

## **RED HOOK TOWN BOARD MEETING**

**December 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 at 8:00 p.m.

Present: Supervisor Sue Crane  
Councilwoman Micki Strawinski  
Councilman Harry Colgan  
Councilman Robert Latimer  
Town Clerk Sue McCann  
Absent: Councilman James Ross  
Also Present: Attorney for the Town Christine Chale

The meeting opened following two Public Hearings.

### **ENERGY STAR BUILDER STEVE CORNACCHINI SPONSORED BY CAC**

Laurie Husted, CAC member, spoke about Energy Star savings. Consumers buying appliances with energy star ratings know they are getting more efficient items. They hope that Red Hook can help get the fledgling system for new homes more firmly in place. An Energy Star labeled home is a certification that you can count on. The technology creates a tight, clean and energy efficient home. She explained the steps involved in creating an energy efficient home as well as the inspections needed to qualify it as an Energy Star home. She introduced Mr. Steve Cornacchini, an Energy Star Builder who built the first Energy Star home in New York.

Steve Cornacchini gave an overview of the Energy Star Program and how the process works as a builder for the home owner. Energy Star building was started because energy use has an environmental impact. 80% of all environmental damage is due to the energy usage, whether mining coal, drilling for oil and on top of that the use of energy. As far as Energy Star Homes program it is very proactive. They don't restrict you to the type of house you can build or the types of materials you can use. You have to build a house that is going to be at least 30% more energy efficient which in New York State gives you a HERS score of 84. He explained the process of scoring based on the specs of the house you intend to build. The raters work with the home builder to create the energy efficient rating. They tweak the designs to attain realistic numbers. The goal is to be realistic with their ratings so they can outperform them in the final steps. As far as the process, after the plan review is done, there are two additional inspections. One is done before insulation, then after insulation it will be inspected again to make sure it is installed properly as a quality control step. The third inspection is when the house is nearly complete. At test out they do blower tests to measure how airtight the house is or where there might be leakage. After they test out those final numbers are used and they are typically better than the planned review. A big advantage going through the Energy Star Program is the design of heating systems so they are not oversized. Once a house is modeled and you know how it is going to perform you know how to identify the heating equipment needed which saves not only money but also energy. To get involved in Energy Star a builder has to agree to abide by their criteria. It is an easy program to get involved in and they have continuing education programs to help keep the builders informed. He asked if there were any questions.

Supervisor Crane asked if there is an opportunity for people with existing homes to have testing or modeling done to improve their energy star rating.

Steve Cornacchini responded that is another program. With any existing home it is more complicated but it can be done.

Councilman Colgan asked about the impact on a builder as opposed to a conventional building.

Steve Cornacchini responded that to be Energy Star, most builders are almost there. It is a matter of paying attention to details. They take into account indoor air quality, ventilation leaks and part of the test out is safety equipment testing. The program is geared towards health, safety and energy efficiency and has to be verified in the test out process. The average home is close to being Energy Star but there is no accountability for indoor air quality as far as mechanical ventilation and no testing for combustion safety. He explained the tiers of Energy Star ratings.

The big advantage of an Energy Star home is that it is registered in NY State with the Environmental Protection Agency.

Dick Franklin asked about the designs of homes and the materials used. Is consideration given to reusing any materials?

Steve Cornacchini responded yes. The average home pollutes and creates more environmental impacts than our cars do. Energy Star was started to reduce the environmental impacts of all projects. It is a step in the right direction to reduce our dependence. People are becoming realistic and downsizing their homes now too.

Supervisor Crane thanked Steve Cornacchini for his presentation.

Laurie Husted said that in the four years we've been looking at this to introduce this topic she's looked throughout New York State to see what other Towns are doing on this issue. North Hempstead became the tenth Long Island town to mandate all new residential construction meet these Energy Star requirements. The CAC believes it is a respected program with a history of success and recommends that Red Hook consider making this a new standard for homes. She asked if the Town Attorney can look at the examples of codes she provided from the Town of Hempstead and the Town of Greenburgh to see if it is something we can consider for Red Hook's Code.

Supervisor Crane would like to have a discussion with the Board about this at another meeting when there is more time and then we can make a decision.

#### **MVP OPTIONS – BRAD PALMITER**

Supervisor Crane invited our MVP representative Brad Palmiter to discuss options regarding Town's health care plan. He presented documents that provided a side-by-side comparison for the Board. He went over the new rates for the current plan as well as for another program that MVP came out with. He feels the new plan offers more benefits for less money. It is referred to as an EPO, (Exclusive Provider Organization). The EPO also includes a larger network area and accesses into the Cigna National network. He explained the relationship of MVP to Cigna. Under our current HMO in order to go out of the service area you'd need special dispensation from the Medical Director which is very hard to come by. He feels that is the biggest difference between the HMO and EPO. With the EPO there are no referrals needed so employees don't have to go to their primary care doctor if they want to see a specialist. He reviewed the differences and explained the newer offerings of the EPO compared to the Town's current plan. With the current plan the rates are going up 6.36%. With the EPO product, the rates are going down 3.62%. He pointed out that the negative side of the EPO is that the co-payments for prescription drugs are higher. Domestic partner can be added as a no cost item and it would be same sex or opposite sex. The Board would have to vote on that. He discussed precertification requirements for certain tests. The health rewards program, Wellness Suite, is a newer program he said would be available with the EPO.

Supervisor Crane thanked Mr. Palmiter and suggested the Board consider and review the information presented and vote at the next meeting.

#### **ANDERSON COMMONS**

Supervisor Crane welcomed Attorney Scott Volkman.

Attorney Volkman reminded the Board that the last time he was here they talked about the review process they are going through between the Town and the Village to complete the process in order to get the plats filed for the Phase I project. He reminded the Board that there is an intermunicipal agreement where the Town will take lead responsibility for the road issue and the Village would take responsibility for the transportation corporation issues. The Village retained new Counsel to deal with the process, and then sometime into that process the Village retained another attorney to deal with the transportation corporation issue. Now one attorney is dealing with the road issues, the other with the transportation corporation issue which created a little loss of valuable time. He feels though they are on the verge of bringing this to a conclusion. Attorney Volkman asked the Board to consider the Town's portion of the road improvement issues. He hopes to get on the agenda for next week's meeting for the Town's portion of the transportation issue. The Village hopes to address both issues at their next Monday night

meeting. We are on the verge of a completed process. He referred to a resolution regarding the offer of a road dedication of Cohen's Way. He explained the conditions in the resolution.

Attorney Chale walked the Board through the purpose of the resolution regarding the offer of a road dedication. It is to establish conditions for under which the Town Board would be willing to consider the acceptance of the road. She reviewed the conditions of the resolution with the Board. Both the road and transportation corporation (water line) are to be in place because we the Town don't have authority to operate or own a water line. The water for the project is being provided through a Village water line. We need to make sure the water line is in place before our road. The road has been offered to the Town but the Town wants to make sure it is constructed and adequately completed before taking responsibility for it. Final easement descriptions have to be in final form and approved by her office. Highway Superintendent Wayne Hildenbrand has to tentatively approve the road when it is constructed. Currently we have comments from both the Town Engineer and the Highway Superintendent indicating no further comments on the plan. The purpose of the approval of this resolution is to indicate to the Planning Board that these are the conditions under which the Town would take the road and to indicate to the developer that these are the conditions under which the Town would dedicate the road. The bond is intended to cover the estimated cost of the construction of the road.

Attorney Volkman said there is an indemnity agreement to protect the Town and requires liability insurance as well. In reference to the Town Code and the Planning Board resolutions, he said they all suggest that the bond would be for one year and renewable in one year increments. He isn't sure the road can be complete in one year and asked Attorney Chale if that goes without saying or if it is something to take into account right now.

Attorney Chale asked if he is saying he doesn't know if the project will be completed within twelve months.

Attorney Volkman responded he didn't know. With the projects he's been involved in lately the roads sometimes take several years before the Town is willing to take them over. He is concerned that the road may take more than a year and he asked about the resolution taking that into account.

Attorney Chale asked if he would like to propose a modification to the resolution as Clause 1.

Attorney Volkman did suggest a modification in the wording of "one year increments". The Attorneys reviewed and discussed the resolution.

Councilman Colgan just wants to know we always have the benefit of a bond until the road is complete however long it takes.

Attorney Chale's concern is that the Town not be able to draw when the project hasn't been completed.

Councilman Colgan is concerned about that.

Attorney Volkman said this would conflict somewhat with statute language.

Attorney Chale said it doesn't conflict with statute language, it might be narrower. If you are looking for a longer time frame for completion we have to make sure you have adequate security for that.

Councilman Colgan asked for it to be worked out so that it can be voted on next week.

The Attorneys continued reviewing the resolution. Attorney Chale told the Board that if they were ready to vote she could try to address the language.

Councilwoman Strawinski needs more time to go over the language.

Attorney Volkman will have the remainder of the documents ready and asked to be on the agenda for the next Town Board meeting.

Supervisor Crane will make sure he is on the agenda.

Attorney Chale reviewed and addressed changes in the resolution.

### **RESOLUTION 2008 #71**

RE: OFFER OF ROAD DEDICATION OF COHEN'S WAY SUBJECT TO CONDITIONS

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

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

Copy Attached

### **ETHICS DISCUSSION AND SET PUBLIC HEARING**

Supervisor Crane referred to a copy of the draft of the new ethics law as it has been prepared by the committee and the Town Attorney.

### **RESOLUTION 2008 #72**

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. 10 (PROPOSED) OF 2008, AMENDING AND RESTATING CHAPTER 13 OF THE CODE OF THE TOWN OF RED HOOK.

On a motion of Councilwoman Micki Strawinski, seconded by Councilman Harry Colgan, moved to adopt the resolution setting a Public Hearing for December 30, 2008 at 7:30 pm regarding the Ethics Law.

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

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### **HIGHWAY MATERIALS**

Supervisor Crane referred to and read a resolution authorizing highway materials. Highway Superintendent Wayne Hildenbrand and Purchasing Agent Ted Kudzy reviewed the bids.

### **RESOLUTION 2008 #73**

RE: AUTHORIZING THE PURCHASE OF ROAD SERVICES AND MATERIALS PURSUANT TO TOWN PROCUREMENT POLICY

On a motion of Supervisor Sue Crane, seconded by Councilwoman Micki Strawinski, moved to accept the resolution as read.

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

Copy Attached

Supervisor Crane read the resolution regarding hot mix asphalt.

### **RESOLUTION 2008 #74**

RE: AUTHORIZING THE PURCHASE OF HOT MIX ASPHALT FOR HIGHWAY DEPARTMENT PURPOSES

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

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

Supervisor Crane read the resolution regarding the purchase of ice control abrasive as needed.

### RESOLUTION 2008 #75

RE: AUTHORIZING THE PURCHASE OF ICE CONTROL ABRASIVES FOR HIGHWAY DEPARTMENT PURPOSES

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

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

### DEPARTMENT REPORTS

Purchasing - Councilman Colgan read the Purchasing agents report for the period of October 8 to December 1, 2008. During that period 44 purchase orders were issued in the amount of \$62,886.70, the largest being for a 2009 Ford 150 4X4 pick-up truck for the Building Inspector and Code Enforcement Officers. It was purchased under New York State contract. A P.O. was issued for road salt in the amount of \$9,835.74, Frank Vosburgh and Sons were the low quoters for Route 9 sidewalk snow clearing and we purchased 4 Dell computers for \$496.50 for the Water Board, Code Enforcement, Recreation and Supervisor's offices. Purchasing Agent Ted Kudzy is presently working with Recreation personnel on an RFP for designer/engineers for the Recreation Park extension.

Recreation – Chair Doug Strawinski expressed happy holidays from the Recreation Park Commission. He reported that the restrooms at the recreation park are now closed, however the park is still being used as weather permits. He thanked John, Jeff, Don and Anthony for keeping the park looking so great this season. Finally, they will be working on the new recreation land development over the winter.

Ag. & Open Space Committee – Chair Robert McKeon reported that the committee met the last Monday of the month and discussed farmland preservation projects, and the potential replacement for him as Chair of the committee. They are going to have their first Winter Farm Market at the Elmendorph Inn on December 13, from 10:00 a.m. to 2:00 p.m.

CAC – Chair Brenda Cagle reported that they held an Energy Star forum on November 12th. Sue Ellis attended a workshop on conserving small wetlands.

St. Margaret's – Paula Schoonmaker reported they are trying to get a meeting together for early December. She has been in contact with the Empire State Development Corporation and has a clearer idea of what they need.

### ANNOUNCEMENTS

Supervisor Crane reminded that committee minutes of all meetings that have occurred are to be submitted. She announced that Central Hudson Gas and Electric is making an effort to help people who qualify for the HEAP program. If anyone is receiving HEAP benefits they automatically qualify for the Central Hudson supplemental grant. Go online at centralhudson.com or call (845)452-2700 for information. It is a onetime \$200.00 grant.

### PUBLIC COMMENTS

*Robert McKeon* thanked residents who donated to the Harvest-To-Home Program. 60 turkeys were donated to area food pantries. He thanked Steve Ross from Tin Pan Alley who put together a benefit night and raised \$1,000 for the Community Action Partnership. He said the County Executive proposed a budget that included significant cuts to the Community Action Partnership. He asked residents to contact our legislator to ask the money be restored.

*Ann Rubin* asked if residents can go to Community Action regarding the Central Hudson grant information and suggested that the information be put on the Town's website.

Supervisor Crane will call and make sure that Community Action knows of the program. Residents can apply at either Dutchess County Community Action in Red Hook, Dept. of Social Services or Office of the Aging in Poughkeepsie.

On a motion of Supervisor Crane, seconded by Councilwoman Strawinski, moved to adjourn the meeting at 10:55 p.m.

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

Respectfully submitted,

Sue McCann, Town Clerk