

## **RED HOOK TOWN BOARD MEETING**

**August 4, 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

Supervisor Crane welcomed everyone to the meeting and opened with the Pledge of Allegiance.

### **PUBLIC COMMENTS**

There were no public comments.

### **ANNOUNCEMENTS**

Supervisor Crane made the following announcements:

- The Rebuilding Together homeowner application period runs from July 2009 to November 2009. Homeowners with a household size of one and a median income of \$45,840.00 qualify. The income guidelines increase for household sizes. If anyone would like to know more about the program contact the Town Clerk or the Town Supervisor.
- Formal notification was received from County Executive William Steinhaus that we have received our 2009 Community Development Block Grant in the amount of \$130,000 for the Village/Town sidewalk extension project. It is the extension of the sidewalks from Park Avenue to the Recreation Park and will begin almost immediately. We are co-applicants with the Village of Red Hook who also received \$130,000. She asked the Board to keep in mind that the Town will be asked to come up with a CDBG project for next year. She had a discussion with Mayor Cohen and they would love to build a project for the sewer system but it is premature for 2010. They hoped to apply for funding for the hookup should that sewer system become a reality. 2010 looks too early to apply for that funding. She asked the Board to think of projects that are worthy and that benefit the community because shortly they will have to apply for the 2010 cycle of the Community Development Block Grant.
- The Red Hook Public Library is having a Summer Reading Program Wrap up Party Community Dance and Ice Cream Social on Sunday, August 16 at 1:00 p.m. at the Red Hook Firehouse. Everyone is invited.
- We had solar panels installed on the Town Hall roof hoping to achieve electrical savings. The 2008 figure in kilowatt hours for the period of January to June was 29,180. In 2009, with the new solar installation, it dropped to 19,083 kilowatt hours. The kilowatt savings was 10,097. The savings in cost was \$1,094 for just that six month period.
- The Friends of the Red Hook Public Library invite everyone to the "Big Read" kick off ceremony on Hardscrabble Day, September 26<sup>th</sup> at 1:00 p.m. on the Library front porch lawn. A library representative will be with us the first meeting of September to discuss that event.
- Justice Jonah Triebwasser received State wide recognition from the State Magistrate's Association in their quarterly magazine for an opinion he rendered. She congratulated Judge Triebwasser. It was wonderful recognition of his work.
- The Recreation Park suffered from graffiti damage and the total amount of charges for that graffiti was \$1,144.71. We hope the courts will make certain the Town is reimbursed for those damages.

Councilman McKeon made the following local announcements and shared some events taking place outside our area.

- The Aerodrome will have a weekend focus on Women in Aviation.
- Red Hot Summer Nights will have Beatles Impersonators at 6:00 p.m. in the Village Parking Lot on Friday, August 28th.
- Please support you local farms and other businesses.

## RESOLUTIONS

Justice Department Grant – Supervisor Crane asked Justice Jonah Triebwasser to tell the Board about this grant.

Justice Triebwasser explained that he and Justice Jeff Martin again made application to Albany through the Justice Court Assistance Program for a grant on behalf of the Town. Since 2007 the Justices and Court Clerks Nancy Roberts and Kathy Fell as well as Business Manager Deb Marks, and Purchasing Agent Ted Kudzy have been able to obtain over \$50,000 in grants for the Town and Village Courts. He asked the Board for the same resolution they came for in the previous years, for a \$30,000 open grant. They are applying for a walk through metal detector for the safety of court personnel and the public who attend court to detect weapons. The Justices are also asking the State to provide a high volume photocopier to replace the one the Court currently has. The lease on our current copier is expiring soon. Rather than have local taxpayers pay for a lease they are asking the State to analyze the copy use and the number of cases they have and provide a photocopier. Another thing they are asking for is funds to pay for an automatic external defibrillator. Justice Triebwasser announced that another grant they applied for has come in and the court will be getting furniture from the State and more secure file cabinets for their confidential files. The file cabinets they have now will be inherited by the Town Clerk. He stated that he would be happy to answer any questions.

Councilman McKeon asked where the metal detector would go.

Justice Triebwasser explained to him where it would go. It is identical to the kind of thing you would see at the airports. They currently use a hand held metal detector and this will facilitate people coming into court quicker.

Supervisor Crane thanked him for his information. She read the resolution.

### RESOLUTION 2009 #32

RE: AUTHORIZING THE TOWN OF RED HOOK TO PURSUE A GRANT APPLICATION TO OBTAIN FUNDING FOR THE TOWN OF RED HOOK JUSTICE COURT.

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

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

Copy Attached

Highway Department Bidding – Supervisor Crane referred to a note from Highway Superintendent Wayne Hildenbrand. It addresses the tractor/mower bid. Apparently there was some confusion in the bid with regard to the bid bond and after review with the Purchasing Agent and Town Attorney it is the recommendation of the Highway Department to reject all bids and rebid the tractor/mower package.

On a motion of Supervisor Crane, seconded by Councilman Colgan moved to go out to rebid the tractor/mower package that they formally voted to go out to bid for.

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

Supervisor Crane moved to the second issue regarding the Highway Department. After the review of bids for blacktop for paving of Feller-Newmark Road, it is the recommendation of Purchasing Agent Ted Kudzy and Highway Superintendent Wayne Hildenbrand to award the paving contract to the lowest bidder, that being Callanan Industries at a price of \$63.38 per ton. Three bids were received; Callanan Industries at \$63.38 per ton, Collarusso & Sons, Inc. at \$68.78 per ton and Blacktop Maintenance at \$68.00 per ton.

On a motion of Supervisor Crane, seconded by Councilman Ross, moved to authorize the Highway Department to accept the lowest bidder, Callanan Industries, at \$63.38 per ton.

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

Wil-Hi Farm PDR – Supervisor Crane referred to a resolution approving a conservation easement for the purchase of development rights of Wil-Hi Farm.

Councilman McKeon thanked Winnakee Land Trust and the owner of Wil-Hi Farm.

Supervisor Crane read the resolution

**RESOLUTION 2009 #33**

RE: APPROVING A CONSERVATION EASEMENT FOR THE PURCHASE OF DEVELOPMENT RIGHTS OF WIL-HI FARM

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

Greenway Grant Program - Supervisor Crane asked Councilman McKeon about the Greenway Grant resolution he wanted to discuss.

Councilman McKeon passed out copies of the resolution. He explained that he was informed that the grant he is interested in cannot be used solely for SEQRA review. It would need to be incorporated in the zoning itself. He took the resolution the Board passed and removed specific reference to SEQRA review. Now he is asking the Board to consider his new resolution so that he can use it in the grant application.

**RESOLUTION 2009 #34**

RE: IN SUPPORT OF THE GREENWAY GRANT APPLICATION

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

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

Copy Attached

Omnibus Property Tax Reform Bill - Supervisor Crane received a resolution from Assemblyman Molinaro who is the minority sponsor of the resolution together with majority Assemblyman Englebright. It is a resolution in support of legislation that is now being referred to as the Omnibus Property Tax Reform Bill. We are asking the legislature and the Governor to take immediate action to pass this tax reform measure. She read parts of the resolution part of which was that qualified taxpayers who own or rent residential real property in which he/she reside and have resided for not less than five years will be eligible for this credit. She said this is a start. Assemblyman Molinaro hopes that the Board will consider passing this resolution in support of the Omnibus Bill.

Councilman McKeon commented that he is very familiar with the bill. He explained that it is a circuit breaker bill. It would phase in, over a four year period, a cap on your property taxes based upon your income. He explained more of the intent of the bill.

Councilwoman Strawinski thanked the tax reform group that Councilman McKeon belongs to and those coming from all over the State. She saw how this worked while she was in Albany and appreciates Councilman McKeon and the group he belongs to and also that Assemblyman Molinaro signed on to this as well.

**RESOLUTION 2009 #35**

RE: SUPPORTING LEGISLATION PENDING BEFORE THE NEW YORK STATE LEGISLATURE, REFERRED TO AS THE OMNIBUS PROPERTY TAX REFORM BILL

On a motion of Supervisor Sue Crane, seconded by Councilman Robert McKeon moved to support the bill.

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

Copy Attached

### **TASCIOTTI ZONING REQUEST**

Supervisor Crane referred to a Greenplan memo from Ted Fink with opinions about the difficulty in addressing a request like this for a zoning change from a single landowner. Having talked with Attorney Chale, the Planner and listening to Mr. Tasciotti and the audience about the request, she proposed that the Board respond to Mr. Tasciotti by saying that we can offer him a choice of two courses of action. One, he can assume any Planners fees associated with changing the zoning. If he chooses to bring it forward to us when we are considering the zoning in total as part of our Centers and Greenspace, he can do that as part of the environmental impact public hearing. She asked if there were other choices we could offer him. He needs to decide how he wants to handle this.

Councilman Colgan wants to give him a heads up. This is a discussion that went on at length in the process of outlying the boundaries of the Centers and Greenspace. At this point he sees it as being inconsistent with all of the discussion and logic that went into it in the past. He thinks it would be a difficult change.

Supervisor Crane said it is his right. The difficulty she has with this is that Mr. Tasciotti went to the previous Town Supervisor on several occasions and received no response. Supervisor Crane wants to give him some indication of what the policies are that he can appeal to.

Councilman Ross feels that Mr. Tasciotti should go before the Intermunicipal Task Force who worked on that and the Board should let them know and explain to him what he can request of the Chair without paying a Planners fee. They can explain it to them.

Councilman Colgan agrees with Councilman Ross. He would like to discourage him from spending money until he's vetted all alternatives.

Supervisor Crane will send Mr. Tasciotti a note that we can arrange a meeting with the Intermunicipal Task Force, and then he can decide if he feels it will fit and if they feel it will fit.

Councilman Ross explained that this property has been before the ZBA. Previously someone came before the ZBA for a use variance which was denied. Mr. Tasciotti came before the ZBA, representing the owners at that time for a request for use variance for an Antique Shop. He was granted that. Mr. Tasciotti then came before the ZBA requesting a blanket commercial zone which the ZBA cannot do. He felt that would make his property more marketable. We can't just change zoning to make his property more marketable. That's why the ZBA told him to go to the Town Board. It presently has a use variance.

Councilman McKeon thinks the Task Force should give us some advice and he also thinks the Planning Board should weigh in.

Supervisor Crane explained that the Planning Board wanted him to come to the Town Board. That's why he ended up coming to us. She thinks it is a good idea to have him meet with the Task Force and get a feel for what is going on and let them advise him if anything can be done. Then maybe we can look at his options again. She will contact Task Force Chair Bill O'Neill and Mr. Tasciotti and try to coordinate a meeting with them.

Councilwoman Strawinski commented that they received correspondence about steps that should be taken if we want to consider a change.

### **BARD CLEAN-UP DAY DISCUSSION**

Supervisor Crane referred to a letter from Paul Marienthal from Bard College. She spoke to him and he is looking for direction from the Town. He believes they could recruit 50 to 100 students for a cleanup day the Saturday before Hardscrabble Day. She spoke to Highway Superintendent Wayne Hildenbrand to get advice. He said he thinks the roads are in pretty good shape after the last cleanup conducted. He suggested that because it's been such an incredible year with the rain

causing a lot of growth along the highway that maybe a cleanup be conducted in early Spring or late Fall when the growth is not as lush. In terms of a practical matter now couldn't be a worse time to find trash alongside the road.

Councilwoman Strawinski commented that we certainly don't know what the weather is going to do in well over a month on September 19th which happens to also be "Clean up the World Day". She thinks they want to do it in conjunction with that worldwide event. Based on the area she and her family cleaned along 9G there is a lot of trash there again. She thinks there is room to clean up in September.

Councilman Colgan commented that it will be a lot tougher to do than it was in the spring.

Councilwoman Strawinski agreed.

Supervisor Crane stated that Mr. Marienthal indicated that they would provide the trash bags and pick up of same after the event. She asked him what he meant about an expert from the police department and he was unclear about how he wanted that to take effect. He said he hoped that we would notify the police department so they would be aware that there would be a number of students walking into Town that day. She asked if the Board should move forward with them on the September 19th event.

Councilwoman Strawinski thinks we are going to have him talk with Councilman McKeon who organized a cleanup in the spring.

Councilman McKeon left Mr. Marienthal a message and had not yet heard back from him. It is harder to find this stuff but the Highway Department is cutting the grass alongside the road and inevitably they chop up or break whatever it is alongside the road so the sooner you get it up the better. It's probably not a great time to do it but it's good to get it before it gets cut up.

Supervisor Crane asked Councilman McKeon to follow up with Mr. Marienthal and maybe the two of them can work the roads that are sensible to undertake.

## **DEPARTMENT REPORTS**

Budget Report – Budget Officer Rose Rider completed the one page summary of revenues and expenditures and she will present that next week at the business meeting. She also began the process of preparing the department and committee reports for the budget.

Dog Control – Councilwoman Strawinski will meet with Dog Control Officer Cecil Moore and TJ Hackett from Recycling next week.

Police Report – Supervisor Crane read the report for the month of June. There were 31 registered complaints including alarms and lockouts, 38 uniform traffic tickets, 0 parking tickets, 2 accidents investigated, 4 arrests made, and 1 EMS assisted call.

Councilwoman Strawinski reminded residents to be mindful and take safety precautions.

Purchasing – Councilman Colgan read report from Purchasing Agent Ted Kudzy for the period of July 7th – August 3rd. There were 23 purchase orders issued in the amount of \$12,378.71, the largest to Warex Terminals, \$3,330.05 for diesel and gasoline. The north wall of the court room building has been repaired after a motorist inadvertently drove into it. Necessary insurance papers are being completed for reimbursement. Contracts for the Recreation Park Extension have been reviewed, approved and signed by both parties. We are waiting for the topography to be completed and SEQR approved before issuing a start work document to Weston & Sampson. Purchasing Agent Ted Kudzy prepared a RFQ for alterations to the Justice office. He expects to release it by next week. The Justices obtained a grant to cover the cost. The server purchased from Dell has arrived and he expects Professional Computer Associates to install it next week.

Supervisor Crane commended Ted Kudzy for the work he did when the car drove into the wall. It was hit so hard that some of the chairs were knocked away from the wall. She called Ted at home and he came in that very evening to review the damages. He very quickly arranged to have it repaired. She thanked Doug Strawinski for his work in the repair of the building.

Water Department – Councilman Ross gave the report for the month of July 2009. There has been no problem with water levels in the wells and the water tests were normal. Filters are operating satisfactorily. The three hydrants that needed to be painted are done. The low bid for repair for the radio transmitter is started and the Ross Valve is back in service. They are waiting for repairs on the sanitary pump on Well 1. Found and disconnected old galvanized main on the south side of Aspinwall. The old transit water main at the pump house has been disposed of, and they may need to order a supply of water meters.

Planning Board – Councilman McKeon reported that they had a couple of minor subdivision applications, certificate of appropriateness applications and had a discussion regarding a subdivision on pieces of farmland where conservation easements are necessary as part of the plan. There was discussion about whether a not for profit land trust could hold the easement. At some time we talked about possibly revising the conservation easements particularly those to be held in perpetuity. He asked if the Board wanted to look into that at the next Town Board meeting and that a discussion be on the agenda.

### **COMMITTEE REPORTS**

Ag. & Open Space Committee – Councilman McKeon reported that they discussed the proposed agricultural business district zoning, marketing programs that are available, and are trying to get a speaker to come to the community to talk about preserving foods through canning and other methods.

CAC – Councilman McKeon reported that Bard intern Lindsay Chapman is creating a survey for Town residents to help gather data on greenhouse gas emissions. She is using an online survey tool called “Survey Monkey” which is \$20.00 for a one month subscription. Anne Rubin and Molly Williams worked at the Watershed Awareness event at Thompson-Mazzarella Park in Rhinebeck. Catherine O’Reilly, Bard biologist, participated in a study called “The Suburban Stream Syndrome: Evaluating Land Use and Stream Impairments in the Suburbs: Five streams in Dutchess County were examined including the Sawkill. The findings indicated that both chloride and nitrate concentrations are elevated in areas of low density development where lot sizes are typically larger. The report was forwarded to the Task Force. The CAC continues to review the most recent draft proposal regarding scenic roads. The CAC has submitted their EDC survey. Their next meeting is Wednesday, August 12th at 7 p.m.

EDC – Supervisor Crane will put the EDC issue on the agenda for next week’s meeting.

Intermunicipal Task Force – Councilman Colgan reported that there were three meetings in the month of July; two in regard to the sewer which is seen as a positive step in the community.

Recreation Commission – Rec. Commission Chair Doug Strawinski reported that the summer program is mostly completed. The Summer Youth Football Camp starts on August 6th and goes until August 14th. Co-ed Tee Ball and Softball will end on August 30th. Co-ed weight training runs until August 13<sup>th</sup>. The Knights of Columbus has a flag football program which starts September 12th. Registration closes today. They submitted the 2010 New York State Office of Children and Family Services program budget for municipal funding for next year which John Kuhn completed. Each year we service about 750 children, it’s been a successful program for many years. He thanked John Kuhn for his work. They are moving forward with the parkland and are continuing to do so. Trees were trimmed at the Rec. Park last week and mulching was done.

Supervisor Crane commented that John Kuhn is an amazing Director. Nothing is too much trouble for him. He is incredibly organized and we are very fortunate to have him.

Councilman McKeon asked Rec. Commission Chair Doug Strawinski if they could look at the issue of the swimming pool. He knows the Town does not own the pool but there are a lot of families who cannot afford to enjoy the pool. Should the Rec. Commission revisit the issue of the Town owning and operating the pool so that all of the children in our community can participate?

Chair Doug Strawinski will bring it up at next week’s meeting. They do have teen nights there.

Town Clerk Sue McCann commented that they also used to offer a free swim at certain times during the day.

Councilman McKeon thought maybe that was something that could be considered.

Senior Services Committee – Chair Andrew Kehr reported that the mission statement was voted on and approved at their July 9th meeting. Their mission is to serve as a resource for assessing the needs of the senior community, gathering information regarding how to address those needs and promoting the social, economic and health related services which impact upon the safety, independence and well being of seniors.

On a motion of Supervisor Crane, seconded by Councilman Colgan moved to accept the mission statement of the Red Hook Senior Services Committee.

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

Andrew reported that the committee received a letter of thanks from Community Action regarding the joint food drive held in April. Goals for the committee for the Fall of 2009 are as follows: a) Senior Reading Program – continue to promote and expand the Read Aloud Program at the Mill Road Primary School (Grades K-2) and partake in RH Library reading project; b) PANDA Project – identify location for conducting/taping interviews with individuals regarding topics impacting upon seniors in the community; Develop subject/topic schedules for programming; c) Pre-Thanksgiving Food Drive; d) Emergency Preparedness – identify/address issues regarding the preparedness of seniors in the community for specific emergency scenarios. The committee’s next meeting will be in September.

Supervisor Crane thanked Andrew for his leadership and said the Committee is very deserving of recognition.

Greenway & Trails Committee – Councilwoman Strawinski reported that there is no new business.

Tree Preservation Commission – Chair Nancy Guski reported that she represented the committee at the NYS Urban Forestry Releaf Conference at Pratt Institute in Brooklyn on July 16, 17, and 18th. She attended workshops that were very informative. She explained what she learned in the various workshops. Nancy reported on the latest pest, the Emerald Ash Borer (EAB) that kills trees by burrowing into their bark and destroying the tree’s ability to bring water from the roots to the upper branches. She feels there should be heightened awareness because it is now in the state of New York. One very important way to help slow the spread is DO NOT MOVE FIREWOOD. Movement of ash firewood is the most common method of long distance spread. Current DEC firewood regulations limit the transportation of untreated firewood to less than 50 miles from its source and prohibit the import of firewood into NY unless it has been heat treated to kill EAB. They will have a booth to get the information out at Hardscrabble Day. The committee continues to work on their forestry management plan and hope to have a draft by October. They are investigating another “Trees for Tribs” initiative this fall along the Sawkill on Route 199 East.

Ethics Board – The Ethics Board will meet on Friday, August 21st, 8 a.m.

County Legislator Tom Mansfield reported that the County is thinking about banning the sale of spray paint, indelible markers above a certain size and etching acids to persons under the age of 18 years old. There is also the ongoing subject of a funding stream hopefully for the intermunicipal sewer project.

## **CORRESPONDENCE**

Supervisor Crane referred to a letter from the Edgewood Club of Tivoli, penned by Leila Lewis regarding the proposed amendments to Zoning, specifically the Agricultural Business District. The club is known as the sixth oldest golf club in the United States. They own two lots managed for summer sports and fellowship. She went on to describe the club. They never received notice from the Town about its new zoning plans, that the Town is proposing a zone in which their club is located. They are asking that their land not be placed in the Agricultural Business District because it does not allow golf courses, either as of right or even by special permit. After 125

years at the same location, it would be very difficult for them to find their use a prior nonconforming use, required to get a variance to be allowed to reach the normal number of holes for their golf course. Edgewood Club purchased land over twenty years ago to make it possible for them to enlarge from a nine hole course to an eighteen hole course. They requested that the Town not place them in the Agricultural Business District and help them continue to thrive in the Town of Red Hook. Supervisor Crane copied the letter to the Board members, as well as Michele Greig of Greenplan and Task Force Chair Bill O'Neill.

Supervisor Crane received correspondence from Loretta Campagna who will give a presentation to the Board about the "Big Read" at the first Town Board meeting in September.

**PUBLIC COMMENTS**

There were no comments.

Councilman McKeon had discussions with the Fire Chief regarding the firehouse parking lot. It is owned by the church and they are interested in selling off a parcel of land which would include parking for the firehouse. He is wondering if the Town can offer any assistance to the fire company in response to the issue. He would like to have it on the agenda next week and ask someone from the fire company to be present for discussion.

Councilwoman Strawinski asked if there have been conversations with the Village Trustees regarding the issue.

Councilman Colgan thinks we should have a conversation with the Village since it is in the Village. The Village must share that feeling.

On a motion of Supervisor Crane, seconded by Councilwoman Strawinski, moved to go to Attorney/Client session at 9:09 p.m.

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

On a motion of Supervisor Crane, seconded by Councilman Colgan, moved to close the Attorney/Client session at 10:00 p.m.

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

**RESOLUTION 2009 #36**

RE: COMMENCE LEGAL ACTION AGAINST THE OWNER OF 365 SPRING LAKE ROAD, TAX MAP NUMBER 6373-00-967710-0000

On a motion of Supervisor Sue Crane, seconded by Councilman Harry Colgan, moved to commence legal action against the owner of 365 Spring Lake Road.

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 10:10 p.m.

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

Respectfully submitted,

Sue McCann, Town Clerk