

RED HOOK TOWN BOARD MEETING

March 23, 2011

A meeting of the Town Board of the Town of Red Hook, Dutchess County, New York was convened in public session at the Town Hall, 7340 South Broadway, Red Hook at 7:30 p.m.

Present: Supervisor Sue Crane
Councilman James Ross
Councilwoman Micki Strawinski
Councilman Harry Colgan
Councilman William O'Neill
Town Clerk Sue McCann

Also present: Attorney for the Town Christine Chale
Art Collings, Dutchess Land Conservancy
Cari Watkins-Bates, Scenic Hudson

Supervisor Crane welcomed everyone to the meeting and opened with the Pledge of Allegiance. She explained the items on the agenda and the public hearing regarding the W. Kerley Corners Road PDR. She spoke of the devastation in Japan and asked everyone to keep them in their prayers. The Town lost many friends in recent weeks and we will remember them as we move forward. One particular man is Bill Lewis who was a Silver Star recipient, served in the Korean War and did a lot for the Town of Red Hook. He will be missed.

ANNOUNCEMENTS

Town Clerk Sue McCann announced the NY State Open Burning regulations state that there is no burning of brush from March 16 through May 14. Open burning is the single greatest cause of wild fires in NY. The DEC recommends recycling all appropriate materials and composting organic kitchen and garden waste.

Councilwoman Strawinski announced the following:

- Spring Fling at Bard College multi-purpose room from 4:00 to 10:00 p.m. on March 26.
- The winter market continues on April 2 and 16 from 10 to 2:00 p.m. at the Elmendorph.
- April 29 at the Red Hook Firehouse is a kickoff cocktail party for the newly formed Red Hook Community Arts Network. It is free and begins at 6:00 p.m.

Supervisor Crane explained that the Town applied for a NYSERDA grant for an energy consultant to try to give some visibility to energy conservation and measures that are going to be on the cutting edge. We received the grant for full time energy consultant Anne Marie Hirschberger for a year beginning April 1.

PUBLIC HEARING CONTINUATION – PURCHASE OF DEVELOPMENT RIGHTS PROJECTS AT WEST KERLEY CORNERS ROAD IN THE TOWN OF RED HOOK

Supervisor Crane opened the Public Hearing at 7:45 p.m. She introduced Art Collings from Dutchess Land Conservancy and Carrie Watkins-Bates from Scenic Hudson and thanked them for their help sorting through the proposal. The question is if the Town Board will agree to support an application sponsored by Dutchess Land Conservancy and Scenic Hudson to the federal government. The government will support 50%, the Town would support 25% and the rest would be supported by Scenic Hudson. During the initial public hearing they talked about a property whose owners modified their application. The committee which advises the Board and does the ranking asked if they could take another look at that property. That committee met, evaluated the property, and gave the Board their consideration.

Cari Watkins-Bates explained how they've worked intensively with regard to the properties in consideration. There are eight parcels brought forward for the funding totaling about 500 acres. She explained which parcel did not fit the Farmland Protection Committee's criteria. 25% has already been committed by Scenic Hudson, the USDA will supply 50% of the funding and the Town will supply 25% of the funding. The total cost will be \$700,000 for acquisition and about \$100,000 for surveys, etc. She addressed the change to the Biezynski farm. Originally the family submitted 194 acres but they decided to focus on an 84 acre parcel. The Farmland Protection Committee recommended not going forward with the 84 acre. Carrie asked that the Board reconsider on the basis that according to Scenic Hudson's analysis, the property is important as a standalone farm. She pointed out integral parts of that farm. Of the 84 acres, 60 of those are soils of statewide importance. The parcel has valuable wildlife habitat and natural resources. She explained the ranking system of the highly competitive grant.

Art Collings, Dutchess Land Conservancy, agrees with Cari Watkins-Bates and the landowners. It is a difficult decision to make. They feel that the parcel as a standalone parcel would make an excellent farm.

PUBLIC COMMENTS

Supervisor Crane opened for public comments.

Peter Sturges sold the land to the Biezynski's and gave a brief history of the growth of crops on that property. It is great land for farming.

Ken Migliorelli hasn't read the response from the Farmland Protection Committee but can't understand why the Biezynski property would be eliminated. Has the recommendation been read yet? He does not understand the sense of that process.

Susan Ezrati, Chair of the Community Preservation Fund Advisory Board, and Tivoli Trustee, thought it useful to the Board to recognize that both Biezynski properties were listed in the CPF plan as a priority for agricultural funds.

Supervisor Crane explained that Susan Ezrati Chaired the committee that has looked at almost every parcel in Red Hook to make sure that there is a level playing field for everyone to have consideration for the community preservation funds that have been accumulating. The CPF Committee is an advisory board. She also explained that the criteria the Farmland Protection Committee used is agricultural significance, unique opportunity or imminent threat, development pressure, resource protection, key gateway location, scenic view shed, historic resource, wildlife habitat and local and regional support. She asked the Board to comment on the scoring. Ken Migliorelli and Rich Biezynski, both members of the committee, recused themselves from any discussion. She asked the Board for any comments on the criteria and whether they have concerns about the weighting.

Councilman O'Neill has no problem with the way they evaluate the land. He had some questions about their recommendations. He asked Cari Watkins-Bates and Art Collings about the prospect of federal funding being jeopardized if the Biezynski parcel is pulled out of the proposal.

Cari Watkins-Bates answered that it has been their position to advance everything together as an assemblage. The application due date is April 25 and in order to apply for that funding they have to show that they have the required 50% match confirmed. At a minimum they would not have the required match to make an application on that parcel as part of the whole project. Given the competitiveness of the FDA funding they feel that they are most competitive with it and less competitive without it.

Councilman O'Neill asked if they have an understanding of why that parcel was withdrawn.

Supervisor Crane said it is an extremely difficult family decision. Scenic Hudson was most patient with her family when they went through the process. It is a decision of long range commitment. She applauds all of the owners who are making the commitment.

Cari Watkins-Bates added that it is not a unique situation. As a primary agricultural family, the Biezynski's are trying to plan for intergenerational transfer of the farm.

Art Collings explained that they were a little disappointed when the property dropped out. It will make the project less competitive overall on ranking. What remains is still a viable operation as a standalone farm and they don't think the recommendation is fair to the property or to the land.

Councilman Colgan went by the Biezynski farm to look and it looks like the land is fertile and green right now. In the rear it looks like there is a grove of fruit trees. It is really quite attractive and it certainly is a positive addition to the continuum of land there. It does fit in rather well with the rest of the land. He is strongly influenced by his own reaction just by comparing it to the total project and is leaning toward including that into the entire project because it looks like an important piece of farmland.

Councilwoman Strawinski looked at the scoring and it is all over the place. She would like to talk to the Maryann Johnson, Chair of the Farmland Protection Committee, and try to have her explain how there can be such inconsistency among the members.

Supervisor Crane said that is independent scoring and Maryann couldn't possibly explain that.

Councilwoman Strawinski would like a hypothetical. She is concerned about the contiguous land mass. There is a big piece missing now. She wants to know why we would not move forward on that one parcel the Farmland Protection Committee recommended not funding.

Cari Watkins-Bates commented on the 17 acre Migliorelli parcel. It is her understanding the committee found it didn't meet the criteria so they didn't go through the process of scoring that.

Councilwoman Strawinski agrees it is important to protect farmland but she has unanswered questions that would be directed to the Farmland Protection Committee.

Councilman Ross said that if we believe that the PDR is the way to save our farms and open space we certainly should not let whether a landowner puts in the entire parcel or a portion thereof influence our decision of the portion that is requested for PDR. We should be thankful

that any landowner wants to sell the development rights for any portion of his property. That having being said he has a problem with the way this piece was judged. He doesn't see how you could not want to include it in the entire corridor. It certainly meets the criteria more than some of the other properties they funded. He does not see any reason not to include it.

Supervisor Crane said if you look at the soil qualities, it has soil that is prime and of state wide importance. There is a potential to protect the wetlands that are so crucial to the Tivoli water supply and the beauty of the land. There is a potential build out on land like that and protecting it makes good sense. She feels it is a very significant parcel in consideration for PDR.

Councilwoman Strawinski asked about the difference between the dark blue and light blue sections of the map.

Cari Watkins-Bates explained that the dark blue sections are State DEC designated wetlands and the light blue is designated national wetlands.

Peter Sturges explained the property which had open pasture lands and said it was good land. There are open fields that are being used even today.

On a motion of Councilman Colgan seconded by Councilman Ross moved to close the public hearing at 8:30 p.m.

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

PDR APPLICATIONS – WEST KERLEY CORNERS ROAD ASSEMBLAGE – CARI WATKINS-BATES, ART COLLINGS

Supervisor Crane asked the Board to look at the individual parcels.

The resolutions were read before each was voted on.

NORTH WIND FARM (BIEZYNSKI)

RESOLUTION 2011 # 21

RE: AUTHORIZING THE FILING OF NEGATIVE DECLARATION FOR THE PURCHASE OF DEVELOPMENT RIGHTS ON FARMLAND (NORTH WIND FARM)

On a motion of Supervisor Sue Crane seconded by Councilman Harry Colgan moved to approve the resolution as read.

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

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RESOLUTION 2011 # 22

RE: GRANTING PRELIMINARY APPROVAL FOR THE PURCHASE OF DEVELOPMENT RIGHTS OF THE NORTH WIND FARM

On a motion of Supervisor Sue Crane seconded by Councilman Harry Colgan moved to approve the resolution as read.

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

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MISSING D/HARRISON FARM

RESOLUTION 2011 #23

RE: AUTHORIZING FILING OF NEGATIVE DECLARATION FOR PURCHASE OF DEVELOPMENT RIGHTS ON FARMLAND (MISSING D/HARRISON FARM)

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

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

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RESOLUTION 2011 #24

RE: GRANTING PRELIMINARY APPROVAL FOR THE PURCHASE OF DEVELOPMENT RIGHTS OF THE MISSING D/HARRISON FARM

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

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

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PANORAMA/JONES FARM

RESOLUTION 2011 #25

RE: AUTHORIZING FILING OF NEGATIVE DECLARATION ON FARMLAND (PANORAMA/JONES FARM)

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

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

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RESOLUTION 2011 #26

RE: GRANTING PRELIMINARY APPROVAL FOR THE PURCHASE OF DEVELOPMENT RIGHTS OF THE PANORAMA/JONES FARM

On a motion of Supervisor Sue Crane seconded by Councilman Harry Colgan moved to approve the resolution as read.

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

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KARPINSKI FARM

RESOLUTION 2011 #27

RE: AUTHORIZING FILING OF NEGATIVE DECLARATION ON FARMLAND (KARPINSKI FARM)

On a motion of Supervisor Sue Crane seconded by Councilman Harry Colgan moved to approve the resolution as read.

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

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RESOLUTION 2011 #28

RE: GRANTING PRELIMINARY APPROVAL FOR THE PURCHASE OF DEVELOPMENT RIGHTS OF THE KARPINSKI FARM

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

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

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MIGLIORELLI 28 ACRE LASHER ROAD FARM PARCEL

RESOLUTION 2011 #29

RE: AUTHORIZING FILING OF NEGATIVE DECLARATION ON FARMLAND (MIGLIORELLI 28 ACRE)

On a motion of Councilman Harry Colgan seconded by Supervisor Sue Crane moved to approve the resolution as read.

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

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RESOLUTION 2011 #30

RE: GRANTING PRELIMINARY APPROVAL FOR THE PURCHASE OF DEVELOPMENT RIGHTS OF THE MIGLIORELLI 28 ACRE LASHER ROAD FARM PARCEL

On a motion of Supervisor Sue Crane seconded by Councilman Harry Colgan moved to approve the resolution as read.

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

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THREE PONDS FARM

RESOLUTION 2011 #31

RE: AUTHORIZING FILING OF NEGATIVE DECLARATION ON FARMLAND (THREE PONDS FARM)

On a motion of Councilman Harry Colgan seconded by Councilwoman Micki Strawinski moved to approve the resolution as read.

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

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RESOLUTION 2011 #32

RE: GRANTING PRELIMINARY APPROVAL FOR THE PURCHASE OF DEVELOPMENT RIGHTS OF THE THREE POND FARM

On a motion of Supervisor Sue Crane seconded by Councilman Harry Colgan moved to approve the resolution as read.

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

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STURGES FARM

RESOLUTION 2011 #33

RE: AUTHORIZING FILING OF NEGATIVE DECLARATION ON FARMLAND (STURGES FARM)

On a motion of Supervisor Sue Crane seconded by Councilman Harry Colgan moved to approve the resolution as read.

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

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RESOLUTION 2011 #34

RE: GRANTING PRELIMINARY APPROVAL FOR THE PURCHASE OF DEVELOPMENT RIGHTS OF THE STURGES FARM

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

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

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TREZZA FARM

RESOLUTION 2011 #35

RE: AUTHORIZING FILING OF NEGATIVE DECLARATION ON FARMLAND (TREZZA FARM)

On a motion of Councilman Harry Colgan seconded by Councilman James Ross moved to approve the resolution as read.

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

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RESOLUTION 2011 #36

RE: GRANTING PRELIMINARY APPROVAL FOR THE PURCHASE OF DEVELOPMENT RIGHTS OF THE TREZZA FARM

On a motion of Supervisor Sue Crane seconded by Councilman Harry Colgan moved to approve the resolution as read.

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

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COMMUNITY PRESERVATION FUND PROGRAM REPORT – SUSAN EZRATI, CHAIR; TED FINK, GREENPLAN

Supervisor Crane introduced Susan Ezrati, Chair of the Community Preservation Fund Program Committee and Ted Fink of Greenplan. She asked them to describe the work of the committee.

Ted Fink began by giving the background of how the process began. The document is a culmination of three years work. The Community Preservation Fund allows a community to establish a transfer tax on real estate transactions. Red Hook is the third community in the State to establish a Community Preservation Fund. The plan is an acknowledgement that agriculture is the most important resource within the community to be protected but it is also an acknowledgement that there are many other resources that also encompass the agricultural land like water supply, aquifers, endangered species habitat, scenic areas, etc. There is a long list that the State says the fund can be used for. The committee looked at every planning document and assembled maps and recommendations. An intern worked for almost a year on this combing through the studies.

Supervisor Crane said that Emma Dowden deserved accolades for her work as the intern who assembled all of the information.

Ted Fink reported that New York State Hudson Valley Greenway has offered to prepare the mapping for the Town for free. They are hoping to have the map prepared for a reference. The advisory board came up with six categories they hope to show in color on the map. Another part of the plan the State requires is not only how the Town uses the funds but what if those funds are not available? What sources for land use controls are in place? The plan identifies them and he gave examples. The plan creates a road map for how the Town Board can use the funds that are collected as part of the transfer tax.

Susan Ezrati, CPF Committee Chair, began by naming the members of the present advisory board and those who have helped over the years. They had a lot of valuable input from all involved and she explained the process the committee went through to arrive at their recommendations. Twenty two property characteristics were considered for ranking. Over 250 parcels were reviewed in the Town of Red Hook then properties in the Villages were reviewed.

The Villages do not contain much farmland so different categories were used to rank those parcels. In terms of allocation 80% of the funds will go towards farmland protection, they asked that 10% go to each of the Villages for their priorities.

Supervisor Crane thanked Susan for chairing that committee and the members who stayed on and added their expertise. The Board will review the recommendations and set a date for a public hearing.

Attorney Chale asked for the environmental review for the public hearing. It would be good to have the EAF in front of them.

Supervisor Crane asked to consider setting the public hearing at the April 12th Town Board meeting. She asked Ted Fink if he could have the EAF ready next week.

Ted Fink told her he can have that ready.

Supervisor Crane asked the Board if they could meet at a special Board meeting on March 30, 2011. It was decided to hold the special Town Board meeting on March 30, 2011 at 7:30 p.m. The public hearing will be set that night. Tentatively the public hearing for the CPF program will be held on April 12 at 7:45 p.m.

Attorney Chale said at the March 30 meeting we will review the EAF and refer it to the Planning Board for review.

Councilman Colgan if the EAF from Ted Fink can post it on the Town web page.

Town Clerk Sue McCann has a PDF file and will get it on the website.

HIGHWAY GARAGE ENGINEERING REPORT – DAN PROPER, CONSTRUCTION ENGINEER – CRAWFORD AND ASSOCIATES

Supervisor Crane said the Town has long considered replacing the garage. We are working with our special project engineer, Crawford & Associates, and they've been invited to the meeting. Our Accountant Rae D'Achille, Beth Ferguson our Financial Advisor and Attorney Christine Chale have also been invited to the meeting. She turned the conversation over to Dan Proper, Construction Engineer from Crawford & Associates. Supervisor Crane and Councilman Colgan have been working with a committee of people who are interested in getting this done. Phil Seymour generously volunteered to act as oversight person in the site work preparation. She acknowledged that it was a huge thing to volunteer for which saved the taxpayers a lot of money. She thanked Phil for his work.

Dan Proper gave a power point presentation that went over the basic design for the site and the building. He pointed out that a committee from the Village was involved for the potential of shared services. The design is kept flexible to allow for it either way. He referred to the configuration of needed space that Highway Superintendent Theresa Burke presented. It is a seven bay configuration to accommodate the Town's vehicles. Two extra bays would be for the Village of Red Hook if they decide to share services. She explained how the building would be used. The building would be able to be added to in the future if needed.

Councilman Ross asked if the construction would take place with the existing Quonset hut still in place.

Dan Proper told him that is the intent. He continued explaining the plans for the site.

Supervisor Crane asked if the roof would be structurally strong enough to hold solar panels if we were to be fortunate enough to get funding for that.

Dan Proper responded yes. He also explained as they move forward into the process they will do more fine tuning to the plans. The site cost is only materials.

Councilman Ross asked about the ability to add bays.

Dan explained that the site configuration will allow room for expansion, minimally for ten bays, and more could be added on. They are showing seven bays right now. He continued with the presentation. The estimated cost is \$1.6 million and he explained the cost could be reduced to approximately \$1.5 million if the Town goes with a six bay garage.

Councilman O'Neill asked how long a building like this would last.

Dan told him typically about 50 years but can last longer. He recommended that the Town move forward. The ideal condition would be to do it all at once.

Phil Seymour said each bay could cost about \$70,000. If you don't do it in the beginning you might regret it later on.

Supervisor Crane thinks it makes good sense to have the alternate plan so that if we are close to the \$1.5 million that we already have a resolution to borrow up to that amount. We know we have authorization by way of that resolution. That is where the financial people come in.

Dan said it would be about two months to develop the full drawing specifications, another month of add on for contract negotiations, and if given the go ahead he feels they could probably begin by August of this year. He'd like to get bid results in by the end of June and it would take about two months to begin the hard work.

Councilwoman Strawinski asked about the cost of removal of the existing site and soil remediation.

Supervisor Crane said they haven't anticipated soil remediation because that soil testing has been done and passed. Demolition has not been included in the bond.

Dan also added that all zoning and setback requirements are met.

Councilman Colgan explained how it was planned with regard to the salt shed too.

Highway Superintendent Theresa Burke addressed a concern about truck noise.

Supervisor Crane introduced the Town Accountants Rae D'Achilles and Mark Posniak.

Rae D'Achilles spoke about the financial impact of building the highway garage and bonding.

She explained capital projects with regard to operating funds. Using some highway personnel is a part of the cost of the project that will have to have separate accounting. She touched on the budgetary issues and revenue sources and also referred to the reserve the Town has available.

What has to be considered is the impact of the next three years. She spoke of short term and long term debt, operating funds and reserves. In regard to the impact on the Town, she got preliminary cost estimates and presented different scenarios for debt service.

Supervisor Crane said it seems to her they should extend the length of borrowing so everyone in the thirty year period will be paying into it.

Attorney Chale will discuss the specifics of the construction with Dan Proper.

Beth Ferguson, Capital Markets Advisors LLC., presented a handout to the Board giving background information about her firm. Their goal is to help the Town formulate finances and disseminate information. She said that the Town's rating of AA- is very strong rating. Short term financing of one year or less was explained as well as the present interest rate. When the bids are in the Town would then have a better idea of what they'll need to spend. Bonds provide permanent financing right away with a fixed rate. The current 25 year bond rate is about 4 1/2 %. We are in a very low interest rate environment right now. The tax impact of notes vs. bonds was explained.

Supervisor Crane would treat this like her own money and lock in now with the lower interest rates.

Beth Ferguson said it is very cheap to go out for notes because you only pay interest for the first year. That is a big advantage. She referred to the tax impact outlined in the handout.

Supervisor Crane thinks that somewhere in this process it will be pointed out that our fund balance is not as healthy as it was two years ago. She asked what kind of impact that would have.

Beth Ferguson told her it would increase the borrowing cost if the rating was down a notch to the next rating category. It is still a good rating but it is about a .3% difference. There are a lot of things that impact a rating. Fund balance is only one number in the factor.

Supervisor Crane asked about being careful about the DB Fund when the Highway personnel are working on a capital project. Will that leave us with an amount in that fund that cannot be used for their work.

Beth Ferguson said the personnel should have time sheets for the time they work on the project and at the end of the project transfer those costs out of the Highway Fund revenue.

Attorney Chale will review the report on the proposal with Dan and talk about possibly modifying the resolution. She will come back to the Board at the special Town Board meeting and prepare a resolution for that meeting.

Dan Proper said the survey is done. He had previously passed out a report to the Board members.

Attorney Chale would like to see the survey also.

Supervisor Crane would like to begin moving ahead with Crawford & Associates final plan.

Dan said they have the sketch work. Part of Glen Pond Road has a parcel line and both sides are owned by the Town so they could do a lot line adjustment. It would be more academic at this point to do so. They did a deed search that showed that parcel line.

Attorney Chale asked him for copies of everything.

Supervisor Crane asked the Board if they want to wait until next week when they have the language in the form of a resolution. She will put that on the agenda for the next meeting.

On a motion of Councilman Colgan seconded by Councilwoman Strawinski moved to adjourn the meeting at 10:50 p.m.

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

Respectfully submitted,

Sue McCann, Town Clerk