

**RED HOOK TOWN BOARD MEETING**

**March 9, 2010**

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  
Councilman Harry Colgan  
Deputy Town Clerk Claire Horst  
Absent: Councilwoman Micki Strawinski  
Councilman William O'Neill  
Town Clerk Sue McCann  
Also Present: Attorney for the Town Christine Chale  
Business Manager Deborah Marks

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

**SUPERVISOR'S REPORT**

The Supervisor's monthly report dated January 31, 2010 was read as follows: (There is a revised, reclassified \$3,000 PARKLANDS deposit and interest calculations in the report). Opening Balance - \$1,805,159.46 Receipts - \$\$343,764.86; Disbursed – \$529,207.54; Balance - \$1,619,716.78.

On a motion of Supervisor Crane, seconded by Councilman Ross, moved to accept the Supervisor's report as read.

Adopted	Ayes	3	Crane, Ross, Colgan
	Nays	0	
	Absent	2	Strawinski, O'Neill
			Copy Attached

The Supervisors monthly report dated February 28, 2010 was read as follows: (Statement from M&T Bank has not been received at print date – revised report will be forthcoming). Opening Balance - \$1,619,716.78; Receipts - \$1,733,869.20; Disbursed - \$446,734.73; Balance - \$2,906,851.25.

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

Adopted	Ayes	3	Crane, Ross, Colgan
	Nays	0	
	Absent	2	Strawinski, O'Neill
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Supervisor Crane referred to budget adjustments presented. She asked Business Manager Deb Marks to review them.

Business Manager Deb Marks explained the adjustments to the 2010 budget for the month of January, 2010 that she asked the Board to authorize.

On a motion of Councilman Ross, seconded by Councilman Colgan, moved to approve the budget adjustments as explained by Business Manager Deb Marks.

Adopted	Ayes	3	Crane, Ross, Colgan
	Nays	0	
	Absent	2	Strawinski, O'Neill

**PUBLIC COMMENT PERIOD**

Supervisor Crane opened for public comments.

*Linda Keeling* asked that the Board briefly review previous agenda items to keep residents informed.

There were no further comments.

## **ANNOUNCEMENTS**

Supervisor Crane made the following announcements:

- she received a visit from Brent Kovalchik, Village of Red Hook Trustee, who briefed her on a concern that arose regarding the sewer district to be formed in Red Hook. There was a letter from Save Our Town who submitted comments to the DC Legislature. They had been scheduled to meet but because of bad weather the meeting was postponed. There was some concern that the notification had not been properly given for the postponement of that meeting. The issue is whether or not the postponed meeting was noted. It will be placed on the Legislature's agenda for Friday, April 12 so that it meets the letter of the law. The DC Legislature will open the public hearing for formation of the county sewer district on April 12. On April 22, the last day of the 10 day period, the County Executive will sign the resolution passed by the DC Legislature. June 7<sup>th</sup> is the close of the public comment period. This sets back the schedule about two months.
- Supervisor Crane announced free tax preparation at the Red Hook site of the DC Community Action Agency. For an appointment call #211. It is a United Way number.
- Winnakee Land Trust is offering sessions on conservation easements and conservation subdivisions on March 23 at Norrie Point from 7 – 9 p.m. and April 6<sup>th</sup> at the Elmendorph Inn from 7 – 9 p.m.
- Residents will be receiving census forms. It is important to fill them out and return them.

Councilman Colgan announced the Farmers Market on March 13<sup>th</sup> from 10:00 a.m. to 2:00 p.m.

## **RECOGNITION OF CAC SCHOLARSHIP WINNER**

Supervisor Crane introduced CAC member Denise Barton who presented the DEC Summer Camp Scholarship award to Bennett Brooks, Linden Avenue Middle School student. Bennett hopes to attend Camp Colby in Saranac.

Supervisor Crane congratulated him and hopes to hear from him after his camp experience.

## **RESOLUTION TO SUPPORT CELL TOWER MONOPOLE**

Attorney Chale said we received a package from the building department and this was just referred to the engineer. She suggested waiting until we receive the engineer's report.

## **RESOLUTION TO ESTABLISH CAPITAL RESERVE FUND FOR BUILDING**

Supervisor Crane explained the resolution regarding a capital reserve fund. She, Business Manager Deb Marks, Budget Officer Rose Rider and Councilman Colgan met with Rae D'Achille, CPA who has worked for the NYS Comptroller's Office as an auditor for many years. She is willing to consult with the Town about what we believe is a sensible thing to do in light of the fact that we have a number of building issues, for example a new roof as well as sanitation and safety issues. They spoke about establishing a capital reserve fund for building. She recommended the Town do that to give us some flexibility and ongoing record of building expenditures. The first resolution would authorize the establishment of a capital reserve fund for buildings and authorizing an initial deposit of \$50,000. That would be transferred from the general fund to a capital construction/reserve fund for building improvement.

Councilman Colgan said it would be a defined reserve fund, it makes it very specific.

Supervisor Crane understood that this is the preferred methodology recommended from the NYS Comptroller's Office. She read the resolution.

## **RESOLUTION 2010 # 16**

**RE: AUTHORIZING THE ESTABLISHMENT OF A CAPITAL RESERVE FUND FOR BUILDINGS, AND AUTHORIZING AN INITIAL DEPOSIT THEREIN OF \$50,000**

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

Adopted	Ayes	3	Crane, Ross, Colgan
	Nays	0	
	Absent	2	Strawinski, O'Neill
			Copy Attached

The vote was taken after the following discussion:

Councilman Ross has no opposition to establishing the fund, but he wants everyone to realize that once that \$50,000 is in the reserve fund for building, that is its only purpose. We haven't had such a thing as this in the past. The fund balance is something the Board has the discretion to use for whatever the need may be. The advantage to having a specific reserve is it doesn't count towards the maximum percentage you are allowed in the fund balance.

Councilman Colgan said an element of the fund is that we can keep the money in the reserve with a great deal more flexibility.

Business Manager Deb Marks said there is a line in the budget for contingency. There used to be a contingency line but it was used so randomly they did away with it. She explained how the water district transfers their reserves and said this would be similar.

Supervisor Crane said Rae D'Achille suggested getting a needs assessment from the departments so that we are able to address them during the budget process. It is a matter of good financial planning.

Supervisor Crane read the resolution. She explained that this is more specific. It is a result of severe leaking we are experiencing in Town Hall. This needs to be addressed before the solar panels are installed.

Attorney Chale suggested more specific wording for the resolution. The suggestion was to review the first resolution that was voted on and start over with its consideration.

Councilman Ross read and reworded the resolution (2010 #16). The vote was taken after he read the resolution.

Attorney Chale explained that the next resolution is specifically for the roof project. A permissive referendum is not needed for the resolution previously voted on. She explained that if you want to use this money put into the reserve, you would have to have a permissive referendum to fix the roof.

Councilman Ross explained how the process would work if we did not have the capital reserve funds. He commented that now if we want to use this money for a leaky roof, we are subject to permissive referendum.

Attorney Chale explained that a repair can be taken from the general fund. The purpose of a reserve fund is to have a fund that lives from year to year to year. You put money into it and the reason for this procedure is because it crosses budget years.

Councilman Ross said we have to watch very closely how much we put away.

Attorney Chale explained that is part of capital planning. She explained the two different kinds of capital reserve funds.

Supervisor Crane said what is pertinent is that the State Comptroller's Office is asking us to start with a capital plan and an assessment over time.

Councilman Ross commented the State has audited us every year. According to their guidelines percentage wise we've always been very generous in our fund balance. They've never said we should set up a capital reserve fund.

Supervisor Crane read the resolution.

**RESOLUTION 2010 #17**

RE: AUTHORIZING THE EXPENDITURE FROM THE CAPITAL RESERVE FOR BUILDINGS NOT TO EXCEED \$20,000 FOR THE TOWN HALL ROOF REPLACEMENT PROJECT, SUBJECT TO PERMISSIVE REFERENDUM

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

Adopted	Ayes	3	Crane, Ross, Colgan
	Nays	0	
	Absent	2	Strawinski, O'Neill
			Copy Attached

**REORGANIZATION**

IT Committee - Supervisor Crane referred to a letter from Bill Moore who is interested in serving on the IT Committee. She spoke of his experience in the IT business.

On a motion of Supervisor Crane, seconded by Councilman Ross, moved to appoint Bill Moore for a two year term to expire December 31, 2011.

Adopted	Ayes	3	Crane, Ross, Colgan
	Nays	0	
	Absent	2	Strawinski, O'Neill

Farmland Protection Committee – Councilman Ross spoke to Mary Ann Johnson who is willing to Chair that committee again this year.

On a motion of Councilman Ross, seconded by Councilman Colgan, moved to reappoint Mary Ann Johnson as Chair of the Farmland Protection Committee for a term to expire December 31, 2010.

Adopted	Ayes	3	Crane, Ross, Colgan
	Nays	0	
	Absent	2	Strawinski, O'Neill

Planning Board – Supervisor Crane forwarded a letter of interest from Brian Walker to Chair Christine Kane regarding the alternate vacancy. She has not heard from Christine Kane yet.

ZBA – Supervisor Crane spoke to Trilby Sieverding about serving as alternate on the ZBA. She is willing to serve.

On a motion of Supervisor Crane, seconded by Councilman Ross, moved to reappoint Trilby Sieverding as ZBA alternate for a term to expire December 31, 2011.

Adopted	Ayes	3	Crane, Ross, Colgan
	Nays	0	
	Absent	2	Strawinski, O'Neill

Zoning Review Committee – Supervisor Crane referred to a letter from Susan Simon who is asking that the vacancies be filled so there is no longer a lack of a quorum. It will be addressed at the March 24<sup>th</sup> meeting.

Councilman Ross asked if the committees made recommendations to the ZRC. They need a representative from Ag. & Open Space and the EDC.

Supervisor Crane will send a note to Councilman O'Neill to contact Ag. & Open Space and the EDC for membership on the ZRC.

EDC – Councilman Colgan said the EDC asked that Ben Shute be appointed to fill the vacancy for a farmer.

Councilman Ross suggested the vacancy he fills be to fill the full two year term.

On a motion of Councilman Colgan, seconded by Councilman Ross, moved to appoint Ben Shute to the EDC for a full two year term to expire December 31, 2011.

Adopted	Ayes	3	Crane, Ross, Colgan
	Nays	0	
	Absent	2	Strawinski, O'Neill

Zoning Review Committee – (continued)

Attorney Chale told the Board that the ZRC could be reconstituted as they choose. This is a group intended to review issues and bring recommendations to the Board. It is up to the Town Board as to the composition of the ZRC. If the Town Board wants to revisit it to make it more practical and more functional they can do that. She explained that if they are having a problem getting a quorum, this is not a Board that necessarily needs to operate that way. This is an informal committee.

Councilman Colgan said there are two advisory members from the Villages that don't have a vote. It is frustrating for one of them who attends all the meetings that he doesn't have a vote. It would solve that quorum problem.

Supervisor Crane asked Attorney Chale if she is saying that the quorum isn't absolutely necessary in this advisory capacity.

Attorney Chale explained that it is an informal committee and the Board can decide how they want it to operate. This is a committee that was set up by resolution, not by local law.

Councilman Ross would have no problem reconstituting the committee so that the Village liaisons could vote. They are also residents of our township. He would think they should be voting members.

Councilman Colgan thinks they should be too.

Supervisor Crane thinks Susan Simon hoped the Board would feel that way and she could vote for that.

On a motion of Supervisor Crane, seconded by Councilman Ross, moved to include the Tivoli Village liaison and the Red Hook Village liaison as regular voting members.

Adopted	Ayes	3	Crane, Ross, Colgan
	Nays	0	
	Absent	2	Strawinski, O'Neill

The vote was taken after the following discussion:

Councilman Ross said rather than nine members it will be constituted as eleven members with the liaisons as full voting members.

Supervisor Crane confirmed that. She wanted to wait until there was a full Town Board to discuss the issue of whether or not to expect a quorum.

Attorney Chale suggested discussing this with the ZRC too.

**CORRESPONDENCE**

Supervisor Crane shared the following correspondence:

- A letter from Don and Karen Signor concerning their issues with the light on Route 9G and Forest Park. They would like to address the Board in public comment at the next meeting. The Signor's want to address letters, one to the DOT and a response to them from the DOT. The DOT will conduct a traffic study only after receiving official resolution by a local municipality addressed to the DOT.

Councilman Ross suggested they write to Rhinebeck because that light is actually in the Town of Rhinebeck. He has no problem supporting a resolution.

Supervisor Crane will get back to them. They are Red Hook residents who live in Forest Park.

- A letter from Jennifer Huber, a woman's history teacher. Supervisor Crane spoke with her class and the letter was in appreciation of Supervisor Crane's visit. It was a nice experience.
- The latest issue of the Barrytown Gazette has interesting local information
- Assemblyman Marcus Molinaro and Assemblyman Joel Miller will speak about the budget impact on local municipalities at the DC Legislators meeting on March 19 from 10 a.m. to noon.

Councilman Colgan asked about changing the court dates.

- Supervisor Crane spoke to the two Justices for Red Hook Town Court. They have agreed that effective May 1, 2010, that the Town Justice Court will adhere to the following schedule:

Vehicle & Traffic cases and civil cases - the first and third Thursday of every month beginning at 6:00 p.m.

Criminal calendar will be on the fourth Thursday of every month with Justice Martin's cases beginning at 4:00 p.m. and Justice Triebwasser's cases beginning at 6:00 p.m.

Court will not be held on the second or fifth Thursday of the month.

- A letter from Dr. Barry Gurland about the effort taken on behalf of the citizens in the area of the skateboard ramp to muffle those noises. It has made a world of difference. He asked to be kept informed of planning or developments that might affect them.

**PUBLIC COMMENT**

*Jeffrey May* of North Drive asked if there were any new developments on the North Drive drainage correction issue. It is his understanding that there has been discussion with the Town Engineer.

Supervisor Crane responded that they have had discussion with the Town Engineer and are still in discussion. They need further clarification about his recommendation and it is still in process.

**EXECUTIVE SESSION**

On a motion of Councilman Colgan, seconded by Councilman Ross, moved to go to Executive Session at 8:35 p.m. for the purpose of the hiring or firing of an individual.

Adopted	Ayes	3	Crane, Ross, Colgan
	Nays	0	
	Absent	2	Strawinski, O'Neill

On a motion of Councilman Ross, seconded by Councilman Colgan, moved to adjourn the Executive Session at 9:00 p.m.

Adopted	Ayes	3	Crane, Ross, Colgan
	Nays	0	
	Absent	2	Strawinski, O'Neill

On a motion of Supervisor Crane, seconded by Councilman Colgan, moved to adjourn the meeting at 9:00 p.m.

Adopted	Ayes	3	Crane, Ross, Colgan
	Nays	0	
	Absent	2	Strawinski, O'Neill

Respectfully submitted,

Claire W. Horst, Deputy Town Clerk

