

RED HOOK TOWN BOARD MEETING

March 24, 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
Councilwoman Micki Strawinski
Councilman James Ross
Councilman Harry Colgan
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.

REVISED SUPERVISORS REPORT

Supervisor Crane presented the revised report dated February 28, 2010. It was read as follows: Opening balance - \$1,619,716.78; Receipts - \$1,925,519.20; Disbursed - \$638,285.35; Balance - \$2,906,950.63.

On a motion of Councilman Colgan seconded by Councilman Ross moved to accept the Supervisors revised report.

Adopted	Ayes	5	Crane, Ross, Strawinski, Colgan, O'Neill
	Nays	0	

Copy Attached

Supervisor Crane read a letter from Earl Bruno, the Commissioner of Personnel in Dutchess County thanking her for the recently submitted payroll. It has been certified for a period of one year, until March 12, 2011. In the letter he said he sincerely appreciates the cooperation that Business Manager Deborah Marks gave during the payroll certification process.

Supervisor Crane thanked Deb Marks for taking care of payroll on time and always so efficiently. It is always nice to get recognition from the County.

PUBLIC COMMENT PERIOD

Dutchess County Legislator Ben Traudt announced that the Dutchess County Legislature is having a forum on adolescent mental health. It will be on Saturday, April 17 at St. Christopher's School from 10:30 a.m. to 3:00 p.m. Daycare will be provided. He also announced that the next public hearing on the intermunicipal sewer project is on April 12, 7:00 p.m. at the regular meeting of the D.C. Legislature.

Robert McKeon acknowledged two NYSERDA grants the Town has been awarded. He asked permission to hold another Town cleanup on Saturday, April 17 from 1:00 to 5:00 p.m.

Supervisor Crane said the Town did receive notification from NYSERDA today regarding the grants. We also received notification that the grant proposals submitted for the St. Margaret's project was not selected. The Town will continue pursuing funding for that project. She thanked everyone for the proposals that were successful.

Councilwoman Strawinski commented that the CAC continues to be a shining star for Red Hook. She listed their accomplishments and thanked all involved.

ANNOUNCEMENTS

Councilwoman Strawinski announced various events occurring Red Hook.

MOTION TO SUPPORT NYS DOT TRAFFIC STUDY AT ROUTE 9G & FOREST PARK, RHINEBECK

Supervisor Crane referred to a letter from Karen and Don Signor from Forest Park. Their letter was addressed to the Town Board but in fact the traffic light they are concerned about is in the Town of Rhinebeck. The information was forwarded to Rhinebeck.

On a motion of Supervisor Crane seconded by Councilwoman Strawinski moved to support the Signor's concern for a change in the traffic light that would provide signaling to the left at the light at Route 9G and Forest Park.

Adopted Ayes 5 Crane, Ross, Strawinski, Colgan, O'Neill
 Nays 0

RED HOOK PUBLIC LIBRARY – BARRY RAMAGE

Supervisor Crane introduced and welcomed Barry Ramage, President of the Red Hook Public Library.

Barry Ramage explained that he is the President of the Board of Trustees and gave an overview of what is happening at the library. He introduced the new full time Director, Sue Hoadley.

Sue Hoadley told the Board that she looks forward to working with everyone in the community.

Barry Ramage explained that a grant was obtained for "The Big Read" to be held in Red Hook this year. The novel is the Great Gatsby and the program will start May 15. He encouraged everyone to look at the website which holds all of the information. Anyone interesting in volunteering can contact the library. He recognized Loretta and Frank Campagna and Sandy Martin who along with the Friends of the Red Hook Library are coordinating this event. The key reason for being at this meeting is to inform the Board of the construction project at the library that will enable them to have access to all floors of the library including handicapped access. He explained the plans for use of the building. Peter Sweeny is the architect who designed the addition that conforms to the integrity and design of the structure.

Peter Sweeny presented the details of the library addition. He gave the schematic to the Board and explained the plans.

Councilman Colgan asked if he had a sense of when they are going to start.

Peter Sweeny responded they've generated bid documents that are out for bid now and are due back next week.

Councilman Colgan asked about a time line of when to expect to break ground and the grand opening.

Peter Sweeny responded that contractually they set up an eight month construction window.

They would probably start within six weeks assuming they get appropriate bids, or maybe even a few months.

The Board asked questions of Peter who gave an overview of the plans.

Councilman O'Neill asked how the project is being funded.

Barry Ramage responded that they obtained a construction grant for a portion of it and in addition, they have a capital fund they are using that will finance a construction loan through a local bank.

Supervisor Crane asked about the length of the capital plan.

Peter Sweeny responded that the first year they will do the addition at the ground floor, and then hopefully proceed next year to the second floor and potentially the third floor. They are looking at the potential for grants and capital funding projects. Funding is tight these days so that will be the limiting factor. In broad terms they hope to have it completed in three years.

Supervisor Crane thanked them for their presentation.

CDBG – LINDEN AVENUE SIDEWALKS – DAN WHEELER

Supervisor Crane introduced Town Engineer Dan Wheeler who was in attendance to talk about the CDBG for the year 2009, whose construction will take place this spring. This is the project that the Town applied for jointly with the Village of Red Hook to allow for sidewalks from Park Avenue in the Village down Linden Avenue to the Recreation Park. Local residents and the DOT expressed the need for safety measures there. Planning for this started last year and construction will be completed this year.

Town Engineer Dan Wheeler gave the Board a copy of the correspondence between himself and Joe Kelly, Deputy Director of Engineering in the County. Dan explained there is one minor correction to make and he doesn't expect any problems. He is waiting for comments from Joe Kelly. Some cursory issues have already been addressed.

Supervisor Crane asked for a time frame.

Dan explained that if the comments from Mr. Kelly come back to him in the next week or so they can probably put this out by the end of April. He said the comments are kind of minor. The drawings he supplied are for convenience they are not to scale.

Supervisor Crane asked if we go out to bid at the end of April what the timing is.

Dan responded that it is usually 2 ½ to three weeks, then they take another week to review them. They will be lifted sidewalks. He answered questions regarding the dimensions of the sidewalk and addressed some concerns the Board had.

Supervisor Crane asked what it would take from the Town and Village offices to get a response from Mr. Kelly.

Dan suggested just giving him a call.

Attorney Chale will look at the bid documents Dan prepares.

Councilwoman Strawinski suggested asking people in the assembly if they had any questions.

Robert McKeon asked about guard rails and if they are going to be provided.

Supervisor Crane responded no they are not.

Councilman Colgan responded that there will be an eight inch curb.

Supervisor Crane said the curb is eight inches and that is the safety feature compared to what exists today that was put in by the County a number of years ago, which is level.

The Board continued discussion regarding the sidewalk and guardrail issue.

Councilwoman Strawinski commented that in their discussions they talked about doing either the raised sidewalks or the flat sidewalks with guardrails. Those were our choices.

Dan Wheeler said initially the sidewalks would be flush. As the plans were submitted, he was told to raise the sidewalks.

Councilman Ross asked if, with the sidewalks being raised, we will still come within the grant.

Dan Wheeler responded yes.

Attorney Chale asked if there is formal agreement between the Village and the Town about managing the contract.

Dan responded that to the best of his knowledge, no. He thinks that came up before so he will check on it. He explained the work involved in changing the sidewalks from flush to raised.

NOISE ORDINANCE DISCUSSION

Supervisor Crane said this discussion arose from a situation that has come to her attention from a number of residents from time to time, most currently from someone who complained about noise in the context of loud music well into the night. She asked Attorney Chale to speak briefly about a noise ordinance as it relates to Town Law and what can be done about it.

Attorney Chale explained that the Town does have a noise provision in the zoning law, it's a decibel provision. The Town also adopted a specific provision about dogs barking. It is possible to adopt a more specific noise law that regulates unreasonable noise. Tivoli adopted a law like that. It is an additional tool to use.

Councilman Colgan said if the noise can be heard inside someone else's home it is excessive.

Attorney Chale said that is an example. There are exceptions and there are quiet hours.

Councilman Ross asked Supervisor Crane about the complaints.

Supervisor Crane responded they've been in regard to loud music well into the night. The concern is if this goes on into the summer when windows are open what will they experience.

Councilman Ross asked what an ordinance would say.

Supervisor Crane responded that is what she is trying to probe. What can be done? Is it a matter of the resident calling the Sheriff to call upon the person causing the noise? She would like to know what to tell those people who are complaining. If we are hearing complaints in February, what will we hear in the summer when windows are open? If it is not enforceable it doesn't help to have an ordinance.

Councilman Ross suggested reviewing our present ordinance first.

Attorney Chale doesn't think the issue is legal enforceability, she thinks it is a question of practicality and availability of decibel meters at the time and place. That is her understanding.

Councilman O'Neill asked why not have our Code Enforcement Officer confront them and check with our zoning code to see what he can prepare as far as a violation of our existing zoning ordinance.

Attorney Chale responded the zoning code is there, your Building Inspector could use a decibel meter, and if you were going to ask him to do that he should be accompanied by an officer.

Councilwoman Strawinski asked if there was any meaningful dialogue between the two parties.

Councilman Ross doesn't think passing ordinances is the right thing to do because two neighbors can't get along.

Supervisor Crane said it isn't a case of near neighbors. It is younger people who are leading a different life style from residents that go to bed early. She doesn't think there will be a meeting of the minds with two different lifestyles by discussion. We need to have some measure if calling them up doesn't work. What are the other alternatives?

Councilman Ross suggested looking at our existing ordinance and looking at Tivoli's as well.

The Board can look at them and see if there is anything they want to do at all.

Councilwoman Strawinski asked Chief Truitt if there was anything he wanted to add. Red Hook Village Police Chief Jim Truitt responded that he's enforced noise ordinances for a long time. He's never seen anyone carry a decibel meter yet. Sometimes when a person calls to complain they can hold the phone from their ear and the dispatcher can hear it. That would certainly be considered unreasonable. There are usually provisions for hours. Usually the police would go and ask them to turn the music down, they would get information about who resides there and what the circumstances are and make sure there are no underage drinking issues or anything like that going on. In most cases they would turn the music down and that's the end of that. If the police have to go back and the music is louder than it was before, then they would take action. It generally never comes to that.

REORGANIZATION

EDC – Councilwoman Strawinski heard from Theresa Haney and Chris Clark that they would both like to be reappointed.

On a motion of Councilwoman Strawinski seconded by Councilman Ross moved to reappoint Chris Clark and Theresa Haney terms to expire December 31, 2011.

Adopted	Ayes	5	Crane, Ross, Strawinski, Colgan, O'Neill
	Nays	0	

Councilwoman Strawinski received a letter of interest from Chris Klose who attended the last EDC meeting.

On a motion of Councilwoman Strawinski seconded by Councilman Colgan moved to appoint Chris Klose to the EDC term to expire December 31, 2011.

Adopted	Ayes	5	Crane, Ross, Strawinski, Colgan, O'Neill
	Nays	0	

Town Clerk Sue McCann asked the status of Paul Fredricks.

Councilwoman Strawinski responded that he did not send in a letter of continued interest. Councilman Colgan was mistaken when he said Doug Dundas moved. He saw him and he said he'd like to continue on the ZRC.

Senior Services Committee – Councilwoman Strawinski received an e-mail from Chair Andrew Kehr saying that Jennifer Fivelsdal, Carl Dowden, Jean Duntz, and Betty Bader would like to continue serving.

Supervisor Crane mentioned that Judy Carr was also interested.

On a motion of Councilwoman Strawinski seconded by Supervisor Crane moved to reappoint Jennifer Fivelsdal, Carl Dowden, Jean Duntz, Betty Bader and Judy Carr terms to expire December 31, 2011.

Adopted	Ayes	5	Crane, Ross, Strawinski, Colgan, O'Neill
	Nays	0	

Planning Board – Supervisor Crane has not heard from the Planning Board regarding the alternate Brian Walker. He's written to ask the status of his letter of interest. She'd like him to meet the Town Board at the very least.

Councilwoman Strawinski referred to a letter of interest for the Assessment Review Board.

Supervisor Crane left a message with Town Assessor Jeff Churchill to ask him to come to the next Town Board meeting to give a recommendation for appointment to that Board. He will be at the April 13th meeting. He and Carl Dowden will be meeting and interviewing.

Councilwoman Strawinski said the Community Preservation Fund Committee has a vacancy to be filled.

Supervisor Crane told her we have not gotten letters of interest for that Committee.

Councilwoman Strawinski said there are three vacancies on the St. Margaret's Committee.

Supervisor Crane told her that St. Margaret's Chair Paula Schoonmaker is working on that.

DEPARTMENT REPORTS

Business Manager – Business Manager Deborah Marks said the information she had was included in the revised report, the actual receipt of the franchise tax.

Budget Officer – Budget Officer Rose Rider explained that she's been meeting with Supervisor Crane and Business Manager Deb Marks to review a process for multi-year capital planning. The document they used to begin this process is from the Office of the NY State Comptroller and defines the steps necessary to successfully implement such a plan. The development follows seven steps. After development the plan would be used to determine the amount needed for capital equipment each year for budgeting purposes.

Building Inspector & Code Enforcement – Supervisor Crane read the monthly report prepared by Code Enforcement Officer Steve Cole and Zoning Enforcement Officer Bob Fennell. It included a permit report, daily inspection report, complaints report and permit fee report with details for the month of March.

Councilwoman Strawinski said as the Board thinks about the budget, this office is one they went round and round about during the budget process as to whether there is a need for the amount of staffing. In order for her to understand what they are doing and to justify the level of staffing, she asked if they could quantify the amount of time it takes for them to do some of the things in their report. She continues to be concerned about the level of staffing in their office. Supervisor Crane suggested to Councilwoman Strawinski that she meet with the Building Inspector and Code Enforcement Officer and report back to the Board next month as to whether or not she is satisfied after having talked with them about it.

Highway Department – Highway Superintendent Bucky Coon reported that everything is going well. They've been sweeping the streets, raking sides of the roads, patching pot holes and doing brush and storm cleanup.

Councilwoman Strawinski asked him if there is anywhere residents can bring brush. Highway Superintendent Coon responded that he wants to set up a day for residents to bring brush here but we don't have anywhere to dump it ourselves. Attorney Chale said if the Town was going to set up a chip recycling area you'd have to find an appropriate location and it would have to be regulated. You could look into it.

Recycling – Councilwoman Strawinski read the report prepared by Recycling Manager, TJ Hackett. The Town Clerk's office was opened one Saturday in February and 72 recycle stickers were sold even with the bad weather. He suggested opening another Saturday to sell them. The roadways at the center of the recycling center are in need of grading and perhaps some crushed stone. He suggested placing "no dumping" signs at both gates. Recently they cited a gentleman who had been dumping outside of the gates for the last year.

Water Department – Councilman Ross summarized the report prepared by Water Department Chair Hank VanParys. He read the filtration and chlorine status. Bard College will be using Town water while their system is being updated. Modifications to the tank level control system have been completed. A full hydrant flushing is scheduled for the week of April 19th. Purchasing Agent Ted Kudzy is preparing an RFP for the water storage tank inspection. The 2009 annual water quality report will be included in the next water bill. The water department is considering replacing meters with very high readings because we've had three meter failures.

COMMITTEE REPORTS

Ag. & Open Space Committee – Councilman O'Neill said they completed the survey for landowners in the Ag. Business District mailed it out and they are due to be returned by April 5.

CAC – Councilwoman Strawinski read the report prepared by CAC Chair Brenda Cagle. They will have a table at the Earth Day event at the Dutchess County Fairgrounds. The CAC is continuing with the vernal pool study. Letters to the landowners have been sent out.

Disaster Preparedness Committee – Supervisor Crane referred to a memo from Linda Stoddard, Supervisor’s Assistant, that the Town’s Emergency Action Plan is 99% updated. She is waiting for some return calls. The plan will be finalized by the April 13th meeting.

EDC - Councilwoman Strawinski referred to a copy of the agenda of their last meeting. She explained their long term and short term goals. Committee structure was discussed. They will now have a quorum as a result of tonight’s appointments.

Intermunicipal Task Force – Chair Councilman O’Neill explained that the survey regarding the Ag. Business District is attached to his March 22 report. The surveys are to be returned by April 5. The sewer project is being monitored.

Recreation Commission – Recreation Commission Chair Doug Strawinski reported that the park is coming alive. They’ve picked up debris from the storm and opened the restrooms. The ball fields and the walking track have been prepared. Baseball and softball practices have begun. The snack bar plans to open April 1st. He invited the community to a tree dedication for Gordie Mergendahl and Bob Bowman on April 24th at 10:00 a.m. in front of the Recreation Park sign.

St. Margaret’s Committee – Chair Paula Schoonmaker reported that Town Historian J. Winthrop Aldrich will draft the language for an historical marker for the property subject to approval by the Town. He will pay for the marker. They plan to meet with Dick Wambach to develop a web page for St. Margaret’s. Regarding Hardscrabble Day, they are jotting down ideas for a display table to get information out about the St. Margaret’s project. Five submittals from interested architects were received for the Preservation Architect job. They are being reviewed.

Senior Services Committee – Councilwoman Strawinski read the report prepared by Chair Andrew Kehr. Senior programs at the Recreation Park are a work in progress. There will be a Medicare informational meeting on Tuesday, April 20 from 6:30 to 8:30 p.m. AARP Tax Aid foundation provides free tax assistance to seniors every Thursday from 9:00 a.m. to noon. Appointments must be made.

Trails Committee – Councilwoman Strawinski presented the report. They welcomed Vicky Perry as a new member. Discussion continued on efforts to hold a trails promotion event on River Road. Plans for the event were amended and they are planning a bike ride route within and near the limits of the Village of Red Hook. The date is Sunday, May 16th from 1:00 – 3:00 p.m. Other events at the Recreation Park are being planned. Vicky will prepare promotional material and a map for the event and John Kuhn will arrange for simple food and drinks. An additional event organizational meeting will be held on March 21 at 9:30 a.m. at Town Hall. The next regular meeting is April 1 at 7:30 p.m. at Town Hall.

Tree Preservation Committee – Supervisor Crane read the report prepared by Chair Nancy Guski. Their plans for spring planting and Arbor Day are in motion. Eleanor Friery, school liaison, will be working with Mill Road School during the week of April 19 with an Arbor Day program she established last year. There will be an Arbor Day poster contest for grades K-2 and 3-5. Classes that read four books about trees will receive a native tree or shrub to be planted on the school grounds in their honor. She will also be speaking to classed about tree biology. Classes will be encouraged to “adopt” a tree. There will be an Arbor Day celebration at the Recreation Park on May 1st from 10:00 a.m. to noon. The “Who Cares” club at Linden Ave. Middle School will help clean the “Wetlands Walk”, plant two crabapple trees and replace any plantings along the Sawkill that did not make it through the winter. A tree scavenger hunt is planned. Free seedlings will be given out with tree information. Two trees on Rockefeller Lane and possibly one on Pitcher Lane might be planted. The committee is working with interested teachers at Mill Road School and the K-2 BLT to update the Woodland Nature Trail and restore a mowed field. Two grants were submitted to help support the project. There are tentative plans to attend the Tree City USA Community Forestry Recognition Ceremony in Albany on April 1 from 9:30 a.m. to 2:30 p.m.

Zoning Review Committee – Chair Susan Simon said they did not have a quorum at the March 11th meeting. She thanked the Board for voting to have the alternates be able to vote. There will be a meeting on April 8th. They need a representative from the Ag. & Open Space Committee.

Councilman O'Neill told her that the Ag. & Open Space Committee is going to talk to Lindsey Shute about being their representative on the ZRC.

Councilwoman Strawinski announced that Apple Blossom Festival will be on May 8th.

Police Report – Chief Truitt reported that they had the mass casualty drill at Bard College and it went very well. He appreciates all the help they received.

CORRESPONDENCE

Supervisor Crane received the following correspondence:

- Letter from Ronald Foster inquiring about the renovation at the Red Hook library.
- Letter from a resident from the area of Read Road asking for around the clock police protection.
- Letter from Linda Page regarding the noise ordinance.

PUBLIC COMMENT PERIOD

Susan Simon commented that as a Red Hook representative to PANDA 23, she would like to thank the Town Board and the residents of Red Hook for the 2010 required contribution to PANDA. The station is doing well. Their web address is: www.PANDATV23.org.

Supervisor Crane asked her to take a message to the PANDA Board regarding the Time Warner negotiations. Some of the Towns contributed \$2,000 to support the Buske Group negotiations with Time Warner. As far as she knows nothing has happened. She asked Susan Simon to get back to the Town as far as what we can do to see that something does happen. What does the PANDA Board want the Town to do? We need those negotiations to move forward.

Susan Simon will deliver the message to the PANDA Board and will get back to the Town. She agrees with Supervisor Crane that should be negotiated.

Robert McKeon announced that volunteers for cleanup day will meet at the Elmendorph. He thanked the members of the community who supported the Farmers Market.

On a motion of Supervisor Crane, seconded by Councilwoman Strawinski for discussion, moved to go to Attorney/Client and Executive Session for contract negotiations and the hiring and firing of particular persons or person.

Adopted	Ayes	5	Crane, Ross, Strawinski, Colgan, O'Neill
	Nays	0	

The vote was taken after the following discussion:

Councilwoman Strawinski asked about item number 2 on the agenda. How does it fall under Executive Session with the rules of right to know?

Supervisor Crane responded that it is regarding police contracts.

Councilwoman Strawinski asked which topic it falls under?

Supervisor Crane responded negotiating contracts.

They continued to discuss whether it is appropriate business to be doing in Executive Session.

Attorney Chale explained it should be discussed in Executive Session.

Supervisor Crane asked Councilwoman Strawinski if she wanted to object going into Executive Session.

Councilwoman Strawinski responded that she just wants to make sure that we are following the open meetings law.

Attorney Chale explained the reason for going to Executive Session.

On a motion of Councilwoman Strawinski seconded by Councilman Ross moved to close the Executive Session at 11:30 p.m.

Adopted	Ayes	5	Crane, Ross, Strawinski, Colgan, O'Neill
	Nays	0	

On a motion of Councilman Colgan seconded by Councilwoman Strawinski moved to authorize negotiation and final contract with Stephen Tilley as the Preservation Architect for St. Margaret's Home.

Adopted	Ayes	5	Crane, Ross, Strawinski, Colgan, O'Neill
	Nays	0	

On a motion of Supervisor Crane seconded by Councilwoman Strawinski moved to authorize the Supervisor to contact the Sheriff's Office and to reduce the special patrols for the months of April, May and June at which point we will revisit.

Adopted Ayes 5 Crane, Ross, Strawinski, Colgan, O'Neill
 Nays 0

On a motion of Supervisor Crane seconded by Councilwoman Strawinski moved to authorize Purchasing Agent Ted Kudzy to research an RFQ for an Auditor.

Adopted Ayes 5 Crane, Ross, Strawinski, Colgan, O'Neill
 Nays 0

On a motion of Councilman O'Neill seconded by Councilman Colgan moved to authorize the appointment of James P. Kelly to be the Special Prosecutor for a period of six months at a fee of \$250 per session, projected proposal by the court of two sessions a month, for the purpose of prosecuting vehicle and traffic cases in the Town of Red Hook beginning May 1.

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

On a motion of Councilwoman Strawinski seconded by Councilman Colgan moved to adjourn the meeting at 11:35 p.m.

Adopted Ayes 5 Crane, Ross, Strawinski, Colgan, O'Neill
 Nays 0

Respectfully submitted,

Sue McCann, Town Clerk