

RED HOOK TOWN BOARD MEETING

July 9, 2007

A workshop meeting of the Town Board of the Town of Red Hook, Dutchess County, New York was convened in public session in the Town Hall, 7340 South Broadway, Red Hook, at 7:30 p.m.

Present: Supervisor Marirose Blum Bump
Councilman James Ross
Councilwoman Sue Crane
Councilman Harold Ramsey
Councilwoman Lisa Pullaro
Town Clerk Sue McCann
Also Present: Attorney for the Town Christine Chale
Michelle Greig, Greenplan
Absent: Deputy Supervisor William O'Neill

Supervisor Blum Bump announced that there will be a Public Hearing to consider the establishment of the proposed extension to the consolidated lighting district in the Town of Red Hook, on July 10, 2007 at 7:25 p.m.

PRIVILEGE OF THE FLOOR

Diana Ferris of Glen View Drive explained that she has been dealing with a drainage problem for years. She is on the end of a cul-de-sac and the problem makes a mess of her driveway. She showed the Board pictures. She explained that there were supposed to be two catch basins at the end of the cul-de-sac, and referred to a Town road map that indicated so. They were never put in and there are no drains at all.

Supervisor Blum Bump said she spoke to Highway Superintendent Wayne Hildenbrand. She told Ms. Ferris that he acknowledged the problem and the remedy would cost a certain amount of money.

Councilman Ramsey explained that the catch basin issue is true. The road was accepted a number of years ago. The initial plan was that the catch basins would be put in on both sides of the cul-de-sac. The cul-de-sac is at the end of a downhill road. The catch basins were supposed to drain into a fifty yard right-of-way side property and for whatever reason the drains were never put in. He was not around when the Town accepted the road. The problem in the interim is, regarding that fifty foot right-of-way, it was bought by a private citizen who does not want the drainage down that way. Over the years the cul-de-sac has created low spots and it's created an icy area. The berm the Town put in didn't work. We looked at a number of solutions. The latest idea is to resurface the whole cul-de-sac and angle it in such a way that it drains gradually in different spots and won't cause erosion.

Supervisor Blum Bump asked if this is a place that pervious asphalt would be good so that it drains.

Councilman Ramsey answered they would have to check with their engineer. Test drilling was approved to see if drainage could be in the middle of the cul-de-sac. Our engineer thought we would hit rock though and suggested resurfacing and angling. The engineer doesn't think drilling and centering a drain will solve the problem and he isn't 100% sure that the resurfacing will either but it would be a better answer to the problem.

Ms. Ferris asked how grading would stop the water from coming down the hill.

Councilman Ramsey answered that hopefully the water will be redirected to all sides of the cul-de-sac rather than straight towards her driveway. That's what he understands. There is no really good solution.

Councilwoman Crane suggested looking into acquiring the land where the drains should have been.

Councilman Ross feels the simplest solution would be to regrade and repave the road. If it doesn't work then we should look further into it. The road has been in for 22 to 24 years. It was subdivided in the early 80's.

Ms. Ferris doesn't know how long the road has been there. She's lived there 14 years and the problem has gotten worse. There are sections that do drain but it's mainly the driveway on the cul-de-sac that doesn't drain.

Councilman Ross feels it makes sense to try to regrade and resurface to reposition the slope and change the pitch.

Supervisor Blum Bump stated that if they put in a catch basin then any overflow could ease to another direction to avoid an erosion problem.

Councilman Ramsey answered that you would create a crater so to speak in the center of the cul-de-sac which could cause a circle of water there.

Supervisor Blum Bump asked about changing the cul-de-sac to a traffic circle or one way roundabout with drainage in the middle.

Councilman Ross suggested working with our engineer and Highway Superintendent repaving and repositioning the slope. It's a cheaper investment than drilling if our engineer feels there is nothing but rock.

Councilman Ramsey suggests talking to Highway Superintendent Hildenbrand to get a time frame and getting a statement that if this doesn't work after a couple of months, we will continue to look at the issue, possibly getting the right-of-way.

Ms. Ferris thanked Supervisor Blum Bump and Councilman Ramsey for listening to her concerns.

The Board will ask Highway Superintendent Hildenbrand to make it a priority to repave and regrade.

Linda Keeling let the Board know that she submitted a FOIL request regarding St. Margaret's. She feels the Town is getting involved in something they shouldn't. \$250.00 a month for two months is giving the building away. She thinks there will be liability issues down the line if someone gets hurt and the ADA has to be addressed properly. It needs an accessible route for wheelchairs.

Supervisor Blum Bump told Mrs. Keeling that the issue will be addressed at every meeting.

REGARDING PROPOSED LOCAL LAW 2007

Michelle Greig submitted some revisions to section 143.49.1 (pgs. 28 – 60). Michelle suggested the Board review the revisions against their own notes to make sure she didn't miss anything. She also passed out a revision to the subdivision regulations establishing a policy for the Planning Board to consult with the Town Highway Superintendent, the school district and the fire district when selecting the appropriate road types and road widths during the review of subdivision applications. Michelle presented a draft of the Local Law amending Chapter 120 of the code of the Town of Red Hook entitled Subdivision of Land. The Board and Michelle began going over the plan starting with page 1.

Attorney Chale asked what the derivation of the definition of agriculture is.

Michelle Greig answered that it is primarily based on Ag & Markets Law. It updates the current definition so that it is consistent with all the various amendments that have occurred to the Ag & Markets law since the zoning was adopted in 1993. The word "agritourism" should be added because the new Ag & Markets Law includes agricultural tourism as well.

Councilman Ross asked what "agritourism" is.

Michelle answered that agricultural tourism means activities conducted by a farmer on farm for the enjoyment or education of the public which primarily promotes the sale, marketing, production, harvesting or use of the products of the farm and enhance the public's understanding and awareness of farming and farm life.

Attorney Chale feels the Ag & Market's definition is better.

The Board discussed points of the "Agriculture" definition at length. They decided to use the Ag & Market's definition of "agritourism" with one small change.

Michelle Greig referred to page 2 of the Centers and Greenspaces plan. She explained that the conservation subdivision section would replace the existing cluster regulation, and they would apply Town wide. Basically conservation subdivision is a more environmentally sensitive form of clustering. The idea is to group them so that significant resources on the property are preserved.

Michelle went on to the revisions to the phrase "adaptive reuse" on page 3. She explained that the Whole Farm Plan replaces what was formerly referred to as Farmland Protection Plan. Just the name has changed, not the definition. Regarding important farmland, Michelle is doing some research regarding a definition of "prime" soil.

Councilman Ross feels the present definition is fine, and the changes are making it more complicated and restrictive.

Michelle said they just want to clarify the definition of prime soil. The confusion in the zoning law was if it applies to lands in the agriculture district and also separately lands that are prime or state wide.

Councilman Ross has yet to see it used as intended by our Planning Board. It was intended to save our large farms and come in with cluster development to give them a plan and help them so they can get development rights and save farmland. He feels this land change will just make it more restrictive.

Michelle explained that the proposal is to eliminate the important farmland law and replace it with the agricultural business district. We are just giving important farmland a definition because in the new laws we refer to them.

REGARDING ST. MARGARET'S HOME/MILL STREET LOFT AGREEMENT

Supervisor Blum Bump referred to a report from Doug Strawinski. Today he worked on the C.O. (Certificate of Occupancy) with Code Enforcement Officer Steve Cole.

Councilman Ross asked the status of the Occupancy Agreement.

Attorney Chale answered that the agreement is signed. The C.O. was issued. Occupancy is limited to 49 people.

Councilwoman Crane asked how we are going to address the Americans with Disabilities Act requirements in terms of access to the building and bathroom facilities.

Doug Strawinski answered that there are certain obligations we have and don't have. Linda Keeling brought up that we should make every attempt possible to make it accessible. As far as right now, the bathroom is tiny and will have to be relocated to be ADA compliant. An outside restroom that is ADA compliant could be put in place for not a lot of money. We did build a ramp from the driveway up to the porch. The grade is one inch per twelve inches. You could get a wheelchair up, but it is not ADA compliant. There is not enough room for a ramp in the front. The back door might be a possibility eventually but it's in such bad shape.

Councilwoman Crane asked if Taconic Resources was contacted for their input. She would like to see what their suggestions are.

Doug referred to an e-mail from Linda Keeling. She told Doug that rules are certainly different with an historic site. To get around the ADA bathroom issue, we could install the one outside.

When it comes to renovating the building, then you have to look at it from a different perspective.

Attorney Chale stated that an architect should be contacted regarding renovation of the building as to how to approach these issues.

Doug told the Board that we did the work well within the budget. The roof repairs were done for free and we cleaned up quicker than expected. There was no pump, so we had to put one in, as well as a small hot water heater. The toilet flushes and the septic is working. We have electricity and put in a few small fixtures. Doug will take a water sample and get it tested at Smith Labs.

Attorney Chale recommended after the testing is done to post whether or not the water is potable.

Supervisor Blum Bump announced that she received a notice that Winty Aldrich was appointed the Commissioner of New York State Office of Parks, Recreation and Historic Preservation.

REGARDING THE PURCHASE OF RECREATIONAL PARK LAND SOIL TEST

Attorney Chale told the Board that she got the Phase I report back. Since it was orchard property in the past, it was recommended that the Town have soil samples taken to verify the absence of metals. The cost estimate for the soil testing is \$2500 to \$2900 including laboratory analysis and reports. They would subcontract the lab work.

On a motion of Supervisor Blum Bump, seconded by Councilwoman Crane move to approve the fee of \$2,500 - \$2,900 for soil testing.

Adopted Ayes 5 Blum Bump, Ross, Crane, Ramsey, Pullaro
 Nays 0

Attorney Chale will close when we get the results of the report.

EXECUTIVE SESSION REGARDING THE APPOINTMENT OF ASSESSOR FOR A 6 YEAR TERM AND THE STATE EQUALIZATION RATE FOR TH 2007 ASSESSMENT ROLE

Supervisor Blum Bump asked Attorney Chale to tell the Board what is coming up and what they have to do. She wants to know what these two things mean. She referred to a note from ORPS about Assessor appointments. They want reappointment status. Supervisor Blum Bump asked what that meant, what they want the Board to do. She wants to look through everything, and maybe go to Executive Session about this at tomorrow night's meeting.

Attorney Chale circulated a note she received about the equalization rate of Towns within the district. The Board discussed the equalization rates. If the Board wants to contest the equalization rate, it would have to be done by July 18, 2007.

EAGLE SCOUT RECOGNITIONS

Supervisor Blum Bump will have the certificates ready for their recognitions at tomorrow night's meeting.

POLICE

Patrols: Supervisor Blum Bump referred to three different memos she received. One was in reference to someone who left bottles with cleaning solutions in them that blew up in front of Coburn's laundry and one in front of Tom's Garage. She is having Business Manager Deb Marks look into the cost of putting in an 8:00 p.m. to 4:00 a.m. patrol from July to September, one for one week of the month at random and one estimate for having a patrol five times a week for that time.

Attorney Chale suggested discussing the patrols in executive session.

Security checks: Code Enforcement Officer Steve Cole gave the Supervisor a memo that the Red Hook Police Department will provide security checks on their regular rounds if requested. (paperwork will have to be completed)

Speed Radar Trailer: The Red Hook Police Department will be implementing speed enforcement by means of a trailer mounted radar unit which will display the speed of the approaching vehicle. The program will be in place for six weeks beginning about June 25, 2007. The police would like feedback as to where to put it to be most effective. The Board suggests Old Post Road North, Rokeby Road, West Kerley Corners, Kelly Road, Lasher Road, Old Post Road North, Route 9 North, and Linden Avenue by the Park.

Town Clerk Sue McCann asked Attorney Chale about the bids for the connector roads which are due by tomorrow at 10:00 a.m. It says the bids will be opened then and read aloud. She asked who will open them.

Attorney Chale answered that Town Clerk McCann and Highway Superintendent Wayne Hildenbrand will open them and read them aloud.

Town Clerk McCann informed Attorney Chale that Highway Superintendent Hildenbrand is on vacation.

Attorney Chale had not been aware of that and suggested having Purchasing Agent Ted Kudzy and Deputy Highway Superintendent Bob Feller be there too. She asked that the bids get sent to her as soon as they are finished so she can communicate with engineer Pete Setaro in order for him to decide whether or not he will make a recommendation to the Board

Councilman Ross thinks the Board should see them. Up until fairly recently, we always opened them at a public board meeting.

Attorney Chale said if it's the Board's preference to open the bids at a meeting we'll make sure we schedule it that way.

It is the Board's preference to open the bids at a Board meeting.

ROAD ISSUES

Supervisor Blum Bump asked Councilman Ramsey to go over the road issues.

Councilman Ramsey explained that Linden Ave has two issues, speeding and a narrow shoulder that is dangerous for bicyclists and pedestrians. Regarding Lasher Rd, there were speeding issues that the Town can't do anything about, and they would also like Children at Play signs installed in areas where children reside. Route 9 North and Old Post Road have speeding issues, as well as River Road and Kelley Road He is going to set up a meeting with the new DPW Chair, the County Legislator and himself and ask which area they feel is legitimate for us to go forward with. Right now they are working on Budds Corners Road regarding speeding. They turned us down on lowering the speed limit on Route 9G, and they are familiar with the intersection of River Road and Barrytown Road. If they say changes are feasible he will come back to the Board. The Board discussed the curve on Linden Avenue.

Supervisor Blum Bump spoke to a resident further down the road from the curve that would be willing to have a sidewalk put in and brought up the possibility of having a sidewalk connection from Abrahams Park to the Rec Park, then to Apple Ring and on to Rockefeller Lane.

Councilman Ramsey will talk to the DPW about that possibility. He will let them know that it is an unsafe road for children to travel to the Rec Park.

REGARDING AGRA-GATE PETITION FOR COURT APPROVAL OF THE TOWN BOARD'S CONSIDERATION OF THE PURCHASE OF DEVELOPMENT RIGHTS

Councilwoman Crane and Supervisor Blum Bump recused themselves at 10:22 p.m.

Attorney Chale explained that this Resolution references an updated appraisal. The appraisal reflects the same date as before. They adjusted their numbers based on the amount of the parcel that was being purchased. Attorney Chale wants to get this filed in the next couple of days. The package is ready to go to the court.

RESOLUTION 2007 # 91

RE: REGARDING SUBMISSION OF PETITION GRANTING AUTHORIZATION
FOR PURCHASE OF DEVELOPMENT RIGHTS OF THE AGRA-GATE FARM

On a motion of Councilman Harold Ramsey, seconded by Councilwoman Lisa Pullaro
move to accept the resolution.

Adopted	Ayes	3	Ross, Ramsey, Pullaro
	Nays	0	
	Recused	2	Blum Bump, Crane

Copy Attached

Attorney Chale asked Councilman Ross to sign the petition because of the recusal of Supervisor Blum Bump.

Supervisor Blum Bump and Councilwoman Crane returned to the meeting at 10:31 p.m.

On a motion of Supervisor Blum Bump, seconded by Councilwoman Pullaro, move to
adjourn the meeting at 10:31 p.m.

Adopted	Ayes	5	Blum Bump, Ross, Crane, Ramsey, Pullaro
	Nays	0	

Respectfully submitted,

Susan McCann, Town Clerk