

RED HOOK TOWN BOARD MEETING

May 27, 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 7:00 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

Supervisor Crane welcomed everyone to the meeting.

On a motion of Supervisor Crane, seconded by Councilwoman Strawinski, moved to go into Executive Session regarding matters related to the appointment of a particular person or corporation relating to the engineering services for the Recreation Park.

Adopted Ayes 3 Crane, Strawinski, Colgan
Nays 0

Councilmen Ross and McKeon were not present in the room when the vote was taken.

On a motion of Supervisor Crane, seconded by Councilwoman Strawinski, moved to close the Executive Session.

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

Supervisor Crane welcomed everyone to the meeting at 7:45 p.m. and opened with the Pledge of Allegiance.

PUBLIC COMMENTS

Linda Keeling asked to remind committee chairs that when they set meetings they have to do it 72 hours prior to the meeting date. She referenced the Ethics Board meeting. The regular meeting was cancelled then the Chairman decided to notify people Wednesday morning for a Friday meeting. She was busy and couldn't access her e-mail until Friday. When she e-mailed the group she received no answer and she had no message on her phone. She also included the fact that two of the members have been on the Ethics Board for about 12 years and since the Town Board is considering appointing a new member she hoped the Board consider looking at that situation.

Supervisor Crane responded that she can easily notify all the committee chairs of the 72 hour notification of special meetings.

Rosemarie Zengen understands the Board might be voting on a new member for the Ethics Committee. You are dealing with Ethics. She knows there is an applicant who is a lawyer and she highly recommends getting someone with a legal background to make sure it runs more succinctly.

William Kemble asked what the motion was to go into Executive Session and when the 7:00 start time was called.

Supervisor Crane responded that a special meeting was noticed last week and she repeated the motion for Executive Session.

Town Clerk McCann explained the special meeting notice was faxed to the Towns official newspapers on Wednesday of last week.

ANNOUNCEMENTS

Councilman McKeon presented a certificate of appreciation and coupon for Holy Cow to Jaime Kent for her help with the Town cleanup.

Councilwoman Strawinski thanked Jaime Kent for her help with setting up for feeding the volunteers.

Supervisor Crane made the following announcements:

- Last Tuesday she had a conference call with Standard & Poor's which would determine our Town's bond rating. Together with Sal Pennini, our bond advisor who was on the conference call, she did her best to answer the questions as they were asked. She announced that Standard & Poor's rated the Town of Red Hook "AA minus", which is the highest rating in the County. Only one other Town in the County has that rating. We are very happy that this came through in this way. Sal said he thought we did as well as we could possibly have done, he feels the rating will help us in the future; we scored as high as we could and he indicated that the rating has enabled us to receive a bond rating of 4.3 to 4.42. The bond, which closes next Wednesday, is for \$2,211,000.00 for twenty six years. We are thrilled to get such a high rating because without that rating the bond interest would have been much higher. She thanked the Board as well as previous Boards that allowed this kind of history with our financials over time that gave Standard & Poor's the picture they needed to do this. The Town consolidated PDR money and the money set aside to purchase the Recreation Park extension. That is a consolidated bond converted into bonds from bans.
- Regarding the CDBG sidewalks on the south side of Route 9, she contacted the engineer on the project, Dan Wheeler because she was concerned that work started then stopped. She read Mr. Wheeler's response. He explained that the project is currently on hold pending final NYSDOT permits. D.F. Wheeler Engineers is working with B&K Excavation to resolve the remaining few items with the NYSDOT so that work may resume. They feel that all NYSDOT requests will be satisfied with the latest submission. There is one item on the NYSDOT comments that could potentially lead to additional costs to the project. It is possible that they will request that the commercial driveway entrances to Route 9 be improved to meet current State specifications. Since the project was designed to utilize as much existing curb as possible, it is likely that all entrances do not meet the current specifications. If the situation is realized, their office will work with NYSDOT to minimize the additional work that may be required. Mr. Wheeler explained that it is important to note the following figures with respect to the block grant and current contract values: CDBG Value: \$150,000; Contract Value: \$96,100. With respect to the block grant, we do have an amount of money that has been granted should we need it. We're trusting that we don't dip into it too much.
- PANDA has been taping Town Board meetings for many months. Shows have been showing on Wednesdays the following week. PANDA has a new schedule and we are now being shown on Friday the week of the meeting. The times are noon and 8:00 pm.

Councilman McKeon made the following announcements:

- Quadricentennial festivities have begun. The flotilla of ships will be moving up the Hudson River from June 6th through June 13th.
- NY State Senate launched a new website. They are seeking input from State residents on issues.
- A new joint venture called Red Hot Nights starts on May 29th from 6 – 10 p.m. It is an effort to increase business in the Village center. The next dates are June 26th, July 24th, and August 28th.
- The Red Hook Chamber will have their summer mixer at Kaatsbaan on June 12th. There will be live music and a silent auction. The First Annual Pet Palooza will take place at Poets Walk on June 13th.
- The Memorial Day festivities were terrific. The turnout this year was incredible. He commented that Bill Moore did a good job. He also wished Harold Fell the best.
- Music in Abrahams Park starts on June 7th, rain date June 14th.

Councilwoman Strawinski stated that our Supervisor and Deputy Mayor of the Village should be commended for their wonderful comments made on Memorial Day.

RECREATION DEPARTMENT DESIGN BID

Supervisor Crane explained that this is the new extension of our Recreation Park. The Town went to bid for the design element for the new park. A committee met before this meeting to review their criteria for making a recommendation. The committee has been extremely thorough and careful and has recommended the following firm to prepare the design for the Rec. Park extension: Weston and Samson, Poughkeepsie, their bid was \$19,900. They had the highest

score among the seven firms who submitted bids. John Kuhn, Doug Strawinski, and Ted Kudzy went through a lot of work to make sure the process was fair and honest.

On a motion of Supervisor Crane, seconded by Councilman Ross, moved to accept the bid for the Recreation Park extension design by Weston and Samson from Poughkeepsie.

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

Supervisor Crane explained that the Town has a recreation park reserve fund that is the result of fees paid by developers. This allocation for payment of this recreation park design will come out of that reserve fund and will not impact the taxes.

Councilman Ross explained that the Board had an executive session with John Kuhn, Doug Strawinski and Ted Kudzy and they recommended this firm. They were not the lowest bidder but were by far the most experience, had the best recommendation, and the best basic design. They answered the questions in the RFP the best.

Councilwoman Strawinski agreed and said she fully accepts their recommendation.

WATER DISTRICT RFP

Supervisor Crane commented on a request for proposal to upgrade the current control system for the Towns water district which presently has a leased telephone line system for data transmission. It would be subject to non collusive bid certification and NY State prevailing wage for the project. Written proposals must be received by the Town Clerk by 4:00 p.m. on June 15th. It should be in a sealed envelope marked “pump control system”.

RESOLUTION-COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM 2010 - 2012

Supervisor Crane explained an amendment to the CDBG Program. The program has gone on a three year cycle over the last several years. It is simply amending the date of our current contract with DC Planning to include the new fiscal dates of the years 2010, 2011, and 2012. She read the resolution regarding the amendment. It is just bringing us into the next three year cycle.

RESOLUTION 2009 # 20

RE: AUTHORIZING THE TOWN OF RED HOOK TO ENTER INTO AN AMENDMENT TO THE EXISTING COOPERATION AGREEMENT DATED JUNE 29, 2000 AS AMENDED, WITH THE COUNTY OF DUTCHESS FOR THE PURPOSE OF UNDERTAKING COMMUNITY DEVELOPMENT AND HOME PROGRAMS FOR THE PROGRAM YEAR COMMENCING FEDERAL FISCAL YEARS 2010 – 2012 (AND SUCCESSIVE THREE-YEAR QUALIFICATION PERIODS) PURSUANT TO TITLE I OF THE HOUSING AND COMMUNITY DEVELOPMENT ACT OF 1974, AS AMENDED, AND THE HOME INVESTMENT PARTNERSHIPS PROGRAM OF TITLE II OF THE NATIONAL AFFORDABLE HOUSING ACT OF 1990.

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	

Copy Attached

REORGANIZATON

Ag & Open Space Committee – Supervisor Crane reported there is one vacancy. Norman Greig submitted a letter of interest to serve on that committee. He has a B.S. in Agriculture from Cornell University, has actively farmed in this community for a lifetime and is interested in serving on this committee.

She would like to propose Norman Greig for that vacancy.

Councilman McKeon interjected that the Board discussed letting the committees review the applicants and make a recommendation. The Ag & Open Space committee hasn't met yet. He asked the Board to wait one more week until after they meet.

Ethics Committee – in the past we have had a Town Employee serve as a member. John Kuhn submitted a letter of interest for that position. Letters of interest were also received from Susan Simon and Michael Pollack.

Councilman Colgan said there was another letter from Reverend Theilmann.

While looking for the Reverend's letter of interest Supervisor Crane explained that she was approached by Wint Aldrich who proposed Patsy Greig Vogel to be an assistant Town Historian. She will call her if the Board agrees.

Councilman Colgan feels it should be his selection.

Supervisor Crane will speak with her.

Town Clerk Sue McCann found a generic letter of interest from Reverend Theilmann that he would be interested in a number of different committees. It was not specifically for the Ethics Committee. He was appointed to the Disaster Preparedness Committee this year.

Supervisor Crane feels that if someone has accepted a position on another committee and there are people who have not served, it is good to spread the wealth around. She asked the Boards opinion.

Councilman Colgan, liaison to the Ethics Board, reported that their first choice is Sue Simon. He explained that Supervisor Crane expressed concern that she was Chair of another committee. Sue Simon said that she would step down in order to serve on the Ethics Board. Their second choice was Reverend Theilmann.

Councilwoman Strawinski referred to having an employee on the Ethics Committee. The Ethics Board recognizes the potential of putting an employee in an uncomfortable position as an employee voting on other employees. She thinks that needs to be considered. John Kuhn has great qualifications but if another employee goes before the Ethics Board it does make for an uncomfortable situation for both. She thinks that should be a consideration.

Supervisor Crane explained that it doesn't seem to be a consideration for John Kuhn. He is very clear about the responsibilities and is willing to serve.

Councilman Colgan said that he is personally happy with any of the choices. He is concerned about having a lawyer on the committee.

Councilman Ross said we already have one man of the cloth on the committee and would rather have someone else on the committee. According to our Ethics Code we cannot have more than three members of a political party.

Councilman Colgan commented that as it stands anyone can be on the committee from any party.

Supervisor Crane told the Board that Susan Simon took the time to meet with her and knew her feelings about her being Chair of the ZRC. Susan Simon said if she was appointed she would resign as Chair.

On a motion of Councilman Colgan, seconded by Councilwoman Strawinski, moved to appoint Susan Simon.

The vote was decided after the following discussion:

Councilman Ross asked if that was a unanimous decision of the Ethics Board. Linda Keeling said she wasn't notified of the meeting.

Councilman McKeon knows all of the individuals and thinks they'd all be good. He doesn't have a problem with having two men of the cloth or an attorney. If possible he would like a week to consider.

Councilman Colgan withdrew his motion.

It was decided to wait until after the Ethics Board meets the third Friday in June.

Recreation Committee – there is a vacancy and Supervisor Crane received one letter of interest at this point. She asked for letters of interest to be sent to Town Clerk Sue McCann.

Councilwoman Strawinski knows there are other people interested but knows the Town Clerk has not received their information yet.

Councilwoman Strawinski asked about RFP's for professional services and asked where we are on those.

Supervisor Crane has not seen an RFP yet and suspects it's because of the time spent on the recreation park expansion design.

Councilman Colgan knows that Purchasing Agent Ted Kudzy has it and he's been quite busy with the Recreation Park RFP.

PROPOSED EMERGENCY VOLUNTEER TAX CREDIT DISCUSSION

Councilman McKeon explained his resolution. It seeks to provide emergency responders with a federal income tax credit of \$1,000, thereby assisting in recruitment and retention. The resolution encourages our Representatives to secure its passage. He read the resolution.

Councilman Colgan feels that volunteerism should be encouraged. We have a number of very committed people in the community and he knows they have a hard time recruiting. This is at the Federal level and it would serve us well. He would support it.

Supervisor Crane can't imagine anyone not supporting a tax credit for active firefighters. Her concern is starting a round of resolutions that support national bills that could make our meetings last until 3 in the morning. She asked that we not do this on a regular basis. This is certainly a resolution she would not oppose.

Councilman Ross agrees with Supervisor Crane and said that Councilman McKeon felt this was important enough for the Town Board to weigh in and let the Representatives know. It doesn't cost us anything but it will affect the Federal budget. It is a good thing as long as it is well thought out at the Federal level. He thinks it is an excellent idea.

RESOLUTION 2009 #21

RE: SUPPORTING THE S.E.R.V.E. (SUPPORTING EMERGENCY RESPONDERS VOLUNTEERS EFFORTS) ACT OF 2009

On a motion of Councilman Robert McKeon, seconded by Councilwoman Micki Strawinski, moved to accept the resolution as read.

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

Copy Attached

GREENWAY GRANT APPLICATION DISCUSSION

Councilman McKeon had a conversation with Michele Greig and they were talking about trying to figure out a budget for the fees associated with the SEQRA review on the Centers and Greenspace Plan. She recommended that the Town consider going out for a Greenway Grant. There is a community grant application. Typically they award \$5,000 to \$10,000 and she felt strongly that the Town would merit serious consideration. The Centers and Greenspace Plan has been touted throughout New York State as being a rather progressive proposal. It is a rolling admission so we can file the application. He had a copy of the application.

Supervisor Crane asked if it was intended for Villages and Town commercial centers.

Councilman McKeon thinks it is a community program.

Supervisor Crane asked if, since it is a rolling program, the Board could look at the application before making a decision about applying.

Councilman McKeon thinks we might want to enclose a copy of the Centers and Greenspace Plan along with the application. He thought it would be a way to save taxpayer dollars on a local level because obviously all State grants are paid by taxpayers. It would help mitigate some of the costs associated with the environmental review.

Councilman Colgan asked if we could make the application without passing a resolution.

Supervisor Crane thinks the Board should agree to apply. It brings up a second avenue of a possible grant. She received a letter from Assemblyman Molinaro dated May 21st informing her of grants available from the Department of State under Title 11 of the Environmental Protection Fund for smart growth planning projects. Funding is available in two separate categories of planning to revitalize Town centers and main streets along historic districts, transit stations and urban cores. Grants will be available for up to 100% of the total eligible project cost set forth in the application as approved by the Department of State. Deadline is June 30th. Supervisor Crane thinks this is another grant application the Board should have a copy of and strongly urged them to look at it seriously. It is not an onerous application. She will make sure the Board gets the information.

GLOBAL WARMING

Councilman McKeon apologized for bringing forth another resolution. It is a bill in Albany that passed the Assembly. New York State is asking the DEC to come up with a plan and it also assigns targets to reduce greenhouse gas emissions throughout the State. This bill seeks to get the current greenhouse gas emissions down to levels of 1990 then continue to reduce them every five years, down to a level of 80% reduction by the year 2050. The bill has many specifics on what is involved. He thinks it is important to our community to tackle this very important issue. It passed overwhelmingly in the Assembly and is going to the Senate.

Supervisor Crane noted that among the multi sponsors of this bill was our own Assemblyman Molinaro. She asked Councilman McKeon if he would read from “Now therefore, be it resolved...”

Councilman McKeon read the resolution.

RESOLUTION 2009 #22

RE: SUPPORT OF ASSEMBLY BILL #A7572 (SWEENEY ET AL) S.4315
(THOMPSON ET AL) A BILL THAT WOULD PLACE A LIMIT ON GREENHOUSE GAS
EMISSIONS IN NEW YORK STATE

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

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

Copy Attached

CORRESPONDENCE

Supervisor Crane referred to a letter from Keane & Beane. It was a letter from Attorney Joel Sachs to Mr. & Mrs. Charles Lippert.

Councilman Ross was surprised by the letter and does not recall the Board asking Joel Sachs to send a letter to the Lippert's before this Phase II environmental study.

Councilman Colgan asked Joel Sachs to send the letter in line with the Boards conclusion that we could move forward with the study of that property within the limits of the discretionary spending in our policy of purchasing. We have a proposal from Chazen and the letter was to get that approval as part of that.

Supervisor Crane said the letter doesn't indicate that they are asking for a Phase II environmental study. She asked that since we have an Attorney for the Town, how it was that Councilman Colgan decided to go to Keane & Beane.

Councilman Colgan responded that he (Joel Sachs) had done this originally with them. There was a letter in the file that he had gotten approval for work that was done a couple of years ago. It just made sense to Councilman Colgan to go to Joel Sachs.

Supervisor Crane said it doesn't specify in any of the letters what it is we are asking permission to do other than to let a consultant come on the property for a site visit. That is in no way a Phase II environmental study.

Councilman Ross does not recall the Board approving to ask for permission to enter to do the Phase II which would require digging and other things.

Councilwoman Strawinski thinks we discussed that when we got the proposal from Chazen.

Councilman Colgan said we did discuss it and said the Board passed a resolution to that effect. That we go out for an RFP, and an RFP was not necessary because the estimate was far below the limit.

Supervisor Crane said that is not possible because she consulted with Purchasing Agent Ted Kudzy in that regard and his estimate was \$10,000 to \$13,000.

Councilman Colgan said he made some phone calls and he thinks it was for \$2900. We are waiting to hear from Attorney Joel Sachs.

Supervisor Crane wants to see hard copy written estimates on a Phase II environmental study that is that low. She wants to see evidence that it is not going to cost more than \$2,000 or \$3,000.

Councilman Colgan told her that Purchasing Agent Ted Kudzy has the information.

Councilman Ross's concern is the authorization to contact the law firm to have them do this. That should come to the Town Board and the Supervisor. He certainly wasn't aware of it. He will review the minutes to see if the Board did give the authorization.

Supervisor Crane is surprised that Ted Kudzy came up with a figure that low.

Supervisor Crane contacted anthropologist Jack Campisi, an expert in Indian affairs. She shared his letter with the Board regarding the Mohican Homeland request that we put forward on our website the information given to us by Jeff Golden. Jack Campisi has a PhD, a curriculum vita where he has testified before Congress, he has written innumerable papers, taught at universities, consulted with almost every Indian tribe, and is an honorary Indian because of his work. He took a look at the copy and Supervisor Crane's request and responded in a letter. Supervisor Crane referred to the bottom of the first page of his letter. It appears there are a number of opinions about whether or not the Mohican tribe in fact lived this far south. He cites Dr. Ives Goddard from the Smithsonian Institution, the foremost authority on Algonquin languages and on the Delaware Indians, who provided a description of the Munsee Delaware Indian territory as it relates to this discussion. Another cluster of Munsee-speaking groups was east of the Hudson, though their internal and external boundaries are less than certain. The northern most of these were the Wappinger, whose territory extended south from the Roeliff Jansen Kill to the highlands, covering most of the Dutchess and Putnam counties. Thus, there is a conflict between the two articles as to which tribe resided in Red Hook at the time of Dutch contact. The Roeliff Jansen Kill only touches Dutchess County in the northeast corner of the town of Milan, before swinging northwest to empty into the Hudson north of the unincorporated village of Germantown. Following Dr. Goddard's analysis, which to him is the better of the two, means that the Wappinger Indians were the occupants of the Red hook area and not the Mahicans (Mohicans). In summing up he suggested that it would be more accurate to say that the Red Hook area was Munsee Delaware (more particularly Wappinger) and not Mohican. He included copies of relevant pages from the Smithsonian Institution for the Board's consideration. Supervisor Crane will put this on the agenda for the next meeting and discuss the appropriateness

of the Town sponsoring anything having to do with the Mohican homeland in light of this information. She asked if the Board wished to go on record tonight.

Councilman Colgan feels very reluctant since there seems to be conflicting information.

Councilman McKeon feels we would need a lot more information to resolve this.

Supervisor Crane sensed that the Board is not in favor of endorsing information that the Red Hook is the gateway to the Mohican homeland.

Councilman Ross expressed that Jack Campisi is the authority and we should not call it the gateway.

PUBLIC COMMENTS

Linda Keeling asked if the letter from Jack Campisi could be given to Patsy Vogel.

Supervisor Crane will be happy to do so.

Rosemarie Zengen said during this time of recession, she is curious to find out how one person, Councilman Colgan, could take it upon himself to contact Joel Sachs at \$200 an hour to answer a question and come back with a letter that we probably spent hundreds of dollars for. Does she understand it correctly? Was it Okayed by the Board? It costs so much money. We have an attorney sitting here night after night that we are paying for. Ms. Zengen agrees with Councilman Ross's comments. The whole Board has to decide something like that before taxpayer dollars are spent.

On a motion of Councilman Colgan, seconded by Councilwoman Strawinski, moved to adjourn the meeting at 8:55 p.m.

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

Respectfully submitted,

Sue McCann, Town Clerk