

**TOWN OF NORTH EAST  
TOWN BOARD  
OCTOBER 8, 2015**

**Members Present:**

Supervisor Merwin  
Councilman Campbell  
Councilman Fedele  
Councilman Kaye  
Councilman Merwin

**Call to Order:**

Supervisor Merwin called the meeting to order at 7:00 P.M.

**Public Comment on Agenda Items Only:** none.

**Department and Committee Reports:**

POLICE – Mr. David Rudin reported that there were 48 total incidents in the Town and Village in September. 16 were in the Town and 32 in the village. He informed the Board that there were a few DWI arrests, some domestic disputes and criminal mischief at the Highway Garage. The persons responsible for damage to the equipment at the Highway Garage will be making restitution for the damaged equipment.

HIGHWAY – Highway Superintendent Robert Stevens provided the Board with a list of surplus equipment and requested permission to put the equipment on Auction International website.

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 Superintendent Stevens to advertise the surplus equipment on Auction International.

ASSESSOR: no report

PLANNING, ZONING AND BUILDING DEPARTMENT – Supervisor Merwin announced that the reports from Planning, Zoning and Building department were on the table.

TOWN CLERK – Mrs. Lisa Cope the Town Clerk announced that the Town of North East had received approval for a Records Management Shared Grant along with the Towns of Amenia, Beacon and Dover.

COMMITTEE ACTIVITY –

BUDGET COMMITTEE - Supervisor Merwin praised the Budget Committee for their hard work and announced that there is a tentative budget to give to the Town Board at this time and to set a public hearing next month for preliminary budget. Councilman Fedele stated that the Mandatory Tax Cap made it difficult to plan. Councilman Kaye informed the Board that they had to do some juggling and hoped to stay under the Cap.

**Dutchess Land Conservancy Presentation:**

Ms. Karen Rue of the Dutchess Land Conservancy asked the Town Board for a letter of support for two farms that wish to sell their land conservancy development rights. The first is Duncandale Farm on Coleman Station Road and the second is the Caora Farm on Sharon Road. Ms. Rue stated that both farms are very valuable to the heritage of the Town of North East. Both farm owners want to preserve their land.

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 a resolution in favor of the two properties discussed with Dutchess Land Conservancy

**Webutuck Valley Youth Soccer Contract:**

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 Webuuck Valley Youth Soccer Contract for 2015

**Bulk Trash Day Announcement:**

Supervisor Merwin announced that Bulk Trash would be held on October 17, 2015 between 8:00 A.M. and 12:00 noon.

**Presentation of the 2016 Tentative Budget and setting of a Public Hearing Date:**

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 tentative budget of 2016, and to set the Public Hearing for November 12, 2015 at 7:15 P.M.

**Porch Repair:**

Supervisor Merwin informed the Board that emergency repairs had to be done on the Town Hall Porch. It needed new supporting columns footing and drains. Jim Socci of J.M. Construction offered an estimate for \$2,800.00.

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 authorize Jim Socci to repair the Town Hall front porch.

**Meeting with Counsel:**

Supervisor Merwin asked Counsel Replansky about the Town's obligation to the upkeep of the Van Alstyle Cemetery on Route 83? The Cemetery is very over grown and littered with many trees. It seems that it is a private burial ground and in Mr. Replansky opinion the Town is not responsible for its upkeep.

Supervisor Merwin asked Mr. Replansky whether a Local Law rescinding the Local Law surpassing the tax cap needed to be passed. Mr. Replansky answered only if referendum did not pass.

**Resolution Authorizing the Attorney of the Town to Sign Tax Certiorari Settlements:**

Adopted By Roll Call -  
Councilman Campbell AYE  
Councilman Fedele AYE  
Councilman Kaye AYE  
Councilman Merwin AYE  
Supervisor Merwin AYE

RESOLVED, THAT THE Town Board hereby authorizes the Attorney to the Town to execute the said Consent Judgement in the same, or substantially similar form as the Consent Judgements annexed hereto.

**EXECUTIVE SESSION INVOLVING LITIGATION –**

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

ADOPTED BY ROLL CALL

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

RESOLVED, to go into Executive Session.

The Board went into Executive Session at 7:41 P.M.

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 return to regular session.

The Board returned to regular session at 8:14 P.M.

**Public Hearing for Water District #1 Benefit Assessment Role:**

The Town Clerk read the notice of Public Hearing which opened at 8:15 P.M.

Mrs. Cope informed the Board that a complaint of Benefit Assessment Roll for the year 2015 had been made by William McGinn and Christopher Baetz of 331 Merwin Road, Millerton, NY. The house was listed as a three family and is only a two family.

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 modify the Water District #1 Benefit Assessment Roll and have the assessor make the correction.

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.

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**Supervisor's Report:**

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 reinstate 27 hours of sick time for Joshua Schultz of the Highway Department  
The Town was reimbursed by Workers Compensation.

Supervisor Merwin reminded the Board that they are meeting with New York State Senator Sue Serino to discuss possibilities for the Town of North East. The meeting will be held in Hyde Park on October 15, 2015 at 2:30 P.M.

Supervisor John Merwin also reminded them of a notice concerning a presentation at the Rail Trail with Carl Hastings, Speaker of the Assembly and Didi Barrett on October 13, 2015 at 1:30 P.M.

MONTHLY BILLS AND SPECIAL ABSTRACTS –

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 monthly abstract dated October 8, 2015 in the following manner:

A Fund - \$44,035.54  
B Fund - \$ 1,671.18  
DB Fund - \$40,786.82  
ESCROW - \$ 2,325.60

TOTAL: \$88,819.14

All signed and dated the abstract.

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 special abstract dated September 28, 2015 in the following manner:

A Fund - \$4,022.07  
DB Fund - \$3,437.55

TOTAL: \$7,459.62

All signed and dated the abstract.

**BUDGET ADJUSTMENT –**

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 Budget Adjustment #5 of 2015.

The Voucher Committee for November 2015 will consist of Councilmen Merwin and Kaye.

**Minutes:**

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 minutes of September 10, 2015 as amended.

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 minutes of September 22, 2015 as amended.

**General Comment Period:**

Mr. Peter Greenough asked about the cost associated with the Millerton Police Department. He feels that the Village is carrying a larger burden than the Town. Supervisor Merwin agreed that both parties should sit down and analyze a better system.

**Adjournment:**

On a motion by Councilman Merwin, 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 8:40 P.M.

Respectfully Submitted,

Lisa Cope  
Town Clerk

Approved: December 10, 2015