

**TOWN OF NORTH EAST  
TOWN BOARD SPECIAL MEETING  
MINUTES  
March 28, 2019**

**Councilman Present:**

Supervisor Kaye  
Councilman Merwin  
Councilman Fedele  
Councilman Midwood  
Councilman Kennan

**Councilman Absent:**

Also in attendance was Ray Jurkowski, CPL, Engineer, Warren Replansky, Town Attorney, Bob Stevens, Highway Superintendent, and Jen Najdek, Deputy Mayor, Village of Millerton.

**Call to Order:**

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

**Change to Agenda:**

Supervisor Kaye informed the Board that item 5 on the Agenda- Executive Session with Assessor and Attorney to the Assessor to Discuss Strategy on a Tax Cert Case has been postponed and will take place at a future meeting.

**Appointment of James Horton to an MEO Position at the Town Highway Garage:**

Supervisor Kaye stated that there was an opening for an MEO in the Highway Department, due to Jim Tanner leaving. James Horton has applied for the position. He has worked for the highway department previously.

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

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

RESOLVED, to appoint James Horton as MEO for the Town Highway Department

**Plan for Design for Phase 1 of the Joint Town/Village Highway Garage and the Construction Time Frame:**

Jen Nadjek representative from the Village and Bob Stevens, Highway Superintendent were invited to sit at the table for the presentation.

Engineer Ray Jurkowski of CPL gave an overview of the project and said that we were on a tight schedule.

Mr. Jurkowski said that the overhead doors of the buildings would not be facing the roadway. The stream located on the property needs to be relocated back to the original stream bed. Due to erosion it has moved over time. Phase 1 will be the cold storage building and Fuel Facility to be built this year. Phase 2 will be the salt and sand storage building, Phase 3 will be the highway garage to be built in the future. The original layout of the building had the garage and cold storage building connected, they will now be separated. The salt shed will be built at the rear of the property with the sidewalls into the topography. It will be pole barn construction. Mr. Jurkowski said that the cost of a wood structure was less expensive and that metal building is built to last longer. The septic for the garage will be located at the front of the building. Since the project will be disturbing more than one acre with the relocating of the stream bed a storm water prevention pollution plan will be needed. Other permits needed for the project will be a DOT permit for the driveway entrance and curb cut, Board of Health approval for the septic system, the relocating of the stream will need approvals from Army Corp of Engineers and the DEC.

The main building is mainly the same as was previously proposed. There will be a set of stairs in the admin portion of building that will lead to second floor. The second floor will be utilized for storage, a kitchenette, and breakroom. One bay of the garage will be for the Village the remaining bays will be for the town trucks and equipment. Each bay will have an overhead door that is 14'x16' so that a truck would be able to fit into the building with a plow.

The cold storage building will be roughly 85'x60' and will have electricity and lighting, no heat. The exterior will be metal with a standing seam roof. The fuel storage facility has been added to the cold storage building, the fueling station will be on the side of the building and will have a roof over it, Ray is doing some research into a fuel tracking system called Fuel Master which would require a swipe card and would keep track of how much fuel the town and village are using.

The sand/salt building will be at the rear of property and will be a wood structure on top of concrete foundation.

**Contracts Between the Town and CPL, the Engineering Firm for the ADA Accessibility of Town Hall as the Lead Agency for the State Environmental Quality Review Act (SEQRA)**

Ray said that he has prepared a contract for ADA contract and a contract to be signed by the Town Supervisor for his company CPL as this company was awarded the winning bid for the RFP that were submitted for engineering and design of the shared highway garage facility.

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

ADOPTED BY ROLL CALL:

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

RESOLVED, to authorize the Town Supervisor to execute the agreements with CPL Engineering for the Town Hall ADA improvements and design of the shared highway garage and fuel storage facility projects.

**TOWN BOARD OF THE TOWN OF NORTH EAST**

**RESOLUTION AUTHORIZING THE TOWN SUPERVISOR TO EXECUTE AGREEMENTS WITH CPL ARCHITECTURE, ENGINEERING, PLANNING AND SURVEYOR FOR THE TOWN OF NORTH EAST TOWN HALL ADA IMPROVEMENTS PROJECT AND THE TOWN OF NORTH EAST DESIGN OF SHARED HIGHWAY GARAGE AND FUEL STORAGE FACILITY PROJECTS**

**WHEREAS**, the Town of North East and the Village of Millerton have been awarded a Community Development Block Grant for a project involving handicapped accessibility improvements to the Village and Town Hall for compliance with the Americans with Disability Act; and

**WHEREAS**, the Town of North East has been awarded a \$240,000 Municipal Innovation Grant (MIG) for the construction of a shared highway garage and fuel storage facility for the Town of North East and the Village of Millerton; and

**WHEREAS**, the Town has prepared an RFP for Architect/Engineer Services for both projects, and, after the receipt and review of all bids, the firm CPL Architecture, Engineering, Planning and Surveyor (CPL) has been awarded the contracts for both projects; and

**WHEREAS**, the contracts for both projects have been prepared by the Attorney to the Town and reviewed and approved by the Town Board; and

**WHEREAS**, an MIG Program Agreement has been prepared by the County of Dutchess and submitted to the Town for its execution; and

**WHEREAS**, the MIG Program Agreement has been reviewed, and found acceptable by the Attorney to the Town.

**NOW, THEREFORE, BE IT**

**RESOLVED**, the Town Supervisor is hereby authorized to sign engineering services contracts for each project with CPL in the same, or substantially the same, form as submitted to the Town Board; and be it further

**RESOLVED**, that the Town Supervisor is hereby authorized to execute the MIG Agreement between the Town of North East and the County of Dutchess.

This motion was offered by Town Board member Chris Kennan and was seconded by Town Board member John Midwood.

SUPERVISOR KAYE	Voted AYE
COUNCILMAN FEDELE	Voted AYE
COUNCILMAN KENNAN	Voted AYE
COUNCILMAN MERWIN	Voted AYE
COUNCILMAN MIDWOOD	Voted AYE

The Resolution was carried by a 5-0 vote of the Town Board members on March 28, 2019, 2019.

Lisa Cope,  
Town Clerk, Town of North East

Attorney Warren Replansky discussed with the Board members that a municipality who wants to build a municipal building could be exempt from planning and zoning but would need to go through the Monroe Balancing Test. There are several criteria that would need to be met to exempt ourselves from Planning and Zoning Board review. Mr. Replansky recommends having a public hearing at the next town board meeting. Mr. Replansky briefly discussed the SEQR review for this project and that we could be the lead agency for the highway garage construction project. A resolution will be prepared for the next meeting which declares a negative declaration for the environmental review of this project. The public hearing is scheduled for April 11, 2019 at 7:15pm and Mr. Replansky will be preparing the resolution to be adopted.

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

**ADOPTED BY ROLL CALL:**

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

**RESOLVED**, to declare the Town as lead agency for SEQR review and schedule a public hearing for the Monroe balancing hearing.

**TOWN BOARD OF THE TOWN OF NORTH EAST**

**RESOLUTION DECLARING THE TOWN LEAD AGENCY FOR HIGHWAY GARAGE CONSTRUCTION PROJECT LOCATED ON TAX PARCEL NO. 133889-7171-00-950854 ON THE EAST SIDE OF NEW YORK STATE ROUTE 22 IN THE TOWN OF NORTH EAST, ADOPTING PART 1 OF THE SHORT FORM ENVIRONMENTAL ASSESSMENT FORM AND SCHEDULING A MONROE BALANCING TEST PUBLIC HEARING FOR THE SAID PROJECT**

**WHEREAS**, the Town of North East is the owner of a parcel of land located on the east side of New York State Route 22, having tax parcel number 133889-7171-00-950854 consisting of approximately 3.7 acres; and

**WHEREAS**, the Town proposes a project that will be conducted in three phases for said property, with Phase 1 consisting of construction of joint 4,800 square foot, four bay storage building and joint fueling facility including space for an aquatic feeder harvester with the Town and Village of Millerton; Phase 2 consisting of the construction of a 3,200 square foot sand/salt storage shed with mixing pad that will store approximately 2,000 tons of material; and Phase 3 consisting of the construction of a 15,000 square foot joint highway garage facility including administrative offices, break room, vehicle storage, maintenance and parts storage; and

**WHEREAS**, the Town desires to move forward with the engineering and architectural design work for said project; and

**WHEREAS**, the Town/s Consulting Engineer has prepared a Short Environmental Assessment Form, Part 1 for said project which has been submitted to, and reviewed, by the Town Board; and

**WHEREAS**, the Town Board has determined that this is an Unlisted Action under SEQRA and it will conduct an uncoordinated environmental review of this project; and

**WHEREAS**, the Town Board has determined that this property is within the Town's A5A Agricultural District in which highway facilities are not permitted or specially permitted uses, and that certain aspects of the project design will not comply with the Bulk Regulations of the Town for that district; and

**WHEREAS**, the Town Board has determined that to engage in what is known as the Monroe Balancing Test to determine if the project should be exempt from the zoning requirements of the Town in whole, or in part, and for that purpose that a public hearing shall be held.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Town Board hereby declares itself lead agency for this project, accepts Part 1 of the Short Environmental Assessment Form, as prepared by the Town's Engineer; and declares this action to be an Unlisted Action under SEQRA for which an uncoordinated SEQRA review will be performed; and be it further

**RESOLVED**, that the Town Board shall conduct a public hearing to perform the Monroe Balancing Test for this project and schedules said public hearing for April 11, 2019 at 7:15 p.m. in the afternoon at the North East Town Hall for the purpose; and be it further

**RESOLVED**, that the Town Clerk is hereby directed to publish notice of said public hearing and to give notice of the public hearing to the Town of North East Planning and Zoning Boards.

This motion was offered by Town Board member Kennan and was seconded by Town Board member Midwood.

MOTION: Councilman Kennan  
SECOND: Councilman Midwood

SUPERVISOR KAYE	Voted AYE
COUNCILMAN FEDELE	Voted AYE
COUNCILMAN KENNAN	Voted AYE
COUNCILMAN MERWIN	Voted AYE
COUNCILMAN MIDWOOD	Voted AYE

The Resolution was carried by a 5-0 vote of the Town Board members on March 28, 2019.

Lisa Cope,  
Town Clerk, Town of North East

Town of North East  
Special Meeting  
March 28, 2019

**ADJOURNMENT:**

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

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

RESOLVED, to adjourn the meeting at 8:24 PM

Respectfully submitted,

Lisa Cope  
Town Clerk