

RED HOOK TOWN BOARD MEETING

September 28, 2011

A meeting of the Town Board of the Town of Red Hook, Dutchess County, New York, convened in public session at Red Hook 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

Supervisor Crane welcomed everyone to the meeting and opened with the Pledge of Allegiance. She introduced Alex Gonnella who went to the DEC Camp in Roscoe, NY.

Alex spoke about his experience and thanked VFW Post 7765 for the opportunity to attend the environmental camp.

RED HOOK LIBRARY PRESENTATION – BARRY RAMAGE

Barry Ramage gave a presentation about the Red Hook Public Library, its history, the work that has been done on the building and the various programs available. He explained that they received over 500 signatures for a funding proposition to appear on the November election ballot. The library is seeking an additional \$80,000 per year in order to get more books, movies, keep the technology updated, offer more children's programs and continue to grow as the community demands. They now receive \$145,000.

Erica Freudenberger, Library Director elaborated on the programs, volunteers and the issuance of new patron cards. She also said that circulation is on the rise.

Councilman Colgan clarified that the Tivoli library is also funded through the Town separate from the Red Hook library.

Supervisor Crane said there is an additional \$125,000 annually which is billed through the Town for the Village of Tivoli library.

PUBLIC HEARING

- Local Law (Proposed): Override Tax Levy for Fiscal Year 2012

Town Clerk McCann read the public hearing notice. The Local Law is intended to permit the Town Board to override the tax levy limit on the amount of property taxes that may be levied by the Town and to allow the Town to adopt a budget for fiscal year 2012 that requires a real property tax levy in excess of the "tax levy limit" as defined by Section 3-c of the General Municipal Law.

Supervisor Crane opened the public hearing for comments at 8:03 p.m.

Linda Keeling asked if this only applies to the Town or does it include the school and will they have their own public hearing.

Attorney Chale responded that the school district has a limit.

Supervisor Crane stressed that this is the Town's tax levy. We'll probably get information from the school when they begin their budget process in the spring.

Councilman Ross said everything that appears on the Town's tax bill is included.

Supervisor Crane explained that it also includes the Town's indebtedness that has been identified and raised by voter referendum.

Pete Hubbell understands the pressure to meet the budgetary items. He strongly encouraged the Board to do their best to cut back and stay under the 2% cap.

Supervisor Crane asked if there were any more comments from the public. There were none.

On a motion of Supervisor Crane seconded by Councilman Colgan for discussion moved to close the public hearing.

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

The vote was taken after the following conversation:

Councilman Colgan asked if we want to allow written comments.

Attorney Chale told him that because it is a local law a public hearing is required. You've had two public hearings. You are not obligated to keep it open.

Supervisor Crane has not received any written comments in the last three weeks.

Councilwoman Strawinski referred to an email from New Paltz College regarding a conference entitled "Tax Cap Challenge". It might be something she is interested in going to.

Supervisor Crane is already registered for that conference.

Councilwoman Strawinski would like to see the Supervisor's budget which is a "wish list" of the departments.

Supervisor Crane told her it is not a wish list. It is the Supervisor's, the Budget Director's, the Business Manager's, and the Town Accountant's sincere effort to bring in a reasonable and responsible budget. It is not getting into every department's wish for new materials. The departments have cut back more than she's seen in 14 years. They are not wishing for things that are unreasonable or impractical, they are being very responsible.

Councilwoman Strawinski wants to delay voting on this tax cap override until she sees the Supervisor's budget and if the library referendum passes. She wants to delay voting on any override of the tax cap.

Councilman Ross said it has to be done by the time we approve the budget. We won't know about the library vote until Election Day.

Councilman Colgan said that is separate. We are just talking about closing the public hearing.

Supervisor Crane explained that we want the opportunity to look at the budget knowing we have indebtedness that has to be paid. There must be a tax cap override in order for us to pay our bills.

Councilman Ross said this isn't a vote on that it is just about closing the public hearing.

ANNOUNCEMENTS

Supervisor Crane made the following announcements before the next public hearing:

- Barrytown Road (County Route 82) has reopened

- On September 26 she attended a press conference to announce that the application to support the preservation of the six farms in Red Hook was reviewed and approved by the USDA. We will receive money from the USDA supporting the preservation of all of those farms that stretch from Route 9 to Route 9G. This is one of those obligations that a previous Town Board voted in favor of, went to referendum, and the public voted in favor of. The PDR saves land for the long term future of the town. 50% of the money for development rights is coming from the USDA, 25% will come from the Town, and Scenic Hudson pays 25%. The partnership includes Scenic Hudson and Dutchess Land Conservancy who will oversee the easement over time. Over the years many agreed that saving important farm soils was important.

PUBLIC HEARING

- 2012 CDBG Application to extend water line to the Recreation Park on Linden Avenue

Town Clerk McCann read the public hearing notice.

Supervisor Crane explained that every year the Town tries to identify a program that will meet the priorities of Dutchess County's Community Block Grant. This is the one we feel we have the best chance given the priorities of the block grant for the year 2012. Recreation Director John Kuhn wrote most of the grant as part of his job. It was not done by a grant writer and she is indebted to him for putting the grant proposal together. She explained how the water would be supplied then opened the public hearing at 8:15 p.m. for comments.

Linda Keeling has been an advocate for the American's With Disabilities Act. She commented that the present recreation park has had a long history of not being accessible to the handicapped. She wants to make sure that the new recreation park will be accessible regarding the restrooms, water fountains, parking, etc. She also noticed that during the past Hardscrabble Day the handicapped parking was unacceptable. The Town gives the event \$2,000 and handicapped should be able to enjoy events like everyone else. If signage is not going to be posted properly, she asked that the Town pull the money from the Village of Red Hook for that event.

Supervisor Crane asked if there were additional comments.

There were none.

On a motion of Councilman Colgan seconded by Councilwoman Strawinski moved to close the public hearing.

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

HIGHWAY DEPARTMENT REPORT

Highway Superintendent Theresa Burke gave an update regarding FEMA eligibility for reimbursement for costs as a result of the recent storms. Red Hook submitted the initial application for reimbursement. Individual residents can also contact FEMA and she urged them to do so as soon as possible. She explained the different reimbursements funding available through FEMA which total 87 ½ %. Problem areas have been identified in the Town and we have performed emergency repairs on our roads and bridges. We are waiting for onsite inspections for the critical areas and have applied for and received DEC permits. She will provide the Board with updated information as she receives it. With the help of State and County Emergency Management Offices we can also develop a hazard mitigation plan for the future which will enable us to apply for funding to upgrade and improve before a disaster event in order to preserve our roads and infrastructure. The Highway Department is doing all they can to help protect residents from flooding.

Supervisor Crane thanked the Highway Department and the Town Clerk's Office for fielding the phone calls and all they did to help residents.

Town Clerk McCann commented that we were lucky that FEMA reached out to us on Hardscrabble Day and shared a space with the Town's Disaster Preparedness Committee.

Supervisor Crane said the Disaster Preparedness Committee was very active during that period of time and being aware that Hardscrabble Day was coming, connected with FEMA and made sure materials were available to the public.

PUBLIC HEARING

- Local Law amending Chapter 131 "F" adding provisions for seasonal parking of the Village and Town Law

Town Clerk McCann read the public hearing notice.

Supervisor Crane explained that the essence of the law is that parking will be prohibited on all public roads within the Town of Red Hook from 11:00 p.m. until 7:00 a.m. from November 15th until April 1st or at any other time when such vehicles may interfere with or hinder snow plowing or snow removal operations. She opened the public hearing and asked for comments.

There were none.

On a motion of Councilwoman Strawinski seconded by Councilman Colgan moved to close the public hearing.

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

ANNOUNCEMENTS (Continued)

- Supervisor Crane will have the tentative budget to the Town Clerk by September 30.
- There will be an official groundbreaking for the Highway Department on October 17, 2011 at 10:00 a.m. Everyone is invited.

Councilman O'Neill asked if the Planning Board reviewed the highway garage project. They suggested that they should review the project. Do they have a basis for that?

Attorney Chale reminded him that the Town Board went for a Monroe public hearing review of the project and we became lead agency.

Supervisor Crane planned on discussing the issue tonight.

Councilman Colgan said that was discussed in advance. We as a Board made a choice to fulfill the role as lead agency.

Councilman O'Neill asked if the Planning Board was aware of what the project is and what it is going to look like.

Supervisor Crane responded "I would hope so". It's been public and on file in the Town Clerk's Office.

Councilman Colgan told him that the Town did go to the Planning Board for the lot line adjustment and it was approved.

Supervisor Crane hasn't heard anything from them.

PUBLIC COMMENT PERIOD

Supervisor Crane opened for public comments.

Linda Keeling said that the DC Board of Election Commissioners notified her and another candidate that they were taken off the November election ballot. The letter was purposely misleading and they have now filed an Article 78 which will be done early next week. She

found it necessary to do it to get on the November 8th ballot and for anyone else who wants to run on Election Day.
Supervisor Crane asked if there were other comments.
There were none.

CONTINUATION OF APPLICATION TO INCLUDE ROKEBY ROAD IN AG. BUSINESS DISTRICT – ARVINE AND WENDY COON

Supervisor Crane explained that the Coon's provided the Board with a copy of soil maps. She pointed out the soils of statewide importance and farmland importance. The map described the soils. The County has declared the property in their Ag. District as has the State. Councilman Colgan said the house has ZBA approval for an antique store. Will that be grandfathered?

Attorney Chale told him if the property is rezoned that would be lost. Potentially the use variance is a small rezoning.

Supervisor Crane asked Mr. Coon if any information was changed or should be changed. Mr. Coon told her no.

Supervisor Crane confirmed that they want the entire two parcels included in the ABD. Mr. Coon responded that they are both included in Ag. District 20.

Attorney Chale explained that there is a process. First would be to classify the action with a resolution.

Supervisor Crane read the resolution classifying the action to rezone two parcels of land from residential 1.5 to Ag. Business District.

RESOLUTION 2011 #81

RE: CLASSIFYING THE ACTION UNDER SEQRA AND DECLARING INTENT TO SERVE AS LEAD AGENCY IN A COORDINATED REVIEW OF THE COON REZONING APPLICATION

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	

Copy Attached

Attorney Chale explained that the next step is to make a finding or amendment to complete the plan. She suggested that the Board establish escrow for Mr. Coon. She also explained the needed procedures to move forward with the process.

Supervisor Crane has spoken to Mr. Coon and he understands the planning process and escrow. We only need to make a motion as to the amount of money to be placed in escrow.

Attorney Chale said we will have to ask Michele Greig, Greenplan, to assist in the preparation of the zoning law amendment and map. For the Neg. Dec. we will have to notify everyone within 500 feet.

On a motion of Councilman Colgan seconded by Councilman Ross moved to approve an escrow account in the amount of \$1,000.

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

Attorney Chale suggested asking Michele Greig, Greenplan, to undertake the review and indicate whatever additional information might be needed. A public hearing can be set once the documents are in place and ready to go.

Mr. Coon asked why he didn't have to go through this to change from R1.3 to B1 or 2.

Attorney Chale said the Board had a discussion about that they did not move forward with it. It is discretionary on the part of the Board to consider a zoning change. Here they are determining that they want to consider the zoning change but in order for them to vote on making the change they have to go through the public hearing process. Here we are initiating the process.

The Board discussed the process with Mr. Coon.

Supervisor Crane wants to schedule a number of special Town Board meetings to discuss the budget. She asked Attorney Chale if other business can be taken up at one of those meetings. Attorney Chale told her that more than one issue can be taken up at a special meeting.

Supervisor Crane told Mr. Coon that she will try to move this ahead as quickly as possible.

RESOLUTION TO SUBMIT APPLICATION TO DC PLANNING – COMMUNITY DEVELOPMENT BLOCK GRANT 2012 FOR WATER LINE EXTENSION TO RECREATION PARK (WEST)

Supervisor Crane explained that the resolution has to accompany the application.

RESOLUTION 2011 #82

RE: AUTHORIZING SUBMISSION OF APPLICATION FOR THE FISCAL YEAR 2012 DUTCHESS COUNTY COMMUNITY DEVELOPMENT BLOCK GRANT

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

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

Copy Attached

RESOLUTION AUTHORIZING THE TOWN CLERK TO ADVERTISE A REQUEST FOR SEALED BIDS FOR THE PURCHASE OF ICE CONTROL ABRASIVES, A REQUEST FOR SEALED BIDS FOR HOT MIX ASPHALT AND A REQUEST FOR PROPOSALS FOR VARIOUS MATERIALS AND SERVICES FOR 2012

Supervisor Crane read the resolution.

RESOLUTION 2011 #83

RE: AUTHORIZING THE TOWN CLERK TO ADVERTISE A REQUEST FOR SEALED BIDS FOR THE PURCHASE OF ICE CONTROL ABRASIVES, A REQUEST FOR SEALED BIDS FOR HOT MIX ASPHALT, AND A REQUEST FOR PROPOSALS FOR VARIOUS MATERIALS AND SERVICES FOR 2012

On a motion of Councilwoman Micki Strawinski seconded by Councilman James Ross moved to approve the resolution.

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

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BOARD OF ASSESSMENT REVIEW APPOINTMENTS

Supervisor Crane explained the Board of Assessment Review appointments. She read the letter of interest from Lois Chenkus who asked to be reappointed. The resolution is for a five year term. She explained that the members of the Board of Assessment shall continue to receive a stipend of \$10 per hour for service.

RESOLUTION 2011 #84

RE: BOARD OF ASSESSMENT

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

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

Copy Attached

LOCAL LAW REGARDING SEASONAL PARKING

Supervisor Crane reviewed the resolution regarding seasonal parking. Councilman O'Neill read the resolution.

RESOLUTION 2011 #85

RE: AUTHORIZING ADOPTION BY THE TOWN BOARD OF THE TOWN OF RED HOOK OF LOCAL LAW NO. F (PROPOSED) OF 2011, TO BE KNOWN AS LOCAL LAW NO. 5 OF 2011, REGARDING SEASONAL PARKING

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

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

Copy Attached

APPOINT MARRIAGE OFFICER

Supervisor Crane referred to a letter of request from local resident Gillian Ferguson who asked to be appointed as a marriage officer in order to officiate at her brother’s wedding. Town Clerk McCann read the letter. Supervisor Crane read the resolution.

RESOLUTION 2011 #86

RE: APPOINTMENT OF MARRIAGE OFFICER

On a motion of Supervisor Sue Crane seconded by Councilwoman Micki Strawinski moved to appoint Gillian Ferguson, 7675 Albany Post Road, Red Hook, NY, as marriage officer for a term beginning October 1, 2011 - October 15, 2011 without salary.

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

ST. MARGARET’S COMMITTEE APPOINTMENT

Supervisor Crane referred to a request from the St. Margaret’s Committee to appoint Patrick Hildenbrand to that committee.

On a motion of Supervisor Crane seconded by Councilman Ross moved to appoint Patrick Hildenbrand to the St. Margaret’s Committee for a two year term to expire December 31, 2012

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

JUSTICE DEPARTMENT REQUEST TO PURCHASE METAL DETECTOR FOR TOWN HALL COURTROOM

Supervisor Crane referred to the request from the Justice Department. She asked for the Board’s input regarding a walk through metal detector. Her concern is that it is going to constrict the front hallway. A metal detector wand is presently used on court nights. She’d like the Justices to reconsider how to spend the \$4,000 grant. The way we are being advised to consolidate departments we may end up with all court proceedings in the Village anyway.

Councilwoman Strawinski thinks something like that would go against ADA requirements. It would constrict access.

Supervisor Crane will table the decision and ask them to consider a different piece of equipment.

CAPITAL PROJECT – HIGHWAY GARAGE FUND INDEBTED TO THE GENERAL FUND

Supervisor Crane explained the resolution that came from our Town Accountant. They have been reviewing balance sheets and the budget for the year ahead and one of the things Rae D’Achilles, the Town Account recommends is regarding the Capital Project – Highway Garage Fund. It is incumbent upon the Town Board to rectify the outstanding amount and address the issue prior to the close of the fiscal year December 31, 2011. She proposed that the account entitled “Due from Capital Projects” in the amount of \$66,883.49 is relieved of its liability to the General Fund. She read the resolution and clarified that the A Fund owes the DB Fund.

RESOLUTION 2011 # 87

RE: AUTHORIZING THE SUPERVISOR TO PROCESS THE ADJUSTMENT WITH THE UNDERSTANDING THAT THE ENTRY WILL REDUCE THE GENERAL FUND'S EQUITY

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

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

Copy Attached

DEPARTMENT REPORTS

Water Department – Chair Hank VanParys reported the storage tank has some rust but it is purely cosmetic. We've never had a water rate increase and it was suggested that we start to do so in order to have adequate reserves. The Water Board decided on a 10% rate increase in January 2012. They are recommending a gradual increase over the following years. The minimum quarterly fee would go from \$30.00 to \$33.00 and the water rate itself would go from \$3.59 per thousand gallons to \$4.00 per thousand gallons. He gave a comparison of nearby water districts; ours is the lowest.

Planning Board – Councilman Ross read monthly report dated September 2011. They held one meeting in September and had a full agenda. They granted site plan approval to two projects at Bard College and granted subdivision plat approval for a lot line alteration on Elm Street. There is continuing discussion about two minor subdivisions, a Certificate of Appropriateness in Upper Red Hook, a special permit for the grass airstrip at Greig Farm and a major subdivision for residential development on Feller Newmark Road.

Assessor's Office – Supervisor Crane reviewed highlights of the Assessor's report. He attended the Cornell Educational Seminars of the NYS Assessors Association in Ithaca, began implementing their plan to inspect and document each of the 4327 parcels in the Town by the end of 2013. Office hours have been revised, and reviewed over 350 properties to date.

Budget Officer - Budget Officer Rose Rider reported that they have been working on the Supervisor's budget and meeting with departments. All departments have cut their budgets.

Building Department – Supervisor Crane gave the report prepared by Code Enforcement Officer Steve Cole for the period 8/24/2011 to 9/26/2011. Permits – 18; Total fees collected - \$650.00; Complaints – 5; Inspections – 37; CO's Issued – 17. She told the Board that Code Enforcement Officer Steve Cole agreed to serve as Clerk of the Works for the highway garage project to oversee day to day progress which is savings for the Town.

Police Report - Supervisor Crane summarized the reports for July and August. In July there were 45 total incidents reported, 4 arrests and 43 tickets issued. In August there were 64 incidents, 5 arrests and 30 tickets issued. She also reviewed the report from the DC Sheriff's Office for the month of August. There were 79 total incidents.

Water District – Councilman Ross thinks the Water Department should send out a note in their bill to inform residents in the water district about the rate increase. Town Clerk McCann told him that the Water Department is including a memo with the water bill.

COMMITTEE REPORTS

Ag. & Open Space Committee – Co-Chair Pete Hubbell said they didn't have a quorum but informally discussed the Coon's project. They'd like to put an information page in with building applications. The committee wants to be a benefit to the farmers.

CAC – Member Jane Ferguson presented the report prepared by Chair Brenda Cagle dated 9/28/11. Five bicycle racks have been installed around Town. The Committee thanked Ken Migliorelli, Todd Baright and Dan Budd for their support, Theresa Burke and the Highway Department for installing a bike rack at Town Hall, Mayor Blundell for permission to install a rack at Village Hall, Laurie Husted for coordinating the project and Harry Colgan, Brent

Kovalchik and Ed Blundell for their donated labor. Electronic recycling at Hardscrabble Day was a big hit. The solar array siting guidelines have been forwarded to the Building & Zoning department, the ZRC and to Town Board members. The Energy Consultant gave two presentations on Energy and the Economy. The CAC is researching the options for a kiosk for an area between the recycling center and new highway garage.

Intermunicipal Task Force – Councilman O’Neill explained that the task force is still meeting on Friday mornings and is working on the conservation easement program. The proposed zoning changes have been discussed.

Recreation Commission – Councilman Colgan summarized the report. There were emergency repairs needed because of the storm. There were a number of trees down and the baseball fields were damaged. Also discussed are plans for the recreation park extension.

St. Margaret’s Committee – Member Rosemarie Zengen reported that Eagle Scout Andrew Pope took down the old shed and went through the artifacts very thoroughly. The Ice Cream Social on Hardscrabble Day was a success. The Tree Committee will donate their share of the proceeds to the St. Margaret’s Committee since they recently received a grant. Marcy Appell and the Trezza family received a proclamation from Senator Saland, County Legislator Ben Traudt and Red Hook Village Mayor Ed Blundell.

Supervisor Crane thanked them for the great time at the Ice Cream Social. Our hearts and prayers are with Patty Bowman who is facing a health issue. She thanked her for the ice cream donation.

Senior Services Committee – Supervisor Crane gave the report prepared by Andrew Kehr. The Committee is discussing a volunteer transportation service for senior citizens. There will be an energy presentation on October 6 from noon to 2 p.m. in Town Hall.

Zoning Review Committee – Supervisor Crane told the Board that Susan Simon noted that if anyone has anything for the committee they are ready, willing and able.

Greenway & Trails Committee – Councilwoman Strawinski reported on the activities of the committee. They are considering holding a “Roosevelt Ramble” on October 16 at the Roosevelt Home in Hyde Park. The committee is going to help clean up the Tivoli Bays Trail. A sidewalk trail hike is also being considered.

BUDGET

Supervisor Crane asked the Board to look at their calendars in order to set special budget meetings. The meetings are set for October 4 – 7:30 p.m., October 13 – 7:30 p.m., October 17 – 7:30 p.m. (conference room), October 11 and 26 are regular Town Board meetings. They will move into November if necessary. Our regular Board meeting for November 8 will be moved to November 2 due to Election Day.

The Board discussed meeting dates and the issue of the library vote as it pertains to the budget if approved.

Supervisor Crane said the salaries for elected officials have to be posted before Election date.

PUBLIC COMMENT PERIOD

Supervisor Crane opened for public comments.

Rosemarie Zengen said the Town is deeply saddened by two recent deaths in the Town. She asked if the Board does anything for those families.

Supervisor Crane will contact businesses, the chamber and the churches asking for their help. Both were tragic losses.

EXECUTIVE SESSION

Supervisor Crane said the Board had to move to Executive Session for pending litigation and contracts.

On a motion of Supervisor Crane seconded by Councilwoman Strawinski moved to go into Executive Session at 10:11 pm regarding litigation and contracts.

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 Executive Session at 11:00 p.m.

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

On a motion of Councilwoman Strawinski seconded by Councilman Colgan moved to adjourn the meeting at 11:01p.m.

Respectfully submitted,

Sue McCann, Town Clerk