

TOWN BOARD MEETING

July 8, 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 June 1 to June 30, 2008 was read as follows: Opening Balance - \$2,977,869.45; Receipts - \$2,342,229.87; Disbursed - \$2,409,600.02; Balance - \$2,910,499.30. Budget Adjustments prior to closing of May 2008: In the General A Fund: Refund of \$5,298.00; Increase of \$9,523.00; Emergency replacement of Air/Heat Unit - \$4,225.00. Total Debits - \$9, 523.00; Total Credits - \$9,523.00. In the General B Fund: Increase in Revenue - \$4,446.00 (refund from PANDA for prior year expense); Increase in Appropriated Fund Balance: Debits - \$4,446.00; Credits - \$4,446.00. Regarding the DB Fund, she read a letter from Highway Superintendent Wayne Hildenbrand dated June 10, 2008 regarding diesel fuel and gasoline. He is requesting a budget adjustment for the fuel budget. In the Highway DB Fund: Increase of \$135.00; Increase in Appropriations of \$15,000 for diesel. Total Increase - \$14,855.00. Water Operating Maintenance Water Fund: Reduction -\$4,000 for facilities improvement; Offset to the Appropriated Fund Balance: Debit - \$4,000 and Credit - \$4,000; Balance - \$32,969.00

On a motion of Councilman Ross, seconded by Councilman Colgan move to approve the Supervisor's Report.

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

Copy Attached

TOWN CLERK'S REPORT

The Town Clerk's report for the period of June 1 to June 30, 2008 was read as follows: Total local shares remitted to the Supervisor - \$1,652.69; Amount remitted to County Treasurer for Dog Licenses - \$107.40; Amount remitted to NYS Ag & Markets - \$24.00; Amount remitted to NYS Department of Health for Marriage Licenses - \$112.50; Amount remitted to NYS Department of Environmental Conservation - \$292.86; Total State, County & Local Revenues - \$2,189.45

Town Clerk Sue McCann announced that the Dutchess County Clerk's Office alerted residents to be aware of a company offering to retrieve copies of deeds for high prices. She and her husband received such a letter. Town Clerk McCann wanted residents to know that if they contact the County Clerk on their own they can receive a copy for \$6.00, if you do it by mail, it is \$11.00. County Clerk Brad Kendall can be reached at (845)486-2374.

ANNOUNCEMENTS

Supervisor Crane announced that she was privileged to attend a ceremony honoring two Eagle Scouts. They went through a Board of Review and were granted Eagle Scout stature. They are Robert D. Spano and Christopher W. Hathcock. Robert renovated and painted four classrooms at the Church Street Nursery School and Christopher replaced fencing and improved landscaping. They've done great work and it is a huge honor to achieve the highest level in Boy Scouts.

Supervisor Crane also announced that for those residents interested in the Open Space and Farmland Preservation Program, she encourages them to contact the County Legislature. They

will be voting on July 9, 10 and 14th regarding the 100 acres of the Mead Farm and the Wil-Hi Farm in the Town of Red Hook. The Town Board has supported those two parcels and hope the Legislature will as well. She asked residents to go on record and encourage them to pass that Legislation.

PUBLIC COMMENT PERIOD

Supervisor Crane opened the meeting for a 15 minute public comment period.

Linda Keeling added to what Town Clerk Sue McCann said, if you go on to the New York State Unclaimed Funds and you find your name, you get 100% of that back. If someone contacts you for a “finder’s fee” ignore it.

Susan Simon spoke on behalf of the Red Hook Area Chamber of Commerce. She is the President of the Chamber and wanted to let everyone know about an initiative they are taking on so that all the area merchants will have one voice in the community. Different merchants in Red Hook have different needs and the Commerce would like to join forces for a common goal within the community. She asked the Board to grant them a few minutes at each meeting so the merchants can voice any concerns they may have and ask for the Board’s assistance should it be necessary. An example is the issue of the Village parking lot. It is on the minds of many merchants. The phone number for the Chamber Office is 758-0824, and the web address is www.redhookchamber.org.

ST. MARGARET’S APPRAISALS FOR ST. MARGARET’S

Supervisor Crane announced that Town Clerk Sue McCann just received appraisals for St. Margaret’s and they wanted to open them at the meeting and pass them along to the Board for review.

Town Clerk Sue McCann opened the first one which was from Hudson Valley Appraisal. The second bid was from Hubbell Realty Services.

REVIEW AND UPDATE INVESTMENT POLICY

Supervisor Crane said the Board received from Business Manager Deborah Marks, a review and updated investment policy. There appear to be no changes but she is asking for the Board’s acceptance and approval as presented.

On a motion of Councilman Ross, seconded by Councilman Latimer, move to accept and approve the investment policy as presented.

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

PLANNING BOARD ALTERNATE

Supervisor Crane explained that there are two parts regarding Planning Board alternates. Rob Tourtelot was out of the country so he did not meet the 30 day deadline to be sworn in. She suggested reappointing him as Planning Board Alternate No.1.

On a motion of Supervisor Crane, seconded by Councilwoman Strawinski, move to reappoint Rob Tourtelot as Planning Board Alternate term to expire December 31, 2009.

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

Supervisor Crane reported there is also a second alternate vacancy. We have three considerations, Kristofer Munn, Phoebe Prentice, and Paul Laibach.

On a motion of Councilwoman Strawinski, seconded by Councilman Colgan move to appoint Kristofer Munn to be the second alternate to the Planning Board term to expire December 31, 2009.

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

The vote was taken after the following discussion:

Councilwoman Strawinski explained that Kristofer Munn attended meetings for at least two years and has been involved in discussions they’ve had in the past. He put in a request to serve

on the Planning Board and other Boards at least a year ago. He is a business owner and is raising his family here, he's energetic and she thinks he would make a good addition to that Board.

AIR QUALITY TEST UPDATE

Supervisor Crane received notification from DF Wheeler Engineers that the air quality study bid award has been granted. Attorney Chale will prepare the contract and associated documents necessary to move the process forward.

Councilwoman Strawinski asked that now it's been awarded, if there is a sense of when testing will be done.

Attorney Chale referred to a letter from Dan Wheeler that he wants to get started as soon as the contract gets signed.

Councilwoman Strawinski asked about obtaining information of the process, the specifications and the preparation.

Attorney Chale responded that the RFP outlines it.

HIGHWAY GARAGE

Supervisor Crane received a letter from Ray Jurkowski, a partner in Morris Associates. The Town Board voted a number of weeks ago to move ahead with a site plan for the Highway Garage on the Town Hall site. It was brought up that we should request sketch plan and site plan estimates from the engineering consultants before moving forward. Mr. Jurkowski responded saying his office's certified planning staff will be a major contributor in the preparation of the plans providing for sound planning vision during the process. The office will also consult with John Clark of Dutchess County Planning regarding their input on the plan. The office is prepared to assist the Town in preparing the conceptual Master Plan sketch for a lump sum of \$2,000.

On a motion of Supervisor Crane, seconded by Councilman Ross move to pay \$2,000 to Morris Associates.

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

The vote was taken after the following discussion.

Councilman Colgan does feel we need to move forward and need the advice of the engineers, but feels we should continue to look for any alternative sites and make the best business decision.

Supervisor Crane, after doing some research, developed a time line because of comments made at the previous weeks Town Board meeting during the public comment period. An individual suggested that we were rushing with this decision and she felt it was important to make people aware of the numbers of events that took place over time. She reviewed her timeline which she will prepare for the Board. In February of 2003 there was a needs assessment done, a sketch plan prepared and the EAF was completed. In June of 2003 there was a cost estimate made by the engineers involved of \$1,434,000. December 2003, bids were received from 27 bidders. Because of irregularities in the package, those bids were rejected. We anticipated going out to bid the very next month with corrections made in that bid package. Additionally, in August of 2003 there was soil testing done, there was a DEC application and there was a survey done. All of that was in 2003. In February 2005 Morris Associates were appointed engineer for the Highway Garage development. In June 2005 the cost estimate rose to \$2,680,000. It was hoped that construction would start in September 2005. As you all know that did not happen. There was a period of time when the Rokeby site was reviewed and a Phase I environmental study was conducted in the amount of \$2,000. We received the results of that, there was an estimate for Phase II proposed of almost \$12,000 which we did not choose to do. In December of 2006 there was a ground water analysis and in December of 2007 we authorized Morris Associates to provide another cost estimate which was \$3,700,000. She felt it was important to share this information to try to address the comments that we are rushing. It goes back to as early as February of 2003. This is not a rush decision. In regard to the Rokeby site, there were many questions about the site. Her reasons for not being in favor of significant investment in the Rokeby site is because it is a former landfill with evidence of paint cans, barrels and vehicles

abandoned there in the 1940's and 50's. There are also wetlands on the site as indicated by the Phase I environmental study performed by the Chazen Company in 2006. There was salt contamination of the groundwater, moving the location would be unnecessarily costly especially since we have ample room on our current site. To construct the building will meet the needs of both the Town and the Village and it is our intention to collaborate with the Village in that regard. The Highway personnel in both the Town and the Village wish to remain close to the present site. While this is not a determining factor, added to all the above it certainly should be considered part of the equation.

Councilwoman Strawinski said she too, put together a timeline. The Bond Resolution was put forth on February 11, 2003. She guessed there was discussion before then. She researched minutes and commented that a former Board member commented they were going to meet with Morris Associates but sees no further correspondence. Her timeline began January 17, 2003. She questioned invoices that totaled up to \$70,000. When we total the costs incurred in regard to investigating the Highway Garage, she asked how that is deducted from whatever bonds we may be getting.

Attorney Chale explained there is a cost already incurred and it is up to the Town Board whether or not what should be reimbursed out of the bond. There is a bond resolution outstanding so you are incurring costs that could be reimbursed from the bond proceeds.

Councilwoman Strawinski asked if there was some way she could get a summary of expenditures that we already incurred at this time in regard to the Highway Garage.

Councilman Ross explained that had we proceeded, the total cost would have been about \$1.3 million and we were approved for a bond of \$1.5 million. Up to that point, had the project been started and completed, spending somewhere between \$70,000 to \$100,000 on engineering costs and architectural costs would have been included in that total cost.

Supervisor Crane is concerned about a delay. The longer we delay, the higher the bills.

Councilwoman Ross commented that in defense of the present location, it was well thought out by the Board, prior to 2005. In 2004, 2005, 2006, and 2007 we were basically in a stall mode and during that period of time what would have been \$1.4 million, is now about \$3 million dollars. There was one other location brought up and that was on Town owned property on Route 199 that would not be adequate for a garage. The other was a cold storage property discussed as to purchasing but not as a location for the Highway Garage. The previous Supervisor brought up the idea of the Rokeby Road site.

Councilwoman Strawinski moved to hold a Public Hearing on the proposed Highway Garage but the motion was not seconded.

Councilman Ross explained to her that if we decide to go ahead with the garage, obviously a \$1.5 million bond resolution won't be enough so the Town will have to have a Public Hearing on our proposed new resolution.

Councilwoman Strawinski wants a Public Hearing in regard to location.

Councilman Colgan, before voting, is inclined to wait until we get a little more information. He would like strong evidence of sites and alternate sites and what the realties are first.

RESOLUTION TO PROVIDE A DATE FOR PUBLIC HEARING

Supervisor Crane explained that Attorney Chale provided the Board with amendments to Chapter 143 regarding zoning setbacks for accessory structures, multifamily density regulations and central water density bonus.

Attorney Chale explained that these are the recommendations that came from the Zoning Review Committee and were reviewed by the Planning consultant. It is a draft Local Law #7. She explained the changes to the provisions and provided information for the Board as well as the Environmental Assessment Form for their review. The amendment will be referred to the Planning Board and to Dutchess County Planning for their comments and recommendations.

Supervisor Crane read the resolution. A public Hearing date was set for Tuesday, August 12, 2008 at 7:30 p.m. at the Town Hall.

RESOLUTION 2008 # 51

RESOLUTION ESTABLISHING A DATE FOR A PUBLIC HEARING REGARDING THE ADOPTION BY THE TOWN BOARD OF THE TOWN OF RED HOOK OF LOCAL LAW NO. 7 (Proposed) OF 2008, CLASSIFYING THE ACTION AND REFERRING PROPOSED LAW TO COUNTY AND TOWN PLANNING BOARDS

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

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

Copy Attached

FRONTIER AGREEMENT

Attorney Chale referred to the auto attendant services contract for Frontier. The purpose of it is to direct calls to the appropriate office. The contract is for 36 months at the cost of \$3,880. No other service is included.

On a motion of Councilman Latimer, seconded by Councilman Colgan move to approve the Frontier agreement for auto attendant services.

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

CORRESPONDENCE

- Supervisor Crane referred to correspondence she received from Beth Doyle from Dutchess County Planning and Development. The sidewalk project has been reviewed and approved. Our engineer Dan Wheeler will be working on that.
- Regarding Court Justice Assistance Program, Supervisor Crane has been in contact with the Justices about the recommendations made by the Unified Court System. The applications are due by August 31st. She will meet with the Justices and go over the requests in order to move forward.
- New York State Department of Public Service informed the Town that there has been an extension of Time Warner Kingston Division service contract.
- Jeff Haber of the Association of Towns of the State of New York regarding local governments and regionalization. They are presenting their report: "Government Efficiency, the Case for Local Control". He suggested informing our State Senators and members of the Assembly about the importance of Town government in NY as well as the quality and affordability of services that we provide.

PUBLIC COMMENTS

Linda Keeling asked if the CAC could get information regarding the garage's soil testing and ground water analysis so they can be aware of the data on it. If we are incorporating green elements in the garage, can the cost be offset by grants?

Supervisor Crane responded that in regard to the green elements she submitted an application to NYSERDA regarding new construction funds explaining the Town's intention to build a Highway Garage. That is a commitment we are making.

ATTORNEY/CLIENT SESSION

On a motion of Supervisor Crane, seconded by Councilman Latimer move to go into Attorney/Client discussion at 8:20 p.m.

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

On a motion of Councilman Colgan, seconded by Councilwoman Strawinski move to adjourn the Attorney/Client session at 9:07 p.m.

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 9:14 p.m.

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

Respectfully submitted,

Sue McCann, Town Clerk