

RED HOOK TOWN BOARD MEETING

June 8, 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: Deputy Supervisor Robert Latimer
Councilman James Ross
Councilwoman Micki Strawinski
Councilman Harry Colgan
Councilman William O'Neill
Town Clerk Sue McCann
Absent: Supervisor Sue Crane
Also Present: Attorney for the Town Christine Chale

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

SUPERVISOR'S REPORT

The Supervisor's report dated May 31, 2010 was read as follows: Opening Balance - \$3,123,863.87; Receipts - \$525,488.92; Disbursed - \$768,779.63; Balance - \$2,880,573.16. Business Manager Deb Marks presented budget adjustments. In the General A. Fund: total increase in appropriations - \$2,488.00; offsetting it by appropriating the fund balance - \$2,423.00. In the Water Works O&M SW Fund and Other Funds there is a total increase in appropriations: \$2,700.00; offsetting it by appropriating the fund balance - \$2,700.00. Business Manager Marks told the Board that she received the first installment of our mortgage tax from the period of October 1, 2009 to March 31, 2010. The check was in the amount of \$96,861.95.

TOWN CLERK'S REPORT

The Town Clerk's report for the period May 1, 2010 to May 31, 2010 was read as follows: Total local shares remitted to the Supervisor - \$1,145.25; amount remitted to County Treasurer for dog licenses - \$73.50; amount remitted to NYS Ag. & Markets - \$12.00; amount remitted to NYS Department of Health for Marriage Licenses - \$90.00; amount remitted to NYS Environmental Conservation - \$886.25. Total State, County & Local revenues - \$2,207.00. Town Clerk Sue McCann read a piece of correspondence she received from Dutchess County Board of Elections. The Board of Elections plans an open house and public forum to introduce the new voting machines. The first open house is June 14 at the Board of Elections on 47 Cannon Street in Poughkeepsie. There is a list of other places where they will have an introduction to the machines. The Town website has a link to the Board of Elections website which has a list of dates and places of the forums.

ANNOUNCEMENTS

Deputy Supervisor Latimer made the following announcements:

- There will be a Public Hearing on June 10th, 2010 at 7:30 p.m. on the Draft Generic Environmental Impact Survey and Comprehensive Plan Amendments at Red Hook High School
- Barbara Murray, nominated by the Town of Red Hook and the Red Hook Central School District, won the Dutchess County Professional Teacher Award for 2010.
- N.Y.S. Public Service Commission has a summer public awareness campaign to use less energy. For more information go to: www.askpsc.com or call (315)428-5183.

Councilwoman Strawinski announced the following:

- The Northern Dutchess Alliance will meet on June 16th, 2010 at Watts De Peyster Hall in Tivoli. Their public forum series is "Strengthening Protection of Our Historic Sites"
- She received information from Bard College regarding "Replace Your Appliances". The CAC is working on this project.

On a motion of Councilman Ross seconded by Councilman Colgan moved to accept the Supervisors report as read along with the budget adjustments which were read by Business Manager Deborah Marks.

Adopted	Ayes	4	Ross, Strawinski, Colgan, O'Neill
	Nays	0	
	Absent	1	Crane

PUBLIC COMMENT PERIOD

Linda Keeling asked if the Town has been notified of the new population of Red Hook.

Town Clerk Sue McCann responded that she has not been notified yet. As far as she knows the census workers are still going door to door.

Linda Keeling questioned if everyone was counted including non permanent residents.

OPENING OF BIDS FOR TOWN HALL ROOF REPLACEMENT

Deputy Supervisor Latimer announced the bid opening. The Town of Red Hook requested quotations to replace the roof of the original Town Hall building circa 1985 at 7340 S. Broadway in Red Hook. The following two bids were received and opened by Town Clerk Sue McCann:

J & A Roofing

Kingston, NY \$26,845.00 plywood if required - \$1.50 per square foot

B/T General

Germantown \$18,000.00 plywood if required - \$1.80 per square foot

The bids will be forwarded to Purchasing Agent Ted Kudzy for review and recommendations.

COMMUNITY DEVELOPMENT BLOCK GRANT 2009 UPDATE – DAN WHEELER

Deputy Supervisor Latimer introduced Town Engineer Dan Wheeler who was there to give an update on the CDBG regarding sidewalks from Park Ave. to the Recreation Park on Linden Ave.

Town Engineer Dan Wheeler explained that D.C. Dept. of Public Works was sent the revisions and he expects the final answer from them in the next day or two. He explained some of the changes. The elevation of the sidewalk is six inches, not eight inches. There is no guide rail and the drainage has been changed. Things are moving along pretty well. Because they changed the drainage system they are waiting to hear from the DEC but they don't anticipate any problems.

They will meet with the landowner this week and Dan will prepare the EAF.

Councilman Colgan asked what happened to the guide rail.

Dan Wheeler explained that Dutchess County Department of Public Works did not want it.

Councilman Colgan asked their logic.

Dan Wheeler couldn't answer but suggested he call Joe Kelly of the DCDPW.

Councilman Colgan referred to a conversation about having a level sidewalk and guide rail so that water would run off.

Dan Wheeler suggested he talk to Joe Kelly about that also.

Councilman Colgan is under the impression that snow removal of the sidewalks is falling to the Town.

Dan Wheeler responded yes.

Councilman Colgan said the County plows that road.

Dan Wheeler suggested reviewing the maintenance agreement. He thinks the Highway maintenance agreement says the Town and the Village will be responsible for that. The Town does not want to do it but the Village has a local law that says you must clear your sidewalks. Part of the sidewalks fall in the Town and part in the Village. There is discussion about perhaps not clearing that during the winter because it would not be used.

Attorney Chale thought that Joe Kelly was requiring that the Town and Village agree to maintain the sidewalks including the removal of snow and ice. It is not her understanding that it is an option and she thinks that needs to be clarified.

Dan Wheeler thought that was in the highway work agreement but he will get it clarified. The Town clears the Route 9 sidewalk. He will clarify the issue with Mr. Kelly.

Councilman Colgan questioned the time line of the grant.

Dan will verify it but his understanding is that it is the end of August. Historically as long as we have our RFP's out by the deadline it is ok. He will clarify that.

Attorney Chale wanted to review the terms of the intermunicipal arrangement. For discussion, she provided a draft intermunicipal agreement. The Village would have to look at it and everyone would have to agree. The draft would authorize the Town to administrate the project. Issues have to be decided on before moving forward. There are also provisions for approving the design that should be approved by both parties. In terms of maintenance, she thought the Town would be responsible for its portion and the Village for theirs. She referred to the two draft resolutions that contained language from Joe Kelly, DCDPW.

Councilman O'Neill added that Dan's expenses come out of the CDBG Fund.

APPLICATION RECEIVED FOR CONSERVATION EASEMENT – 28 STONYBROOK ROAD, TIVOLI

Deputy Supervisor Latimer asked if any of the Board members reviewed the application.

Councilman Colgan read it.

Deputy Supervisor Latimer understands that there are some questions about this application. It is approximately 25 to 26 acres and there are questions about management of the easement and it is going to be proposed for the Board's consideration.

Councilman Colgan said the management is related to the law. The first step is to go to the Planning Board.

Town Clerk Sue McCann informed him that it went to all appropriate places and that everyone got a copy of it. The CAC reviews it and the Planning Board reviews it and they make recommendations. In 2007 the same owners put in for another conservation easement for a different piece of property. Town Clerk McCann spoke to CAC Chair Brenda Cagle who thought they pulled the application and she reviewed her minutes. Sarah and Peter Sweeny submitted a withdrawal for that initial application in 2007 and want to proceed with this new one. They also have to file a map with that application which they have not done.

DISCUSSION: AMENDMENT TO LOCAL LAW NO. 1 – 2010

Deputy Supervisor Latimer explained that this relates to the mailing to residents via certified mail for proposed zoning changes.

Councilman Colgan commented in terms of looking into our law which says that any action with zoning requires that people within 200 feet of that zoning map change will be notified by certified mail. He explained the discussions he's had with various people including the post office about certified mailings. Certified mail would cost \$5.50 per notification. First class mail costs .44 cents. If it is not deliverable it will be returned to us or forwarded but we will not know that. There are a number of other services available. He explained the other services the post office offers. He is inclined to think that the Town can do the notification appropriately without using certified mail.

Councilman Ross asked Councilman Colgan what the post office calls it when they handle it.

Councilman Colgan did not talk to the post office he talked to somebody who deals with mailings. He doesn't know what it is called. You give the post office an electronic spreadsheet and they do it. It is all done through the internet sent to a central post office.

Councilman Ross wants the stamp to be a first class stamp at the very minimum.

They continued to discuss the issue.

Councilman Ross would like to decide on this tonight. He is a firm believer in mailing the notification to every property owner concerned. He can agree with first class mailing.

Councilman Colgan thinks it would have to be an immediate delivery as first class would be. It would save a lot of in house work to do it the electronic way. He will find out precisely how the process works and what it looks like.

Attorney Chale asked what they want the local law provision to say.

Councilman Colgan is inclined to say US Mail.

Councilman Ross could go along with First Class US Mail.

The Board continued to discuss the issue of what type of mailing to use.

Councilman Ross said something has to be done soon because of the upcoming public hearing.

Attorney Chale suggested a public hearing about changing the mailing requirement.

Councilman Ross suggested having a public hearing on modifying the present zoning to First Class US Postage.

Councilman Colgan agreed. One thing he was told is that the electronic way is also first class mail.

Attorney Chale clarified that the motion would be to modify the proposed local law so that rather than repealing the section 143-142A3 in its entirety, instead you would replace the language with the following:

In the case of a proposed Zoning District Map amendment: by providing a copy of such notice by First Class US Mail to both the owners of property directly affected by the proposed Zoning District Map amendment and those owners of property which either abuts or lies within 200 feet of lands affected by the proposed amendment, as such names appear on the last completed tax roll of the Town.

The only change in that section then would be from Certified Mail to First Class Mail.

Councilwoman Strawinski announced that the Economic Development Committee is looking for three members who should be residents of the Town of Red Hook. If anyone is interested they should send a letter of interest to Town Clerk Sue McCann.

CORRESPONDENCE

Deputy Supervisor Latimer shared the following correspondence:

- A letter from Scenic Hudson to Mr. John Feller of Oriole Orchards regarding the 2010 conservation easement monitoring report. They observed conditions on the property that are not in compliance with terms of the easement and they request a trash pile be removed and disposed of as soon as possible. A description, location and photo of the property were attached.

Attorney Chale explained that the correspondence is just for the Board's information.

Councilwoman Strawinski asked how many easements the Town monitors.

Attorney Chale thinks maybe ten; she did not know the exact number. The Town has a handful of term easements that are not being monitored by a third party.

Councilman Ross said the Town Board should sit down with Steve Cole from the Building and Zoning Department.

Councilman Latimer asked if the Board was satisfied with Scenic Hudson's attention to the above letter thus far.

The Board agreed they are satisfied.

PUBLIC COMMENT PERIOD

Marcy Appell commented that as far as the conservation easement, it is Scenic Hudson's responsibility.

Councilman O'Neill would like to set a second Public Hearing for July 7th. He asked the Board to think about that date in order to announce it at the first Public Hearing.

Attorney Chale explained that technically the Town Board could decide to continue the Public Hearing. There will be another Public Hearing on the Comprehensive Plan.

EXECUTIVE SESSION

Deputy Supervisor Latimer asked the Board to consider moving into Executive Session for the purpose of the hiring or firing of a particular individual or individuals.

Councilmen O'Neill and Colgan would like a full Board for the particular discussion.

On a motion of Councilman Colgan seconded by Councilwoman Strawinski moved to adjourn the meeting at 8:40 p.m.

Adopted	Ayes	4	Ross, Strawinski, Colgan, O'Neill
	Nays	0	
	Absent	1	Crane

Respectfully submitted,

Sue McCann, Town Clerk