

**RED HOOK TOWN BOARD MEETING**  
**March 11, 2008**

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 7:30 p.m.

Present: Supervisor Sue Crane  
Councilwoman Micki Strawinski  
Councilman Harry Colgan  
Councilman Robert Latimer (7:50 p.m.)  
Town Clerk Sue McCann  
Absent: Councilman James Ross  
Also Present: Attorney for the Town Christine Chale

Supervisor Crane welcomed everyone to the meeting and opened with the Pledge of Allegiance.

**SUPERVISOR'S REPORTS**

The Supervisor's report for the period of January 1, 2008 to January 31, 2008 was read as follows: Opening Balance - \$1,777,948.14; Receipts - \$628,830.42; Disbursed - \$830,436.35; Balance - \$1,576,342.21.

On a motion of Councilman Colgan, seconded by Councilwoman Strawinski move to accept the Supervisor's report as read.

Adopted	Ayes 3	Crane, Strawinski, Colgan
	Nays 0	
	Absent 2	Ross, Latimer

The Supervisor's report for the period of February 1, 2008 to February 29, 2008 was read as follows: Opening Balance - \$1,576,342.21; Receipts - \$1,929,969.48; Disbursed - \$625,500.07; Balance - \$2,880,811.62.

On a motion of Councilman Colgan, seconded by Councilwoman Strawinski move to accept the Supervisor's report as read.

Adopted	Ayes 3	Crane, Strawinski, Colgan
	Nays 0	
	Absent 2	Ross, Latimer

**ANNOUNCEMENT**

Supervisor Crane announced that the Community Foundation of Dutchess County is the managing agency for the Ruth Oja Environmental Scholarship. The scholarship, available to Red Hook High School seniors, is \$500.00 and anyone wishing to apply can get an application from the Town Clerks office. The deadline is April 1, 2008.

**TOWN CLERK'S REPORT**

The Town Clerk's monthly report for the period of February 1, 2008 to February 29, 2008 was read as follows: Total Local Shares Remitted to Supervisor - \$2,700.23; Amount Paid to County Treasurer for Dog Licenses - \$84.60; Amount Paid to NYS Ag & Markets - \$15.00; Amount paid to NYS Department of Health for Marriage Licenses - \$90.00; Amount Paid to NYS Environmental Conservation - \$14.17; Total State, County and Local Revenues - \$2904.00.

Town Clerk Sue McCann announced that on Saturday, March 29, 2008 the Town Clerk's Office will be opened from 8:00 a.m. to 1:00 p.m. primarily to sell Recycle Center stickers. She also announced that the Youth Fishing Contest is scheduled for Saturday, April 12, 2008 at the Red Hook Recreation Park beginning at 8:00 a.m.

On a motion of Councilman Colgan, seconded by Councilwoman Strawinski move to accept the Town Clerk's report as read.

Adopted	Ayes 3	Crane, Strawinski, Colgan
	Nays 0	
	Absent 2	Ross, Latimer

RESOLUTION #17 2008

RE: AUTHORIZING THE ADOPTION BY THE TOWN BOARD OF THE TOWN OF RED HOOK OF LOCAL LAW NO. 4 OF 2008, AMENDING CHAPTER 60, "DISASTER AND EMERGENCY PREPAREDNESS" OF THE RED HOOK TOWN CODE.

On a motion of Supervisor Sue Crane, seconded by Councilman Harry Colgan, move to accept the resolution.

Adopted	Ayes 3	Crane, Strawinski, Colgan
	Nays 0	
	Absent 2	Ross, Latimer

Copy Attached

The motion was passed with the correction of changing the wording of County Sheriff's Department to County Sheriff's Office.

**PUBLIC COMMENT PERIOD**

*Susan Mora* asked about the Disaster Preparedness Plan and if the public knows about it and how they would access it.

Supervisor Crane explained there is an extensive disaster preparedness plan. When there is a disaster the residents can call Town Hall. There is a chain of command, generally the Supervisor or the Highway Department, the Town Clerk and the Fire Department is usually engaged immediately. She will be happy to share the plan with the resident to look over.

Councilman Colgan explained that this is really a manual of procedure for the Town to follow. As a citizen, they should call "911".

*Robert McKeon* apologized for missing the committee reports the previous week so he gave a report from the Ag & Open Space Committee. The committee reviewed potential grant opportunities to develop their farm map from last year into a brochure they can distribute in the community. He asked for the Board's permission to apply for funds for the production cost. The Farmland Protection Committee has begun to discuss potential partners for the West Kerley Corners property. There is extensive interest in protecting that important agricultural resource in the community. They also discussed the Community Preservation Plan. Perhaps the Town would apply to Ag & Markets for farmland protection plan grants that could be used to reimburse any consultants hired to develop that plan. The Farmland Protection Committee discussed the possibility of having someone from ORPS (Office of Real Property Services) come from Albany to meet with interested landowners about the assessment programs that are in place.

Supervisor Crane asked if our Assessor was part of the meeting when they discussed ORPS.

*Mr. McKeon* answered that he was not at their meeting but he did discuss the possibility with the Assessor.

With no further comments, the public comment period was closed.

**RED HOOK FIRE CONTRACT**

Supervisor Crane asked Attorney Chale to discuss the Fire Service Agreement as it relates to the Town of Red Hook and the Village of Red Hook.

Attorney Chale explained that preliminarily we have a contract with the Village of Red Hook that provided for fire service for the area of the Town outside Village which is south of Baxter Corners Road to Crugers Island. Tivoli covers the area north of that. This contract says that the Town agrees to contribute the cost of worker's compensation and reimburse the Village for payment of premiums up to the sum of \$25,000. She believes we've had a request from the Village of Red Hook that when they set that amount they had not realized that their workers comp costs have been climbing. They are requesting the Town adjust the amount of the contract. They are requesting an additional \$6,279.00 because they said in the past they asked the Town to

pay 79% of the total compensation. She asked Business Manager Deb Marks to look at the figures.

Supervisor Crane understands that we need to get the population from the Red Hook Fire District. This would create a situation where we would need a Public Hearing because it would be amending the contract.

Attorney Chale explained that the fire contract is subject to Public Hearing.

#### RESOLUTION #18 2008

RE: ESTABLISHING TUESDAY, APRIL 1, 2008 AT 7:15 P.M. FOR A PUBLIC HEARING REGARDING THE APPROVAL BY THE TOWN BOARD OF THE TOWN OF RED HOOK OF AN AMENDMENT NO. 2 TO FIRE PROTECTION DISTRICT FIRE SERVICE AGREEMENT BETWEEN THE TOWN OF RED HOOK AND THE VILLAGE OF RED HOOK FOR 2007 AND 2008.

On a motion of Councilman Harry Colgan, seconded by Councilman Robert Latimer move to approve the resolution.

Adopted	Ayes 4	Crane, Strawinski, Colgan, Latimer
	Nays 0	
	Absent 1	Ross

Copy Attached

#### **TOWN BOARD APPOINTMENTS**

Senior Services Committee – Supervisor Crane received a response from the Senior Services Committee that they are content with the committee as it stands with one vacancy. The committee members are Betty Bader, Carl Dowden, Jeanne Duntz, Kelly Mosher, Judy Carr, and Jennifer Fivelsdal. The liaison to the committee is Councilman Colgan. Andrew Kehr has already been appointed Chairman of the committee. In order to stagger the appointments, the Board appointed Kelly Mosher for a term to expire December 31, 2008 and the other members for terms to expire December 31, 2009. There is a vacancy but the committee feels that a smaller committee may be a more effective committee.

On a motion of Councilman Colgan, seconded by Councilwoman Strawinski move to appoint the members of the Senior Services Committee Kelly Mosher term to expire December 31, 2008, Betty Bader, Carl Dowden, Jeanne Duntz, Judy Carr and Jennifer Fivelsdal terms to expire December 31, 2009.

Adopted	Ayes 4	Crane, Strawinski, Colgan, Latimer
	Nays 0	
	Absent 1	Ross

Tree Preservation Commission – Supervisor Crane told the Board that Linda Keeling submitted a letter of interest for the vacancy on the Tree Committee.

On a motion of Supervisor Crane, seconded by Councilwoman Strawinski move to appoint Linda Keeling to the Tree Preservation Commission with a term to expire December 31, 2009.

Adopted	Ayes 4	Crane, Strawinski, Colgan, Latimer
	Nays 0	
	Absent 1	Ross

Zoning Board of Appeals – Supervisor Crane referred to letters of interest and resumes for the vacancy on the ZBA. Supervisor Crane referred to a letter from the Chair recommending appointing Trilby Sieverding who has an impressive resume in development and deployment of human resources policy in companies including IBM and Phillip Morris. The Chair feels she would be an outstanding member. The Board discussed the people they knew and decided to have the ZBA review the resumes and letters of interest. The decision will be made at the March 26<sup>th</sup> meeting.

Supervisor Crane will send them to the ZBA Chairman.

Conservation Advisory Council – Councilwoman Strawinski told the Board that Owen O'Connor resigned from the CAC which created one vacancy. Letters of interest are due by March 19, 2008.

9

Information Technology working group- discussion tabled

Community Preservation Fund Committee – Supervisor Crane has about 16 people who have expressed interest in serving on the Community Preservation Fund Advisory Committee. They are of diverse experience. We will need to move ahead quickly. There should be either 5 or 7 members and Supervisor Crane feels that it should be a 7 member committee. This may be one of the most important committees they appoint in the next year or two and this should be done with great seriousness and with a broad representation of the community.

Councilwoman Strawinski read that at least one member shall be an active farmer.

Supervisor Crane said they should also have business interests. She wants to consider people with good business sense to represent them in this land use tool. This will be a committee that will make decisions about money collected throughout the year from the transfer tax being collected by the Dutchess County Clerk's Office. As of February 29, 2008, \$175,419 has been collected since August 2007.

Councilman Colgan's choice for a farmer would be Richard Biezynski who is a successful farmer, businessman and someone very much associated with Tivoli. He also recommends Susan Ezrati who is a retired economist and businesswoman from General Motors. She handled their retirement funds and is very qualified with dollars and cents.

Supervisor Crane spoke about Victor Behorium who was the first person who brought to her attention, the Community Preservation Fund because he had property in Long Island where this transfer tax took place years ago. They saved many thousands of acres on Long Island because of it. She thinks Victor Behorium would be a strong advocate for this program.

Supervisor Crane and Councilman Colgan said Charlie Laing has land use experience as well as Pete Hubbell who is a land expert and surveyor.

Supervisor Crane named Art Collins who works for Dutchess Land Conservancy.

Councilman Latimer said, regarding Brent Kovalchik, that you will never meet a more intelligent person in your lifetime.

Supervisor Crane said that Mr. Kovalchik is not only an intelligent architect but one of the hardest working village residents she's run into in a while. Some resumes came in a significant time ago and she is not sure some of them are still interested. She will contact every interested person.

Councilman Latimer agrees with Councilman Colgan regarding Rich Biezynski. You won't find a more completely qualified candidate than Rich Biezynski.

Supervisor Crane asked to table this until the March 26<sup>th</sup> meeting, we should consider the missing board member's opinion. She will contact the persons interested.

Attorney Chale said it is up to the Board how to proceed with the preparation of the plan. The Board can use whomever they chose to implement the plan.

Supervisor Crane understands that the reason it is so important to pick a broad presentation of the community is that board be a very integral part of determining how this plan will be implemented.

Attorney Chale explained the primary purpose of the board in the statute is to make decisions about the expenditure of funds. The Town Board chooses to go with that board in developing a plan as well.

Supervisor Crane explained that the operant plan in place now is the Open Space Plan until we develop a new plan. The Open Space Plan is the overriding document that guides the decisions about the expenditures and priorities of those funds.

LOSAP Agreement – Supervisor Crane explained this is an intermunicipal agreement between the Town of Red Hook, the Village of Tivoli and the Village of Red Hook as a pension plan. When we entered that agreement we determined that each municipality would appoint two representatives to look at that pension plan and have oversight. It is up to the Town to appoint a Board member and an at large member of the community. She proposed that our at large member be our Budget Advisor, Rose Rider. She has a lot of experience as Chief Financial Officer at Northern Dutchess Hospital. She has agreed to serve in that capacity. We would need a Town Board member and asked who would be interested. Councilman Latimer was on the committee in the Fire Department while he was involved there. He knows the nuts and bolts and would like be the Board representative.

On a motion of Supervisor Crane, seconded by Councilwoman Strawinski move to appoint Rose Rider as at large member and Councilman Rob Latimer from the Town Board to serve as the intermunicipal agreement representative.

Adopted	Ayes 4	Crane, Strawinski, Colgan, Latimer
	Nays 0	
	Absent 1	Ross

Police Contract – (Councilman Latimer recused himself for this part of the meeting because he is a part time police officer in the Village of Red Hook.)

Attorney Chale explained that we have an existing contract for 2007 with the Village of Red Hook. They submitted a proposed contract and there are a few changes. It is primarily the same as the prior contract. The hourly rates are increased from \$42 to \$54 an hour and the per mile cost increased from .485 cents to .505 cents. The contract is amended to clarify the number of hours of police protection provided is to include the number of hours to complete administration time. The new contract is to cover 2008.

#### RESOLUTION #19 2008

RE: APPROVING A POLICE PROTECTION AGREEMENT BETWEEN THE TOWN OF RED HOOK AND THE VILLAGE OF RED HOOK FOR 2008

On a motion of Councilman Harry Colgan, seconded by Supervisor Sue Crane move to accept the contract with the Village of Red Hook as written.

Adopted	Ayes 3	Crane, Strawinski, Colgan
	Nays 0	
	Absent 1	Ross
	Recusal 1	Latimer

Copy Attached

Ag & Markets – Supervisor Crane explained that Ag & Markets requested that our agreement with Dr. MacDonald, the veterinarian who is under contract with the Town of Red Hook to kennel stray dogs, be updated. The last date on the contract is December 2005 and it is long overdue. Supervisor Crane has concerns about how the contract is written. She's asked Councilman Latimer who is the liaison to go over the contract with her as soon as he can. She is concerned about contradictory language in the current agreement. She wants to get the language consistent throughout the contract. The other difficulty is that he is not obligated to euthanize any dog and if he has dogs that become hostile and aggressive, then what? He will not euthanize well dogs. If they are not adoptable, what do we do? We need to resolve this.

#### ASSOCIATION OF TOWNS CONVENTION

Supervisor Crane read a memo from Business Manager Deb Marks regarding the annual conference and the benefits she gained from attending the Association of Towns. Many classes are for continuing education credits and certain Town positions require credits. The Assessor's

position is one and some taken by the Justices are mandatory. Red Hook was very well represented by employees and elected officials.

Supervisor Crane herself had notes regarding the Association of Towns. Supervisor Crane asked Councilwoman Strawinski if she would share anything she felt was significant that came out of the Association of Towns.

Councilwoman Strawinski answered that she and Councilman Colgan attended two, the first one was for newly elected officials which she found was quite helpful. The meeting in NYC workshops she went to were mostly regarding shared services. Other workshops had to do with preservation issues. She felt it was a repeat of what we have in place in Red Hook. She enjoyed the vendor booths and picked up a lot of information.

Councilman Colgan reiterated much of what Councilwoman Strawinski said. He attended any workshops that seemed to provide an opportunity for saving money. He too enjoyed the vendor booths. He spent a lot of time speaking to representatives of the state.

Councilman Latimer attended five workshops and four of them had the overwhelming theme of consolidations of resources. One lecture was about the adoption of dissolution of Villages. It seems that shared resources is a shared theme.

Supervisor Crane felt that too. There were some speakers standing out for consolidation and bringing together municipalities and on the other hand there was a compelling speaker who said smaller is better. Where there are small municipalities you maintain control. The larger it gets the harder it gets to control that governmental entity. She found that a very compelling argument. She reported many interesting subjects regarding smaller versus larger. She found it worthwhile.

Town Clerk McCann said she always comes back with a lot of knowledge and updates.

Councilwoman Strawinski asked how members of various boards and committees are made aware that this is made available.

Supervisor Crane believes they know through the Chairs of the committees.

Councilman Latimer said the ZBA receives copies of Towns & Topics with that information and that is how they are made aware of it. You're given a website with classes available.

Supervisor Crane said it is completely voluntary. It is a matter of who can afford the time.

#### **WINNAKEE LAND TRUST PROPOSAL**

Supervisor Crane told the Board that Winnakee made a proposal and they are asking us to support their Intermunicipal land trust service. The fee for us to join would be \$5,000 annually. We have to think about this service and if it is something we want to subscribe to and sign up for. She asked the Board to read over their packets thoroughly.

#### **TOWN BOARD RULES AND PROCEDURES**

Supervisor Crane said they talked about Town Board rules and procedures and by way of acquainting the Board with a resolution that Attorney Chale developed for them, she thinks it is good to have in the Board's understanding of how they conduct meetings. The resolution Supervisor Crane referred to is dated January 15, 2008. It briefly describes how we conduct business, who the presiding officer was, the quorum, the order of business, the agenda would be closed the Friday before the Monday prior to the business meeting. Typical meeting rules and regulations. It is a format under which we can refer to conduct public business. In regard to the public comment period section, Supervisor Crane feels it bears discussion. She reviewed sections of the resolution such as decorum, written communications, recording of meetings, disturbances, and suspension or modification. She proposed that the Board adopt the resolution so there is a document to refer to.

RESOLUTION # 20 2008

RE: APPROVING RULES OF ORDER FOR MEETINGS OF THE TOWN BOARD

On a motion of Councilman Harry Colgan, seconded by Councilwoman Micki Strawinski move to accept the resolution approving rules of order for meetings of the Town Board.

Adopted	Ayes 4	Crane, Strawinski, Colgan, Latimer
	Nays 0	
	Absent 1	Ross

Copy Attached

**AFFORDABLE HOUSING REVISIONS (ARCHITECT/BUILDER REVIEW)**

Supervisor Crane wants the Board to review the revisions. Attorney Chale will be working on them.

**CORRESPONDENCE**

Supervisor Crane referred to a letter from Jay Trapp to NYS Department of Transportation requesting a mapping of the area for the sidewalks on the west side of Route 9. He is acting as our Town Engineer and wants to start that process rolling, as we received a grant for the sidewalk project.

Supervisor Crane referred to a letter from David Pollack, an Environmental Engineer from the NYS Department of Environmental Conservation. He thanked her for their meeting at the recycling center site. Councilwoman Strawinski and Supervisor Crane will meet with him on March 24th and hopefully by April will have issues resolved. Morris & Associates agreed to help them regarding providing advice and helping Highway Superintendent Hildenbrand resolve the recycling issues.

Supervisor Crane received communication from Assessor Jeffrey Churchill regarding the lack of automatic defibrillators in the building. We probably should have them so she wants to start moving ahead on that. This building is used a lot on a daily basis and we should make sure we keep people safe.

Councilman Latimer turned the paperwork over to a grant researcher. She is sure we can get two units, one for the Town Building, one for the Garage. As long as a person can apply pads to the victim, the machine will do the work. They are completely automatic voice prompted units.

Supervisor Crane thanked Susan Simon for offering to tape the Town Board meetings on a volunteer basis. She asked if there is a back up representative.

Susan Simon had nothing to report at that time.

Supervisor Crane received a letter from Ralph Frisenda. The letter is a reaction to an item that took place at a recent Board meeting. He is taking exception to any suggestion that the person in question lacks integrity.

Supervisor Crane noted that letters from Betty Mae VanParys, Owen O'Connor, and Harold Ramsey were received. Letter also received from Attorneys Freeman and Howard regarding recreation fees for the Hansen's. These will also be on the March 26th agenda.

Councilman Colgan would like the material on the Anderson Commons so that they have documentation to put the history in place.

Patrick Kelly, Planning Clerk, told Councilman Colgan that the Planning Department put together a timeline and put it in the Board members mail boxes tonight.

Supervisor Crane announced a special Town Board meeting for March 19, 2008 at 8:30 p.m. to discuss Anderson Commons.

**PUBLIC COMMENT PERIOD**

*Mr. Albert Trezza*, retired Red Hook Town Attorney, said he understood that at a previous workshop there were some comments concerning a memo he wrote as Town Attorney. He wrote the memo and a copy was given to every Board member, he doesn't sign memos and he stands by his memo. He doesn't want any indication that he may have drafted that memo other than when he was the attorney for the Town. That's when it was done, he remembers it quite clearly. He researched it, spoke to the Association of Town's legal counsel at length, and that memo reflects their advice to him in his own research.

Councilwoman Strawinski said that not only was it not signed, but it wasn't date stamped from the Town Clerk either.

*Mr. Trezza* responded that he didn't date stamp anything. He gave a copy to the Supervisor at the time and a copy to every Board member. That is the way he handled his memos and he wants that clearly understood. He doesn't want anybody to think otherwise. He is a private citizen now and he does not want anyone to disparage his reputation. He wants it clearly understood because he is ready, willing and able to protect his own interest. He wants it on record. If you have a question about something he's done call him and he'd be glad to come down and talk to you.

Councilwoman Strawinski explained it wasn't a matter of the content, it was a matter of protocol in receiving documents in the Town.

*Mr. Trezza* told Councilwoman Strawinski that was the way he did it and it was the protocol for years and nobody questioned it. He wants it straightened out so that she fully understands. He especially doesn't appreciate her questioning his integrity.

*Mr. Richard Hansen* referred to the rules regarding the Public Comment period. He said that during the same meeting *Mr. Trezza* is talking about, during the subject of *Mr. Lore* and his issue he asked to interact. It was deferred until public comment. Tonight there has been a lot of interaction during agenda items that weren't deferred to public comment. It is disrespect to him to not be treated as equal as other people. When he wanted to speak he thought it was important at the time.

Supervisor Crane apologized to *Mr. Hansen* if he felt he was not treated fairly. She appreciates his opinion.

*Linda Keeling* thanked the Board for shorter meetings and good information. She requested getting clip on microphones because she is having a hard time hearing.

Supervisor Crane will definitely look into it and see what we can do.

Councilman Latimer told *Mrs. Keeling* that we are ready to have a test of our FM system that used to be used for our cochlear implant patients. We are waiting for a small splitter cable to come in. He was told that the same device that transmits to a cochlear implant will work for a lanyard style microphone.

*Rosemarie Zengen* asked that we keep the line of communication open as much as possible. When people want to say something it should be allowed. If someone says something that she doesn't agree with, she shouldn't be hushed because her name is not on a sign-in sheet. Public input should be allowed.

Supervisor Crane feels we are trying to address the issue by having two comment periods.

On a motion of Councilman Colgan, seconded by Councilwoman Strawinski move to adjourn the meeting at 9:27 p.m.

Adopted	Ayes 4	Crane, Strawinski, Colgan, Latimer
	Nays 0	
	Absent 1	Ross

Respectfully submitted,  
Sue McCann, Town Clerk