

TOWN OF RED HOOK BOARD MEETING

July 10, 2007

CALL TO ORDER

A meeting of the Town Board of the Town of Red Hook, Dutchess County, New York was convened in public session at the Town Hall, 7340 South Broadway, Red Hook, at 7:32 p.m.

Present: Supervisor Marirose Blum Bump
Councilman James Ross
Councilwoman Sue Crane
Councilman Harold Ramsey
Councilwoman Lisa Pullaro
Town Clerk Susan McCann

Also present: Attorney for the Town, Christine Chale
Michelle Greig, Greenplan
Harry Colgan, Intermunicipal Task Force

Supervisor Blum Bump opened the business meeting with the Pledge of Allegiance.

SUPERVISOR'S REPORT

The Supervisor's monthly statement dated June 30, 2007 was read as follows: Opening balance - \$2,571,820.10; Receipts - \$725,980.80; Disbursed - \$905,340.34; Balance - \$2,392,460.56 (copy attached)

On a motion of Councilman Ramsey, seconded by Councilman Ross move to accept the Supervisor's monthly report as read.

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

The Supervisor's revised monthly statement dated May 31, 2007, was read as follows: Opening balance - \$2,768,300.53; Receipts - \$552,961.26; Disbursed - \$749,441.69; Balance - \$2,571,820.10

Councilman Ramsey questioned the Supervisor about the last page of the revised report.

Supervisor Blum Bump answered that Business Manager Deborah Marks had to recalculate the interest and certain revenues had to be reclassified. All the totals remain the same.

Councilman Ross had a question regarding the June 30, 2007 monthly statement. He asked why we kept so much money in the M&T Money Market savings (\$423,689.09) at 1.83% when the brunt of the money we keep in JP Morgan Chase is paying us 4.5%. He understands it's more convenient to transfer, but he wants to know why we keep as much at M&T when we get a much better percentage rate in another account.

Supervisor Blum Bump thinks that Business Manager Marks keeps more in that account when she knows she's going to draw on it. She will ask Business Manager Marks.

Councilwoman Crane asked that Supervisor Blum Bump e-mail them the information she receives from Business Manager Marks so that they all have the answer to Councilman Ross's question.

On a motion of Councilman Ross, seconded by Councilwoman Crane move to approve the revised monthly statement of May 31, 2007.

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

TOWN CLERK'S REPORT

The Town Clerk's report for the period of June 1 – June 30, 2007 was read as follows: Total Local Shares Remitted to the Supervisor - \$1,289.60; amount paid to County Treasurer for dog licenses - \$87.77; amount paid to NYS Ag & Markets - \$15.00; amount paid to NYS Department

of Health for marriage licenses - \$180.00; amount paid to NYS Environmental Conservation - \$309.88 for a total of State, County and Local Revenues of \$1882.25.

WATER DISTRICT #1 REPORT

Town Clerk Sue McCann read the first quarter report. Total warrant collected - \$28,211.36; penalties - \$344.08.

On a motion of Councilwoman Crane, seconded by Councilman Ross, move to accept the Town Clerk's report and the water report as read.

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

PRIVILEGE OF THE FLOOR

Linda Keeling referred to the draft workshop the day before and asked for a report on St. Margaret's at tonight's meeting.

Lou Dondero thanked the Board for sitting up front instead of at the tables. He asked why there was no Supervisors report the previous month.

Supervisor Blum Bump will mail Mr. Dondero a copy of the May Supervisor's report.

Mr. Francis Donahue asked what the basis was for not having absentee ballots at the May 1st, 2007 special election.

Supervisor Blum Bump referred the question to Attorney Chale.

Attorney Chale answered that was the procedure in past elections in the Town.

Mr. Donahue said that the New York State Constitution provides for voting in elections for officials and other elections. It doesn't qualify it in any other way. He doesn't understand why we didn't have absentee ballots. There was a 31 vote margin that just occurred without absentee ballots being allowed. He feels the vote should be overturned. He feels it's in violation of both the New York State and Federal Constitution. He's looked at the law library, called the Attorney General's Office and was referred to an Assistant Attorney General who provided him with information. Mr. Donahue would like to sit down and talk to the attorney. The law takes effect on August 1, and he feels it should be suspended until the absentee ballot issue is settled.

Attorney Chale said absentee ballots are permitted but not required.

Mr. Donahue asked what law states that.

Attorney Chale answered Town law does so.

Mr. Donahue responded that Town law does not override the Constitution. He doesn't believe the Town law even states that.

Supervisor Blum Bump told Mr. Donahue that the Town Board will consider his statements.

Micki Strawinski asked why PANDA isn't at the meeting for the second month in a row.

Town Clerk Sue McCann informed the Board that the meeting is being taped automatically because no one from PANDA could be at the meeting.

Supervisor Blum Bump said that we do pay for someone to come and tape. They are trying to reorganize. She didn't get any e-mails about it. The contract says that someone should be here.

Robert McKeon had a quick response to Mr. Donahue's comments. Town law provides for special elections. Absentee ballots are only permitted if you have a special registration day. The Town would have had to hire 12 individuals in order to conduct a registration date to provide for a registration for absentee ballots.

Mr. Donahue told Mr. McKeon that Red Hook has not had this kind of registration for special elections.

Robert McKeon said there is a provision in New York State Town law which they must follow when they hold a referendum.

Mr. Donahue argued that it does not address the issue of not having the registration. According to his information, registration protects the people who are absentee's when they registered. When you do not have registration it doesn't even apply.

Supervisor Blum Bump closed the comment period

RESOLUTIONS RECOGNIZING THE FOLLOWING EAGLE SCOUTS VARIED ACHIEVEMENTS AND CONTRIBUTIONS TO THE TOWN OF RED HOOK AND WISHING THEM CONTINUED SUCCESS IN WHATEVER PATH THEY CHOOSE IN THE FUTURE

RESOLUTION 2007 # 92

RE: HONORING JEFFREY DEVON RANSFORD FOR ACHIEVING THE RANK OF EAGLE SCOUT

On a motion of Supervisor Marirose Blum Bump, seconded by Councilman Harold Ramsey move to accept the resolution.

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

Copy Attached

RESOLUTION 2007 # 93

RE: HONORING DANIEL THOMAS YOUNG FOR ACHIEVING THE RANK OF EAGLE SCOUT

On a motion of Supervisor Marirose Blum Bump, seconded by Councilwoman Sue Crane move to accept the resolution.

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

Copy Attached

RESOLUTION 2007 # 94

RE: HONORING MICHAEL IAN MARCHANT FOR ACHIEVING THE RANK OF EAGLE SCOUT

On a motion of Supervisor Marirose Blum Bump, seconded by Councilwoman Lisa Pullaro move to accept the resolution.

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

Copy Attached

RESOLUTION 2007 # 95

RE: HONORING SEAN FRANCIS OLDNOW FOR ACHIEVING THE RANK OF EAGLE SCOUT

On a motion of Supervisor Marirose Blum Bump, seconded by Councilman James Ross move to accept the resolution.

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

Copy Attached

RESOLUTION 2007 # 96

RE: HONORING PIETER J. FILDES FOR ACHIEVING THE RANK OF EAGLE SCOUT

On a motion of Supervisor Marirose Blum Bump, seconded by Councilwoman Lisa Pullaro move to accept the resolution.

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

Copy Attached

RESOLUTION 2007 # 97

RE: HONORING ANDREW F. GROTH FOR ACHIEVING THE RANK OF EAGLE SCOUT.

On a motion of Supervisor Marirose Blum Bump, seconded by Councilwoman Lisa Pullaro move to accept the resolution.

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

Copy Attached

Supervisor Blum Bump congratulated all of those who achieved the rank of Eagle Scout. She will make sure copies of the Resolutions are mailed to the recipients.

RESOLUTION 2007 # 98

RE: AUTHORIZING THE PUBLICATION FOR SEALED BIDS FOR THE FURNISHING OF ALL MATERIALS AND LABOR NECESSARY FOR HOT MIX ASPHALT CONCRETE PAVING FOR STARBARRACK ROAD, FELLER NEWMARK ROAD AND CRESTWOOD DRIVE

On a motion of Councilman Harold Ramsey, second by Supervisor Marirose Blum Bump, move to authorize Highway Superintendent to go out to bid.

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

REGARDING PROPOSED LOCAL LAW 2007

This Local Law shall amend the Town of Red Hook Zoning Law. The amendments will create two new zoning districts (the Agricultural Business District and the Traditional Neighborhood

District), which will replace the Town's existing cluster regulations with provisions for conservation subdivisions, and will add a new section on green spaces incentive zoning, in addition to other incidental changes necessitated by these amendments. The amendments are designed to protect the health, safety and welfare of Town residents and to bring the Town's Zoning Law into conformance with the Greenway Compact Program and Guides for Dutchess County Communities and the recommendations of the Town of Red Hook Land Use, Conservation and Development Working group. The proposed amendments comply with the recommendations of the Town's adopted Comprehensive Plan and Open Space Plan.

Supervisor Blum Bump welcomed Michelle Greig of Greenplan and Harry Colgan, of the Intermunicipal Task Force.

Michelle Greig made revisions to the Centers & Greenspaces Plan which she presented. She also researched some of the questions that arose at the last meeting and presented her findings to the Board. All the questions are answered in the Ag & Markets Law. Michelle continued explaining and clarifying revisions.

Supervisor Blum Bump asked if we as a Town have made any Local Laws that modify the Ag & Market Law.

Michelle didn't know, but explained that you can't make the laws more restrictive, but can make them less restrictive. The Town's current laws were adopted in 1993 and should be updated.

Supervisor Blum Bump questioned the \$50,000 amount regarding the gross sales volume of farms of less than seven acres. She asked if we could lower that figure a little. Michelle again told the Board that it can be changed to make it less restrictive. Supervisor Blum Bump feels that \$50,000 is a little steep for encouraging farming.

Councilman Ross asked what the reasoning was behind the fact that if it's a large farm they'd have to show an income of \$10,000 and if it is less than 7 acres you'd have to show \$50,000.

Michelle will call Ag & Markets to research how they arrived at that figure and what the implications are.

Supervisor Blum Bump...we are trying to encourage farming and she would like to see that figured lowered to \$25,000.

Michelle suggested the possibility of a scale for start-up farmers. She then moved on to important farmland (pages 3, 20, 25, 26 & 61). She explained the classifications of soil types. They tried to clarify it for the Planning Board and applicants to give them the authoritative reference for soil types.

Councilman Ross suggested the Board come to a consensus on what we define as our Agricultural Business District. He suggested moving on in the plan and go back to that section later.

Michelle went on to the revisions of the definitions on page 4 of the Centers and Greenspace Plan, then discussed the revisions regarding buildable acreage and conservation subdivisions on page 5 of the plan. The purpose of these changes is to ensure that development that occurs on sensitive properties does not impact the ecosystems of those properties. It's called environmental zoning. She suggested taking time to digest the revisions and getting back to them later. She passed out illustrations comparing the existing rural landscape, to the conventional subdivisions and to conservation subdivisions.

Michelle will continue her presentation at the next meeting.

Supervisor Blum Bump announced that there is a potential developer of property just south of Hannaford and wants to discuss how they can listen to the development proposal and at the same time put it in the perspective of the Intermunicipal Task Force recommendation. The Task Force requested the group go before them in order to put it in the context of their Greenspace Plan. She would like the developers group to meet with the Task force. If not possible, she would like them to present on a night when the Villages and the Task Force could be present. The Village

of Red Hook is very concerned about what goes on in that part of Town and they can't be here on Tuesday nights. She wants to wait until Deputy Supervisor Bill O'Neill is available to see what they can work out. He has requested that the development group go before the Intermunicipal Task Force.

Councilman Ramsey doesn't feel that the developer's proposal should go to the Task Force before it goes to the Town Board. Doug Moat, EDC Chairman feels the same. The next logical step should be to go to the Town Board. Based on their recommendation, then it could go to an individual committee like the Task Force. His other concern is that he requested the developer present to us two weeks ago. It bothers him that Supervisor Blum Bump's e-mail to him says it's an assumption that any commercial would be a tax positive development. He thinks that is exactly what this Town needs and the Board should be looking at this wholeheartedly. He wants them to present on July 17, 2007.

Supervisor Blum Bump said that Doug Moat, EDC Chairman, has been going to the Task Force meetings. In response to his requests they requested over the past several months that the developers group meets with them (Task Force). There are certain kinds of commercial development that don't help the taxpayers. We hired the fiscal impact analysis group at a cost to the taxpayer for their input.

Councilwoman Crane asked where in that analysis it said that commercial does not help the taxes. What commercial does not?

Supervisor Blum Bump answered you can't make an assumption that any commercial is a help to the tax base.

Councilwoman Crane responded that if a fifty million dollar commercial venture came into this community it is going to have a positive impact on local taxes. It does not matter that some small commercial development doesn't have an impact. We are talking about a major project that is being proposed.

Supervisor Blum Bump agrees that because it is a major project we look at it with the Task Force.

Councilwoman Crane has no problem with the Task Force seeing it, but it should come to this Board before we make any determinations about this plan.

Supervisor Blum Bump would like Deputy Supervisor Bill O'Neill of the Task Force to come back before this proposal. She would like this to be at a special meeting.

Councilwoman Pullaro thinks we have to remember that next Tuesday we discuss the revisions to the part of the Greenspace Plan that ties in with this proposal from the developer. We aren't making decisions, but it is important to come before the Board.

Supervisor Blum Bump would like it to be presented at a Thursday night meeting when Bill O'Neill is here.

Councilman Ramsey reminded Supervisor Blum Bump that she has come forth numerous times saying that we are having the Task Force meetings irregardless if the Town Board members are here or not. Councilman Ross can't be here Thursday evening but you continue to have a meeting. If she is willing to have meetings without Town Board members we can have one meeting without our Deputy Supervisor. Councilman Ramsey believes that a private developer should be going to the Town Board and the Town Board can relate it to the Task Force.

Councilman Ross said the developers group wants to present as soon as possible. What is wrong with next Tuesday? By the time our Board gets finished with its regular business, the Village Board meeting will be long over and they can come to the presentation if they wish.

Supervisor Blum Bump answered that one of the Task Force members is out of town on Tuesdays. We have more meetings so that more of us can attend and have more information. Let's have the presentation when some members from the Villages and Task Force can be here.

She would like to work with Deputy Supervisor O'Neill since he is the Chairman of the Task Force.

Councilwoman Crane doesn't think it's critical to have all the players here at one time. This project will go through all of these groups. It is important for the Board to hear about this consideration in the area of Route 9 south. It doesn't take the Task Force to do that for us, it takes the presenter to come in and tell us what it is he wants to bring forward, then we have something to get a grasp on. The Task Force will have a chance to weigh in on it. There is no reason for the Task Force to see it before the Town Board who will make decisions about this zoning.

Councilman Ross stated that this Board has the responsibility of the decision making. The presentation is to us, the elected officials.

Supervisor Blum Bump said we passed a resolution that gave the Task Force the job of coming up with recommendations for that property to see the big picture. It's costing the taxpayers a lot of money for the Task Force to come up with the Greenspace Plan. Let's schedule the presentation to the Task Force first, and then come in when all the players are available.

On a motion of Councilman Ramsey, seconded by Councilwoman Pullaro, move to allow the developer to come before the Town Board on July 17th, 2007.

Adopted	Ayes	4	Ross, Crane, Ramsey, Pullaro
	Nays	1	Blum Bump

COMMUNITY DEVELOPMENT BLOCK GRANT BID

Attorney Chale informed the Board that bids were opened this morning. We have a punitive low bidder but the engineer would like to review all of the bids and the alternates. They will be prepared to make a recommendation to the Board next week.

On a motion of Councilman Ross, seconded by Councilwoman Crane, move to accept all bids and send them to our engineer and Highway Superintendent for review and recommendation to the Board.

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

CINGULAR CONTRACT

Attorney Chale has no information regarding the Cingular contract.

COMMUNITY PRESERVATION ACT

Attorney Chale is going to develop a memo addressing issues. The question arose of whether a transfer by a will would be exempt and after reviewing the act it is her determination that there is an exemption for transfers. There were other questions that were raised and she will put them in a memo to the Board.

REGARDING TOWN OF RED HOOK POLICE

Supervisor Blum Bump referred to a memo from Business Manager Deb Marks dated July 9, 2007, regarding the cost to the Town for added police coverage to be provided by the Village. She asked the Board to look at the memo and it will be discussed at the next meeting.

The Board discussed if they should increase Red Hook Police protection.

Councilman Ross asked if we are using the patrols the way we should be using them. He can't see, for this year, increasing the amount of the patrols we presently have. He'd like to sit down with Red Hook Police Officer Steve Cole and ask him to make recommendations.

Councilwoman Pullaro asked if the need for increased patrol is a seasonal issue.

Attorney Chale suggested consulting with the liaison of the Sheriff's office and get their recommendations. If you are reevaluating patrols it would be a good idea to coordinate with them.

ROAD ISSUES

Councilman Ramsey said that he, County Legislator Dave Seymour, and the DPW Chairman will be meeting to go over a number of issues. He will get back to the Board.

RESOLUTION REGARDING THE PROPOSED CONSOLIDATED LIGHTING DISTRICT

RESOLUTION 2007 # 99

RE: AUTHORIZING THE EXTENSION OF THE CONSOLIDATED LIGHTING DISTRICT

On a motion of Councilman James Ross, seconded by Councilman Harold Ramsey, move to install lighting and to authorize the extension of the Consolidated Lighting District.

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

Copy Attached

Attorney Chale informed the Board that because it is an extension of the district it is subject to permissive referendum. She will send Town Clerk Sue McCann the proper notice to publish.

ST. MARGARET'S HOME

Attorney Chale told the Board that Doug Strawinski reported that the plumbing, water, electricity and cleanup were completed. A Certificate of Occupancy was issued yesterday. The occupancy agreement was completed and signed by both parties. We are working through additional access issues. A small ramp was constructed in front.

Councilwoman Crane asked about a memo from Business Manager Deb Marks regarding an alarm system. She doesn't remember discussing or making a decision about that.

Town Clerk Sue McCann told Councilwoman Crane that Purchasing Agent Ted Kudzy asked her to tell the Board he wants to add on to his report. He received one quote which is higher than the allotted figure. He wants to go for additional quotes for the alarm system.

Supervisor Blum Bump thought we did approve an alarm system up to a certain amount.

Attorney Chale suggested speaking to Business Manager Deb Marks regarding a fire alarm.

Councilman Ramsey questioned the charge of more than \$1,000 to the Town for resubmitting the grant. It was his understanding from Supervisor Blum Bump that there would be no charge to resubmit the grant.

Supervisor Blum Bump will clarify that.

MONTHLY REPORTS

Planning Board:

Councilman Ross reported that the Planning Board met on July 2, 2007. They discussed the Archer Mine, Hourihan's subdivision, Ulster Savings Bank, scenic roads, the Merrihew subdivision and then they discussed some board policies and procedures.

ZBA:

Councilman Ross reported that they will meet tomorrow evening and have a number of items on their agenda.

Purchasing:

Councilwoman Crane read the purchasing report for the period of June 12 to July 10, 2007. 14 Purchase Orders were issued in the amount of \$20,251.91, the largest being issued to Hudson River Construction Co. of Albany for cold milling of Old Post Road and Orlich Road for \$8,125. Councilwoman Crane told the Board that Purchasing Agent Kudzy is waiting to hear where the flag pole should be situated. It is a shorter pole than the US flag's. She suggested placing it within the landscaped area to the right and set back a little of the US flag. She continued with the Purchasing report. Doug Strawinski has about completed the tasks for opening of St.

Margaret's. Tree clearing and brush cutting RFQ's were due at 4 p.m. on July 10, 2007. Purchasing Agent Kudzy is in touch with Daylight Savings of Goshen on the Town fluorescent light project and will hopefully meet with them soon. We have also purchased a number of items for the summer recreation programs.

Senior Committee:

Councilwoman Crane reported that the Senior Committee did meet and they had an update of the housing project. They will be ready to move tenants in by September if all goes as planned. There are 48 units in Phase I for those 62 and older. Phase II, which is another 48 units, is for people 55 and older. Phase III will have some market rate rentals, probably two bedrooms over some commercial space, which will probably happen after the completion of Phase II.

Highway:

Councilman Ramsey reported that all the roads have been swept. The Orlich Road work has been completed. Mr. Martin is happy with that and Highway Superintendent Hildenbrand and the work that's been done. Paving is being planned.

EDC:

Councilman Ramsey reported that they have continued to meet with Dutchess EDC looking for any help they can give and anticipating changes from the Task Force.

Disaster Preparedness:

Councilman Ramsey reported they are looking at doing a tabletop exercise which would involve key personnel to work with Dutchess County's 911 center.

Recreation Department:

Councilman Ramsey reported that the summer programs are going well. They would like the drop off at the Rec Park repaired and leveled before the senior picnic. They will be expanding the children's playground area at the request of the Red Hook Mom's group.

Trails Committee:

Micki Strawinski of the Greenway and Trails Committee reported that the bridge was completed over the trail. There will be a dedication on September 8, 2007. They discussed getting proper signage and plan to erect posts in front of the bridge to prevent vehicles from going through. They received a tremendous amount of help from the Highway Department, the Vosburghs and Williams Lumber gave us a good price on materials. They will invite a lot of people to the dedication.

Councilman Ramsey gave credit to Micki and Doug Strawinski for all the work they did on the effort. They did a good job and also kept the plan under budget.

Water Department:

Councilwoman Pullaro reported that as of this morning they have not received quotes on the brush-hogging for the right-of-way. This is the second year in a row that they've gotten no response. Water Department Chairman Hank VanParys is going to contact some of the contractors to find out why they didn't respond.

CAC:

Councilwoman Pullaro reported that they are developing content for the web site. They would like to be on the August 14, 2007 agenda to do an overview on energy-star building. CAC Chair Brenda Cagle met with a landscape architect from the DOT about sites for planting the 40 trees in 2008 under the DOT program. Their next meeting is on August 8, 2007 at 7:00 p.m.

Recycle Center:

Councilwoman Pullaro said that TJ Hackett sent her a note asking her to share with the Board that one of his dedicated volunteers, Mike Sherman, lost his father last Sunday. She asked that they keep Mike and his family in their thoughts.

Attorney Chale informed the Board that the County has a link for the CPA information on our Town web site.

EXECUTIVE SESSION

On a motion of Supervisor Blum Bump, seconded by Councilman Ramsey move to go to executive session to discuss the matter of a particular person at 10:22 p.m.

Adopted	Ayes	4	Blum Bump, Ross, Crane, Ramsey
	Nays	0	
	Recusal	1	Pullaro

On a motion of Supervisor Blum Bump, seconded by Councilman Ramsey move to close the executive session.

Adopted	Ayes	4	Blum Bump, Ross, Crane, Ramsey
	Nays	0	
	Recusal	1	Pullaro

The Board discussed changing the date for opening bids for hot mix asphalt concrete paving to August 2, 2007.

On a motion of Councilwoman Crane, seconded by Councilman Ramsey, move to amend the notice of bids from July 25, 2007 to August 2, 2007.

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

On a motion of Supervisor Blum Bump, seconded by Councilwoman Pullaro move to adjourn the meeting at 11:05 p.m.

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

Respectfully submitted,

Susan McCann, Town Clerk