

RED HOOK TOWN BOARD MEETING
September 23, 2009

Public Hearing – Community Development Block Grant 2010

A Public Hearing 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, and 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 meeting and opened with the Pledge of Allegiance.

COMMUNITY DEVELOPMENT BLOCK GRANT 2010 PUBLIC HEARING

Supervisor Crane explained that before applying to Dutchess County Community Development Block Grant for funding the Town is required to have a Public Hearing. The Public Hearing notice was read and the Supervisor explained two possibilities are under consideration. The first is the possibility of continuing to create a connector road between Metzger Road and Glen Pond Drive. She pointed out maps on display that conceptualize the Centers and Greenspace Plan, a document that the Town Board will consider very shortly. It proposes a connector road as a road that will take some pressure off of South Broadway. She pointed out areas in the conceptualized map that represent anticipated development. Four years ago the Town undertook, with CDBG funding, development of two stubs of the road. Residents of the road were called because the Town recognizes that it is a problematic connector road. It is very tight to those property lines on the east and on the west. It is important to those who own those properties so it is important to the Town. She opened the Public Hearing for comments.

Mr. Fred Koerber just found out about the proposed road going in behind his house a week ago. He was never informed before and it was never stated or disclosed that this road was even being considered when he and his wife bought their house. From his perspective the impact is huge. There is noise pollution, the fact that he has a disabled child that plays in that back yard, loss of land that he is not willing to sell, devaluation of his home, the list is long. He doesn't think it should be done and he doesn't think the answer is to divert traffic up the back side of Glen Ridge and bring it to the front of their homes either. Essentially it is diverting traffic off of Route 199. He understands the burden to that light but you are taking one burden and putting it somewhere else. He would like to find out if there are other ideas to take a look at.

Martin Willms owns property on Metzger Road. There are five families that would be impacted by the road going through. They've been there and looked at it and it is very, very tight. He doesn't know how it would work. There is no parking and the way of life would definitely change for those people. They rent because it is a nice rural area. He understands the need for a road but he doesn't know that this is the place to put one. Financially it would have a big impact on them. He feels if the Town puts the road in they need to buy his building because they would not be able to rent those apartments anymore.

Supervisor Crane asked Mr. Willms if he owns the entire parcel that road appears to be on right now.

Mr. Willms responded yes, from where it comes off Metzger Road to the Recycling Center. When they built the Recycling road he thinks that was a rushed action. He told the previous Supervisor that she should go over and look at it because it is so tight in there. He told her that he wasn't sure the idea would work because if you bounce it to the east, the people who bought all the new houses would be impacted. You're talking about six or seven houses on that side and five families in his situation. Either way, you will affect someone. He is opposed to the road the way it stands right now.

Supervisor Crane explained that this is the conversation that is initiating feedback. We are not saying we know the answers, we are asking for the residents help and feedback and she appreciates that they gave up time to come to the meeting.

Mr. Willms thanked the Board for having them here and thanked Supervisor Crane for coming out and looking at the property.

Susan DeMattio is opposed to the road because it will have an impact on their property. They don't have much of a back yard now. Most of their yard is in the front. She has young grandchildren and neighbors who have small children that play in their back yards. To have traffic would be a danger. Had she known that this was a possibility when they first built their house, they would not have built there.

Supervisor Crane thanked her for her comments.

Ed Mercier is opposed to the idea. He also has two young children. His big issue is drainage. His lot is the first lot on the corner of Metzger and Glen Ridge where the proposed road is and it is the low end of the development. The development doesn't have sewers and there is a sink hole. Two years ago his house was an island. Taking away grass and putting more pavement in adds more problems. If it does happen, drainage is a major issue.

Supervisor Crane explained that the reason they are discussing this particular project is that the present road was begun with CDBG funding, the idea being eventually that it would be a connector road between Metzger Road and Glen Pond Road. She assured everyone that the Board is not going to take action at the night's meeting. They just wanted to begin conversation to see how the residents feel the Town should proceed if they proceed at all.

Mr. Koerber referred to the proposed development behind there, which if eventually goes forward, will have an impact on Glen Ridge. Now you're looking at bringing traffic from Route 199 to Glen Ridge, it's going to kill their community. At some point there will be a development, so you're going to have traffic that is unbelievable for a community that had no idea that this is what they were facing. It is just not fair. He doesn't think the attitude should be taken that it's for the betterment of everybody else and they can get fair market value for the land that the Town is going to take. It is not the right thinking.

Councilman McKeon commented that Mr. Willms summed it up nicely when he said to rush into something like this that is going to impact people in such a meaningful way, he thinks would be a mistake on the Town's part. It is important to reach out and have a longer dialogue about whether or not this should go forward. He feels it would be a mistake for the Town to go forward right now with a road like this.

Councilman Colgan commented that he is very much in touch with the resident's concerns and quality of life and he doesn't want to diminish that in any way. The intent is not to cram this through any process.

Mr. Koerber asked if it is proper for a resident to ask the Board members to state their position on the road so they know where they stand. Maybe to help determine that position all of us can get together and look at the real impact. Looking at a map is one thing, walking it is a different thing. He would like the Board to state their positions.

Supervisor Crane explained that is why she said this is not predetermined; it is the initial discussion phase of the proposal. As it stands now she doesn't see an answer to getting that road given what we have. She is not opposed to a road going from Metzger to Glen Pond it is just we are facing so many obstacles that she doesn't know how to do it. Without costing the Town a lot of money, we are not in the position, nor would she advocate for spending money at this time.

Councilwoman Strawinski would like to walk the property before making any decisions.

Councilman Ross is very familiar with the situation dating way back when Mr. Willms bought that property and sold the portion where the Recycling Center is to the Town. We do need some sort of a connector road considering the development that is there at this time. He always wants

to hear the public's view. Personally, he's never been in favor of it in that particular location, for a lot of reasons. That being said he wants to hear from the people it affects the most.

Supervisor Crane said there is another possible proposal on the table that she'd like to explore with the Board. She'd be happy to hear comments from the public if they had any. The Town has invested in an extension to the Red Hook Recreation Park on Linden Avenue. The land that has been purchased is directly across from the current Rec. Park and almost doubles the size. To date, we own the almost 29 acres and there will be some construction work in terms of clearing and leveling the land coming up. One of the priorities of the CDBG this year is the development of park lands and recreation space. That is why she brought this forward as a potential application for the Town. She met with the Rec. Park Director, John Kuhn, and with the Chair of the Rec. Commission, Doug Strawinski. They believe this would be a viable and wonderful application. They would only be awarded \$100,000 for this purpose. If they applied for the road they could get the maximum of \$150,000. She feels that because this money is there and it is a relatively simple grant, she's written most of it already and Doug Strawinski and John Kuhn are flushing it out, she believes this is a year that we could apply for funding for a pavilion, snack bar, restroom area in the new recreation park extension and they believe that the \$100,000, if we should get it, would adequately meet that need providing handicapped accessibility to that building and to those restrooms. She proposed that be the Town's application for the CDBG funding application. She welcomed any and all comments from the audience on that possibility.

Marty Willms asked why you wouldn't want to do it. It's good for the Town, it doesn't hurt anybody, and it seems like an easy answer.

Linda Keeling asked if that would include water fountains that would be accessible.

Supervisor Crane explained that everything would have to be accessible, yes.

Supervisor Crane explained what we are planning to do is develop plans for the rec. park. There will be ball fields, soccer fields, playground, pavilion, picnic area, walking trails, parking spaces and maybe more. That covers most of it. The current recreation park is an award winning park with award winning programs. We've known for years the soccer program has grown and we believe there is a real need for soccer facilities. The Red Hook Central Schools use our current ball fields in an intermunicipal agreement with us. They offer us gym space and we offer ball fields and tennis courts. It's worked out to be an agreeable arrangement for both entities and all of the community. She thinks it is a wonderful thing to double that recreation space.

Councilman McKeon wonders if the design can be uploaded to the website.

Brian Walker asked about the recreation park pool. He doesn't know the relationship between the Town and the pool but he thinks it could benefit from some funding.

Supervisor Crane explained that the pool is a separate entity, a private entity. It is not owned or sponsored by the Town. It has been that way for years and the Town has no notion at this point of taking over that pool, nor is she sure they would wish the Town to in the first place. They are two separate and distinct entities.

Councilman McKeon commented that some people are hoping to get back to an arrangement we had years ago where there would be public access whether people could afford to or not. Maybe they could get a few shifts a week where people of less means could attend.

Susan DeMattio thinks that doubling the rec. park would be a tremendous asset to the residents of Red Hook.

On a motion of Supervisor Crane, seconded by Councilman McKeon moved to close the Public Hearing at 8:00 p.m.

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

The Town Board meeting for September 23, 2009 followed the Public Hearing.

Supervisor Crane read the resolution regarding the submission of the fiscal year 2010 Dutchess County Community Development Block Grant application.

RESOLUTION 2009 #40

RE: AUTHORIZING SUBMISSION OF THE FISCAL YEAR 2010 DUTCHESS COUNTY COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM APPLICATION.

On a motion of Supervisor Sue Crane, seconded by Councilman James Ross moved to accept the resolution.

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

Copy Attached

PUBLIC COMMENT PERIOD

Supervisor Crane opened the meeting for public comments.

Lisa Pullaro is struck by Councilman McKeon's comments about how the Board needs to take its time to listen and consider public input. She hopes they begin to do that on all topics. The issue she wanted to address had to do with a recent notice they received at home. Last Friday she received a notice in her daughter's folder from school, an announcement about the joint Bard College and Town of Red Hook cleanup day on September 19th. She thinks cleaning up is commendable, and if the idea originated with Bard she gives credit where credit is due. It is an absolutely wonderful idea for our community. She herself donated her time to cleaning up a section of highway in Red Hook for two years. However, what was disturbing is that what should have been an innocuous event appeared to be another opportunity for Mr. McKeon to promote himself. The flyer lists only him as a contact and lists his personal contact information and all we needed to know about his goals and aspirations. As a Town sponsored event, she wanted to know whether or not that notice was discussed at these meetings and why they were not contacting the Town Hall in general or any other Town Board member. Was the Town Board aware that a flyer was going to go home through the school system with students and was the entire Board aware that there was to be one contact only with personal contact information? If so, when and where did those discussions take place because they are not part of the meeting minutes? She and others wouldn't be so concerned if it didn't appear to so blatantly blur the lines of Town sponsored activity and campaigning. It is her understanding that participants were given bags bearing the campaign logo of Mr. McKeon. Was that distribution also sanctioned by the Board of the Town sponsored activity? There is a line of decency and appropriateness crossed when you have a Town sponsored activity and in the process you use Bard students, the Central School District and unwitting elementary school students as your messengers to promote yourself. Unfortunately, those lines have been crossed multiple times. She asked if Councilman McKeon was there as a Town representative of a Town sponsored event or as a candidate actively campaigning. Conventional wisdom tells us you can't have it both ways. If we can put this in perspective, she asked if the Board could please detail what Town resources were used before, during and after the event to substantiate it being promoted as a Town sponsored event and what other entities or individuals underwrote the event with support, services or supplies.

Supervisor Crane responded that insofar as a flyer going home from school, she was unaware that any flyer was developed, created or distributed to the school to go home from the school. When it's a Town sponsored event, she believes the Town Hall is the appropriate place to receive information from. She thinks the Town Clerk's office could have been contacted with questions about the event, and she thinks it is inappropriate for a Town Board member to use his own personal e-mail for a Town sponsored event. There were no meetings to her knowledge that informed Town Board members that that flyer was created. In terms of Town resources being used, she was somewhat disappointed that Bard College did not follow through with the pickup of the bags of litter accumulated along various roadways, because she had a conversation with Paul Marienthal of Bard and they discussed the Town cooperatively arranging the cleanup day. Paul indicated that Bard would provide the bags and she was disappointed that Bard did not pick up the bags which is what Mr. Marienthal indicated would happen. There were Town resources to the extent that the Highway crew was asked by Councilman McKeon to make the rounds and pick up those bags.

Councilwoman Strawinski is curious how Mrs. Pullaro feels about Mr. Latimer co-sponsoring a County event for the Senior Citizens picnic.

Lisa Pullaro responded that she wasn't aware of that event.

Councilwoman Strawinski said he is also a candidate. Was he campaigning or just helping out as a community member?

Lisa Pullaro responded that she was asking about a Town sponsored event with a seemingly Town representative who sent home a notice regarding the Town of Red Hook and simultaneously engaging in what appeared to be campaign activities. She believes that Mr. Latimer is not currently a sitting Board member.

Councilman Colgan commented that this was an initiative of Bard College and it came to us as a Town Board many months ago. They asked us to support them in this endeavor which we all agreed to do. They set the date based on an international day of cleanup. It was a joint venture that he participated in. He doesn't know a lot of the details, there were a lot of Bard students and a lot of parents brought their kids. It turned into a productive and a fun day and that's about the limit of his observation.

Lisa Pullaro wanted to be clear that she thinks that is commendable and it's a wonderful thing to do to beautify our community. That is not her issue. It is the perception issue that reflects poorly. If a flyer went home without the entire Board's knowledge that is a situation that also puts a black eye on the school district and that is unfortunate. You have an activity that should be very well received, the outcome of which is commendable, it's wonderful, it benefits the entire community, but it in this particular case there is something that blurred the lines that has a negative connotation to the Town Board and worse, reflected on the school district and they probably don't know anything about that and that's unfortunate.

Councilman McKeon thanked Mrs. Pullaro for her comments. He will consider them and maybe respond later. He said the flyer went through the school district in April too. He acknowledged the 110 people who picked up the garbage and filled bags throughout the Town. They did a wonderful job. He thinks on a whole it is a terrific event, it brings people together.

Sgt. Patrick Hildenbrand presented a newer, more detailed police report for the Town. He informed the residents that there was an investigation of a home on Linden Avenue and they made an arrest for \$48,000 in stolen merchandise. Two other police departments today made another arrest for another \$30,000 of stolen equipment at the same house. An investigation is still ongoing.

Supervisor Crane thanked him for the good police work.

Councilman McKeon told Sgt. Hildenbrand and Chief of Police Jim Truitt that this Friday there is a shared services committee meeting and asked them if they would be available for the meeting. He thanked them for the good work.

Town Clerk Sue McCann respectfully asked to be informed of the shared services meetings so they can be put on the Town's website calendar.

Councilman Colgan told her the meetings would be every two weeks.

Councilman McKeon told her this week's meeting is at 1:00 then after that they will take place at 12:00 p.m.

Supervisor Crane closed the public comment period.

ANNOUNCEMENTS

Supervisor Crane made the following announcements:

- NY Department of Public Service wants people to know there are discounts on monthly charges for the telephone service for those who are income eligible. The toll free number is 1-800-342-3377, or call Supervisor Crane at 758-4622.
- Hardscrabble Day is on Saturday September 26th.

- Girls soccer game on Friday at the HS
- On Friday there is an Up the River boat trip sponsored by the Friends of the Red Hook Library from 7–10 p.m. The launch is at the Rondout Landing at 6:30 p.m.
- 8:00 Friday-boys soccer game at the HS
- She listed various events taking place on Hardscrabble Day
- 7:00 p.m. Saturday will be a football game
- 9:00 p.m., a tavern night at the Elmendorph Inn
- Red Hook sewer project informational meeting in the Community Room at Red Hook Commons building 11 and 15 at 10:00 and again at 11:00 in building 17 and 18. It will be on Friday, September 25th. Anyone interested may attend.

Councilman Colgan announced the annual Street Painting Day in Tivoli from 9 a.m. and lasts all day.

Councilman McKeon made the following announcements:

- Walkway Over the Hudson events will take place from October 2nd – 4th. Fireworks are on October 2nd at 8:00 p.m. The official opening is on October 3rd at 3:00 p.m.
- The American Ballet will perform at the Bard College Fisher Center the weekend of October 3rd & 4th.
- Beginning Saturday, the Rhinebeck Center for Performing Arts will have a family series for children at 11:00. It takes place every week.
- October 8th Kaatsbaan will hold an open rehearsal at 8:00 p.m.
- He encouraged residents to visit Montgomery Place museum and grounds and also announced several other events occurring outside of the community.

MONTGOMERY PLACE

Supervisor Crane introduced State Assemblyman Marc Molinaro.

Assemblyman Marc Molinaro introduced Sally Mazzarella. He referred to a summary the Town Board received from the meeting held with the President of Historic Hudson Valley, Waddell Stillman, along with their local counsel, Drayton Grant. He expressed what they do know regarding Montgomery Place. About eight weeks ago they were asked by individuals who have interest in Montgomery Place to get a dialog with both Historic Hudson Valley and other officials who may or may not have interest in their oversight in Montgomery Place. He convened an initial meeting with Supervisor Crane and Sally Mazzarella along with several others who asked for an opportunity to talk about both speculation and the status. As a result of that dialog they made a formal request of Waddell Stillman to have a meeting to discuss both speculation and the community's concern. In the interim the Town Board acted to request involvement from the New York State Department of Education and also conversation with Waddell. That conversation was fairly extensive and we thought it was productive. Councilman Colgan participated in that conversation as well along with a representative from Dutchess County Planning and Development, John Clark representing Commissioner Roger Akeley. That conversation was productive and in closing, all participants agreed they would prepare a summary and that for us we felt we had an obligation to the public to share that summary with them. It was presented to Mr. Stillman and released the middle of last week when the Town Board received it as well. Sally Mazzarella asked some very specific, somewhat probing questions. The speculation has begun and continues regarding the intention of Historic Hudson Valley as it relates to Montgomery Place. In 2005 it closed its facilities in theory, to begin its restoration project with the expectation of a ceremonial reopening in 2010. A series of questions were identified. What is their intention? In summary, according to Mr. Stillman, it is their intention to maintain and reopen Montgomery Place. The group asked specifically if there were plans to reopen for public access and the answer is mostly not, although they have begun the process of opening up for a few hours on Fridays through November. The concern remains about public access. The question of the sale of the property was the primary focus. The group asked if that was their intention and it was reported that it is neither their intention, nor is there a current recommendation to sell Montgomery Place. There has been no Board discussion about divesting. The question was asked if the property was to be subdivided or developed on. Their assertion is that it is neither their intention nor plan, nor are they making that recommendation to their Board. There is a specific concern of the Town Board that the group steered away from because it is regarding the development of the site and the Town's current zoning considerations as it relates to the proposed Centers and Greenspace Plan. They expressed a desire that they continue to function as is. They would prefer no change at all in their zoning status. The Town

will have to discuss that. They want to continue that dialog with the Intermunicipal Task Force. The final point was the issue of public access. The assertion is that they had no intention in the near term to open to full public access. The group expressed that as a concern and they don't necessarily agree that minimal access is a good thing. Public access is not necessarily a primary concern for them but we clearly expressed that it is for us. That summarized their discussion and that dialog does continue. Beyond that they engaged in dialog with the appropriate individuals that provide oversight in State government, the Department of Environmental Conservation and the Office of Parks, Recreation & Historic Preservation along with the State Department of Education. There is limited oversight that the State provides in the area of not-for-profit corporations, but we are asking for actions that show an ongoing commitment to the public, to the site and to the protection of the site. If they wish to divest themselves of property they have an obligation to meet certain thresholds. If Historic Hudson Valley does wish to divest itself of any of its assets, they do have to go before the Supreme Court of the State of New York in the particular County of Jurisdiction because of its corporation status. In this particular case it would be in Westchester County for consideration for their disposition of assets. The law itself is meant to protect the interest of the corporation with a limited consideration to the public. Even though it is a tax exempt not-for-profit, it is still by law, in the State of New York, a private corporation with only a limited obligation to the public. He explained the steps that are necessary for that scenario. Currently there is one piece of legislation being considered where a standard of this particular statute would be improved for public consideration. It is an important part since the corporation is extended certain public benefits like tax exempt status and public dollars. With that said, dialog continues with the State and the Attorney General's Office who is keenly aware of the public speculation. Assemblyman Molinaro asked and encouraged those who have concerns to keep Senator Saland's office and his office aware of those concerns. A coordinated approach is the best approach and they think public scrutiny is important. Assemblyman Molinaro recognizes that Montgomery Place is a significant treasure in the Town of Red Hook. It is identified not only as a State and National Historic Landmark, but it falls within the National Historic Landmark District. He asked Sally Mazzarella if she had anything to add and offered to answer any questions the Board or the public had.

Sally Mazzarella commented that Montgomery Place is important to the Town of Red Hook, to Dutchess County, the region, the State and the nation. That's why Senator Saland asked that she participate on his behalf. He did intend to make that meeting but he was held up at Bard College. He cares a great deal about Montgomery Place and its challenges. Most people know her involvement and concern. She's spent close to forty years working on properties that are on the national register. As Assemblyman Molinaro mentioned, this property plays a significant role, it is on the National Register of Historic Places, and it is within the National Landmark Historic District which is the most prestigious district within the country. This property also lies within the State's first scenic designation. It also lies on one of the first grouping of roads designated as scenic roads. It is in the NY State coastal area. There are many reasons why this property is so critical and important and must be watched carefully. Marc articulated very clearly the conversations held that morning. It is important that while we accept the information that is given to us we very carefully monitor what is going on at that site. One direction they discussed was whether or not there was a possibility of establishing a "friends" group but there was no interest in such a group being established. Montgomery Place is trying to cut back, reduce staff, cut down on programs, and hopefully not sell some of their assets. There was an agreement that there would be opportunities for organizations to have meetings, gatherings, and programs. They realize there will be many restrictions to that, but there was a willingness to begin to have more public access to the property. She is going to have an event there after November 1st. If holding an event, it cannot be a money making venture and they have to approve the date and type of activity. She hopes to have Winnakee Land Trust celebrate their twentieth anniversary at the site. Hopefully there will be other opportunities for people to go to the site to enjoy what is there and to send a message to Historic Hudson Valley to let them know that this site is important and the people of this community care a great deal, want to share and experience all those things that are special to Montgomery Place, and that we are willing to make some kind of commitment. We have to be the watchdogs; it is our responsibility as citizens. We have to continue the dialog. It has to be protected and preserved for future generations to enjoy. She cares about it because of her own special interest in planning. What was discussed that day was that a house museum should continue on that site. She agrees that it should continue and should be allowed through zoning. The question is how that is allowed. She thinks there are many people in Red Hook that will know how to address that. Mrs. Mazzarella will continue to

work with Assemblyman Molinaro and if she can be of any value to the Red Hook Town Board, she would be happy to do so.

Supervisor Crane opened for comments regarding Montgomery Place.

Glen Wagner was astonished to hear the rumor. The notion that it is called Historic Hudson Valley is ironic in that they are contemplating selling a piece of Historic Hudson Valley. He believes that Historic Hudson Valley will sell it unless there is strong action to stop them. As a citizen he wants to know what we can do to publicize this. If there is a citizens group to be formed, anything that could be done, he hopes the Board will take as strong an action as possible.

Assemblyman Molinaro responded that it is clear that the State of New York, should Historic Hudson Valley decide to divest itself of the property, will expect that the property be sold to an institution that protects it. The State Department of Education, Office of Parks, Recreation and Historic Preservation, and the DEC will make it clear to the Attorney General's Office that as part of the process that goes along with divesting, no establishment use public funds to improve a property for the purposes of making money on the sale and there is a keen interest to insure that properties like this remain subject to a pact with the public. He feels very confident that the Department of Education understands that and will assert that in any case.

Councilman McKeon added that prior to the meeting discussed, Mr. Stillman did come in to meet with the Intermunicipal Task Force. It is the Task Force that is looking at proposed zoning changes. They first heard from Historic Hudson Valley through their attorney objecting to aspects of the proposal. When they made a request that they have Mr. Stillman come in, he came on his own volition. When asked if his Board had contemplated or was discussing options including the sale, he was very wishy-washy about responding and kept repeating the line that "the property is not for sale". It seemed like semantics for some of those who were there. As far as what the Town can do, he hopes we have done as much as we can and continue to publicize regarding the issue. The real crux of the matter is that there are insufficient protections in place to ensure they remain essentially what they are today. There is not much that we can do to prevent any landowner from selling a piece of property but if we have sufficient legislation in place that will help guide who those properties might be sold to, then we increase our chances that they will remain viable into the future. We have to be diligent but we have to try to meet the land owner's objectives too whether it's a museum, or the farm. This is not going to be the only property that comes in complaining about proposals related to Centers and Greenspace. We have done a very good job protecting some of our farmland but three quarters of it remain vulnerable for development. We will have to work very hard to meet the goals and objectives of those people who own those properties. It is a public/private partnership that needs to continue.

Mr. Wagner asked if Montgomery Place has received State funds.

Councilman McKeon responded yes, they have.

Assemblyman Molinaro responded yes, and they've requested from the Office of the State Comptroller a full recording of State sponsored grants and awards. They expect to get that and will include it with the Department of Education's information so that they have it as well. The State Comptroller's Office will do audits of grants and their requirements and we requested that information as well.

Councilman McKeon commented that we made a resolution to invite Mr. Stillman to come in. He asked Councilwoman Strawinski and Councilman Ross if they want Mr. Stillman to come in and speak to the Town Board. One of the things he did indicate during the course of their meeting that the Town should try to articulate their aspirations for that property so that Mr. Stillman can share that with his Board. He suggested we go ahead with that.

Mr. Wagner asked if Rhinebeck has been included in this discussion.

Sally Mazzarella responded that she lives in Rhinebeck and there are special interest groups that are well aware of what is happening. A meeting is scheduled for early October that will bring in experts in the field not only to talk about Montgomery Place but other properties that are being threatened as well. She urged the Rhinebeck Planning Board that we are going to start thinking

out of the box. These properties for many people are becoming a hardship to maintain. We are living in an economy that is putting a great strain on property owners.

Assemblyman Molinaro mentioned that Doug and Talia Finke have been a great asset not only to Montgomery Place but to the community. They asked specifically if there was any desire, interest or effort to ask them to no longer operate the farm, and the answer was “God no”. He mentioned that they did make a request on behalf of Doug and Talia Finke to allow the farm property to host a pie baking contest on October 17th. It is very clear that they did ask about the status of the farmers. He appreciates being able to dovetail their efforts and he will keep the Town informed as to the State’s activities and requests of the State. He asked if the Town has any requests of the State to communicate them to him so that he can advocate on the Town’s behalf as well.

Supervisor Crane thanked Assemblyman Marc Molinaro and Sally Mazzarella for all the information they provided and is sure the dialog is going to be ongoing and she appreciates their time.

Councilwoman Strawinski stated that this is a new issue for her and she thinks it would benefit the Town to have Mr. Stillman speak at a Town Board meeting.

Councilman Colgan is inclined to think we’ve drained that bucket. We have the eyes and ears open and now all the leadership and the community on what is going on there. He doesn’t think much is going to slide by us. We made it our purpose to see that doesn’t happen. He thinks we’ve gotten all we need.

Councilwoman Strawinski appreciates all the information given tonight. She had no idea what was going on with the property and she appreciates Sally Mazzarella and Assemblyman Molinaro clarifying things for her.

Councilman Colgan reminded people that Montgomery Place is opened on Fridays until Thanksgiving. He visited it and was pleasantly surprised with the nice condition of the building.

Councilman McKeon added that the property looks great. He asked that the Board grant him the opportunity to draft a letter discussing our shared hopes for that property. He asked the Board review it and feel comfortable with it before he sends it.

Supervisor Crane stated that every Board member will take calls from anyone with concerns regarding Montgomery Place.

STREET LIGHTING REQUEST – CARRIAGE & MEADOW DRIVE

Supervisor Crane referred to a letter the Board received from a resident near Carriage Drive who wrote about the lack of a street light at the junction of Meadow Drive and Carriage Drive. She asked if the Town could consider installing a street light. Supervisor Crane identified all of the neighbors in the immediate area that would be impacted by a light. Not everyone wants a light near their property. She did her best to notify everyone who would be affected by that light before we begin the process of applying with Central Hudson for it. We will have to have a public hearing before any decision is made. She wanted to give the neighbors a chance to weigh in on this and proceeded to read a letter from a neighbor, Betty Mae VanParys, who thinks a street light at that intersection might be an advantage in the evening. A directional traffic sign was also suggested. Linda King submitted the first request. She asked if anyone in the audience wanted to address the issue.

Russell King elaborated on the lighting issues in the area.

Supervisor Crane explained the light would go on the pole that is there. It would not require erecting a pole.

Larry Carr commented that if a light is put on that pole the tree that is next to it will cast a shadow where you would want the light. The tree would need extensive pruning.

Karen Schneller-McDonald specifically requested that they do not have a light. She is concerned with saving energy and she also feels that a light there would be intrusive. If it is a

problem figuring out how which way the road goes, a sign should be placed there. A light there would be intrusive and could negatively affect the quality of life for the people who live there.

Linda King commented that on Carriage Drive the power is underground. Where the street light would go is where there are street lights already at the beginning of Meadow and on to Trow. As for personal experience, she's almost been hit in that section even though she wears a safety vest and carries a flashlight. There are also safety reasons behind the request.

Supervisor Crane spoke to the Highway Superintendent and he simply directed her to do as she has done which was to contact Central Hudson and to contact the neighbors for their feedback. It is at the Board's discretion to do so after holding a public hearing. A formal public hearing would have to be held before a decision is made.

Councilman McKeon asked about terms of any other actions.

Supervisor Crane responded that he did not recommend any other actions. It was Betty Mae VanParys who asked for signage and that might be something to get involved in.

Councilman McKeon needs more input from people who know about road safety measures and signage. The primary function of a government is to provide for the safety and welfare of its citizens. He's sensitive to the idea of light pollution but he thinks safety and welfare comes first.

Attorney Chale said that when the Board sets a Public Hearing we will need a couple of pieces of information. She suggested gathering that information then looking into October to set the Public Hearing. Central Hudson has a check sheet and that is what we would use at a Public Hearing.

Supervisor Crane will put the information on the agenda for the October 6th meeting and will set the Public Hearing then. It is likely to be about the 28th of October before we get to it.

RESOLUTIONS

Highway Equipment Bid Authorization and Bond Resolution – Supervisor Crane referred to the bid that the Board discussed at the last meeting to accept the bid from Keil Equipment Company. Highway Superintendent Wayne Hildenbrand told Supervisor Crane that the bid is for a tractor that is compatible with parts they already have, which is a real benefit to him.

Councilman McKeon stated the parts the Highway Department have are compatible with the mower. He explained that he got a copy of the bid specs and the mowers are not the same. There is a good argument for getting a mower you already have parts for should you need to make repairs. He met with Highway Superintendent Hildenbrand and had some of his questions answered. It seems the specs were quite specific and he thinks the Board is forced to go ahead and to approve this expenditure. In the future we may want to look at specs that are not quite so specific so we have more competition. We have to take care of the roads otherwise it will be a safety hazard. He did call around to see about the availability of the mower and it seems that Keil does have it in stock.

Councilwoman Strawinski has concerns about the difference in the price and requested copies of the two bids and specifications. She called the folks at Hudson River Tractor Company to compare and as she was going through them, it looks like the mower meets a lot of the specifications. She wants to know why we need the Alamo with the cost difference of \$4500 as opposed to the other one that seems to be a standard that highway departments use. She would like to know why we have to have one over the other.

Supervisor Crane explained that in fairness to Wayne, Purchasing Agent Ted Kudzy is as controlled as anyone she knows in making sure we meet requirements in any bid offering. He met with Wayne, he went through this, and he agreed with Wayne that this was the bid that would meet our needs. The needs are immediate.

Councilwoman Strawinski asked for some of her questions clarified. She spoke to someone at the other company that bid and has some questions. Why does a difference in speed of six miles an hour make a difference in performance of the Highway Department?

Supervisor Crane responded that since it is the Highway Superintendent's judgment that we are relying on here Wayne has never, in the twelve years that she's been on the Town Board, asked for something he didn't need or recommended something that was a faulty recommendation.

Councilwoman Strawinski is curious because the specifications that were on the bid package were the exact specifications of a piece of equipment that Keil has had for months.

Supervisor Crane told Councilwoman Strawinski that if she is uncomfortable with it, vote against it but she intended to bring the resolution to the floor authorizing the award for the bid. She proceeded to read the bid notice.

RESOLUTION 2009 #41

RE: AUTHORIZING THE AWARD OF BID FOR THE PURCHASE OF A TRACTOR WITH 60 INCH FLAIL MOWER

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

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

Copy Attached

The vote was taken after the following discussion:

Councilman McKeon values Wayne's opinion, but it is our job to try to understand cost differentials especially when it is several thousand dollars.

Councilman Ross clarified that he understands Councilwoman Strawinski' concerns with the bid but the time after we received the bids is not the time to weigh that concern. That would be talking to Wayne or Ted before we bid on another project. According to our resolution it appears that Keil Equipment is the only responsible bidder because the other company, regardless of the fact that some of their specs were off, couldn't deliver within 30 days. He doesn't see that there is any other option if we only have one responsible bidder after putting it out to as many companies as are available to bid on it.

Councilwoman Strawinski had questions that were raised about the specifications and how is it they happen to be a piece of equipment that only Keil has and we send out a package with those exact specifications. She doesn't understand how someone could invest in a piece of equipment without having a potential buyer unless, in fact, there was one and they opted out. One of our prime responsibilities is to watch the dollars and cents.

Councilman Ross told her that the Highway Superintendent may have written those specs because he has experience and in the long run the difference of \$4500 is a very cheap investment because the mower lasts and wears a lot more. He presumes that is why Wayne wrote the bid that way.

Councilwoman Strawinski asked why the Board doesn't get the specs before we go out to bid just to review. Not just for the highway but for any specs. As Councilman Ross pointed out the time to ask questions is before we sent out a request for proposal.

Councilman McKeon commented that he made phone calls and found the price of the mowers to be comparable. He thought it would explain the price difference but it didn't. As a matter of course when we make significant investments, we might want to ask Wayne or his successor to be available to ask questions so we don't have to delay.

Supervisor Crane told him that Highway Superintendent Wayne Hildenbrand has been invited. He knows he is always invited.

Councilwoman Strawinski asked if at this point the Town could negotiate with Keil to drop the price.

Councilman Ross explained that when you do a sealed bid like this you have to accept it. The bid was \$4500 higher, but Keil was the only responsible bidder. This was the second time we bid this.

Highway Equipment Bid Authorization and Bond Resolution - Supervisor Crane explained that having voted for the purchase of the mower/tractor, the Board has to consider a bond resolution. She read the resolution authorizing the issuance of serial bonds not to exceed \$61,000.

Attorney Chale offered to summarize the resolution after Supervisor Crane read the first part.

Councilwoman Strawinski asked why the Town was bonding instead of taking it from the DB Fund.

Attorney Chale explained that typically it is something you would include as an operating cost, she doesn't know if the Town maintains a Highway reserve.

Councilman Ross explained that we can ask Wayne that during the budget process. Generally what we've done with highway equipment is we've kept the ban or bond about equal because one is retired before we start another one. That way we are replacing on a regular basis so we don't get behind at some point.

Supervisor Crane explained that he has a five or ten year long range plan for this kind of equipment. She believes he retires bonds and bans and this one would come in as others are retiring.

Councilman Colgan stated that is good financial management strategy.

Attorney Chale explained that some communities do try to budget amounts into a capital reserve and set aside only for that purpose and use only for that purpose. As you discuss your budget you can consider establishing a reserve like that.

Councilman Ross said when you get a piece of equipment that is about \$60,000 that is the most fair way for the taxpayers. The taxpayers in theory five to ten years from now should be benefitting from this piece of equipment because we expect it to last from 10 to 15 years. You share the cost over a number of years.

Councilman Colgan added with a reasonable interest rate.

The Board discussed budgeting and bonding and what is best for the taxpayers.

RESOLUTION 2009 #42

RE: AUTHORIZING THE ISSUANCE OF SERIAL BONDS OF THE TOWN OF RED HOOK, DUTCHESS COUNTY, NEW YORK IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$61,000 PURSUANT TO THE LOCAL FINANCE LAW TO FINANCE ACQUISITION OF A TRACTOR WITH MOWER FOR HIGHWAY DEPARTMENT PURPOSES, AND DELEGATING CERTAIN POWERS IN CONNECTION THEREWITH TO THE TOWN SUPERVISOR

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

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

Copy Attached

Certificate of Appropriateness Fee – Supervisor Crane referred to the adoption of the Planning Board's application for Certificate of Appropriateness Fee. Until now they have received Certificates of Appropriateness applications without any fee, but it appears that it is not unusual for Town's to charge a minimum fee of \$50.00 or so. There is a fair amount of work involved in dealing with the Certificate of Appropriateness, not to mention out of pocket for the publishing of the legal notice of \$20.00 to \$25.00 for the Town. At the very minimum we need to cover

that. She proposed to adopt the application of Certificate of Appropriateness that says all applications should be accompanied by a \$50.00 application fee, etc.

Councilman Ross asked if it is the same application with the exception of the \$50.00 fee.

Supervisor Crane responded it is.

Councilman Ross believes we should have something like this but is \$50.00 too much when you are going from zero.

Supervisor Crane said the Planning Board agreed.

Councilman Colgan thought that \$50.00 was kind of low and he explained the time involved and the different departments involved.

Councilman Ross responded that part of that time is our responsibility as a Town. Out of pocket costs we should always have been charged. He is just throwing this out for discussion.

Councilwoman Strawinski found the fees to be anywhere from \$35.00 to \$100.00. This higher end seems to be about historic areas.

Supervisor Crane explained that if the fee is passed, it becomes part of the handout of Planning Board fees. She read the list of current fees.

Councilman McKeon wonders if the Board might consider exclusion when the certificate is being applied for clean energy alternatives in the case of solar panels for example. He doesn't think we should get in the habit of charging fees for people when we are trying to encourage people to try to do the right thing. He feels uncomfortable charging a fee. We don't tax clean air; we tax gasoline, its pollution. He'd like us to consider that exception.

Councilman Ross commented that there are two perspectives to that. Look at somebody's view shed pollution as well. He doesn't disagree, but if we do have a fee it should be levied regardless of what the certificate is for.

Councilman McKeon responded that is what the Planning Board would determine, whether it is appropriate or not to have panels in that instance on the home. He would not want to add additional costs to someone trying to do the right thing.

Councilman Colgan commented that he thinks it is a reasonable request. \$50.00 is a nominal fee.

RESOLUTION 2009 #43

RE: THE ADOPTION OF THE APPLICATION OF CERTIFICATE OF APPROPRIATENESS THAT SAYS ALL APPLICATIONS SHOULD BE ACCOMPANIED BY A \$50.00 APPLICATION FEE

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

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

Copy Attached

BUDGET ADJUSTMENTS

Supervisor Crane referred to budget adjustments provided by Business Manager Deb Marks for the Board's consideration. They would like to approve them because it would allow for a clean budget document to work with as we begin looking at the budget in the budget review sessions next month. There are two, one which she finished after meeting with Ted Eglit. In the General A Fund: total reduce revenue - \$2,312.00; total increase in revenues - \$3,680.00 ; no reduction in appropriations; increase in appropriations - \$3,563.00; offset to the fund balance - \$2,195.00. In the General B Fund: total increase in revenues - \$1,346.00; reduce appropriations - \$18,230.00; increase appropriations - \$25,606.00; offset to the fund balance appropriate- \$6,030.00. In the

Highway DB Fund – no reductions or increases. Regarding the second worksheet, done today, General A Fund: total reduction in revenues - \$15,383.00; that is moved to the DB Fund where those revenues belong. Reducing the total appropriations -\$103,048.00; (some of those moved to the DB Fund as noted on the third page); offset to the fund balance is a reduction in the appropriated fund balance - \$86,348.00. General B Fund: increase in revenues - \$8,990.00; increase in appropriations - \$8,990.00; Highway DB Fund: increase in revenues - \$6,393.00; reduction of appropriations - \$8,728.00; total increase in appropriations - \$15,121.00.

Supervisor Crane explained that the second one is an additional budget adjustment. Business Manager Deb Marks went over it with Town CPA Ted Eglit when they, Supervisor Crane and Budget Officer Rose Rider met this week.

On a motion of Supervisor Crane, seconded by Councilman Colgan moved to accept the budget adjustments as read

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

Copy Attached

The vote was taken after the following discussion:

Councilman Ross said when they start the budget process, he would love to see a clear picture of the budget as approved last fall and as it is now with the increase, decrease in appropriations and transfers.

Councilman Colgan thinks that is a good idea.

Councilman McKeon would like to get a tracking of four or five years of what our reserve balances have been.

Councilman Ross explained that they get that every year and we keep an eye on it.

REORGANIZATION

Councilman McKeon told the Board that the Planning Board hasn't met with the candidate. He asked if they could do so between now and the next Town Board meeting.

CORRESPONDENCE

Supervisor Crane received from a resident on Old Post Road N., a request to consider a three way stop at the corner of Old Post Road N. and Pitcher Lane Extension and/or at the intersection of Old Post Road N. and Starbarrack Road or a combination of both. The recent speed limit and children playing signs installed have had little effect on traffic. Supervisor Crane forwarded the request to Highway Superintendent Wayne Hildenbrand who responded that it sounds more like an issue regarding speed control. He doesn't believe that placing more stop signs in that area would be effective. If the motorists are not adhering to current signage, then he doesn't believe they would obey the stop signs. It would create a more hazardous situation. Granted there is an increase in traffic, but it is a public highway and as such open to public travel. He suggested increased patrol during peak hours. The presence of police agencies in the area can send a message to slow down and makes the public aware that the Town is monitoring the area. Should the Board decide to create a three way stop he highly recommends they employ the services of a certified traffic engineer to see if it is feasible and legal. She asked for the Boards reaction. She would ask for increased police patrol to see if that will slow things down in that area. We know they do help and that may give us time to consult with a certified traffic engineer in this regard.

Councilman Ross doesn't think that Starbarrack and Old Post Road is bad, but Pitcher and Old Post is a difficult intersection.

Councilman McKeon thinks a police patrol would help. Maybe another avenue to consider is a speed machine that tells you what speed you are travelling at.

Councilman Ross agrees; we can borrow one from the Dutchess County Sheriff. In small town's upstate, many have them built right into the signs. It often slows people down. He wonders what perspective they use when they spend the money for those signs.

Supervisor Crane will ask for additional patrols and for the speed signage. If we see no improvement she will bring it back to the Board.

Supervisor Crane received an e-mail from a representative of the granting agency for the \$90,000 grant we applied for last year through Senator Saland's office asking her to review the materials of the application for completeness and accuracy and confirm that it is correct. She was also asked to confirm that the Town does not anticipate making any announcements on growth or stability of the Town within the next thirty days. She responded to the representative because the e-mail confirmation was due tomorrow in time for the Empire State Development Board approval contingent upon the confirmation affirmation. They have it, she spoke with the gentleman and it looks like the application will be going before that Board for the St. Margaret's roof restoration next month. At least it is under consideration.

PUBLIC COMMENT PERIOD

Supervisor Crane opened for public comments.

Linda Keeling wondered if we could get a financial report regarding the cleanup day. 110 people worked that day for four hours, times \$10 is over \$4,000. Can we have a figure of the cost of the Town to pick up the bags? She also noticed that next to the bags her group packaged, there was additional material next to it that they did not pick up.

Town Clerk commented that there is still a bag on Route 199 that has not yet been picked up.

Supervisor Crane thanked Linda Keeling.

Councilman McKeon thanked her for showing up all three days this year.

On a motion of Councilman Colgan, seconded by Councilwoman Strawinski moved to adjourn the meeting at 10:01 p.m.

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

Respectfully submitted,

Sue McCann, Town Clerk