

RED HOOK TOWN BOARD MEETING

September 2, 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 following the Public Hearing.

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

PUBLIC COMMENTS

Jonathan Becker urged the Board to let the Board of Elections know about the need of an additional voting machine in the Barrytown polling district. He is concerned about having only one machine because of the higher numbers of registered voters and is afraid they may face a problem on Election Day. He would also like to buy and pass out "I Voted" stickers.

Fran Donahue brought up the purchase of development rights program. During the process there are three parties involved, a land trust, the Town of Red Hook, and the landowner. He understands that negotiations take place prior to the closing. He asked who represents the taxpayers of the Town in those negotiations.

Attorney Chale explained that the Towns roll is not as negotiator, it actually goes through a set of procedures that involve a review of the project to determine if it meets our predetermined criteria. The Farmland Protection Committee reviews information to see if it meets those criteria. It is conducting an evaluation more than it is negotiating. The determination of value is based on a third party appraisal. The attorney reviews aspects of the agreement to determine if it is consistent with our program. The land trust has different issues than the Town.

Fran Donahue said that if one party negotiates and the other party can't, that is not being equal. The result is that the landowners are so happy to be able to sell their rights that they happily provide funds to the land trust. As a taxpayer he thinks that is improper. He feels the taxpayer doesn't benefit, they just pay the price.

Councilman Colgan explained the price is determined by a professional appraiser which is the way all lands are purchased by public entities.

Councilman Latimer has a problem with part of the process and that is why the Town doesn't benefit from the landowner donations. When the landowner makes a concession to the land trust, why doesn't the Town enjoy some of that benefit? He does not understand why that is not more strongly negotiated on the Town's behalf.

Fran Donahue suggested the Town have a law that a landowner cannot make a gift to the land trust for at least five years after the transaction.

Councilman Ross explained that any gift should be split equally. He raised that issue over a year ago. He agrees that it wasn't right, but it was a Board decision to proceed that way.

HIGHWAY GARAGE

Supervisor Crane referred to the Highway Garage site plans that were presented by Morris and Associates. We received yet another plan from Dutchess County Planner John Clarke who has a different configuration for the land. Supervisor Crane thinks the DC Planners layout is interesting but thinks it would be difficult to execute. She suggested looking at Plans A and B and asked for the Board's reaction to them. She asked if anyone was absolutely sold on the concept from the DC Planner.

Councilman Ross met with Highway Superintendent Wayne Hildenbrand at the garage site. He feels that Plan A makes the most sense with a little modification. His opinion is that he would

connect the internal road in a different spot than Plan B because it seems it would make a better flow. He would have liked it if Morris took a look at the property as it is today. Our salt shed is good for another ten years. Unless we want to tear it down and redo it, these site plans wouldn't allow for the existing one to remain as it is. He'd like to see Morris look at existing structures and see how the new garage would fit with the salt shed as it is. The whole idea of the connector road was to tie it back to Firehouse Lane. He likes the Plan A sketch with a little modification.

Supervisor Crane clarified that Councilman Ross would like Morris to superimpose the current salt shed on Plan A. He'd also like to see a gated drive through from the Highway Garage to the Town Hall property.

Councilman Colgan suggested that if we went with the current salt shed, it leaves the northbound property basically open. It would be more desirable to have it pass straight through there as a driveway, not as a public road.

Councilman Ross agrees with that idea provided our present salt shed fits into the layout.

Supervisor Crane clarified the question of whether a driveway could be constructed along the northerly boundary of the property to allow for passing from the back of the property to the front of the property.

Councilwoman Strawinski is still not supportive of the Highway Garage going on the current space. She thinks it should be moved off site for the reasons of the value of the property and using it in regard to the proposed Centers and Greenspace Plan. If we are moving forward with this site plan she agrees that Plan A seems very feasible. As liaison to the Recycling Center, she asked that she be invited to meetings with the Village in regard to moving the Recycling Center to another site.

Councilman Ross explained that the Town of Red Hook bought the land and the DEC provided a grant to help construct the building at the Recycling Center.

Supervisor Crane will communicate tomorrow with the concerns and get a response from our Town Engineer. She hopes to have something for the Board to look at next week.

HARDSCRABBLE DAY

Supervisor Crane read the Hardscrabble Day Calendar. The Hardscrabble Committee asked the Town Board for \$2,000 to go towards some of the expenditures of Hardscrabble Day.

On a motion of Supervisor Crane, seconded by Councilwoman Strawinski, moved to provide funding of \$2,000 for expenditures of Hardscrabble Day.

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

AIR QUALITY TESTING

Supervisor Crane asked if everything is in place to begin the testing.

Attorney Chale responded it was and thought it was to begin a week ago.

PHOTVOLTAIC SYSTEM

Supervisor Crane informed the Board that we have provided everything to Hudson Valley Clean to begin the roof project with the solar panels on Town Hall. She hopes that project will begin soon.

DEPARTMENT REPORTS

Purchasing – Councilman Colgan reported on purchasing activity from August 2, 2008 to September 2, 2008. During that period 19 purchase orders were issued in the amount of \$206,980.84, the largest to Callanan Industries for paving in the amount of \$194,904.02 for a highway public bid. The paving was on Starbarrack, Baxter, Glen View, Old Rt. 199, Pin Oak and Sycamore Roads. Purchasing Agent Ted Kudzy prepared estimates for the Justice Department security renovations which he previously sent to the Board. There are several projects pending including St. Margaret's architect and painting the Town Hall interior. The solar panel project is pending and he expects the project to move forward soon. Purchasing

Agent Kudzy is also issuing a PO for the Water District for \$2910.00 to Andlynn Construction to perform repairs to the storage building at the pump house site.

Recycling – Councilwoman Strawinski reported that the Recycling Center is used quite heavily by residents. Zoie Reil is planning on holding a community day at the center where they will ask for comments on how residents feel it is running or comments on how we might be able to improve it.

Supervisor Crane will have a meeting with David Pollack from the DEC tomorrow and asked Councilwoman Strawinski to attend. Supervisor Crane spoke with TJ Hackett today and he feels the Recycle Center is running smoothly and is anxious to meet with Mr. Pollack too.

ZONING BOARD OF APPEALS

Supervisor Crane referred to the ZBA minutes from the August 13th meeting. ZBA Chair Tim Ross asked about the Town's plan for the connector road before they make a decision on an appeal they are dealing with. Supervisor Crane will contact him to make sure he has the information before the ZBA's September 10, 2008 meeting.

RESIGNATION

Supervisor Crane announced the resignation of a Secretary to the Planning Board. Supervisor Crane spoke to Business Manager Deborah Marks about filling the position. Ms. Marks indicated that by way of Town Law, it is the authority of the Planning Board to appoint the Planning Board Secretary. Supervisor Crane will contact Planning Board Chair Christine Kane to make sure that is underway.

COMMITTEE REPORTS

St. Margaret's – Paula Schoonmaker reported that both of the self-contained appraisals arrived at values that were substantially lower than they hoped. Hubbell Realty appraised the property at \$200,000 and Mid Hudson Appraisal Corp at \$193,000. Those numbers were unexpected because two previous less formal appraisals valued the property at \$450,000 and \$470,000. The new appraisals mean that the value of the house will not cover the entire match for the \$450,000 NYS Parks, Recreation and Historic Preservation grant as they anticipated it would. The Committee, together with the Town Board, must now decide how to proceed. The appraisals were checked for completeness by the Taconic Region office of NYS Parks and Rec. and were sent on to the Albany office. Paula took Ron Rader, grant director of the Taconic Office and his assistant on a tour of St. Margaret's in August. Senator Steve Saland's office announced that the Town will receive a \$90,000 grant through the Community Capital Assistance Program to stabilize St. Margaret's roof. Before any work can begin the Town must select a preservation architect. The St. Margaret's Committee asked that the Board approve a Selection Committee to review the submissions. They suggest Ted Kudzy, Peter Sweeny, Supervisor Sue Crane, Doug Strawinski and Paula Schoonmaker be considered for the Selection Committee.

On a motion of Supervisor Crane, seconded by Councilman Latimer, moved to approve Ted Kudzy, Peter Sweeney, Supervisor Crane, Doug Strawinski, and Paula Schoonmaker to the Selection committee.

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

Recreation Department – Doug Strawinski thanked the Town on behalf of the Hardscrabble Committee for their help. He reported that the fields look good and the score board which was donated by the Red Hook High School Interact Club has been installed by the maintenance crew. We have a strong maintenance crew who remodeled and repainted the restrooms. The storage barn has been repainted and the tennis courts are ready for the high school tennis match. Flag football begins September 6th, along with girls fall softball and the church league is holding their playoffs at the Rec. Park this year. The "Action for Alex" Committee is sponsoring a run which will go through parts of the Rec. Park. It is in memory of Alexandra Gravino who was killed in a car accident last year. Proceeds will go to a scholarship fund in her name.

Trails Committee – Supervisor Crane reported that the Committee met on August 14th and they continue to work on trail possibilities and updating the history of the Red Hook Trails System. Councilwoman Strawinski explained that in response to concerns of Linda Keeling about handicapped accessibility of the Wetland Trail, the Committee invited her to the last meeting.

She was assured that this was built in compliance with any of the issues she had and they worked with the Army Corps of Engineers, the County, and Code Enforcement Officer Steve Cole.

Senior Services – Councilman Colgan reported that the Red Hook/Rhinebeck Senior Expo is slated for Wednesday, September 24, 2008 at the Dutchess County Fairgrounds from 9:30 a.m. to 2:00 p.m. The Red Hook Senior Services Committee Newsletter is still in the process of development. Most of the content has been finalized; however the next stage will be to complete layout and plans for distribution. A tentative goal is to try to have the newsletter ready for dissemination at the Senior Expo.

Dick Franklin informed the Board of Community Action's Extra Helpings program. It is not income dependent. Mr. Franklin also let everyone know that Social Services programs are offered at Red Hook Community Action on 44 E. Market Street for any resident who might need help. They won't have to travel to Poughkeepsie for services.

Community Preservation Fund Committee Supervisor Crane announced that the Committee will meet this Thursday at 7:30 p.m.

Length of Service Award Program -The Budget Officer, Rose Rider, will meet with Councilman Latimer to review the LOSAP program with the Chief of the Fire Department.

CAC Committee – Councilwoman Strawinski read the minutes of the CAC. The CAC asked that the Town Board put the proposal for an Energy Star Building Ordinance on the agenda. The other topic regarded the Highway Garage. They'd like the Board to take a proactive approach for water resource protection on the site. They'd like to see the removal of fuel and salt storage from the site. They feel that if services were to be shared with the NYSDOT – salt storage, fuel storage – the amount of traffic at the current site would decrease and capital costs could be reduced. The CAC asked that the Board include the ideas in the Highway Garage discussion. They asked too, that the Town begin the SEQR review for this project as soon as possible and that a full environmental assessment be made. Their next meeting is September 10th at 7:00 p.m.

Water Department – Councilman Ross read a memo dated 9/2/2008 regarding property on Aspinwall Road.

ANDERSON COMMONS

Attorney Chale spoke with Scott Volkman. They met about a month ago to discuss the comments the Town provided to them. He reported that since then they worked on making revisions to their documents, their surveys, and so forth. They received their approval from DOH. He will get a report before our next Board meeting about what the project timeline is. He thinks he is going back to the Planning Board to ask them to formalize a phase in plan that they discussed but was not formally approved. He is looking at the deadlines in place on the recreation fee issues and he thinks he will be coming to the Board with a request for a modest extension on that. He expects to provide us with that information before the next meeting or by the 26th of September. He also will probably give the Board a letter asking to extend the 60 day period for consideration of the approval until he has responded to the Boards comments and provides the revised documents so that the Board is in the position to vote on it.

CORRESPONDENCE

- Supervisor Crane referred to a letter from Anderson Center for Autism regarding their intention to buy a home for five people on Route 199. They are asking the Board for one of three responses, to approve the site recommended by the sponsoring agency, suggest one or more suitable sites within its jurisdiction that could accommodate such a facility, or to object to the establishment of a facility of this kind because to do so would result in such concentration of community residential facilities for disabled in the municipality or in the area of proximity of the site selected. If the municipality does not respond within 30 days the sponsoring agency may establish a community residence at the site recommended in this notice. Supervisor Crane explained that accompanying the letter was information regarding the number of group home facilities in Dutchess County and in Red Hook there are 11 group homes as well as Devereaux School. This would be an additional home. In Red Hook we have that many homes that are tax exempt and we have a huge number of tax exempt properties within the community. Supervisor Crane would like to say that the Town would like a response from the Anderson Center for

Autism for the Town's request for PILOT, a payment in lieu of taxes. If we were to establish that as a routine request we may very well be able to offset the loss in taxes; in this case the loss in taxes amounts to almost \$7,000 for the community. She asked the Board members for their reaction to her idea.

Councilman Ross asked Attorney Chale if the timeline starts after they own the property.

Attorney Chale responded that it is a process for site selection. It is supposed to be an opportunity for the community to be involved in the process. If they think a particular project will have a significant impact. It makes sense that they would consult the Town early in the process.

Councilman Colgan would support the idea of payment in lieu of taxes. He thinks it is appropriate.

Supervisor Crane thinks it is a consideration for lack of taxes and thinks it is perfectly appropriate to ask for it in writing.

Councilman Ross doesn't think it is at all unfair for the Town to ask for it as a contract item.

Supervisor Crane will draft a letter to them with that response. She asked if the Board had any other information to include.

Councilwoman Strawinski would like to see the site. She is concerned about the speed limit on Route 199 and would be concerned about people with disabilities on a busy road. She asked if anyone knew if the other 11 homes that house people with disabilities were maintained properly.

Councilman Ross said it is located near highly assessed homes as well.

Councilwoman Strawinski asked if it would have an effect on their assessments.

Councilman Ross said they might have good cause to request a reduction before a grievance board.

Councilman Colgan asked if neighbors within a quarter of a mile should be notified.

Supervisor Crane does not know the answer to that. It does not look like they were. She will also include notifying the neighbors.

Attorney Chale pointed out that the statutory provisions on these community facilities does identify a facility of this size as a family unit for purpose of our ordinances so they aren't treated differently from other residences for zoning purposes. The Towns options in responding to them are to suggest a different suitable site or to object on certain grounds and those grounds are concentration of facilities in the area. Those are the appropriate responses.

On a motion of Supervisor Crane, seconded by Councilwoman Strawinski, moved to hold a Public Hearing regarding the Anderson Center for Autism's intentions to establish a home for five individuals at 379 Route 199 on September 24, 2008 at 7:30 p.m.

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

- Supervisor Crane reminded everyone that on September 17th there will be a Dutchess County Office of the Aging Senior Citizen Picnic at noon at the Tivoli Recreation Park. Anyone interested in attending should inform them as soon as possible.
- We received a letter from Research Analysts regarding property condition and environmental due diligence. Verizon intends to install a wireless site on the Red Hook Village water tower and they ask if we feel it's important to become involved as an interested party. Supervisor Crane does not see a reason to, but if the Board members feel that we should, she would be happy to respond that way. There is an existing antenna on top of the tower and they are proposing an antenna below. The Board decided against being a consulting party.
- Regarding Innishannon, our Engineer Dan Wheeler said that all conditions have been met.

- Supervisor Crane sent the Board notice of the Village of Tivoli receiving from the Town of Red Hook, funding that was in excess of what they needed to pay their LOSAP agreement because they over estimated the number of participants in the LOSAP program. Supervisor Crane consulted with Business Manager Deb Marks who said the simplest way would be for them to refund that overage so that we start each year with a clean slate.
- Supervisor Crane informed the Board that she wrote to Jeremy Giordano from New York State DEC. She sent him information that Councilman Latimer uncovered about the Lippert property on Rokeby Road. There have been members of the community concerned with the environmental issues on that property. She asked that the DEC review the information. She has not yet heard back from them. The letter was sent on August 13, 2008.
- Central Hudson sent a letter saying that there is a way for municipalities and Chambers of Commerce to apply for temporary decorative temporary attachments to utility poles. If they wish to do so go to www.centralhudson.com and look at working with them. They have a decorative pole attachment licensing link.
- Milan Community Day will take place on Saturday, September 27th, from 11:00 a.m. to 5:00 p.m.
- New York State Public Service Commission advised the Town of Verizon's plan to respond to faulty installation. They've been accused of faulty installation and they have come up with a plan to address, approve and modify those concerns.
- The Dutchess County Commissioner of Health asked about our cardiovascular disease program within our community. Supervisor Crane asked Linda Stoddard to contact Northern Dutchess Paramedics and find out about the installation of the defibrillators at the Town Hall. We'd like one for the Highway Garage and one for Town Hall.
- American Farmland Trust invites the Board to participate in a bus tour "On The Road To Planning A Future For Farmland" that will leave from Suffolk County. For further information contact: ibrock@farmlands.org. It will take place October 2nd and 3rd.
- The Dutchess County Planning Federation newsletter mentioned Red Hook twice as setting examples for the communities in the County.

On a motion of Supervisor Crane, seconded by Councilman Latimer, moved to adjourn the meeting at 9:50 p.m.

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

Respectfully submitted,

Sue McCann, Town Clerk