

**TOWN OF NORTH EAST
TOWN BOARD
MINUTES
May 10, 2018**

Councilman Present:

Supervisor Kaye
Councilman Merwin
Councilman Fedele
Councilman Kennan
Councilman Midwood

Call to Order:

Supervisor Kaye called the meeting to order at 7:00 p.m.

Acceptance of Agenda:

Supervisor Kaye added an addition to the agenda for consideration of a donation to the North East Historical Society of old video equipment and file cabinets that are no longer used at Town Hall.

On a motion made by Councilman Kennan, seconded by Councilman Fedele, the following was:

ADOPTED- AYES – 5 (Kaye, Merwin, Fedele, Kennan, Midwood)
NAYS- 0

RESOLVED, to accept the agenda as amended.

Public comment on agenda items only:

There were no comments.

Department and Committee Reports

POLICE – Officer Rudin was present to read the report for March 2018. In 2017, there were 46 incidents in total with 32 in the village and 14 in the town. In 2018, there were 49 in total with 31 in the village and 18 in the town. The department had three more arrests in March this year compared to last. In 2017, there were four arrests with three in the village and one in the town. This year we had five arrests in the village and two in the town. For April 2018, we had arrests for DUI and drug possession. April's numbers were 51 total 30 in the village and 21 in the town. This year is 58 with 34 in the village and 24 in the town. For the town, arrests in the month yielded eight arrests for DWI of alcohol or drugs. Officer Rudin stated the numbers are alarming. There is a grant that is expiring this month for body cams and efforts are being made to have money available for said items. The federal grant will cover 50% of the cost. Officer Rudin hopes to know within six months if this will happen.

HIGHWAY - Superintendent Stevens stated that he had the results of the surplus equipment auction and was pleased with the offers. The 2000 International truck bid was \$13,300.00, the Tarco T-3000 Spreader was \$350.00, the 2000 York Broom was \$1,575.00, and the 1999 Dayton PTO Generator was \$830.00. Mr. Stevens recommended the board accept the offers.

On a motion made by Councilman Merwin, seconded by Councilman Midwood, the following was:

ADOPTED- AYES – 5 (Kaye, Merwin, Fedele, Kennan, Midwood)
NAYS- 0

RESOLVED, to accept bids as presented for the surplus equipment.

ASSESSOR – Assessor Johnson stated the 2018 Tentative Roll is completed and published and is available for inspection in the office. It is also available online. She has extended hours for people to be able to speak with her before Grievance Day on May 23rd. Appointments need to be

made earlier in the day on May 23rd. There is a new change in the STAR exemption. There is a rebate check for new owners instead of an exemption. Little by little it is going from our roll to the State. There is now new legislation changing the Enhanced STAR where the State is now going to approve all the exemptions for the Enhanced STAR. Seniors will need to register online. Low income seniors will still come to the Assessor.

PLANNING, ZONING, and BUILDING – Monthly report was on the table.

TOWN CLERK – Clerk Cope stated the second notices for unpaid taxes were going out tomorrow and the taxes are due the end of the month. If not paid by the deadline, it would be turned over to Dutchess County Finance.

COMMITTEE ACTIVITY– Councilman Kennan stated that the Village of Millerton also adopted a Climate Smart resolution to be a Climate Smart Community. This allows the Town and Village to pursue the Climate Smart activities and notify the task force for their portion and upgrade as one unified community. We will be asking the Town’s CAC to be the task force for the Village on Climate Smart.

Supervisor Kaye added that the Housatonic Valley Association mentioned other grants geared toward the Village and further discussions of future grant money for bridges and culverts. We have one down on lower Mill Road that is not covered by the County. It is in serious need of being replaced. HVA thinks the area will be studied as a free service and then a request for money to replace the culvert. Supervisor Kaye said it should be a high priority. There is a webinar offered by the State on other grant opportunities.

APPROVAL TO FUND FOUR ADDITIONAL SAMPLES TO BE TAKEN AT THE LANDFILL FOR \$1,660.00:

The Board discussed the approval to fund four additional samples at the landfill. Supervisor Kaye mentioned that the Board approved the regular samples that need to be taken every three years. Since that time, New York State has a new requirement for a PASF test. We will be paying \$1,660.00 to take these samples. Councilman Kennan asked if this is going to be every year. Supervisor Kaye imagined it would go in the three year cycle but doesn’t know for sure.

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

ADOPTED- AYES – 5 (Kaye, Merwin, Fedele, Kennan, Midwood)
NAYS- 0

RESOLVED, to approve the funds of \$1,660.00 for the additional samples to be taken at the landfill for testing

APPROVAL OF THE CONTRACT WITH NORTH EAST COMMUNITY CENTER:

The board discussed the contract regarding North East Community Center. The cost of the contract is \$5,500.00. Of this total, \$5000.00 is for general programs and the additional \$500 is for the mobility management and transportation program.

On a motion made by Councilman Fedele, seconded by Councilman Kennan, the following was:

ADOPTED- AYES – 5 (Kaye, Merwin, Fedele, Kennan, Midwood)
NAYS- 0

RESOLVED, to approve the contract for NECC.

RENEWAL OF THE JUNK YARD, BENWOOD KNOLLS, AND SCENIC VIEW TRAILER PARK PERMITS:

Supervisor Kaye informed the Board that we needed to renew the yearly permits for Thomsen Graham Junkyard, and Benwood Knolls and Scenic View Mobile Home Parks. All facilities have passed the yearly inspection performed by the Building Department.

On a motion made by Councilman Kennan, seconded by Councilman Merwin, the following was:

ADOPTED- AYES – 5 (Kaye, Merwin, Fedele, Kennan, Midwood)
NAYS- 0

RESOLVED, to renew the permits for those three facilities

MEMORIAL DAY PROCLAMATION:

Supervisor Kaye asked Town Clerk Cope to read the proclamation. Supervisor Kaye stated that this year it will be his honor to read the proclamation on Memorial Day.

On a motion made by Councilman J. Merwin, seconded by Councilman Midwood it was

ADOPTED – AYES – 5 (Kaye, Kennan, Fedele, Merwin, Midwood)
NAYS – 0

RESOLVED, that Supervisor Kaye be allowed to sign Memorial Day Proclamation

AUTHORIZATION TO SIGN MOU WITH VILLAGE ON JOINT FUEL FACILITY AND STORAGE FACILITY AT PROPOSED HIGHWAY GARAGE SITE:

Supervisor Kaye stated the Board would not be authorizing the Memorandum of Understanding (MOU) with the Village on joint fuel facility and storage facility at proposed highway garage site at this meeting. The village is looking at the MOU and has some comments they wish to be addressed. The Village's attorney should draw up what should be the final MOU and the Board could then hold a special meeting in the future to pass it. Councilman Kennan said a special meeting would be helpful to keep this moving along.

MAY 13-19 IS NATIONAL POLICE WEEK WITH THE DUTCHESS COUNTY SHERIFF'S OFFICE HOLDING A REMEMBRANCE CEREMONY AT 9:30AM ON May 17, 2018:

Supervisor Kaye announced that May 13-19 is National Police Week with the Dutchess County Sheriff's Office. They are holding a Remembrance Ceremony at 9:30 on May 17, 2018.

APPOINTMENT OF DEPUTY TOWN CLERK/ZBA SECRETARY AT THE RATE OF \$15.50/HOUR FOR 6 MONTHS TO INCREASE TO \$16.00 AFTER:

Town Clerk Cope appointed Gail Wheeler to the position of Deputy Town Clerk and ZBA Secretary. She previously worked at Town Hall and was Town Clerk 14 years ago and has a lot of experience and will fit in well and pick up on what is being done quickly. Supervisor Kaye stated the Personnel Committee met with her the other day and was very impressed and thought she would do a very good job.

On a motion made by Councilman Kennan, seconded by Councilman Midwood, the following was:

ADOPTED- AYES – 5 (Kaye, Merwin, Fedele, Kennan, Midwood)
NAYS- 0

RESOLVED, to approve the Deputy Town Clerk and ZBA Secretary pay rate for Gail Wheeler to be \$15.50 per hour for six months with the rate to increase to \$16.00 per hour after that.

ANNOUNCEMENT THAT THE DUTCHESS COUNTY OFFICE FOR THE AGING WILL BE HOLDING A FREE SENIOR CITIZEN PICNIC ON WEDNESDAY, JUNE 13, AT 12:00 NOON AT THE PINE PLAINS LIONS CLUB PAVILION, 82 BEACH RD.

Supervisor Kaye stated the Dutchess county Office for the Aging will be holding a free senior citizen picnic on Wednesday, June 13 at 12:00 at the Pine Plains Lions Club Pavilion at 82 Beach Road. Prior registration is required and should be made to 845-486-2555. The County pays the majority of the luncheon but each town contributes as well. It is for seniors 60 and over.

MEETING WITH COUNSEL:

Supervisor Kaye discussed the older video equipment that is outdated and older filing cabinets downstairs no longer being used and will probably never be used. The North East Historical Society has expressed interest in those items.

On a motion made by Councilman Midwood, seconded by Councilman Merwin, the following was:

ADOPTED- AYES – 5 (Kaye, Merwin, Fedele, Kennan, Midwood)
NAYS- 0

RESOLVED, to abandon those items because they no longer serve a municipal purpose

ATTORNEY CLIENT SESSION: – Attorney Replansky expressed the desire to talk in an Attorney-Client Session with legal advice for issues regarding possible bond matters and an update on personnel and litigation matters

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

ADOPTED BY ROLL CALL:

Supervisor Kaye –	AYE
Councilman Midwood -	AYE
Councilman Fedele -	AYE
Councilman Merwin -	AYE
Councilman Kennan -	AYE

RESOLVED, to go into Attorney-Client Session at 7:33 p.m.

On a motion made by Councilman Fedele, seconded by Councilman Kennan, the following was:

ADOPTED- AYES – 5 (Kaye, Merwin, Fedele, Kennan, Midwood)
NAYS- 0

RESOLVED, to return to regular session at 7:44 p.m.

SUPERVISOR'S REPORT:

Supervisor Kaye mentioned a budget adjustment #3 for 2018 dated May 10, 2018 and is A Fund General Town-wide expense increase of \$4,000.00 less a revenue increase of \$4,000.00

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

ADOPTED- AYES – 5 (Kaye, Merwin, Fedele, Kennan, Midwood)
NAYS- 0

RESOLVED, to approve the budget adjustment # 3 of 2018

Supervisor Kaye presented an abstract, dated May 10, 2018, totaling \$103,791.05 broken down as follows:

A Fund -	\$42,140.61
B Fund -	\$ 2,985.14
DB Fund -	\$27,602.80
Water District SW1 –	\$28,462.50
T&A2 Escrow -	\$2,600.00
Total -	\$103,791.05

On a motion made by Councilman Kennan, seconded by Councilman Fedele the following was

ADOPTED – AYES – 5 (Kaye, Merwin, Midwood, Fedele, Kennan)
NAYS – 0

RESOLVED, to accept the abstract dated May 10, 2018 in the amount of \$103,791.05.

The voucher committee for this month is Councilmen Merwin and Kennan.

APPROVAL OF MINUTES:

The Board reviewed the minutes of April 20, 2018. Supervisor Kaye said there were some grammatical errors that have been amended.

On a motion made by Councilman Merwin, seconded by Councilman Midwood the following was

ADOPTED – AYES – 5 (Kaye, Merwin, Midwood, Fedele, Kennan)
NAYS – 0

RESOLVED, to accept the minutes of April 20, 2018 as amended.

GENERAL COMMENTS:

Bill Kish asked if anything could be discussed from the Attorney-Client Session. Supervisor Kaye mentioned it is different from an Executive Session. The attorney is giving you advice on specific things and that is not for open session. Mr. Kish stated that he researched the issue and it is confusing. If anything is discussed in the Attorney-Client Session that requires specific expertise of an attorney is not required would not be out of bounds. He asked if there a reason why it didn't fall under the Executive Session's allowed topics. Supervisor Kaye stated everything that was discussed required our attorney advice. There were no decisions made. Mr. Kish said that the next time the attorney wants to go into Attorney-Client Session, asks Mr. Replansky to describe for the record why the matter couldn't be discussed in the Executive Session under the Open Meetings Law would be helpful.

Mary Lynn Kalogeras asked if anyone from the Board wanted to comment on the matter. They all agree that it was necessary to go into Executive Session. She asked who makes the decision of what type of session the board would need to go to. Supervisor Kaye stated the attorney makes that decision and the Board may have an idea of what might be discussed at that time. Miss Kalogeras made further inquiries into the attorney's hours and payments. It was stated that there is a line item on the budget for attorney fees.

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ADJOURNMENT:

On a motion by Councilman Midwood, seconded by Councilman Kennan the following was:

ADOPTED – AYES – 5 (Kaye, Merwin, Midwood, Fedele, Kennan)
NAYS – 0

RESOLVED, to adjourn the meeting at 7:59 p.m.

Respectfully submitted,

Lisa Cope
Town Clerk