

**BUSINESS MEETING  
TOWN BOARD, TOWN OF NORTH EAST  
DECEMBER 12, 2013**

**Members Present:**

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

**(skip to #2.) County Legislator Debra Blalock:**

The County Legislator, Debra Blalock, gave her monthly report on the latest goings-on in the County Legislature. Of local interest was the repeal of the exemption of the county's tax on residential energy sources.

**1. Call to Order:**

Supervisor Merwin called the meeting to order at 7:02 P.M. with the Pledge of Allegiance.

**3. Acceptance of Agenda:**

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 agenda as presented.

**(skip to #6.) Department and Committee Reports:**

POLICE - Chief Rudin gave the monthly police report. He stated that a written one would be submitted later.

**4. Public Hearing on Local Law #1 regulating the use of Motor Vehicles on property on the Town of North East and privately owned property:**

Supervisor Merwin opened the Public Hearing at 7:10 P.M. Town Clerk Davis Vialpando read the Notice of Public Hearing. Supervisor Merwin asked if there were any comments from the public. There was none.

The Public Hearing closed at 7:12 P.M.

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 approve Local Law #1, 2013.

**5. Public Comment on Agenda Items:**

No public comment.

## **6. Department and Committee Reports:**

HIGHWAY - Superintendent Stevens stated that all was going well with the department, and that the weather was keeping them busy. There was a discussion about the stalled roof project.

ASSESSOR - No report.

PLANNING/ZONING/BUILDING - The Department reports had been submitted and were on the table.

TOWN CLERK - Clerk Davis Vialpando reminded the Board that the deadline for registration to the annual Association of Towns meeting in NYC was January 27th.

### **COMMITTEE REPORTS -**

Emergency Services: Supervisor Merwin emphasized the importance of the need to stimulate volunteerism and formulate the framework for some sort of hybrid option for daytime coverage. Mr. Merwin will be meeting with Rod McCloud, attorney for the Fire District, who has a wealth of knowledge of the formation of fire districts, in order to get some advice for starting points. The Supervisor stated that the community needs to know that the Town is aware of the looming crisis, and will be doing something about it.

Zoning Review Committee: The ZRC Committee met with Counsel Replansky to go over some Irondale issues which need clarification.

Cemetery: Councilman Campbell again stated that the Town has been advised that it should not get more involved with cemeteries than it already is, and that a cemetery group/association could be formed to handle other issues. Supervisor Merwin suggested that the Coleman Station group could provide some advice.

Personnel: After interviewing seven applicants, the committee decided to hire Claudia Stevens to become the secretary to the Planning/Zoning and Building Departments.

**8. Provision of health insurance for new Town Clerk:** Supervisor Merwin indicated that there had been a request to carry over health insurance from the current Planning/Zoning/Blding secretary to the new Town Clerk. He said that an exemption from the personnel manual would allow this to happen at the same rate currently being paid. (50%).

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 allow the exemption in the Personnel Manual in order that the secretary of Planning/Zoning/Building departments keep health insurance at the present rate (50%) when taking the office of Town Clerk in 2014.

## **9. December 24, 2013 Town Hall hours:**

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 close Town Hall on December 24th.

**10. Reorganization meeting:**

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 hold the Reorganizational Meeting on January 2, 2014 at 5:00 P.M. with an alternative date of January 3, 2014 at 5:00 P.M.

There will be a Swearing In Ceremony January 1, 2014 at 11:00 A.M.

**11. Discussion on changing Town Clerk's and Town Supervisor's terms from two years to four years:**

The Board agreed it would be a productive move. Supervisor Merwin stated that he would ask Counsel to advise what would be the best approach.

**12. Creation of Clerk/Land Use Coordinator position:**

Supervisor Merwin explained that the position would allow for a training/transition period (one year) in order that the new secretary would be afforded the knowledge and experience of the previous secretary.

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

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

RESOLVED, to create the position of Clerk/Land Use Coordinator position for a period of one year.

The Personnel Committee will meet in order to discuss the specifics.

**13. Supervisor's Report:**

Supervisor Merwin stated that Mike Haggerty had been hired (approximately 1 day/week) as a grant writing consultant in order to help with funding for projects ranging from re-evaluating the comprehensive plan to emergency procedures.

MONTHLY BILLS ABSTRACT/SPECIAL ABSTRACTS -

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 Special Abstract dated November 25, 2013 in the following manner:

A Fund - \$593.18

Total - \$593.18

All signed and dated the abstract.

Town Board, Town of North East  
December 12, 2013  
Page Four

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

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

RESOLVED, to approve the Special Abstract dated Decemeber 4, 2013 on the following manner:

A Fund - \$39,822.16  
B Fund - \$ 9,320.08  
DB Fund - \$35,585.76

Total - \$84,728.00

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 approve the abstract dated December 12, 2013 in the following manner:

A Fund - \$20,160.35  
B Fund - \$ 4,185.54  
DB Fund - \$34,232.60  
T&A2 Escrow - \$ 7,218.30

Total - \$65,796.79

All signed and dated the abstract.

#### VOUCHER COMMITTEE FOR JANUARY 2014-

The Voucher Committee for January 2014 will consist of Councilmen Merwin and Kaye and Supervisor Merwin.

#### BUDGET ADJUSTMENT #4 -

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 approve Budget Adjustment #4, 2013 as presented.

#### **14. Minutes:**

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

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

RESOLVED, to approve the minutes of November 14, 2013 as presented.  
Town Board, Town of North East  
December 12, 2013  
Page Five

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 approve the minutes of December 4, 2013 as presented.

**15. General Comment Period: None.**

**7. Meeting with Counsel:**

GENERAL LEGAL MATTERS - Counsel Replansky explained the progress with the BQ proposal. There had been some misunderstandings by Counsel which were rectified, but there were still some issues dealing with tax exemptions that need to be confirmed. BQ also has indicated that it will not agree to a removal bond. Counsel consulted with Morris Associates, and was satisfied that there would be nothing which would require much effort or expense to remove if the Town had to do it. Counsel has no problem with not having one. A letter of Intent is needed to be sent to NYSERDA before the end of the year in order to get a grant. Counsel sent the template to the Town which will in turn return it to Counsel who will forward it to the appropriate place.

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 authorize the Supervisor to sign the letter of intent which will be sent to BQ Energy regarding the NYSERDA grant.

EXECUTIVE SESSION -

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

ADOPTED BY ROLL CALL:

AYE - MERWIN  
AYE - FEDELE  
AYE - MERWIN  
AYE - CAMPBELL  
AYE - MERWIN

RESOLVED, to go into Executive Session for Housing Resource and other legal matters.

The meeting went into Executive Session at 8:10 P.M.

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 return to regular session.

The meeting returned to regular session at 8:31 P.M.

Town Board, Town of North East  
December 12, 2013  
Page Six

**15. Public Comment:** none

**16. Adjournment:**

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 adjourn the meeting.

The meeting adjourned at 8:33 P.M.

Respectfully Submitted,

Nancy Davis Vialpando  
Town Clerk, Town of North East

APPROVED: February 19, 2014