

RED HOOK TOWN BOARD MEETING

June 10, 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 opened with the Pledge of Allegiance.

SUPERVISOR'S REPORT

The Supervisor's report for the period May 1 to May 31, 2008 was read as follows: Opening Balance - \$3,051,520.65; Receipts - \$505,904.86; Disbursed - \$579,556.06; Balance - \$2,977,869.45.

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

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

Copy Attached

Supervisor Crane announced that Business Manager Deb Marks reported a significant decrease in the 2008 mortgage tax revenue. We budgeted 15% less than what we budgeted in 2007 which was \$55,000 less. Today, having received our first mortgage tax payment in the amount of \$142,278 there is approximately a decrease of 31%. Based solely on the first payment Business Manager Marks projected a shortfall of approximately \$42,000. Our second and last payment for 2008 arrives in mid-December. We'll take this into account when we go through the budget process.

TOWN CLERK'S REPORT

The Town Clerk's report for the period of May 1, 2008 to May 31, 2008 was read as follows: Total local shares remitted to the Supervisor - \$1,726.58; Amount remitted to County Treasurer for Dog Licenses - \$68.97; Amount remitted to NY Ag. & Markets - \$9.00; Amount remitted to NYS Dept. of Health for Marriage Licenses - \$112.50 ; Amount paid to NYS Environmental Conservation - \$375.05; Total State, County & Local revenues - \$2,292.10.

Town Clerk Sue McCann reported that the total warrant dated June 2, 2008 for the water rent collected for the first quarter of 2008 was \$40,711.

BID OPENING

Supervisor Crane announced the bid openings for "Hot Mix Asphalt Concrete Paving" for the Highway Department. It is for furnishing all materials and labor necessary for paving for Starbarrack Road, Glen View Court, Old Route 199, Pin Oak Drive, Sycamore Drive and Baxter Roads.

Town Clerk Sue McCann opened the following sealed bids:

<u>Company Name</u>	<u>Price Per Ton</u>
Callanan Industries Albany, NY	\$75.49
Blacktop Maintenance Corporation Poughkeepsie, NY	\$79.90

Arold Construction Co. Kingston, NY	\$75.80
Gardiner Excavating	\$114.24
A. Colarusso & Son Hudson, NY	\$78.90

On a motion of Councilman Ross, seconded by Councilwoman Strawinski, move to accept the bids and turn them over to Purchasing Agent Ted Kudzy and Highway Superintendent Wayne Hildenbrand.

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

ANNOUNCEMENTS

Supervisor Crane announced that a detective from the Dutchess County Sheriff's Department met with her and told her that the recent burglaries have apparently been solved. The person responsible has been identified. Supervisor Crane wanted to make sure the public was notified.

ECONOMIC DEVELOPMENT COMMITTEE PRESENTATION

Supervisor Crane welcomed the EDC members to the meeting and introduced Chairman Doug Moat. The committee believes that by understanding some of the problems in advance we buy ourselves some time to provide solutions to what they believe could be some severe consequences of what he presented. Highlights of the presentation included their projection of (without significant changes) the property and school taxes increasing 43% over the next five years, many causes being the result of policies generated at the federal and state level and the effects of union and state demands imposed on the school district. The projections are based on an analysis of total tax levies for the County over the past eight years and detailed expenditures for the Town and School District over the last three to eight years. Significant factors were cited in the report. The problem in our community is that our residential taxpayers pay a disproportionate share of the local taxes. Residents who own 66% of the total assessed value in the community pay 86% of all the taxes. Among all the Towns in Dutchess County our commercial base which is a mere 4.8% of our total assessed value, ranks 16 among the 22 Towns in Dutchess County. 28% of our property values are totally tax exempt. That is the highest in the 22 Towns in the County. Over 53% of our total acreage is already either tax exempt, has agricultural tax abatement, or is restricted from further development. Owners of 6,234 acres of land have been approved for the agricultural tax abatement. On average those with agricultural tax abatement receive a 72% reduction in taxes an amount which is the highest percentage in the County. The presentation included recommendations for programs in support of maintaining "farmland and open space" to be accompanied by a clear statement of the economic impact on our taxpayers. The committee suggested the community target \$150 million dollars in commercial investment over the next 15 years. It is possible and it is crucial. They recommend recognizing *appropriate* commercial investment among other things. The question is are we really against commercial development? The EDC hopes the presentation will get the Town Board to encourage the attendance of the Village Boards and the members of the independent boards and committees who share responsibility for developing programs that affect the economic health of the community.

Paul Fredricks of the EDC presented a color coded map outlining tax parcels in Red Hook. It is essentially an inventory of properties in the Town. There about 23,000 acres in the Town of Red Hook. Over 1,000 acres have been saved just through our zoning process. He pointed out commercial properties, flood plains, properties with easements, vacant land (48 parcels) and tax exempt properties as well as residential. He explained why the map he presented is what our zoning map should look like. Mr. Fredricks doesn't think we can depend on the State to do anything about the school tax. They've been trying for fifteen years. We have to ask where we would like to see some commercial development and where it would be a benefit to the community.

Kevin Zulch of the EDC thanked the Board for allowing the presentation. He summarized the fact that we only have a 4.8% retail industrial/commercial base of our total assessed property value is a frightening thing. The map is an impediment to making serious changes to that in the

short term. The fact that residents who own 66% of the assessed value in the Town pay 86% of the total taxes is a complete imbalance and unfairness in his mind. He believes that we are successful in maintaining open space but he feels the tax burden is unfair and unsustainable both on our businesses and small landowners. He feels the EDC's provided a balanced, moderate and achievable approach with some plans and recommendations that can be input in the next 15 years to help mitigate this problem. We're not going to resolve it. He asked that the Board members take a serious look at the EDC's recommendations.

A copy of the full report is available at the Town Clerk's office and is also on the Town's website www.redhook.org.

Supervisor Crane asked if the Board had any comments.

Councilwoman Strawinski asked how many acres are in Red Hook.

Paul Fredricks answered about 23,000. He said that 12,336.28 acres are either wholly exempt, have gotten rid of their development rights or are lands with restricted easements. Winnikee Land Trust has about 1,000.

Councilwoman Strawinski asked how many acres are the Unification Church, Bard College, Devereaux, etc.

Paul Fredricks answered 3,572 acres are exempt. He did a parcel search. Bard College owns 22 parcels. It is about 53% of the Town including the agricultural exemptions.

Doug Moat explained that there were at least three or four data bases they were able to access for their information, including individual property owner's acreage and assessments. It suggests that it makes sense to be able to pull the information together for studies.

Councilwoman Strawinski said it is as good as the people who put in the data and it would be good to have the backup data. As far as a conference center/spa type of business, she isn't against it but she doesn't feel those jobs pay a living wage. How many jobs could we bring that would help the residents of Red Hook make a living wage.

Doug Moat responded that in all probability very few but the real assets are in a different fashion. In addition to the taxes it would hold people here for other events. Bard College for example told them that one of their major difficulties is that when people come for events at the Fischer Center and other things from places like Albany and New York City there is "no place to stay". The same thing is true with our farm community. There are pick your own programs that people come for by bus that turn around, get back on the bus and leave and our local retail commercial enterprises get no additional peripheral benefits. The value would not only be in the taxes, but in our ability to hold people in the community to support other activities.

Paul Fredricks said in regard to a pharmaceutical company coming in because of their interest in a program through Bard College that might be something that could bring better paying jobs.

Councilwoman Strawinski wanted to go on record saying she is not against commercial development and that she is supportive of the Centers and Greenspace Plan's drawings and renderings that show a great deal of commercial and retail space proposed. She hopes the two committees will come together and recognize this is part of the Centers and Greenspace Plan.

Councilman Latimer asked Councilwoman Strawinski her verifiable definition of what she means by great deal of commercial development.

Councilwoman Strawinski responded in and around areas that are walkable from the traditional neighborhoods that would be commercial areas for people to shop at. She told Councilman Latimer that he is the liaison to that committee, hasn't he seen this?

Councilman Latimer said that is why he is asking what her definition of "considerable" is.

Councilwoman Strawinski answered based on their renderings. It depends on what kind of business we can attract with the infrastructure we can provide them.

Councilman Colgan asked Doug Moat if there is a commercial entity that would like to move in here now. A pharmaceutical company was mentioned, is that under consideration.

Doug Moat responded that he was introduced to a person involved in large pharmaceuticals who he talked to about that kind of thing. There is however, right now a group very interested in the conference center/spa. There is another group who looked at the same piece of land south of Hannaford who expressed an interest in coming back. There is also a third party the EDC has coming. It is the thing Bard is interested in so that's what we've been pursuing more aggressively.

Paul Fredricks added that, regarding commercial development, we have a limitation in our zoning code that the maximum size is 50,000 square feet. That turns off some industries because if they come in to build a facility, then become extremely successful, they can't expand more than the 50,000 square feet. He understands wanting to limit the size of a building but that becomes one of the problems.

Dick Franklin responded to a comment that Councilwoman Strawinski made about people not being able to make enough money working at a hotel/conference center. We have a block of senior citizens, roughly 20% plus from our community, who need to add to their income and that would fit very nicely. They would be seasoned, well rounded workers, people who have a work ethic. Don't just think we're going to get some low paid workers who don't live here. This could help some residents stay here.

Supervisor Crane thanked the EDC for their presentation. She thought it was astonishingly clear and very persuasive. She personally is 100% for establishing some kind of commercial entity that would get us off and running.

ZONING REVIEW RECOMMENDATIONS UPDATE

Supervisor Crane announced that the Attorney for the Town, Christine Chale, will lead a brief update of the zoning regulations as proposed to be changed by the Zoning Review Committee.

Attorney Chale referred to a draft of a proposed Local Law. It is for information and review and she asked that it be forwarded to the ZRC for their input on some specific provisions to make sure they are fully addressed. She would also like to have the ZEO review it as well. Because they will need to refer to the Planning Board as part of the process she feels it would be a good idea to refer it to them informally so they can begin their review and advise them of any issues they might see. It might be a good idea to have the ZBA see it because there is an issue of theirs the ZRC is addressing. She suggested circulating the draft of the proposed Local law and ask the Board members for any questions or comments over the next week so that hopefully at the next meeting we can move forward formally with the public hearing.

Supervisor Crane suggested setting June 16th for the day to get back to Attorney Chale. The Board should review the draft and notify Attorney Chale of any concerns or changes they wish to have considered. That would allow Attorney Chale to move it forward to the Planning Board, ZBA, ZEO and ZBA by Tuesday, June 17th to have another look at it.

Attorney Chale explained the Local Law has three different amendments. She presented them in two different formats in a draft. She has questions to discuss with Michelle Greig and will bring it back to this Board on June 25th at which point she would like to schedule a public hearing.

John Douglas told the Board that there are a lot of ZRC members present and they are still discussing the accessory structures. He is not aware that they came to any conclusions and is surprised to hear about the issue.

Councilman Colgan suggested John Douglas discuss this at the ZRC's next meeting.

HIGHWAY GARAGE

Supervisor Crane had a conversation with Highway Superintendent Wayne Hildenbrand, Village of Red Hook Mayor David Cohen, the Highway Department Head from the Village of Red Hook and our Town Engineer as well as Village Trustee Brent Kovalchik. They discussed the Highway Garage as well as the possibility of a joint effort and shared services with the Village.

The Village of Red Hook outlined the amount of space they require to meet their needs. Our Town Engineer will attempt to estimate how much space will be needed and what the cost will be so that Mayor Cohen can discuss it with his Board. As we move forward with plans for the Highway Garage they are hoping that a shared services arrangement with the Village will be ideal in setting us up for future grants and possible funding. We are going forward with Highway Garage discussions and in particular a layout of the property behind this building as a proposal for Highway Garage location.

JUSTICE COURT REVIEW

Supervisor Crane introduced the Town Justices, Jonah Triebwasser and Jeffrey Martin who were at the meeting to discuss the Justice Court needs and some of the results of the Justice Court audit that was done earlier in the year.

Town Justice Jonah Triebwasser reported that thanks to the Town employees, Business Manager Deb Marks, Purchasing Agent Ted Kudzy and Highway Superintendent Wayne Hildenbrand they have been able to set up their court computers and also start using the CAC office desk to relieve overcrowding they had. He appreciates their assistance. He referred to a memo dated April 24th the Judges sent regarding the financial audit of the Court. The Chief Administrative Judge of the Judicial District requested that the Board audit the books and records and that a resolution be passed acknowledging that the audit was conducted and that such resolution is forwarded to them.

Business Manager Deb Marks said she does it every year and she did put copies in the Judges mailboxes. It was already sent to Albany.

Town Justice Triebwasser moved on to the Court's request regarding concerns about security. The Office of Court Administration Security Assessment Division examined this entire building during the previous Judge's term. They made some suggestions that the Judges shared with the Board in the memo of April 24th. He respectfully submitted that the security recommendations are also for the safety of the Board and people who come to Board meetings. One recommendation they made is metal detectors. When the OCAS makes recommendations they make grant money available for these purposes. He and Judge Martin obtained a \$30,000 grant for the Village Hall security measures including the metal detectors. He wants the Board to rest assured that they are not seeking the money from the Town for any of the financial costs. They are seeking cost estimates of the recommended construction so that they can put that into a grant then they will ask the Board to pass the appropriate resolution giving them the authority to apply for the grant. Judge Triebwasser told the Board that he is sure they will understand if he does not go into the specific details as the meeting is being broadcast over PANDA and security recommendations don't make a lot of sense if they're broadcast. He pointed out that the recommendations are in front of them and they speak for themselves. He then deferred to Judge Jeffrey Martin.

Judge Martin explained that the Office of Court Administration suggested moving the Judges office to the center room. The two Judges agreed to share an office and they are happy to do it. Having the Justices office in the middle prevents the public from having first sight with the Judges. The Clerks would be moved to the side so they can first greet the public and the Judges don't have the opportunity to have "ex parte" discussions with clients or attorneys. It can happen when someone walks in and the Judge is the first person they see. The idea is to share an office and move the clerks. There are books that have to be moved, and hopefully a window put in for Clerk Nancy Roberts. They are not asking for money, they are asking for an estimate for them to get grant money for the Town. The grant money would be used to reconfigure the Court as well as the CAC room which used to be for Court personnel. They received brand new printers and computers from the State. They also received two laptops that are being used now. They are electronic transcript and digital transcript, everything that is said and everything that is done is on tape. They took courses to learn how to use them at no cost to the Town. They are trying to improve Court facilities because they have been mandated to do so by the State. They are asking the Board's help to give them the numbers to get the grant.

Judge Triebwasser explained that under the current system during the business day when Court Clerk Nancy Roberts is here she is isolated in that center office. He thinks it would be safer for her to be in the outer office. The OCA also suggested "Dutch doors" or half doors. The Clerk would then only open up the top door, do the transaction and there would be a barrier there. He

and Judge Martin would be delighted to answer questions within the scope of not revealing too much at a public forum that is being televised considering some of the recommendations and findings as far as security of the building. Judge Triebwasser explained that one of the recommendations is not to have a window behind the Justices. One construction situation would be to remove the window and put it where one of the Clerks can enjoy it. As far as any of the construction costs they just want an estimate for a grant. The magnetometer will be dropped shipped directly. Our Red Hook police officers will be trained to use it. There would be a need for two additional officers at Court, one to use the magnetometer, the other to search bags, purses, etc.

Councilman Colgan said if we put a magnetometer by the front door we would need to block the hallway so people couldn't go the other way.

Judge Triebwasser explained that if they close the door by the restroom hallway a Court officer could stand by that door so people could go around and use the restrooms. We would still have the entrance controlled. He doesn't see that as a major problem.

Councilman Ross confirmed that basically Judge Triebwasser is asking the Board to give him permission to go to Purchasing Agent Ted Kudzy to work up an RFP to get an estimate so he can apply for the grant.

Supervisor Crane is confused why the Justices can't be in the center office with the window kept in place, possibly with a protective barrier between them and the outside therefore mitigating the need to move that window. Wouldn't that be as cost effective as ripping out a window and trying to match siding? She'd like to see them look into that. Judge Triebwasser said "we all agreed that we want to make this move". She asked if Court Clerk Nancy Roberts wants to move as well. That was not her impression.

Judge Martin said he and Mrs. Roberts went over the information they received from the State and she knows the State required the change. She is perfectly fine with it and the only thing she is asking for is a window in the office. Another recommendation was that a door be installed.

Judge Triebwasser reiterated that they are only asking for the cost of the work. The State is mandating this and they are willing to pay for it.

Supervisor Crane looked at an action plan for the Justice Court dated November 2006 that says localities can apply for limited grants not exceeding \$30,000 to assist local efforts. It lists the things the Justices are talking about. Unless things changed from that date it seems the most the grant can be is for \$30,000.

Judge Triebwasser has been informed by the Supervising Judge that has changed. The way they handled it in the Village was to ask for what they need, then they will give the grant. If it falls short then certainly the Justices and the Town Board can revisit where it has fallen short and adjust their plans accordingly. He is not suggesting they do anything until the money is in hand. The only thing they'd like to do is move the offices. The book cases temporarily could be moved in front of the window. They do want to accommodate Court Clerk Nancy Roberts' request for the window if possible and it would be at no cost to the Town.

Councilman Ross said we don't need an RFP for moving a window. We don't need an engineer for that; it is way below the threshold. Regarding the magnetometer, is that a separate thing?

Judge Triebwasser answered that's correct, they drop ship it, and train the people. They also provide a hand wand.

Councilman Ross confirmed that the only cost the Town could bear is the increase in the Court officers.

Judge Triebwasser agreed. The only immediate thing they ask is authorization for the Highway Department to help switch the offices.

Supervisor Crane asked if Judge Triebwasser spoke to Highway Superintendent Hildenbrand about that.

Judge Triebwasser did not speak to anyone yet until he got the OK from the Board first.

Councilman Ross said if this is a reimbursable expense we should get an estimate of the man hours.

Judge Triebwasser explained the grant does not pay for personal services. Moving offices he does not believe will be paid for with the grant; construction, yes.

Supervisor Crane is not in favor of installing a door from the outside to the Justice's offices.

Councilman Ross agreed and thinks we should grant the approval for the estimate for moving a window and installing a Dutch door. He feels another door is a liability.

On a motion of Supervisor Crane, seconded by Councilman Ross, move to support the Justices meeting with Purchasing Agent Ted Kudzy regarding the possible expenses for moving their offices, installing a window and a Dutch door.

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

REORGANIZATION

Community Preservation Fund Committee – Supervisor Crane brought forward consideration of appointments to the Community Preservation Fund Committee. They discussed qualifications and proposed Richard Biezynski, Victor Behoriam, Susan Ezrati, Peter Hubbell, Brent Kovalchik, Miriam Latzer and Phil Seymour as candidates for the committee.

On a motion of Supervisor Crane, seconded by Councilman Ross, move that the Board approve those seven people as members of the Community Preservation Fund Committee.

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

The vote was taken after the following discussion:

Councilwoman Strawinski is concerned that we are not meeting the requirements of the Community Preservation Fund guidelines with the appointments of Victor Behoriam and Phil Seymour. She would be willing to go ahead with the proposed committee if Victor Behoriam and Phil Seymour were the two one year appointments.

Supervisor Crane thinks we have a very well rounded committee and the Board can talk further about who belongs to the staggered terms if everyone agrees with the appointments for this year.

There was no further discussion so the vote was taken.

Supervisor Crane moved on to the term appointments for the committee.

On a motion of Councilman Colgan, seconded by Councilman Latimer, moved to appoint Richard Biezynski, Susan Ezrati and Brent Kovalcik for three year terms, Peter Hubbell and Miriam Latzer for two year terms, and Victor Behoriam and Phil Seymour for one year terms.

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

Supervisor Crane has been in touch with our Planner, Ted Fink and he is willing to meet and talk with her about the CPF program he developed for the Town of Warwick. He is also willing to meet with the CPF Committee and discuss with them how to move forward. She expects to hear from him within the week.

Zoning Review Committee – Supervisor Crane announced the Chair of the Zoning Review Committee is moving from the Town of Red Hook so we will be searching for a new Chair. She asked that the Board give that position some consideration.

Councilman Ross suggested Paul Fredricks.

Councilwoman Strawinski suggested Susan Simon.

Supervisor Crane asked the Zoning Review Committee to come forward with a recommendation for another person for the opening and for the Chair. She'd also like to know if they change their meeting times. At the June 25th meeting the Board will discuss the position of alternate on the Planning Board.

NOISE ORDINANCE

Supervisor Crane asked Attorney Chale to comment on the existing noise ordinance.

Attorney Chale explained that we need a comprehensive noise ordinance. She suggested that we have a committee that includes Zoning, Building and Board members and sit down with Attorney Chale and review what the goals would be and what type of restrictions we'd be interested in seeing; what is appropriate for the community.

Supervisor Crane, the Zoning Enforcement Officers and Councilman Ross will meet with Attorney Chale to discuss the ordinance.

REQUEST FROM HIGHWAY SUPERINTENDENT

Supervisor Crane read a letter from Wayne Hildenbrand, Highway Superintendent, requesting approval from the Board to appoint Richard Schloemer as Interim Deputy Highway Superintendent and General Foreman with all powers and duties provided by highway law.

On a motion of Supervisor Crane, seconded by Councilwoman Strawinski move to appointment Richard Schloemer as Interim Deputy Highway Superintendent and General Foreman.

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

Councilman Ross is in complete agreement and wants the Board to be aware that the Deputy should receive the stipend.

CORRESPONDENCE

- Supervisor Crane referred to a letter to George Papp from Brent Kovalchik acknowledging our commitment of \$5,000 for the sewage treatment study.
- There will be a free tour of solar homes and buildings on Saturday, June 14 beginning at 10:00 AM. It is sponsored by NY State Tour of Energy Efficient Buildings. Call Bob Freeston at 658-9435. They will meet at the Hudson Valley Clean Energy Office in Rhinebeck.
- The Dutchess County Legislature will meet June 11, 2008.
- Hudson Valley Greenway announces the 2008 Greenway Conservancy Small Grant Program Applications are now available. They are emphasizing trail projects that contribute to the 2009 celebration of the Hudson, Fulton and Champlain Quadracentennial.

PUBLIC COMMENT

There were no public comments.

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

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

Respectfully submitted,

Sue McCann, Town Clerk