

RED HOOK TOWN BOARD MEETING

June 3, 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
Councilman James Ross
Councilwoman Micki Strawinski
Councilman Harry Colgan
Councilman Robert Latimer
Town Clerk Sue McCann

Also Present: Attorney for the Town Christine Chale

Supervisor Crane welcomed everyone to the meeting and led the Pledge of Allegiance. She spoke of the ribbon cutting at the Red Hook Commons senior housing. It took the Town, Village, County, State and NY State DEC to accomplish it. The grounds are beautiful and the residents are thrilled to be in a place with people they can relate to and have a safe environment in which to live. She is very grateful for everyone who supported the project.

PUBLIC COMMENT

Will LaBossier thanked the Board for his appointment as an alternate Planning Board member and stated that he was interested in the full time position on the Planning Board.

DOG ORDINANCE

Supervisor Crane read a proposed Local Law #6 entitled Dogs. Supervisor Crane asked for comments from the Board regarding the proposal before setting a Public Hearing date.

Attorney Chale explained this is a change in the Red Hook Town Code.

Supervisor Crane announced that it is a change in the Code under Chapter 63 entitled "Dogs". She read the public hearing notice then the resolution.

RESOLUTION 2008 #41

RE: ESTABLISHING A DATE FOR A PUBLIC HEARING REGARDING THE ADOPTION BY THE TOWN BOARD OF THE TOWN OF RED HOOK OF LOCAL LAW NO. 6 (PROPOSED) OF 2008, AMENDING CHAPTER 63 ENTITLED "DOGS"

On a motion of Supervisor Sue Crane, seconded by Councilwoman Micki Strawinski, moved to establish a public hearing date of June 25th, 2008 at 7:30 pm regarding the adoption by the Town Board of the Town of Red Hook of Local Law No. 6, (proposed) of 2008, amending Chapter 63 entitled "Dogs".

Adopted	Ayes	5	Crane, Ross, Strawinski, Colgan, Latimer
	Nays	0	

Copy Attached

CONSERVATION ADVISORY COUNCIL PRESENTATION BY ANN RUBIN – AQUIFER PROTECTION

Supervisor Crane introduced Ann Rubin of the Conservation Advisory Council.

Ann Rubin gave a presentation on Red Hook Water Resources. Her presentation focused on scientific and technical information regarding Red Hook's water supply, its source and how it works. Her report cited information from Russell Urban-Mead the hydrogeologist from the Chazen Company who studied Red Hook's water resources, as well as Red Hook and Amenia's Zoning Laws and zoning overlay districts.

A copy of the full report is available from the Town Clerk's Office.

Craig Vogel, a third generation dairy farmer, commented on the E-Code for Amenia. The E-Code #121015 is on their website. It describes the whole law in detail.

Fran Donahue asked about a vote taken about a year ago regarding a 2% tax. One of the things advertised was that housing would contaminate the area, but by having farms you'd have clean water. He checked with the State Health Department and the answer he got was that farms would contaminate the ground far more depending on the chemicals they use than housing.

Ann Rubin commented that one important thing to remember about land use is that there are regulations. There cannot be infinite regulations to control what someone is using on their land. It is also dependent on housekeeping. Any use, housing or farm, can potentially go either way.

Alfred Buff asked about the impact of mining on the aquifers.

Ann Rubin responded that the Model Water Ordinance does not mention mining specifically. It still would be proposed land or water use. In a high level protection area it would be prohibited.

Linda Keeling asked if Ann Rubin would show the location of Town Hall on the map from her presentation.

Ann Rubin showed the recharge of the Village area, Route 9 and Route 199 running just south of Rokeby Road.

Phoebe Prentice thanked Ann for her presentation. She lives on a pond in the Village. She understands that the recharge area is in that vicinity.

Linda Keeling asked if we are monitoring or testing our water.

Ann Rubin responded yes, and referred to Town water reports from 2000 to 2007 for anyone to look at. Water Department Chairman Hank VanParys gave a water report on May 5th and contaminant levels are generally low in Red Hook.

Hank VanParys explained they are also low in the Villages of Red Hook and Tivoli.

Ann Rubin explained things are changing and new contaminants are being discovered. Things are there that we didn't know about. Things that are not regulated and we don't know the results of long term exposure to those contaminants. A way to look at the ordinance is to say lets prepare for the infilling and uses coming to Red Hook.

Linda Keeling asked if the Village is included in the way the ordinance is designed.

Hank VanParys explained that if it is a Town Ordinance it would include most of the Tivoli wells.

Fran Donahue asked how deep the aquifer is.

Ann Rubin did not recall the exact number possibly 175 to 225 feet deep. We are part of the Hudson River watershed. The aquifer provides water to the stream and the stream is part of the watershed so the water flows directly to the Hudson River. The upper levels of the aquifer change, the bottom level does not change.

Linda Keeling asked if we are impacted by the Town of Rhinebeck

Ann Rubin answered not so much. According to a report from Russell Urban Mead, Milan is part of the watershed because of the Sawkill Creek. There is a possibility that contaminants can enter the soil and get into the pumping wells for a brief time. If there were any pollutants coming down the Sawkill from Milan there is a possibility that they could enter our water supplies.

Hank Van Parys responded that the Town has done a lot of testing with respect to that and they've never found any indication of influence by the stream on our wells.

Ann Rubin said we need to educate everyone in Red Hook on good water quality maintenance.

Supervisor Crane thanked Ann Rubin for her time, expertise and the amount of work she put into the presentation.

LEAVE DONATION POLICY

Supervisor Crane brought up a draft sick leave donation policy. The purpose of the policy is to allow employees to donate a portion of their accrued sick leave to assist another employee who experiences a catastrophic illness or injury and has exhausted their own paid leave benefits. She asked if anyone on the Board had concerns, additions or corrections they'd wish to make to the policy.

Councilman Colgan reviewed the policy and felt it was reasonable.

Attorney Chale wrote and reached out to the Association of Towns for information. There are leave donation policies in many other communities.

Supervisor Crane doesn't think it would be a unique policy. She thinks it is a very compassionate thing for us to do and there are generous employees here who have many sick days who would help a fellow co-worker.

Councilman Ross thought we discussed using this for catastrophic illness of a family member as well.

Supervisor Crane answered that we did discuss it but there is no policy in that regard with our sick leave so we thought we should be consistent with what we are offering employees.

Attorney Chale explained that is something we can consider for the future. We were guided by the current policy on sick leave.

On a motion of Councilman Latimer, seconded by Councilman Ross, move to accept the Town of Red Hook leave donation policy as written.

Adopted Ayes 5 Crane, Ross, Strawinski, Colgan, Latimer
 Nays 0

ZONING REVIEW COMMITTEE RECOMMENDATIONS

Supervisor Crane referred to comments from Michele Greig who reviewed the recommendations. She proposed that the Board move to our Attorney for the Town so that it can be drafted in language that might become part of our zoning code. She asked if there were any comments from the Board.

Attorney Chale asked the Board to authorize Michele Greig to work with her on preparation of the necessary SEQRA review documents. No vote is needed.

DEPARTMENT REPORTS

Assessor – Jeff Churchill, Town of Red Hook Assessor gave an overview of what has been going on in his office. He's completed review for DC Department of Planning checking property in Red Hook for Census 2010, met with property owners, held Grievance day, attended courses, and had several key meetings. Some of those included discussion regarding agricultural assessments, assessment rolls, and meetings with Red Hook building inspectors and with Red Hook Schools Superintendent Paul Finch among others.

Budget Officer – Rose Rider, Budget Director, reported that she attended the New York State School of Finance in Saratoga on the requirements and preparation of Town budget. She found the workshop extremely helpful. The review for cell tower contracts was completed and a notice of rate increase was sent to CellularOne. She plans to meet with all Town department heads in the coming weeks.

Building & Zoning – Supervisor Crane read the report from the Building & Zoning Department. As of the end of May there were 15 total permits issued. The Building Department is in the process of conducting fire inspections on various occupancies within the Town. They've found

that most structures are well maintained and that a small number of corrections need to be made to become compliant.

CAC – CAC Chair, Brenda Cagle, thanked Ann Rubin for her presentation. Water resources are one of the CAC's focuses this year. The Ruth Oja Environmental Scholarship was awarded to Lucia Von Reusner who will pursue environmental studies at Cornell University. This is the first time the scholarship has been awarded. Brenda reported the CAC passed the most updated scenic road map to the Planning Board and are waiting to hear from them. The Highway Garage came up at their last meeting and they hope energy efficiency will be considered. Ann Rubin is taking Brenda Cagle's place as liaison to the Zoning Review Committee. They are waiting to hear more about the photovoltaic project that is out to bid. Results from the County well testing program came in and five private single family residential wells were tested in Red Hook out of 125 in the County. Details are available on the County website. She reminded everyone about the Hazardous Waste Day scheduled for June 7th.

Purchasing – Councilman Colgan reported on purchasing activity for the period of May 6 to June 3, 2008. During that period 29 Purchase Orders were issued in the amount of \$44,406.68. The largest, \$19,089.36 was to American Ramp Company for 12 pieces of skate park apparatus for the Recreation Park to be installed. It was a public bid. The roller hockey rink and skate park area were resurfaced at the cost of \$7,140. The PO's for St. Margaret's appraisals were issued. No bids were received for the solar panel project. Morris Associates will be rebidding. Wheeler Engineers prepared and released an RFP for air quality testing of the Town garage environment. The Town Hall heat pump unit became inoperable last month. Airflow Air Conditioning and Heating replaced the old unit with a high efficiency 5 ton, 60,000 BTU Arcoaire unit at the cost of \$3,830. Paula Schoonmaker and Christine Chale have been working on an RFP for architectural services for St. Margaret's that Purchasing Agent Ted Kudzy plans on issuing later in the week. A Work Group switch will be installed on the Justice's new desktop computers as well as to their two wireless laptops. The computer from the CAC room has been moved the Board Room and is expected to be available in a week or so for Board member use.

Recreation Commission – Recreation Commission Chairman Doug Strawinski reported that the Summer Program signups are Saturday, June 7th and June 14th from 9:00 am – 1:00 pm in the Town Hall. The skate rink has been recoated and Roller Hockey is in full swing. The Eagle Scout project is almost complete. He is installing the wall ball and is repairing fencing and putting in a new bounce wall on the tennis court. Doug thanked John Kuhn, Don, Jeff and Anthony for the work they have done at the Recreation Park. Finally they are working on a proposal for the new park land. They did not receive the shared municipal services grant but will apply again next year.

Planning – Patrick Kelly presented the Planning report for the month of May prepared by Christine Kane. The Planning Board held two meetings. At the May 5th meeting the Board reviewed 2 site plan applications and a special permit application for an accessory apartment. They also held a public hearing for an approved one lot minor subdivision and special permit application. At the May 19th meeting the Planning Board held public hearings for and approved two site plan applications. June public hearings were set for an additional site plan and a minor subdivision. A discussion was held with Anderson Commons regarding their progress toward meeting conditions of approval.

Supervisor Crane addressed the fact that David Wright, whose term expires in 2011, resigned from the Planning Board creating a vacancy. She asked the Board to consider acting on that vacancy. She read a letter from Planning Board Chair, Christine Kane who asked that Will LaBossier, Planning Board alternate, be appointed to fill the vacancy.

On a motion of Supervisor Crane, seconded by Councilwoman Strawinski, move to appoint Will LaBossier to fill the vacancy on the Planning Board term to expire December 31, 2011.

Adopted	Ayes	5	Crane, Ross, Strawinski, Colgan, Latimer
	Nays	0	

Councilman Latimer stated the Board has to consider another alternate.

Supervisor Crane responded yes, and if anyone is interested please let her know.

Councilwoman Strawinski asked to set a date on a deadline for that.

Supervisor Crane suggested asking for the letters of interest by June 25th and vote to fill the vacancy on July 1, 2008.

Zoning Board of Appeals – Councilman Ross gave a short synopsis of a May 14th report. The ZBA had a couple of appeals denied and one where the applicant went back to modify his appeal with hopes of having approval granted at the next meeting.

Police Report – Councilman Latimer reported that the new Officer in Charge is Patrick Hildenbrand.

Supervisor Crane asked if Councilman Latimer had any information regarding the two burglaries in Town recently.

Councilman Latimer answered that State Police detectives are working with the Sheriff's Office and local police departments. The belief is they are not connected to last year's break-in's. More information will be coming from the State Police.

Dog Control – Councilman Latimer reported that there are two cases going to Court in the next two weeks. One will be represented by counsel on behalf of the Town.

Recycling – Councilwoman Strawinski reported that she met with TJ Hackett. Traffic seems to be flowing better and there is a question whether or not more item #4 needs to be spread. She will speak to Highway Superintendent Hildenbrand because she thought there was an agreement with Pete Setaro about completing that project. She will check about the fencing and how to secure it so that people will not just go in and drop things off any time. We currently use Welsh Sanitation and another company approached TJ Hackett about the possibility of bidding on it.

Attorney Chale recommended that be referred to Purchasing Agent Ted Kudzy.

Intermunicipal Task Force – Chairman Bill O'Neill read his report dated May 23, 2008. The Task Force is seeking \$34,000 funding for a facilities plan because the Village/Town of Red Hook was not granted funding from the State Shared Municipal Services Incentive (SMS) Grant. They were also denied supplemental funding from the USDA Grant Application. Letters were sent to parcel owners in the Agricultural Business District inviting them to attend one of the weekly meetings regarding the Ag Business District (ABD) proposed component of the Centers and Greenspace Plan. The meetings are scheduled for Tivoli Village Hall on Friday, June 6, 2008 at 8:00 AM, and one on Wednesday, June 18, 2008 at the Elmendorph Inn at 7:00 PM.

Ag & Open Space Committee – Robert McKeon reported that the Ag & Open Space Committee meets the last Monday of the month. They did not meet on Memorial Day. They are working on farmland protection projects and keep farming initiatives. The committee is preparing for the "Farmer Appreciation" event which Mayor Cordier of Tivoli will help host at the Rec. Park on the last weekend in July.

Water Department – Water Department Chairman Hank VanParys reported an increase in Bard usage. Now that their graduation is over they don't expect the usage to be significant. The pump house roof is very bad and they are going to get quotes to have it repaired.

EDC – Supervisor Crane announced that Doug Moat, Chairman of the Economic Development Committee will give a presentation at the next meeting and she encouraged everyone to attend.

Senior Services Committee – Councilman Colgan reported that the committee is trying to set something up so that they are more easily approached by Senior Citizens who need assistance. The committee has been making visits to the Red Hook Commons and working with them at regular intervals. They are working on a Rhinebeck/Red Hook Senior Expo scheduled for September 24, 2008 and are also working on having a regular program on PANDA. A newsletter is another task they are working on.

Supervisor Crane had a request from John Douglas regarding authorized training for Zoning and Planning. He requested that the Town Board add the NY State Department of State to the approved training list.

On a motion of Supervisor Crane, seconded by Councilman Ross move to authorize the NY State Department of State be added to our list of agencies to offer training for Planning and Zoning.

Adopted Ayes 5 Crane, Ross, Strawinski, Colgan, Latimer
 Nays 0

Supervisor Crane and John Douglas also discussed the need for scheduling the tabletop discussion for the 911 program he brought forward to the Disaster Preparedness Committee. He asked for three or four days in the fall to get together. She asked the Board to look at their calendars to see if there is a Saturday morning they can meet for a couple of hours.

St. Margaret's Committee – Paula Schoonmaker reported that the appraisers will appraise the property as of May 9, 2006 which is when the Town took over the building. The RFP for the preservation architect was drafted with input from Attorney for the Town, Christine Chale, architect Peter Sweeny and Ron Rader of NYS Parks and Recreation. Ron Rader reviewed the final draft and declared it ready to go out. Purchasing Agent Ted Kudzy will send it directly to a short list of suggested experienced architects and also advertise the position in the official Town newspapers and the Albany Times Union. The next step is to have the Town and State sign a contract outlining the scope of the work, estimated budget and estimated timeline. The contract would also include both the State's and the Town's obligation as the project goes forward. The Town sent a pre-application for a grant opportunity through Senator Saland's office which if granted would fund the roof stabilization phase of the overall restoration project. Once the stabilization is complete, the real preservation and restoration work can begin.

Trails – Howie Callis explained that the Trails Committee is in the process of producing a history of Red Hook trails system. It will take a while to get all the facts together. In regard to the proposed trail between the High School and the Recreation Park, they received some positive response from some of the landowners. They are working with Winnakee Land Trust regarding that trail. Thanks to Paula Schoonmaker for steering him toward it, they got a map of the original Hucklebush Rail Trail and an original 1936 photo. He will make the photo available for anyone who would like to take a look at it.

Zoning Review Committee – Supervisor Crane said the Chair expects to be moving which means we may be searching for a new Chair for the Zoning Review Committee. She'd like the Board members to think about whom to consider for Chair. In addition, Brenda Cagle has asked to substitute one of the committee members in her place on behalf of the CAC. That person is Ann Rubin.

On a motion of Supervisor Crane, seconded by Councilman Latimer, move to have Ann Rubin represent the CAC on the Zoning Review Committee.

Adopted Ayes 5 Crane, Ross, Strawinski, Colgan, Latimer
 Nays 0

Budget Report – Supervisor Crane referred to a budget report prepared by Business Manager Deb Marks. Regarding the sales tax we received in the first quarter, there was an increase of \$5,399.00. If we project ahead for a total of 2008 based on that figure we will have an excess from the Dutchess County sales tax of \$49,126.00.

CORRESPONDENCE

Supervisor Crane received correspondence from Ann Saylor, Housing Coordinator for Dutchess County. They have received an application to Dutchess County Senior Citizen owner occupied property rehabilitation program. They reviewed it and determined the occupant is income eligible for the program. We're very happy to have someone from our community benefit from that program.

Supervisor Crane announced that at the next Board meeting there will be a number of items on the agenda including the Community Preservation Advisory Board decision regarding reorganization.

PUBLIC COMMENT PERIOD

Fran Donahue referred to an editorial in the Kingston Daily Freeman entitled “Not Exactly Neighborly Behavior”. It was from a Tivoli resident, a single mother who complained about Bard College enabling students to drink by offering a free shuttle past midnight. She said another neighbor who complained was told that students help support the economy and therefore should just put up with it. She asked what about those who live here 365 days a year. She said students were getting off a shuttle at 12:45 AM, climbing on parked cars screaming and hollering obscenities outside her house. She was kept awake by noise from a party on Washburn beginning at 10:30 PM which also woke her children. Mr. Donahue gave copies to the Town Board.

Town Clerk Sue McCann told Mr. Donahue that the article which stated the Town was called was erroneous. The Town was never called she believes it was the Village of Tivoli that was called.

Supervisor Crane did not receive any calls regarding the incidences in Tivoli either.

Councilman Colgan saw the editorial too, and the phone calls were made to the Village of Tivoli. He knows the Mayor of Tivoli has met with various landlords and put together a list of regulations in the hope that they will be able to deal with this in the future. They are continuing to work on it.

Supervisor Crane said the point is well taken that if there is a free shuttle bus running late at night that Bard might consider shortening the delivery system to a more reasonable hour. She asked Councilwoman Strawinski, liaison to the college, to investigate that. Maybe they can adjust the schedule.

Councilwoman Strawinski said there are concerts and other events that occur on campus. She is not going to recommend that.

Rosemarie Zengen said a similar problem occurred in Arlington and Vassar College actually imposed a curfew for certain nights a week. Marist too imposed a curfew.

Supervisor Crane will talk with Mayor Cordier about it.

Councilwoman Strawinski explained the Dean of Student’s office is working with Tivoli to see that this doesn’t happen again. She will not suggest they stop running their shuttle.

Kristofer Munn thanked Ann Rubin for the presentation. He feels it highlights reconsidering the location of the highway garage. Alternate locations need to be considered.

On a motion of Supervisor Crane, seconded by Councilman Ross, move to go to Attorney/Client session at 9:40 PM.

Adopted Ayes 5 Crane, Ross, Strawinski, Colgan, Latimer
 Nays 0

On a motion of Supervisor Crane, seconded by Councilwoman Strawinski, move to close Attorney/Client session.

Adopted Ayes 5 Crane, Ross, Strawinski, Colgan, Latimer
 Nays 0

On a motion of Supervisor Crane, seconded by Councilman Colgan, move to adjourn the meeting at 10:10 PM.

Adopted Ayes 5 Crane, Ross, Strawinski, Colgan, Latimer
 Nays 0

Respectfully submitted,

Sue McCann, Town Clerk