**10. Resolution to allow Town of North East Highway Department to participate in the County's Snow and Ice Control Program:**

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

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ADOPTED - AYES - 5(Merwin, Campbell, Fedele, Kaye, Merwin)  
NAYS - 0

RESOLVED, to accept the Resolution to participate in Dutchess County's Snow and Ice Removal Program, 2013-2014

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

ADOPTED - AYES - 5(Merwin, Campbell, Fedele, Kaye, Merwin)  
NAYS - 0

RESOLVED, to authorize Supervisor Merwin to sign the Intermunicipal Agreement with the County for Snow and Ice Removal.

**Department Reports:**

ASSESSOR - Mrs. Johnson reported that there was some confusion with the Enhanced Star exemption, especially with Senior Citizens. The new enrolment process is for Basic Star only.

She informed the Board of the Governor's press release concerning scams about Enhanced Star.

PLANNING/ZONING AND BUILDING - Supervisor Merwin announced that the Planning/Zoning and Building memo's were on the table.

TOWN CLERK - The Town Clerk informed the Board that her report was on the table.

**Committee Reports:**

HIGHWAY COMMITTEE - none.

PERSONNEL COMMITTEE - this committee has been active in the Budget decisions and other issues.

ZRC COMMITTEE - Supervisor Merwin informed the Board that the recommendation not to get too involved with the Spencer's Corners Cemetery would be given to Counsel Replansky for required changes. The Board is encouraging the community to form a not for profit so they can seek grant money. Councilman Campbell said that there was interest but nothing had been decided yet.

BUILDING AND GROUNDS - Supervisor Merwin indicated that he would like to see more lighting in the parking lot for safety reasons. He also would like Mr. George Lind to replace the Flag Pole.

**Set Public Hearing for Local Law Regulating the use of Motor Vehicles on Property in the Town of North East and privately Owned Property:**

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

ADOPTED - AYES - 5 (Merwin, Campbell, Fedele, Kaye, Merwin)  
NAYS - 0

RESOLVED, to set a Public Hearing for December 12, 2013 at 7:05 P.M. for Local Law regulating the use of Motor Vehicles on property in the Town of North East and privately owned property. Mr. Replansky will prepare the notice.

**Discussion on Changing the Town Clerk's and Town Supervisor's Terms from Two Years to Four Years:**

Supervisor Merwin and the Board had a discussion concerning changing the Town Clerk's and The Supervisor's terms from two years to four years. There was an agreement that this was an idea to follow up on. The Supervisor asked for a resolution to consult with Counsel on how to go about this.

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

ADOPTED - AYES - 5 (Merwin, Campbell, Fedele, Kaye, Merwin)  
NAYS - 0

RESOLVED, to consult with Warren Replansky concerning changing the Town Clerk's and Town Supervisor's term of office.

**Adoption of 2014 Budget:**

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

ADOPTED - AYES - 5(Merwin, Campbell, Fedele, Kaye, Merwin)  
NAYS - 0

RESOLVED, to adopt the 2014 Budget as prepared.

**Supervisor's Report:**

VOUCHER COMMITTEE - The Supervisor announced that the Voucher Committee for December 2013 would consist of himself and Councilmen Fedele and Campbell.

MONTHLY BILLS ABSTRACT/SPECIAL ABSTRACT -

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

ADOPTED - AYES - 5 (Merwin, Campbell, Fedele, Kaye, Merwin)  
NAYS - 0

RESOLVED, to accept the Special Abstract dated October 21, 2013 in the following manner:

A Fund - \$2,373.31  
B Fund - \$1,998.73  
DB Fund - \$5,158.45

TOTAL: \$9,530.49

All signed and dated the abstract.

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

ADOPTED - AYES - 5 (Merwin, Campbell, Fedele, Kaye, Merwin)  
NAYS - 0

RESOLVED, to accept the Monthly Abstract dated November 14, 2013 in the following manner:

A Fund - \$13,003.34  
B Fund - \$ 1,903.89  
DB Fund - \$26,956.01  
SW 1 \$17,522.44  
HRA - \$ 31.50  
Escrow - \$10,217.27

TOTAL: \$69,624.45

All signed and dated the Abstract.

**Authorization to Sign BQ Energy Escrow Agreement:**

Counsel Replansky indicated that the agreement with BQ Energy was moving along. There was a question of whether this project was considered a Type 1 or 2 for SEQR and he is waiting to hear back from the DEC.

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

ADOPTED - AYES - 5 (Merwin, Campbell, Fedele, Kaye, Merwin)  
NAYS - 0

RESOLVED, to authorize the Supervisor to sign the escrow agreement with BQ Energy.

**Meeting with Counsel:**

Mr. Replansky advised the Board that he would prepare the Notice of Public Hearing for the Local Law 2013 concerning the regulation of Motor Driven Vehicles on Property of the Town of North East and privately Owned Property.

**Executive Session:**

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

ADOPTED BY ROLL CALL:

AYE - Supervisor Merwin  
AYE - Councilman Fedele  
AYE - Councilman Merwin  
AYE - Councilman Campbell  
AYE - Councilman Kaye

RESOLVED, to go into Executive Session for Litigation Matters.

The Board went into Executive Session at 7:50 P.M.

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

ADOPTED - AYES - 5 (Merwin, Campbell, Fedele, Kaye, Merwin)  
NAYS - 0

RESOLVED, to return to regular session.

The Board returned to regular session at 8:24 P.M.

**Supervisor's Report Continued:**

Supervisor Merwin informed the Board that there would be a special workshop on December 4, 2013 at 4:00 P.M. concerning the Millerton Elementary School. Mr. Jerry Benjamin will be there to give an analysis of the proposal, and different scenario options for the building.

**BUDGET ADJUSTMENT -**

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

ADOPTED - AYES - 5 (Merwin, Campbell, Fedele, Kaye, Merwin)  
NAYS - 0

RESOLVED, to approve Budget Adjustment #3, 2013 concerning State Retirement Fund.

**Minutes:**

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

ADOPTED - AYES - 5 (Merwin, Campbell, Fedele, Kaye, Merwin)  
NAYS - 0

RESOLVED to approve the minutes of October 10, 2013 as presented.

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

ADOPTED - AYES - 5 (Merwin, Campbell, Fedele, Kaye, Merwin)  
NAYS 0

RESOLVED, to accept the minutes of October 24, 2013 Special Meeting as presented.

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

ADOPTED - AYES - 5 (Merwin, Campbell, Fedele, Kaye, Merwin)  
NAYS - 0

RESOLVED, to accept the minutes October 24, 2013 Workshop Meeting as presented.

Supervisor Merwin informed the Board that the Northern Dutchess Alliance requested that the Town join their organization. The Board had decided not to take up their offer before and has decided not to again.

**General Comment:** none

**Adjournment:**

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

ADOPTED - AYES - 5 (Merwin, Campbell, Fedele, Kaye, Merwin)  
NAYS - 0

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RESOLVED, to adjourn the meeting.

The meeting adjourned at 8:32 P.M.

Respectfully Submitted,

Ellen Owens  
Deputy Town Clerk