

RED HOOK TOWN BOARD MEETING

March 10, 2009

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 McKeon
Town Clerk Sue McCann

Also Present: Attorney for the Town Christine Chale
Attorney Victoria Polidoro

Supervisor Crane welcomed everyone to the meeting and opened with the Pledge of Allegiance, then announced that a Public Hearing and a Public Scoping Session will take place.

SUPERVISORS REPORT

The monthly statement of the Supervisor dated February 28, 2009 was read as follows: Opening Balance - \$1,554,040.03; Receipts - \$1,780,725.43; Disbursed - \$629,264.79; Balance - \$2,705,500.67.

On a motion of Councilman Ross, seconded by Councilman Colgan, moved to accept the Supervisor's financial report.

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

Copy Attached

RESOLUTION TO ACKNOWLEDGE THAT THE REQUIRED AUDIT OF THE TOWN OF RED HOOK JUSTICE COURT WAS CONDUCTED

Supervisor Crane referred to the resolution. It is from Business Manager Deb Marks asking that the Town Board pass the resolution for compliance with section 2019-A and the Unified Court System's Action Plan for the Justice Courts.

RESOLUTION 2009 # 14

RE: THE TOWN BOARD OF THE TOWN OF RED HOOK ACKNOWLEDGES THAT THE REQUIRED AUDIT OF THE TOWN OF RED HOOK JUSTICE COURT FOR THE PERIOD ENDING DECEMBER 31, 2008 WAS CONDUCTED BY THE TOWN'S AUDITOR, THEODORE J. EGLIT, JR., C.P.A.

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

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

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PUBLIC HEARING – ENERGY STAR PROGRAM

Supervisor Crane opened the Public Hearing by reading the notice of public hearing to hear all interested persons on Local Law No. 2009 A (proposed) entitled "A local law to amend Chapter 74 of the Code of the Town of Red Hook entitled 'Fire Prevention and Building Construction to require certain new residential construction to comply with ENERGY STAR standards.'" The notice was dated February 3, 2009.

She opened for Public Comments.

Brenda Cagle – Chair of the CAC offered a brief recap. She explained that the committee started looking at the issue of energy efficient building a few years ago when they were first discussing climate change. They were impressed with the ENERGY STAR program which has

been in existence since 1995. It has an independent certification process so that the standards are guaranteed to be complied with and eases the burden of our local Building Department. To date there are at least 12 communities in New York State that have mandated this and most of them have had very positive experiences. It would apply to single family up to four family dwellings less than three stories. The estimated energy savings would be 20% to 30% for these homes. This is a good quality way to build, they don't feel the builders will be burdened and in the end they will have created something that is now in demand. As for homebuyers any additional costs associated with this will be more than absorbed in energy savings. The reason the CAC is asking the Board to mandate this is because people are slow to change and this is a change we'd like to promote in Red Hook. They'd like the Town to be the first in Dutchess County to comply with these standards.

Phil Seymour has been building affordable houses since 1983. He said that the problem with mandating ENERGY STAR is that people at the lower end of the affordable housing sector have enough problems trying to come up with the down payment and closing costs to get into a house. The more you mandate the less people are going to be able to get into a home. It is just one more cost. The idea of ENERGY STAR is very good but it is just one more thing that will prevent a lot of people from getting into that first house or starter home.

Molly Williams – is a volunteer on the CAC. She also works at the Bard Center for Environmental Policy. She commented that ENERGY STAR labeled homes can use approximately 30% less energy. The savings come through a variety of measures. In order to achieve energy savings the homes are evaluated and receive a score above a certain number. That is a guarantee for future homeowners that their homes will be energy efficient. Red Hook has a unique opportunity to lead the way.

Bruce Williams asked if we are to understand that what qualifies ENERGY STAR rated will stay the same forever. What's today's standard may not be next years. It's a moving target.

Brenda Cagle thinks the way the code is written that if the ENERGY STAR labeled standards change, ours change with them as long our houses meet a certain rating index.

Molly Williams thinks the way the law is written the Town Board has to approve changes.

Councilman Colgan said this becomes part of the building code; therefore any new buildings would be built to that standard.

Attorney Chale explained that the way the law was written, there is a specific number in our code so even if the State code changes our code remains at 84 unless this Board decides to change that. The intent of the program is for people to know what the requirements are.

Councilman Colgan said it would not change unless the Board took action.

Bruce Williams heard what was said but doesn't believe it because the R-factor changes about every 10 years.

Laurie Husted also of the CAC said they have been looking at this for about four years now and explained that this is a straight forward program. A third party independent rater comes in and comes up with numbers to show ratings.

Bruce Williams responded that it will add to the cost, you are paying for that.

Laurie Husted explained you may be paying more on your mortgage but you end up paying less for your utilities. It works for everyone.

Tim Martin is concerned about the accessibility of the inspectors. It could slow construction down.

Brian Williams is a proponent of ENERGY STAR but on his own behalf, not where it should be legislated. He wondered how many of the proponents at the meeting are living in ENERGY STAR rated homes. This seems to be another one of the grand "not in my backyard" type of things. It seems it is to restrict who can move here, it is selective housing. Where does it end

five years from now when there is a new level of what is efficient? Do we keep restricting? This is becoming an exclusive community by legislation.

Steve Cole asked why we have to legislate something that must be done. Would it be possible for the Board to give incentives as opposed to building it into the initial cost of construction?

Susan Mora is curious of the percentage of starter homes or lower end homes that have been built in the last five years in the area as opposed to bigger, grander homes.

Phil Seymour answered 0. Because of mortgages, land costs, all kinds of things. A lot of people told him how surprised they were at how energy efficient his houses were just by exceeding the codes.

Laurie Husted addressed some concerns. The cost of energy saved far outweighs the additional mortgage payments caused by the construction costs. We are asking to mandate it because it has been around since 1995 and is not taking off.

Bruce Williams challenged the cheaper utility cost. Central Hudson now is getting a rate increase. There goes that statement. What do we do with modular homes built somewhere else?

Laurie Husted responded they have modular homes with the ENERGY STAR standards.

Steve Cole said in 1995 when this was proposed it didn't have legs. What is the average price of an ENERGY STAR home? That is not the price of an average house in Red Hook.

Phil Seymour said the record shows his son's energy efficient home had a median cost of about \$40,000 more. The payback is not short term. There is not that kind of savings.

Pat Kelly clarified that you don't need geothermal for an ENERGY STAR rating. People aren't having trouble getting into homes; they are having trouble staying in homes. After talking to the CAC it is clear this is a win/win situation especially for first time homebuyers. The incentives make it easier to get into the first home, the long term energy cost savings help stay in the home. He thanked the CAC for their work on this.

Supervisor Crane read a letter from Mary Ann Johnson who said there are many reasons to support this proposal. Energy conservation can save homeowners anywhere from \$200 to \$400 annually. ENERGY STAR homes regain value and basic compliance involves standard good construction practices. She supports this proposal and asked the Town Board to consider this legislation.

Supervisor Crane was contacted by the Builders Association of the Hudson Valley. A letter came from Rachel Newhouse, Director of Government Affairs. She read a piece of it. Green building is a topic that is championed by all corners of the building industry. It is the "how" that is often hard to define. There is currently no State defined standard or definition to the term "green building". That presents a great opportunity to explore more about the concept. We much embrace opportunities to "build green". Because of this they are requesting that the Town add "or equivalent standard" following each mention of ENERGY STAR in the local law considered tonight. She attached the Association's position paper on green building as well as a cost model for the price differential between a lead home and a national green building certified home for the Board's review. They have additional information for review and would like to share them with the Board if they would keep the public hearing open for an additional thirty days. We must keep affordability a prominent consideration during this time. The letter basically talks about a variety of ways to choose building standards.

Todd Abrahams asked if there are any other certified ENERGY STAR builders in the area besides Steve Cornaccini. It is his understanding that there is not.

Brenda Cagle responded there are and named one in the Hyde Park area and another in the area.

Linda Page had a list of 559 builders, two of them in Dutchess County. She gave the list to the Board.

Larry Thetford commented that the tighter the box, the greater the potential is for radon. He welcomed comments regarding radon which is terribly high in certain areas of Dutchess County.

Denise Barton explained that one of the tests done is for fresh air.

Corinne Weber has a problem with the fact that there are only two builders in Dutchess County are ENERGY STAR certified. How are the people in Red Hook supposed to pick from these builders when we have all these other fine builders around here?

Councilman Colgan asked if it is accurate that any builder can build an ENERGY STAR home without having some sort of certification.

Brenda Cagle responded this isn't to exclude anyone. The CAC thought they would benefit from this. It is their hope that all builders get on board.

Councilman Colgan asked if this criteria would be in the building code and then our Building Inspectors would be able to give advice to the builder.

Brenda Cagle responded that is what the independent rater is for, he provides technical assistance as well as doing the initial rating and the final rating.

Councilman Colgan asked what resource the builder has to get this information to be sure they are building to those standards.

Brenda Cagle responded that we have technical specifications that they gave to the Building and Zoning Department and they are also online. These are not foreign concepts to builders, they are things they already understand, and they are just a little different way of doing it.

Councilman McKeon referred to notes he had regarding free technical assistance given by NYSERDA for builders. There is also advertising dollars for builders building ENERGY SMART homes. Up to 25% of advertising costs could be funded by NYSERDA.

Rosemarie Zengen doesn't think we should rush this legislation. There are still too many questions to be answered.

Noel Parry doesn't understand why the government feels it is so necessary to tell people how to live their lives. The last thing he ever expected is for the government to tell us what kind of house to live in.

Bruce Williams asked if this is such a win/win situation, why you have to sell it. Why wouldn't the consumer automatically want it?

Lisa Drummond agrees with ENERGY STAR, it is a wonderful idea. We need to educate but we do not need to dictate that this is the way to do it. As a home builder we should have a choice and should not be told what to do. The ability to make a choice is being taken away.

Tim Martin is curious about how much it actually adds to the cost of the house.

Supervisor Crane responded that she asked David Seymour that question and was told the average cost depends on the size of the house. His estimate was between \$3,000 and \$7,000.

Tim Martin is concerned that the more air tight you make a house the more it needs exchange. He said it should be understood how much it is going to cost the homeowner before you mandate this.

Brian Denu probably built one of the last three houses in Red Hook and agrees that it shouldn't be mandated that he'd be told what to do. He did most everything ENERGY STAR that he could do. Just the insulation alone added another \$10,000 to make the house tight. He had to go through a fresh air system and doesn't recall how much that cost but he doesn't feel it should be mandated. He chose to do it that way, but it should not be mandated. It was approximately a 2,000 square foot home.

Patty Gordon is surprised at the reaction to the government telling us how to live. There are codes already and if there need to be more in the long run help us and our environment, she can't understand why we would reject it just because the Town government is easing us into this and educating us.

Brian Williams, in response to the previous comment, asked why not have the Board put up a resolution that new residents must drive hybrid automobiles.

Molly Williams commented that everyone has to be on board with this, it has to be something that everyone has a desire to do. It is not going to work otherwise. If the Federal government heads in that direction and Red Hook already has this in place, we are one step ahead. She's read up on these issues and believes it is going in that direction.

Supervisor Crane suggested leaving the public hearing open until the March 25th meeting at 7:30 p.m.

On a motion of Supervisor Crane, seconded by Councilman Colgan, moved to keep the public hearing on the proposed Energy Star standards open until March 25th.

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

PUBLIC COMMENTS

Supervisor Crane opened for public comments, asking that comments be kept brief.

Phil Seymour is for ENERGY STAR and suggested that builders be notified by call or letter.

Supervisor Crane responded that it has been done. A conference was called and given but was not widely received by the builders. It may have been a time when they were very busy.

Fran Donahue said this ENERGY STAR situation can be taken to an extreme limit. The auto industry has been experiencing this and is now going out of business. What's going to happen with the housing industry? Are local governments going to put us in a position where the price of a house is extreme.

Pete Sipperley, Mayor of the Village of Rhinebeck for 30 years and for nine years was the Highway Superintendent. He is presently the President of the Board of Trustees for the St. John's Church in Barrytown which is the voting precinct for District 5 in the Town of Red Hook. He understands there is a motion to move the voting from St. John's Church to Bard College and he doesn't agree with it. He commented that if this is the case, why not close Red Hook Town Hall, move everything to Bard and be done with it. He finds it distressing that students or faculty members don't have the ambition to board a bus, be chauffeured to vote, then be chauffeured back to the college. St. John's has been a voting precinct for about 40 years and was picked when District 5 was formed because of its central location. There is plenty of parking and the building is handicapped accessible. He's been President of the Board of Trustees for 35 years and up to now there have been no problems that he is aware of. His statement went on to read a list of names of those who are old time, hard working, taxpaying Red Hook citizens.

Caroline Van Wagner is a voter in that polling place and said she finds the move absolutely disgusting. She is a Democrat and doesn't agree with this at all. It is an underhanded agenda that they themselves have been complaining about. She will not support this and if this is the way it goes they will no longer have her support.

Linda Keeling changed the topic and said that today she walked down her road and picked up two bags of bottles, cans and garbage. She asked if certain roads could be designated to be cleaned up by volunteers.

Rosemarie Zengen prefaced her comment by saying she loves Bard College. It is such an asset to our community and she loves the students. She took it upon herself to talk to some of them who take the shuttle to Bard in the front of the Golden Wok. She asked them how they felt about just voting in local elections first of all. Of the 22 students she spoke to, 21 said they couldn't care less about local elections. If she were a graduating student who voted where it effected the entire population then moved to San Francisco for the rest of her life, it is not fair to the

taxpayers locally. She can't help but think this is a political move. They walk, ride bikes, they would have no problem going to vote. It is not fair for an elderly citizen who has voted at St. John's to have to go to Bard. It is just not fair. She was a Save Our Town inspector and went to the polling place at St. John's. She heard one student ask another "how am I supposed to vote?" That turned her stomach because that is not the democratic process.

Linda Page is a resident of District 5 and has been voting there since the districts changed. She thinks that this is absolutely unbelievable. She thanked Mayor Sipperley for coming from Rhinebeck to defend a taxpayer's right to have a polling place in a neutral location, not on a college campus. It boggles her mind that our Town Board can even consider this motion. As a voter in that district it is extremely uncomfortable to be a private citizen and go into the polling booth and be treated with such ridicule and derided by the students and their professor who is out there with his flashlight asking are you getting out there to vote. It was so bad in 2007 that she chose to get an absentee ballot to vote in 2008. That is shameful. This Town should not be replacing a perfectly good polling place at St. John's by moving it to Bard College's campus.

Bruce Williams asked who initiated the change.

John Schmitz said it is his understanding the primary reason for considering the move is because we are mandated by the State to bring in new polling machines this year and the problem at St. John's is that there is not enough room for those machines. As someone who has been active politically in this Town, he too votes there, he would not advocate moving that polling place purely for political reasons. If there are requirements by the State we need to move somewhere. There was consideration given as to whether or not we could even fit the machines into St. John's. He isn't sure everyone is aware of that.

Supervisor Crane stated for the record that she has not received official confirmation that there will be new voting machines. In fact, at the Association of Towns meeting, the Association Representatives who voted on behalf of their communities voted to keep the levered machines and reject any notion of new machines. If they have any impact she doubts very much that we will have these voting machines. She has not had confirmation that what Mr. Schmitz indicated is true.

Diana Brooks votes in District 5 at St. John's Church. Her understanding is that Councilwoman Strawinski has been meeting with the Bard Democrats at their request to have this change. There is a conflict of interest with Councilwoman Strawinski working at Bard and working towards getting this. She doesn't see any reason for change. It would be an inconvenience for the property taxpaying citizens in Red Hook. Bard students are not property taxpaying citizens and she is not questioning their right to vote at all. Ms. Brooks referred to an e-mail correspondence she received from Councilwoman Strawinski that stated they met with St. John's Church and assured them that their fundraiser would not be affected by moving the voting place elsewhere. There is no reason it can't stay at St. John's, students can be bused in.

Lisa Pullaro showed a visual of a timeline. There was a proposed meeting at Bard College on February 24th that was to happen with the Bard students. That was actually cancelled due to the conflict with the Presidential address. Mrs. Pullaro was there. The notice on that meeting went out at minimum on February 20th. It was a notice posted on Facebook. On March 2nd residents were notified through that email. It was first brought to this Board including some Board members on March 3rd. A full 11 days minimum elapsed before certain members of this Board found it necessary to inform their colleagues about the Bard relocation issue. In the interim, Lisa Pullaro filed a question with the Ethics Board about whether or not there was a conflict of interest with a Bard employee. That got reframed to be a complaint, so she complied and filed a complaint on March 6th. This Board has brought this up again on this agenda for consideration knowing full well that there is an outstanding issue with the Ethics Board under consideration. We're going to have a lot of answers to a lot of questions by the end of this evening. One of them being where the loyalties lie, the other being how much input does this community truly have and the other being are we going to render the Ethics Board and other Boards in this Town powerless knowing there is an outstanding issue. She focused her comments on any Bard students in the audience and told them that everything Mrs. Zengen said is correct. We value them in the community, we find they are intelligent people, they think for themselves, they act for themselves. However, as a twenty year resident she is offended. She showed a poster that said "700". During election time these signs are posted around the campus. You can also find a

poster that says “what does 700 mean? - it is the number of Bard students that have to vote to sway the local election”. It doesn’t say to participate in the local election, it doesn’t say to vote, it says to “sway” the local election. That has a far different connotation than participating in an election. She pointed out more that said “Think you can do it? Your vote has never been more important, vote all the way down Row A”. She has a nineteen year old daughter. She is away at college, she votes absentee, she doesn’t participate in the politics. This is what residents in this Town find offensive. They find it offensive from the perspective of a taxpayer; we find it offensive from the use of the word “sway”. That doesn’t support the democratic process. That is offensive to people in this Town. We want a positive relationship with Bard College; we have a Bard liaison on the Board in an effort to have a positive relationship with Bard College. *Swaying* a local election. This happens to be a local election of Town officials. If you wanted to you could sway my school election, you could sway my school budget vote. When she is on campus and sees this at election time, when she’s on campus and she witnesses people tearing down signs of Republican candidates, that is offensive. She doesn’t think that is the democracy they want to be associated with. Lastly, she said she reads a lot of Bard publications. She’s read the Bard Observer over the years; she has a copy in her possession from October 2007 when Mr. McKeon was running for Supervisor. She referenced in the publication where Mr. McKeon commented that “if the Democrats are elected we will work immediately from day one to get a polling place on your campus”. She did not see that as a reason in the resolution that is proposed tonight. The reason of the resolution has to do with access, it has to do with numbers of people, but it didn’t speak to the real issue, and this is politically motivated, our opposition is politically motivated, but as a taxpayer, that is what motivates her.

Barbara Jeck said this past Presidential election, as an election coordinator, she made multiple trips to the St. John’s Church and not once did she see anyone standing outside waiting to get in. The only people she saw standing outside were the candidates and people representing different parties. It was brought up last week that a reason for this is because we don’t want our senior citizens standing outside in the bad weather and not being able to get access to what was handicapped accessible. As someone who was there, she didn’t see any of that and she’s sure they had the biggest turnout this past election.

Steve Cole revisited the issue again. He has a concern about ethics with Councilwoman Strawinski being the Board representative to Bard College. That is her employer, she should not be doing anything that relates to her employer. If he looks at other colleges in Dutchess County, Bard has roughly 1700 undergraduates, Vassar has 2400 undergraduates, their campus encompasses three voting districts in the Town of Poughkeepsie. There are zero polling places on Vassar College. Marist College has approximately 4,000 undergraduate students and there are zero polling places on the Marist College campus. We have no need to have a polling place at Bard other than its political patronage.

Vicky Perry, a machine coordinator for the Dutchess County Board of Elections, said District 5 is the biggest district in Dutchess County with almost 1500 people. Last November there were two lever machines and an accessible device in that room and it was tight. We were lucky we didn’t get lines and the reason we didn’t get lines (she was monitoring machines throughout Dutchess County all day) was because people voted early. People voted as soon as the polls opened and all day long so at night we didn’t have a crush. These large election districts are usually in large accessible buildings. The church is not a large room. As far as the new voting machines are concerned, she knows the Association of Towns said keep the levers, it’s not going to happen. We are under Federal law mandate to get new voting machines. Right now NY State is under court order to get those machines for this Fall. They at the Board of Elections are scrambling to make that happen. One of the State regulations is for every 300 registered voters we have to have a privacy booth. In District 5 you are talking about having five privacy booths, each one taking about nine feet. Then you’d probably need two scanner units. There is compelling reason to get a larger space. She is not talking about a person’s political affiliation, she’s not talking about on campus or off campus, she is talking about a bigger room. If you can show her a bigger, better space in District 5 then go for it.

Dan Pullaro thought an answer to that would be to redistrict. The Board should look at the whole of Red Hook.

Vicky Perry agrees that redistricting should be done, but in terms of New York’s political calendar it is off the table until after the census.

Dan Pullaro said that on February 25th he came to a Town Board meeting and asked Councilman Ross to ask the people who were filming to identify themselves. He hopes the Board will do that at each meeting. At the time PANDA was filming and there was also another person filming and here tonight there is a person filming and he has no idea who that is. That night he asked the young lady filming where she was from and she told him Red Hook High School and that she was doing this as community service for her teacher. She gave Mr. Pullaro her teacher's name. He called the teacher and told him what occurred. He thinks it is only fair to know who is taping. The reason he brought the matter up is because some of the videos go on websites and are doctored and make us look absolutely horrible. The teacher told Mr. Pullaro that there must be some confusion on who was filming and why. No one from his class was filming for the class. It is a requirement that AP Environmental Science students attend a Town Board meeting once during the school year. The teacher explained that he had no knowledge, nor did he possess any such film. Mr. Pullaro asked why the public is given untruths. He asked the other person filming who they were filming for and who is going to be in possession of that film.

The student stated his name and that he was a student at Red Hook High School as well. He stated that he is a Senior, he is 17, and he believes under the Open Meetings Law he is allowed to be here and allowed to be filming.

Mr. Pullaro asked who he was filming for.

The student would not answer who he was filming for.

Supervisor Crane explained that it is a public meeting and the public can come in and film.

Henry Christopher lives and votes in Barrytown and told the Board that there is room at the seminary. It is a central location and is politically neutral. He suggested looking into it.

John Schmitz referred to the Centers and Greenspace plan the Board is considering. He believes it is one of the most interesting and positive steps the Board has taken in a long time. It has an incredible bipartisan group led by Bill O'Neill who have looked at all sides and have come up with an incredible plan that he thinks will make a big difference in Red Hook's future, not only to the growth of the economy here but also to the protection of the Town and the quality of life as we know it. It is a no brainer, a win/win situation for everyone. It can bring Red Hook into the future in a way that the majority of us have been asking for for decades. He strongly encouraged the passage of the Centers and Greenspace Plan.

Mark Wilmunger, a Certified Planner for Scenic Hudson, supports the draft amendment to the plan. It will permanently protect this community's resources. This is likely to improve air quality as a result of a reduction of carbon emissions from vehicles and generate a stronger economic base, all of which contribute to quality of life. Scenic Hudson also supports the draft scoping.

Al Trezza addressed the issue of the Bard polling place. He thinks the choosing of Bard as a polling place by this Board is purely a political act for the very simple reason that the Town is so evenly split between Democrats and Republicans. Bard controls the Town of Red Hook on any elected vote. If you control Bard, you control the vote, it is that evenly split. This is what they are attempting to do. They are attempting to bolster the Democratic Party by putting a polling place at Bard where they can control up to 700 to 800 votes which is enough to control the Town of Red Hook. He thinks it is a terrible commentary on these people who claim to want transparency, who claim to want an apolitical field in which to operate. He is also against Councilwoman Strawinski voting on it because it can be construed that she is doing it to enhance her position at Bard, or at the behest of her employer at Bard and she is using her position on the Town Board as an elected official to aid and abet her employer. To that he objects. It can also be construed that she is doing it to enhance her position. Any assumption can be made. She should abstain from voting, it is absolutely wrong to vote on this issue.

Al Trezza referred to the proposed zoning law which he said he read in its entirety. It is very complex and is not something that can just be passed. It has inconsistencies which he pointed out. He took the time to meet with Councilman McKeon and Mr. Biezynski and he showed him

his thoughts. He would be more than willing to sit with legal counsel to go over the language which he feels is contradictory. He explained some of the language he is concerned with. He is not against preserving open space. His family has preserved open space since 1946. He is in favor of preserving open space but he is not in favor of loading up the law with so many criteria that it becomes almost impossible for an ordinary landowner to develop any part of his or her property.

Supervisor Crane pointed out that the purpose tonight was for the scoping session, it was not a Public Hearing for that proposal.

Al Trezza pointed out in Councilman McKeon's defense that he would like to determine this a little bit simpler. Al was encouraged after talking with Councilman McKeon that this would not be so heavily laden with requirements that it would become almost impossible.

Richard Gordon lived in the Village for over 35 years. He is distressed with what he's heard here tonight. He's heard things tonight about the Bard students and can't believe what he is hearing. He said they are voters just like you in terms of their worth and they are subject to influences just like you. No one is standing up tonight and analyzing the influences on your votes. It is not our business to pass judgment on the Bard students particularly presenting some picture of them that are responding to a knee jerk way to what their professors want them to do. He's heard a lot of attacks on Councilwoman Strawinski tonight. This will not enhance her position or salary to get a polling place at Bard. It will do nothing for her. Stop with these absurd generalizations. Should there be a polling place at Bard or shouldn't there.

Rachael Cole believes as the sign said, Councilwoman Strawinski is looking to sway the election.

Patrick Kelly said Councilwoman Strawinski didn't put the sign up. There is no master plan for Bard students to take over the Town. Regarding the ethical question, he doesn't see how it gains from this at all, in fact it could cost.

Fran Donahue read a letter from the Attorney General's office regarding absentee voting on special elections. It had to do with a certain article in the law that permits absentee balloting in special elections. He read the letter, part of which referred to the New York State Constitution. Two years ago when a 3.5 million dollar bond issue was put forth, absentee ballots were not permitted. That shows the influence of Bard because those students could come and vote and our students could not. People who were sick couldn't make it or people in business elsewhere were prevented from voting.

Robert Latimer commented on transparency and conflict of interest. During his brief time on the Town Board he also worked for the Village Police Department. When issues for the police contract came before the Board he was urged to recuse after he already decided for himself to recuse for anything that had to do with the Police Department. It wasn't going to put money in his pocket. There is a perceived conflict of interest by people here tonight.

Supervisor Crane read a letter from Brad Mitchell, a member of the Economic Development Committee. In the letter he expressed his anger regarding the fact that the Town Board appointed a committee to "determine the agenda of the Economic Development Committee and come back to the Board with how to implement that in a period of three months". The committee has been composed of varied individuals all with unique and varied view points on economic development and growth. He stated that the EDC has been the most unbiased of committees looking at real facts and figures without making any predetermined ideas of what should or should not be done. If we don't control spending our already out of control taxes will rise and force out our older retired citizens and our younger eager citizens looking for new jobs and an affordable place to live. The letter states that there is ample evidence that this is already occurring and destroying the "community economic development". He asked why the Board would not contact every member of the committee and discuss any concerns about the "direction" of the EDC before taking such action. The EDC's mission statement is clear and important. If the Board ever had a problem with the mission statement, the direction or output from the committee it was the Board's responsibility to communicate this to the EDC. He concluded that the basis for this committee on a committee does not exist. The EDC's "scope" does not need to broaden nor should it. It has a very specific agenda defined in its own name to

promote economic development. Setting specific goals and recommendations to achieve community economic development is the charge of the EDC and the EDC only. They don't need another committee to achieve this. He doesn't see how they can do a better job of inclusion and open mindedness than they have done but in that spirit of open mindedness they can always include some new people without creating a needless committee. He requested that the Board admit they made a mistake and immediately put forth a resolution to disband the previously appointed committee. If this is done, Mr. Mitchell would be willing to temporarily take on the responsibility of Chairmanship of the EDC. In exchange he would demand better communication from this Board directly and through our liaison, Councilman Ross.

CENTERS AND GREENSPACE SCOPING SESSION

Supervisor Crane introduced Bill O'Neill and Michele Greig who led the discussion on the proposal and the process. She explained that they encouraged residents to make comments about the proposal as it related to its impact on the environment. She asked that comments were kept to no more than two minutes.

Intermunicipal Task Force Chair Bill O'Neill said that on January 13, 2009 the Centers and Greenspace Plan was presented to the Town Board by the Intermunicipal Task Force. It implemented the working group report of 2004 and also the work of many land use and conservation committees in the Town over the years. The Comprehensive Plan Committee of 1968 which created the Comprehensive Plan adopted in 1970; the Master Plan Committee, 1989 – 1990 that created the Master Plan adopted in 1990; the Open Space Committee, 1999 to 2000, the Open Space Plan adopted in the year 2000; the work of these committees was followed by the Farmland Protection Committee; the Ag. Committee; the Important Farmland Law of 2002; the PDR program of 2003; the Working Group of 2004; the Intermunicipal Task Force of 2005; the Community Preservation Fund Act of 2007; and now the Centers and Greenspace Plan. All of this work has been done by so many Red Hook citizens to whom we owe a big debt including the current Supervisor and Town Board as well as former officials of the Town of Red Hook. He explained that the scoping session is another procedural stop on this journey. The scoping session has been scheduled by the Town Board for the purpose of obtaining initial public response to the Draft Scoping Document made public by the Town Board on February 5, 2009. He briefly summarized what the Centers and Greenspace Plan proposes in language prepared for the session. The Town Board has proposed an amendment to the Zoning Law, Subdivision Law and Comprehensive Plan to implement the proposed Centers and Greenspace Plan. The amendments will create two new zoning districts, the Agricultural Business District and the Traditional Neighborhood Development District. It will replace the Town's existing Residential Cluster Subdivision Regulation with provisions for Conservation Subdivisions designed to preserve the natural and scenic qualities of open space. The amendments will also add a new section on Open Space Incentive Zoning. In addition, in order to encourage Village scale density within the TND the law eliminates the density bonus for provision of central water in the R1 and R1.5 districts. The amendments are designed to protect the health, safety and welfare of Town residents, to bring the Town's Zoning Law and Subdivision Law into conformance with the Town's Comprehensive Plan and the Greenway Connections. He turned the session over to Michele Greig.

Michele Greig, Greenplan, explained that this is a public scoping session on the EIF of the proposed Centers and Greenspace Plan. She referred to a handout that describes the proposed action, and on the other side that shows responses to typical questions that people have about what SEQRA is and what scoping is. She explained that SEQRA is an acronym for the State Environmental Quality Review Act. The SEQRA process is used to identify any potential adverse impacts associated with a project. As part of its SEQRA review the Town will be preparing a Generic Environmental Impact Statement (GEIS), which evaluates the potential significant adverse impacts that may result from the proposed amendments and a discussion of the reasonable likelihood of their occurrence. Michele gave a timeline for the proposed SEQRA action. It was initiated in January when the Town identified themselves as lead agency and the also adopted a Positive Declaration which means in their judgment this proposed project has the potential for at least one environmental impact. As a consequence for adopting a positive declaration, the Town Board will be preparing a draft generic environmental impact statement. It is prepared in generic format because it is not site specific. Once the draft GEIS has been prepared the Town Board will schedule a Public Hearing on both the Environmental Impact Statement and the proposed project. This is when you would have the first opportunity to comment on the proposal itself. That would be followed by a public comment period. The

Town Board would subsequently respond with a final environmental impact statement. You will then have an opportunity to again, respond to their comments. The public review process of this project is very formal, very structured, follows a certain order of sequence and you will all be notified when the Town Board makes its comments. Everything will be posted on the Town's website. This timeline goes out to July. It is the shortest amount of time that the Board can take any action on this project. It represents the minimum statutory time requirements of the SEQRA regulations. It will likely take much longer. She emphasized that the Board cannot take any action until the conclusion of the SEQRA review. At this point we are at the very beginning of the SEQRA review process called scoping. This Board elected to include public scoping to give residents the opportunity to comment on the potential environmental impact of the proposal. Michele referred to the Draft Scoping Document that was made available to the public. She wanted to talk about the potential environmental impact of the proposal. The draft scoping document will outline all of the topics that will be discussed in the Environmental Impact Statement. What she asked everyone to do is to comment on what they believe should be discussed in detail in that environmental impact statement. You have until the close of day on March 16th to send in written comments. The Draft Scoping Document has outlined a number of potential environmental impacts that they believe should be addressed in the environmental impact statement. She named the considerations of potential impact. The document also includes discussion as to how those considerations should be studied. The Draft Scoping Document also explores alternatives to the proposed action. By law every environmental impact statement must analyze what is called a "no action alternative". That means what happens if the Town Board decides not to adopt the amendment. What would be the impact to the community of leaving the existing regulations in place. It is a way to compare what is going to be the best decision for the community. These documents will be revised as we go through this process. The purpose of this process is to get public input and come up in the end with a project which is in the best interest of the Town. People will have more opportunities to comment on the project as it evolves over the coming months.

Supervisor Crane thanked Michele. This is the first step in the process with going forward with this proposal. She opened the floor to comments and questions.

Richard Biezyński, North Wind Farms, commented that environmentally he has concerns about the high density areas because they are over the aquifer. We are going to have a sewer system, but they leak also. We should look at the water and the idea of the density is so there would be more walking and bike riding. He feels we should rethink the idea of everyone walking. The other part regarding economics, he is concerned about the equity being taken away from the landowners. Those are two issues he feels should be examined.

Patterson Schackney of Hudson River Heritage commended everyone involved. They will be looking at the probable impact to the Traditional Neighborhood District and also the emerging center areas. They asked about the National Historic District impacts being analyzed.

Laurie Husted bikes and walks a lot and asked if the biking and walkable areas are only where the centers are or are they going to be Town wide.

Cheryl Griffin thinks it is very important to address alternative transportation throughout the Town. Bike paths and walking paths were suggested.

Rosemarie Zengen asked if the Tree Commission will work side by side with the engineers and Zoning Board.

Supervisor Crane explained that she is not able to answer questions but she feels confident that the Board will turn to all of the resources and volunteers the Town has to make sure we have the best possible plan that we can. She thanked Mrs. Zengen for reminding them about the Tree Commission.

John Schmitz mentioned the trails feasibility study. There is a great map of paths and trails. One of the problems is the connecting land. It will be a challenge but it would be worth taking steps to develop those trails so we can have connecting routes. It would be nice to encourage people to use trails.

Don Stickle asked how many trails we need. He reminded the Board about what happened in the past to a Bard student on a trail and asked who will protect these trails.

Paul Fredricks thinks it is great that we are saving farms, open space and developing bike trails. He then asked when we are going to consider people and how we are going to conserve and support our demographics. We are no longer a retirement community. There are a lot of seniors in this Town who are being forced out because they can't afford to live here. He did a preliminary estimate of cost of living for a home valued at \$325,000. You would need a minimum income of \$1600 a month if you live in the Town. In this economic climate it is getting worse. Are we doing anything to preserve that part of the demographics? Some seniors can afford the costs but there are many that can't. He doesn't think this plan addresses this at all.

Steve Cole asked about the economic impact. Does anything in the document look at cost to the Town to implement as well as ongoing costs? If this were to be enacted what would the costs be to the Town in increased services, increased requirements, infrastructure, demand on Town expenses and taxation.

Molly Williams asked about public services and how much it costs to plow and salt new residential roads that go into rural areas. Will there be a reduction in costs. She commented that the sewer system might reduce the water pollution going into the aquifer. It would be more efficient and cost effective to have a sewer system to split high density that is proposed with the TND zoning. She supports high density and walkability and how that may enhance economic growth. Her concern is traffic at the light and thinks there should be something in place to mitigate traffic in the area of the four corners.

John Schmitz commented that one thing they are counting on is the economic boost in the Village centers. One thing we have to make sure we look at is the actual type of businesses and qualifications. The problem with the business right now is it is challenging to be successful. It is not just where we build but what we build. We need to be cognizant of that.

Patrick Kelly thinks the affordability point is well taken. One area that seniors and younger people have in common is affording to stay. It looks that the current proposal with housing in the centers would provide more affordable options for both younger people and seniors who have similar needs. He is confident that the scoping document will look at that in terms of hard financial figures.

Rosemarie Zengen asked if you put all this money to enhance the Town in terms of septic, trees and trails, how we know what the boost will be to economics when everything is so up in the air now. How do you gauge that?

Paul Fredricks told the Board that when he worked on the Master Plan one of the things he proposed was to become proactive in developing business. There was a committee set up to try to entice businesses or give people help to expedite through the planning process. He did one subdivision, Deer Run, and will never do it again. It took four years to get lots approved. He doesn't think any developer coming in would want to go through that horror without getting some assistance. He thinks that we have to provide help to expedite the process. If we don't we are going to sink. We have to think about what we are doing, can we afford what we are doing, can we support this infrastructure are we enticing developers to come in? We should be cautious and decide what we want the Villages to look like.

Larry Thetford expanded on the retirement population. He thinks we should do whatever we can to preserve the population we have. Retirees are a great resource and they give back to the community by volunteering. We need these retirees. They bring experience to committees and to this Town.

Norman Greig farmed all of his life. He is very concerned about the proposal in terms of how it will indirectly impact the viability of agriculture. Greig Farms has gone through a lot of trouble to partner with the Town. He is concerned about both the current zoning law and the proposed zoning law. He is very concerned about a local law that defines what they do in their business. He is happy to partner with the community. When you start defining how the agricultural business is done and what the inputs are and what it is it looks like, we don't do this with the dry cleaners, we don't do this with the hardware store, but we are talking about doing this with

agriculture. In that definition it becomes very difficult to describe the balance that will make it work. When you are doing the scoping session you need to talk about what the precedence is your setting when you are saying “we’re going to describe what agriculture looks like in this Town” because in his lifetime he’s gone to the State three times to render an opinion when he thought Red Hook was out of line. Each time based on the State attorneys Red Hook capitulated. He is concerned that we are going through that kind of scenario again.

Supervisor Crane read a letter from Tom Mansfield, County Legislator. He was unable to attend the night’s meeting but hopes to attend a future meeting in support of the Centers and Greenspace Plan. He attended most of the meetings of the Intermunicipal Task Force since January 2008 and is greatly impressed by the leadership of Bill O’Neill in keeping the diverse group focused on the task of developing a clear vision for the future of our Town. He believes that the Task Force presented the Town Board with a plan that carefully balances the various interests of our citizens, farmers and businesses. The plan will encourage more growth, both residential and commercial, in our walkable village centers while preserving the surrounding farmland and open spaces. Investors will be attracted to communities that have clear guidelines for the location and type of development they want. Red Hook will be in a stronger position to compete for sorely needed business investment once the Centers and Greenspace plan is adopted. Specifically, the incentive zoning mechanism of the plan by which development rights can be transferred from the Agricultural Business District to the Traditional Neighborhood Districts is a smart, proactive tool for promoting greater investment in the more densely settled areas of our Town while preventing the sprawl like development that is so common in the southern part of Dutchess County. Multiple studies have shown that this type of centralized commercial and residential development is the only way to prevent continual increases in property taxes for our already over burdened residents. The letter stated that the County Department of Planning and Development under the leadership of Commissioner Roger Akeley has been instrumental in creating the Centers and Greenspace Plan and they strongly support its recommendations. He thanked Development and Design Coordinator John Clarke and Senior Planner Noela Hooper who spent countless hours working on the details of the plan. It is quite rare for a community to be presented with such a clear blueprint for its future that manages to accommodate the various needs and wishes of its citizens. He urged the Town Board to seize this opportunity and unite behind this common vision.

Michele Greig reminded everyone that written comments can be submitted by Monday, March 16th until 4:00 p.m. Comments will be accepted at the Town Clerks Office.

Supervisor Crane told everyone that we welcome their comments.

Paul Fredricks referenced Tom Mansfield’s letter. He said the problem we are going to have in this Town is the tax consideration. Whether you can transfer development rights, you are not doing it in one part of the Town and building in the other. It is the same tax consequence. Every home you build, our taxes will go up. We have a lot to look at economically to see if we all can afford to live here. The seniors got the biggest increase over the last three years in their taxes because they lost more of the STAR exemptions in the enhanced program. Sadly, if we don’t look at things from a business standpoint he thinks we will be hurting ourselves in the long run. The quandary is how we satisfy everyone in the Town.

Supervisor Crane asked Mr. Fredricks if he was advocating for more economic development, more commercial growth.

Mr. Fredricks responded it has to be studied but he doesn’t think we can get enough economic development in this Town to make a difference in our taxes. It is financially impossible. In order for commercial to offset residential it would have to be massive. He doesn’t think we can do anything economically. Albany has to change the tax structure for the school for one, and for agricultural exemptions also.

Supervisor Crane declared the scoping session closed but allowed for one more comment.

Norman Greig said Red Hook continues to get more complicated. If any project requires an engineer or multiple hearings, it is too complicated. He finds it in agriculture as well and it is a burden. Permits are expensive. In 1962 they built an irrigation system and to do a clean out now

the engineering fee is \$20,000. If you expect farmers to provide farming you have to make it simple. There isn't room in the agricultural economy for that kind of complication.

The Board took a five minute break at 10:13 p.m.

POLLING SITE RESOLUTION – DISTRICT 5

Supervisor Crane asked the Board for comments before discussion of the proposed resolution.

Councilman Ross is opposed to moving the polling place for a lot of reasons. There are a lot of seniors in District 5 who find it a warm, comfortable place and he firmly believes it should be open to everyone in the community equally and he doesn't feel you get that on a private college campus.

Councilman McKeon has heard many opinions about both the Bard students voting and certainly about the possibility of locating a polling site on campus. Because of the way State election law reads between the years of '07 and '00 we have no option to go ahead and split the district into two separate and distinct polling sites. We are forced to only entertain one option, where to temporarily locate a single polling site. We do this knowing the current site is one of the smallest in Dutchess County and certainly the smallest in the Town of Red Hook. He respects everybody's opinion though he may not agree with it. He pointed out that he was elected by a margin greater than all of the voters in District 5. He was elected to make decisions free of the political considerations, whether or not it benefits or is a detraction. The amount of voters pales to the amount of voters throughout the Town. His job is to make this consideration free of politics; do we have another better alternative than to relocate it to a space that will be sufficient should we be required to have these additional privacy booths located throughout our election district. Are the other districts sufficient to potentially accommodate privacy booths. He doesn't have the answer. He has seen the space and if the law says we cannot have a single polling district that has more than 950 registered voters and we have 1511 in that small space, it does not make sense not to relocate it. Consideration is where to be located. If people have the right to vote we should make it as convenient as possible for as many of them as possible. The current location is only walkable by a handful of homes. If we were to relocate it to Bard College it would be walkable by many of the registered voters in that district. There are professors, Bard students, people not affiliated in either capacity who would be able to walk there. The space is sufficient for any increase in needs. He is going to vote to temporarily relocate that site to a site that is sufficient to accommodate the needs of the voters. He is not going to question who has the right to vote and who does not.

Councilwoman Strawinski doesn't feel the need to defend the accusations made about her moral character. She knows how she served the needs of her community. She did abstain last week, not because it was an acknowledgement of a conflict, she abstained so that she could gather more information so she could feel comfortable with her decision when this vote came to the Board again. It doesn't matter what she does or says about the space currently being used, the numbers speak for themselves.

Councilman Colgan feels caught between a rock and a hard place. There is a problem. It is a business problem. We have too many people for that facility and we are required to provide new voting machines that probably won't fit in the room that is available now. We don't have a lot of choice. He is unwilling to face that. Tradition has a lot of value. We are dealing with a technical numbers reality and the final decision is made by the Board of Elections. All we will do is point out the problem here and that the only solution we can find is at Bard for now. We can't change the boundaries, which would be the obvious thing to do, until 2012. In that context he sees no choice but to pass this to the Board of Elections.

Supervisor Crane is fond of St. John's as a polling place. It would be very difficult for her to move the polling place away from there and personally prefers waiting until we can redistrict, then if we decide that we have to divide the polls we would still retain our location at St. Johns. She doesn't believe it is too small for a new type of machine, she hasn't seen the measurements of the machines, nor has she been notified that there will be a requirement for new machines. She thinks we are using that as an argument that is speculative at best. We are now either waiting for additional comments or moving ahead to vote on the resolution.

On a motion of Supervisor Crane, seconded by Councilman Ross, moved to ask for further time for comments from the public; that we open a specific public comment period specifically for this topic at the March 25th meeting after which we would vote on this resolution.

Denied	Ayes	2	Crane, Ross
	Nays	3	Strawinski, Colgan, McKeon

The vote was taken after the following discussion:

Councilman Ross said it only makes sense to wait especially in light of the fact that one of the big arguments was the density of the population of the enrolled voters in that district. A number of the comments today by people who have frequented that polling place in our prior election, stated they never saw lines, never had a problem nor did any of the elderly or disabled have any problem with access. Why rush without getting further comment on this resolution this evening.

Councilman Colgan said we've had two evenings of public comments on this subject and can't imagine what additional information we could get from the public. We are in an unfortunate position and can't see any other resolution than to pass it on to the Board of Elections. We have a deadline to do that by the end of this month.

Councilman Ross added that it makes sense, since there has been a request before our Board of Ethics concerning the voting of one of the members of this Board on this resolution, to wait until they get back to us saying whether or not this is an ethical question. Why do we have to rush this before we hear from our Board of Ethics.

Supervisor Crane believes the Board of Ethics has a meeting scheduled for March 20th which would give them time to get back to this and the 25th is the meeting when we could make the decision after hearing from the Board of Ethics. That is another good reason for postponing it to the 25th.

Supervisor Crane asked Councilman Colgan to read the resolution he put forth since the motion to postpone the vote was denied.

Councilman Colgan read the resolution regarding the revision of polling stations for the General Election resolving that the Town Board of Red Hook approve the following polling station locations for General Elections:

<u>District</u>	<u>Current Location</u>		<u>New Location</u>
1	Tivoli Village Hall	1 Tivoli Commons	(no change)
2	Red Hook H.S.	103 W. Market Street	(no change)
3	St. John's Church	125 Old Post Rd. North	(no change)
4	Red Hook Fire House	42 Firehouse Lane	(no change)
5	St. John's Episcopal	River Road	Bard College, Bertelsmann Center, Multi-purpose room
6	Red Hook Fire House	42 Firehouse Lane	(no change)
7	Town Hall	7340 S. Broadway	(no change)
8	Town Hall	7340 S. Broadway	(no change)

RESOLUTION 2009 # 15

RE: REVISION OF POLLING STATIONS FOR THE GENERAL ELECTIONS

On a motion of Councilman Harry Colgan, seconded by Councilman Robert McKeon, moved to accept the resolution as read.

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

Copy Attached

The vote was taken after the following discussion:

Councilman McKeon wanted to point out that there is a time constraint at which point the Dutchess County Board of Elections needs to make a decision. That is in the next couple of weeks so we may not have the luxury of waiting until March 25th. He would be interested in what the Board of Ethics has to say about this matter, not only as it pertains to District 5 but also at the polling station at Town Hall since we are employees of the Town government.

Supervisor Crane understands that we have until the very end of March to make the recommendation to the Board of Elections which would give us plenty of time to receive the recommendation of the Board of Ethics in time for our meeting on the 25th at which time we can make this decision. We have a full three weeks before that has to go to the Board of Elections.

Councilman McKeon thinks the assumption is that there could not be a response from the Board of Ethics. He is open to changing the course of action depending upon what the Board of Ethics has to say. He respects the fact that there are concerns.

Councilman Ross said we had a lot of concerns and we as a Board should be weighing that ethical concern that was presented to us. In light of the fact that there isn't a rush to do it before our Ethics Committee meets and before our next meeting before we can notify the Board of Election before we can recommend a change, then what is the rush?

Supervisor Crane thinks it is clear there is time to bring this again to a vote on the 25th. She then called for the vote.

Corrine Weber will be sending a complaint the Dutchess County Board of Ethics for their recommendation.

Councilman Ross asked Councilman McKeon asked if we are waiting for our Ethics Board to weigh in before the resolution is sent to the County Board of Elections or do we send it then change our minds.

Councilman McKeon responded that we can't assume that when we get something to the Board of Elections that they can turn it around. He doesn't even know if that is a week one of the two election commissioners will be on vacation for instance. It is appropriate to allow them to have a couple of weeks to have this information.

Councilman Ross asked if the Ethics Board votes that Councilwoman Strawinski shouldn't have voted where that leaves us.

Councilman McKeon responded that he has not thought through what the Board of Ethics will say and what his response would be. We're making an assumption that they will make a determination on the 20th. They might find they need additional time. We have the resolution.

Supervisor Crane asked if we hear from the Board of Ethics before the 25th of March that it is indeed a conflict of interest that we will entertain amending this resolution.

Councilman McKeon is prepared to take a look at the Ethics Board response then perhaps appropriately respond to it. He won't predict what his response will be.

On a motion of Councilman Ross, seconded by Supervisor Crane, moved that upon hearing from the Board of Ethics regardless of when that is, that we send their opinion and decision to the Board of Elections.

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

HIGHWAY GARAGE UPDATE

Supervisor Crane asked Councilman Colgan to lead the discussion.

Councilman Colgan had conversations both Villages, the Town and with the State. All of whom are willing to cooperate and all of whom see financial advantages to themselves including the State. Before we move forward with any further with the garage, he would like to know what the reality is of the land on Rokeby Road. We need an RFP from engineer that would cost maybe \$3,000 to evaluate that site to the extent of whether it can or can't be used. It will have a great

impact on the conversation we can have with the State and Villages in terms of where we can put this. We have a good idea of what can be done on this site but in terms of due diligence and making a good business decision it is important to understand the reality or lack of reality should it come to that of whether there is any possible use of the Rokeby site. He asked to go out for an RFP to have that engineering work done.

Supervisor Crane asked how he came upon that \$3,000 figure.

Councilman Colgan responded that he asked the engineer who did the preliminary work. They did the Phase I study; this would be a Phase II.

Supervisor Crane said the Phase II is not going to cost \$3,000. She thinks during the last administration the estimate was roughly \$12,000 to \$14,000 for a Phase II environmental study.

Councilman Colgan responded that the same engineering firm at this point gave him a much lower figure.

Councilman McKeon said as far as that it is if we supply the backhoe to do the work.

Councilman Colgan thinks we do have to get three quotes.

Supervisor Crane understands Councilman Cogan's position and she knows he's felt this way all along. He knows she is not in favor of the Rokeby site for many reasons. One of which is the water situation is so poor that our Highway Department wouldn't even be able to wash trucks with that water. People can't drink it, they can't use it to wash their cars, she doesn't even know if they can use it to launder with. The water situation alone is enough to turn her off. Secondly if we begin pursuing this and creating a Phase II environmental study she believes that we will have to get permission from the landowner. She thinks that will signal to them that we have a financial interest in this site and that we might have to make a commitment to them if they give us permission to go on the site. She doesn't want to hold any kind of responsibility for a site that is so contaminated that we may be locked into some clean up situation that goes on for years. Those are the reasons she is very much opposed to considering the Rokeby site.

Councilwoman Strawinski asked if the study would speak to that water concern.

Supervisor Crane has testimony from neighbors who live in that area and verify the condition of that water which is not potable and not useable for average consumption. She doesn't have any reason to disbelieve them, they have no reason to lie to us.

Councilman Colgan wants a professional evaluation by an hydrologist he spoke to. He is of the opinion that there is potable water there. We did have permission from the landowner a couple of years ago to do the Phase I study. The point is so we can move beyond the point of hearsay and have some technical knowledge at a modest cost.

Councilman Ross commented that we crossed this at length last year. The Board felt that was the end of the story. We have a site right here and we have a couple of different layouts, the last one actually last week. He sees no reason to spend any more money on the Rokeby site. Regardless of the fact that it is a brown field site and was contaminated the cost of moving from here, if you want to share services would be more inconvenient to the Village of Red Hook, makes no sense to undertake that much greater cost. It would be a much greater cost to abandon this site and rebuild everything over there, even if it was not a brown field question or a contaminated water question. He is not in favor of doing this Phase II environmental study on that site.

Councilwoman Strawinski supports the study. She feels this issue can be decided on one way or the other if we do this. She doesn't know that we should be speaking for the Villages about whether the location would be convenient for them, we should hear from them. Given cost of what Councilman Colgan has been quoted opposed to what we were quoted in the past will answer the questions that were put before us for many years.

Councilman McKeon has very strong feelings about the Highway garage issue. He believes we should have shared services facilities. The taxpayer doesn't have the appetite to have three

individual highway garages. He does not endorse any more expenditures associated with the Highway Garage. We've spent tens of thousands of dollars on a plan that could not have passed, it was such an expensive highway project. Now we have a scaled down version perhaps. What we still haven't done to his satisfaction is sit down with representatives from both Villages and had a conversation about combining services to the benefit of the taxpayers. He asked Councilman Colgan if he has at least discussed this with the Villages and are they open to shared services. He won't approve an expenditure.

Councilman Colgan has had a number of conversations all of which they agreed that we should pursue this and see what we can do in terms of savings for the Town.

Supervisor Crane commented that he left out a critical element and that is the Red Hook Town Highway Superintendent will not entertain this proposal. He is not interested in moving to Rokeby with all of the incumbent issues and concerns that have surfaced on that site. It will require a huge expense to build not only a highway garage but also salt storage, there is not going to be shared services with the State with the salt storage we've been through that. They have no space for their own trucks, they won't have space for our trucks. It is taking the entire expense from this site and moving it there if it is even possible. In addition, we have to buy the land. In addition, you want to do a Phase II environmental study. We are talking about huge expenses that are unnecessary in her opinion. She will vote against it.

Councilman Ross is curious that the Villages would say they would entertain that site; besides the fact that neither one of the Villages have the money to help develop a whole new site.

Councilman McKeon thinks it is a double standard. He just saw a few thousand dollars worth of expenses not approved by the Board for a redesign of a plan for this property that did not reflect a shared service facility. It sounds like it is ok to do that but now that there may be a possibility of doing it on another site we are not going to go ahead and do that.

Councilman Ross told Councilman McKeon that this entire Board gave Councilman Colgan permission to meet with Highway Superintendent Wayne Hildenbrand and the engineer. Those are the expenses he is referring to and this is the sketch plan that came out of that meeting that the Board approved.

Councilman McKeon would not have given approval for additional expenditures. He would want to sit with the Villages to find out their needs.

Councilman Colgan only asked to approve going forward with an RFP. It is nothing cast in stone. It is asking Purchasing Agent Ted Kudzy to go out for a proposal to determine the cost of evaluating this. He feels we would be remiss not at least going through that step then deciding if we want to spend that much. He thinks it is important to make a business decision to have all the information available. The first step to get the information about what it would cost.

Councilman McKeon will support an RFP so we can come to a consensus.

On a motion of Councilman Colgan, seconded by Councilwoman Strawinski, moved to go for an RFP to do a Phase II environmental study for the Rokeby site considered for the Highway Garage.

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

RFP FOR ENGINEERING AND PLANNER

Supervisor Crane asked what the RFP for engineering and planning is.

Councilman Colgan responded that he discussed this last week. The thought was to get an RFP for various appointed consultants and whether we should appoint them on a regular basis or whether we should go out for an RFP to have a list that we can select people for on an "as needed" basis.

Councilman Ross said the question was raised so they decided to discuss it further when Supervisor Crane was here. It was raised since we didn't go for an RFP for a planner or an engineer but we did it for our Attorney this year that we should do that for all. The Board could

decide based on the RFP whether we go into contract with one engineer or planner or decide to have a few. In the past we use our engineer and planner exclusively. We decided to finalize that discussion with Supervisor Crane here.

Supervisor Crane does not have a problem asking for an RFP for both engineering and planning.

Councilwoman Strawinski believes the Board discussed the possibility of going out for RFP's on all the professional services. This was brought up a while ago. She asked Purchasing Agent Ted Kudzy for copies of all contracts we had on file and he responded that he will get whatever contracts he has on file.

Supervisor Crane will only agree now to go out for an RFP for an engineer and a planner.

Councilwoman Strawinski wants to see contracts for all professional services that we have on file.

On a motion of Councilman Colgan , seconded by Councilman Ross, moved to do the RFP for the engineer and planner then get the contracts and decide what we include in the envelope of the other professional services at another meeting.

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

PLANNING BOARD SOFTWARE

Supervisor Crane suggested addressing the final two agenda items at the next meeting.

Councilman Colgan explained that this won't take long . They have software that was donated by Jay Greenblatt and they needed money for training and annual maintenance. Apparently there is money in their budget for that so we told them we would approve it this week.

Councilman Ross referred to a letter from Mr. Greenblatt that the software he is donating is worth about \$8,000 and he said the installation and training would be approximately \$2700 and it would increase our annual service and maintenance costs by about \$1200. That would be on an annual basis starting in September.

Councilman Colgan explained that Business Manager Deb Marks can get the money together.

Councilwoman Strawinski said they spoke positively about the increased communication between the Planning Board and Zoning Board and how it would benefit their decision making process.

On a motion of Supervisor Crane, seconded by Councilman Colgan, moved to approve the money for training and annual maintenance of the Planning Board software.

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

On a motion of Supervisor Crane, seconded by Councilman Colgan, moved to adjourn the meeting at 11:12 p.m.

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

Respectfully submitted,

Sue McCann, Town Clerk