

RED HOOK TOWN BOARD MEETING
May 10, 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
Business Manager Deborah Marks
John Clarke, Dutchess County Planning
Michele Greig, Greenplan

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

SUPERVISOR'S REPORT

The Supervisor's report dated April 30, 2011 was read as follows: Opening balance - \$3,797,406.32; Receipts - \$669,887.18; Disbursed - \$1,185,894.99; Balance - \$3,281,398.51. She explained that there are some considerations that are not part of this general statement. There is a request resolution for transfer of funds from the B Fund to the DB Fund in the amount of \$24,000.00. She asked Business Manager Deborah Marks to explain the transfer. Business Manager Deborah Marks read the resolution and explained the budget adjustment. Supervisor Crane pointed out material from Highway Superintendent Theresa Burke that describes some of the revenues received and expenditures proposed for the Highway Department. Highway Superintendent Theresa Burke explained that the Highway Department has a work truck that will not pass inspection at the end of this month. This was discussed in the past. They are requesting a new pick-up truck with a utility body instead of standard body in order to carry the equipment they need when they are out on the road. They have to go out for bid because that body is not under State contract. Supervisor Crane pointed out the fund balance report so the Board can see where the money is. Councilman Ross asked why we are taking it from the B Fund instead of the DB Fund. Business Manager Deb Marks explained.

RESOLUTION 2011 # 48

RE: TRANSFER OF FUNDS APPROPRIATED FROM THE SURPLUS FUND
BALANCE OF THE GENERAL B FUND TOWN OUTSIDE TO DB FUND HIGHWAY
TOWN OUTSIDE

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

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

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Supervisor Crane shared some good news from the Highway Department that Highway Superintendent Burke met with FEMA. We declared a State of Emergency during a storm this winter and as a result we were eligible for relief funding. Our costs in order to deal with that storm amounted to \$23,647.00. FEMA will reimburse the Town \$20,500.00. She thanked Highway Superintendent Burke for making that application and following through with it. Scrap metal has been recycled and the Highway Department has realized \$1,124.00 from that. Those were two revenues that we didn't expect. We are now faced with needed highway equipment. One truck has been replaced and there is another that has to be replaced. The question is when we should do it. The cost of the truck is almost \$206,000. The payment on the former debt will be retired at the end of 2012. If we wait until that retires then make this purchase we will be more comfortable with the purchase financially. She'd like the Board to

take this into consideration. The problem is that if we want delivery by January 1, 2012 it has to be ordered.

Councilman Ross feels that being unsure of interest rates a year from now and there being a definite need that we should go ahead with the truck purchase.

Councilman Colgan said the truck now is 23 years old and the cab fills with fumes. It is the twin of a truck that is now used for parts.

Councilman Ross stated that there are certain roads that we need that four wheel drive truck for.

Highway Superintendent Burke said it is the only truck that can clear the water tower and cell tower roads as well as many of the others. There are certain roads that are almost impassable.

Supervisor Crane asked if the Board is ready to move forward.

Councilwoman Strawinski wants to know where we are with discussion with the Village.

Councilman Colgan answered that the Shared Services Committee is meeting next week.

Supervisor Crane said that won't solve the problem. It is our problem to clear Town roads and it has been avoided for some time. There is another alternative. She suggested postponing the decision and asks Highway Superintendent Burke to see if we can have some time to order.

Highway Superintendent Burke will ask the company if they can hold the price for two weeks.

Supervisor Crane would feel a lot more comfortable with that.

Attorney Chale asked if she should prepare a bond resolution.

Supervisor Crane would like her to prepare one. If we pass the bond resolution that night we can notify the company on the following day. That resolution will be tabled until May 25th.

NEW YORK STATE EMPLOYEE RETIREMENT SYSTEM – STANDARD WORK DAY AND REPORTING

Supervisor Crane said that Business Manager Deborah Marks had a conversation with Michelle Caruso from NYSERS and asked her to describe why we have to go through this.

Business Manager Deb Marks read the letter regarding establishing days worked per month for NYSERS reporting purposes. The information that they are requiring is to be remitted to them in a specific format to allow them to convert the data for their use. She read the specific requirements. Deb told the Board that she faxed the information she compiled to Michelle at NYSERS who said it is fine.

RESOLUTION 2011 #49

RE: ESTABLISHING DAYS WORKED PER MONTH FOR NYSERS REPORTING PURPOSES

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

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

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Business Manager Deb Marks explained the next resolution regarding the transfer of funds from Parklands money to Parklands Capital Improvement in the Recreation line. She read the resolution that the sum of \$3,500.00 be recorded as revenue in the General A Fund with an offsetting increase to the expenditure line A0.08.7140.200 Parklands Capital Improvement.

RESOLUTION 2011 #50

RE: TRANSFER OF FUNDS FROM PARKLANDS MONIES TO A0.08.7140.200 PARKLANDS CAPITAL IMPROVEMENT

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

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

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

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

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TOWN CLERK'S REPORT

The Supervisor's report for the period April 1, 2011 through April 30, 2011 was read as follows: Total local shares remitted to the Supervisor - \$2,104.95; Amount remitted to NYS Ag. & Markets - \$47.00; Amount remitted to NYS Department of Health for marriage licenses - \$45.00; Amount remitted to NYS Environmental Conservation - \$885.30; Total State, County & Local Revenues - \$3,082.25

PUBLIC HEARING – COMMUNITY PRESERVATION FUND PROGRAM

Town Clerk Sue McCann read public hearing notice.

Supervisor Crane opened the public hearing and asked if there were any comments regarding the Community Preservation Fund plan.

Susan Ezrati, Chair of the Community Preservation Fund Committee, told everyone that the plan is available on the website and through the Town Clerk's Office. She explained how the plan came about and how they inventoried parcels involved. Susan gave a summary of the proposed plan and presented the Board with a draft of the project. Richard Biezynski and Pete Hubbell, two of the committee members who worked on the project, were introduced.

Councilman Colgan said that the fund has \$641,000.00.

Supervisor Crane asked for any further comments. We've been fortunate that there have been significant sales in recent months. She briefly explained how the fund is gained. The money is designated for specific use and may not be spent until the Community Preservation Fund plan is accepted and approved by the Town Board. That is the plan for tonight's meeting. We are grateful and thankful to the volunteers who worked on the plan. She again asked if there were any comments. There were none from the audience. She asked if the Town Board had comments. She knows that a correction has to be made to the map.

Councilman O'Neill had no comment.

Councilman Colgan praised the committee for the job they did on the plan.

Councilwoman Strawinski agrees with Councilman Colgan and said that Susan Ezrati has done a wonderful job in leading the committee and getting all of this information together.

Councilman Ross applauds the committee for the amount of work it took to come up with this plan. He appreciates the work they did.

CPF Chair Susan Ezrati also mentioned that Emma Dowden, a Red Hook High School Senior, cataloged all of the properties for the committee.

Supervisor Crane asked a question that stems from the New York State Enabling Law. She read a paragraph that she had a question about. She asked if the Town is allowed to utilize any of the CPF money to pay for planning and legal fees associated with this law.

Attorney Chale thinks it should but it would be preferable that the document acknowledge that. It might be a fairly simple addition to the document.

Supervisor Crane then suggested to the Town Board members that since there are associated expenses with this that they ask Counsel to review the Enabling Law and add a discreet paragraph that allows us to spend some of the amount of accumulated fund for the expenses in developing this plan. She asked Attorney Chale to take that on.

Attorney Chale gave examples of costs that might be considered.

Councilman Ross feels the costs should include professional fees that were required.

CPF Chair Susan Ezrati thinks there is a fairly standard contract where you set aside a certain amount not to exceed a certain number. She warned against making that permissive.

Supervisor Crane is going to ask Attorney Chale to review that with the New York State Comptroller's Office.

Councilman Colgan thinks that is spelled out in the Enabling Law.

Supervisor Crane said it looks like it is and feels it should be stated that we expect to spend that. She would recommend to the Board to consider that the expenses incurred by the Town in developing this plan be refunded in the General Fund for those expenses.

Councilman Colgan asked Robert McKeon about that Enabling Law who said it is 10% of the project cost.

Attorney Chale will look into it.

Michele Greig, Greenplan, explained the corrections to be made on the map. It will be posted on the website.

Supervisor Crane suggested leaving the Public Hearing open until May 25th at 7:45 p.m.

ZONING AMENDMENT REVIEW OF UPDATES

Michele Greig, Greenplan, summarized the revisions to the proposed zoning amendments. She also included an analysis of various parcels either included in or excluded from the Agricultural Business District.

Supervisor Crane wanted the issue of “conservation easement” clarified.

Councilman O’Neill said a discussion was to hold either a deed restriction or conservation easement. How would we assure the community that we would not subdivide?

Michele Greig said she would definitely suggest a conservation easement. She explained why and also that a land trust would monitor the easement.

Supervisor Crane asked who it was that would monitor that easement.

Michele Greig responded whatever land trust held the easement.

The Board continued discussion about the possible revisions to the proposed zoning change.

Al Trezza added suggestions to the proposed zoning change. The main issue of discussion was 40 acre lots.

Supervisor Crane asked John Clarke from Dutchess County Planning if he understands the problem or concern of the farmers in this regard.

John Clarke spoke about the basic principles of conservation subdivisions.

Supervisor Crane does not believe the considerations discussed will be resolved at the meeting and wants to continue discussions and take more comments.

Councilman Colgan asked John Clarke to remind him of his comments.

John Clarke said that he’s seen two proposals, one from Al Trezza and the farmers and the proposal about a onetime 40 acre subdivision. He is not making a recommendation but thinks the wording will be difficult to write up using the farmer’s proposal. The Town Board has every right to determine what the calculations can be.

Supervisor Crane said the language is what ties us up at the moment.

Attorney Chale asked Al Trezza to think about the limited development part of his proposal.

Supervisor Crane moved on to the issue of the Farmland Protection Plan.

Michele Greig reviewed the provisions and presented more issues for discussion with the Board.

Amy Dubin asked about the direction the Town is taking in changing this plan. She thought the TND option was designed to be a higher density mixed use walkable neighborhood that was different from the conventional separation of uses designated now by current zoning. The changes are in the direction of creating, once again, the provisional separation of uses and are not at all what you stated your goal was. You are not integrating commercial and residential like a walkable neighborhood would be. The changes you’re making are pushing you back in the direction of exactly what you’ve got which you want to get away from. She is concerned that the end result will not be what the goal is.

Michele Greig responded to issues regarding commercial and residential development.

Supervisor Crane explained the commercial center with some mixed use. The percentage of mixed use is the trick.

Amy Dubin asked where the analysis is of that.

Councilman Colgan said the analysis exists. He addressed the commercial and walkable areas, specifically incentive zoning.

Michele Greig addressed another question that came up regarding the number of rooms in lodging in the commercial center.

The Board discussed the number of rooms and size of a possible hotel. They preferred a smaller number of rooms rather than a large hotel. They continued review of the proposed zoning changes.

Michele moved on to individual parcels in regard to inclusion in the Ag. Business District. She explained that there are some parcels that could go either way in regard to being included in the Ag. Business District. The Board determined that the Hansen property and the Sieverding property belong in the Ag. Business District and it was decided to remove Skypark Airport from the Ag. Business District.

Mr. Jim Stagias asked the Board to wait a while before deciding whether or not to include his parcels in the Ag. Business District. He would like some time to consider it.

SUPPLEMENTAL BOND RESOLUTION

Supervisor Crane explained that the Town Highway Garage is under consideration. In February 2003 the Town Board passed a resolution authorizing the Town to go out for bonding not to exceed \$1.5 million to pay for a garage at that time. The supplemental bond resolution would allow the Town to increase the amount of that bond if necessary to \$1.8 million. The fact that we are including the Village of Red Hook’s needs in the design makes this a reasonable proposition. The purpose of the bond is to design and build the garage that includes equipment,

machinery, apparatus, appurtenances and incidental improvements and expenses required for such purpose. The estimated maximum cost of said purpose is \$1,800,000.00. The bond resolution would be subject to permissive referendum. She read the resolution.

RESOLUTION 2011 #51

RE: SUPPLEMENTAL BOND RESOLUTION DATED MAY 10, 2011

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, O'Neill
	Nays	0	

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NEW BILLING PROCEDURE FOR PLANNING BOARD CONSULTANTS

Supervisor Crane explained what is proposed by the Planning Board. It clarifies the method that has been used to provide for escrow accounts and engineering for planning applications. The Planning Board proposes that Red Hook adopt a procedure that would allow us to charge to the applicant all professional fees.

Attorney Chale explained the issue.

On a motion of Supervisor Crane seconded by Councilman Colgan moved to approve a new billing procedure for Planning Board consultants.

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

TOWN PROCUREMENT POLICY AMENDMENT

Supervisor Crane explained that the procurement policy is up for review which we look at annually.

Attorney Chale said that Purchasing Agent Ted Kudzy recommends that we conform to the new State law requirements.

Supervisor Crane read the resolution.

RESOLUTION 2011 #52

RE: APPROVING TOWN OF RED HOOK PURCHASING AND PROCUREMENT POLICY

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, O'Neill
	Nays	0	

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AMENDMENT TO RESTRICTIVE COVENANT MADE WITH MARTIN'S FOODS OF SOUTH BURLINGTON, INC.

Supervisor Crane asked Attorney Chale to address this.

Attorney Chale will communicate with Hannaford.

No motion is needed at this time.

AWARD OF BID FOR DUMP TRUCK BODY

Supervisor Crane explained the request from Purchasing Agent Ted Kudzy having to do with the awarding of bid for a dump truck body. He recommends the award go to the low bidder Hudson River Truck and Trailer, in the amount of \$10,538.00. She read the resolution.

RESOLUTION 2011 #53

RE: AUTHORIZING THE AWARD OF BID FOR THE PURCHASE OF A 10' DUMP BODY

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

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

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ANNOUNCEMENTS

Supervisor Crane made the following announcements:

- The solar project has been delayed two weeks largely due to weather.
- Applications from 8 landowners on W. Kerley Corners Rd. have been submitted for PDR by Dutchess Land Conservancy and Scenic Hudson.
- St. Margaret's contracts are complete. Construction will start on May 16.
- Tour de Red Hook will take place May 15 from 1 – 3 p.m. starting at the Rec. Park
- A Community Garden at Hardscrabble Plaza has spots available. Call Joe Baldwin 635-9388.
- June 15 at noon is the Red Hook Senior Picnic at Wilcox Park. Reservations required.

Councilwoman Strawinski made the following announcement:

- The Town Clean up Day was successful.

Councilman Colgan made the following announcement:

- A spaghetti dinner fundraiser sponsored by Red Hook Rotary for two young children will be at the Tivoli Firehouse this Saturday from 4 – 7 p.m.

Councilman O'Neill announced that he, Village Trustee Brent Kovalchik, and CAC Chair Brenda Cagle made a presentation to a land use leadership alliance recognizing the work and tools used for the Community Preservation Fund. It was in Pennsylvania and included New York and New Jersey government. Red Hook was very well received.

On a motion of Supervisor Crane seconded by Councilwoman Strawinski moved to go into Attorney/Client session.

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

On a motion of Supervisor Crane seconded by Councilman Colgan moved to close the Attorney/Client session at 10:50 p.m.

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

On a motion of Councilman Colgan seconded by Supervisor Crane moved to adjourn the meeting at 10:51 p.m.

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

Respectfully submitted,

Sue McCann, Town Clerk