

RED HOOK TOWN BOARD MEETING

February 14, 2012

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
Councilman William O'Neill
Councilwoman Brenda Cagle
Town Clerk Sue McCann
Absent: Councilman Harry Colgan
Also Present: Attorney for the Town Christine Chale

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

SUPERVISOR'S REPORT

The Supervisor's report dated January 31, 2012 was read as follows: Opening balance - \$3,134,545.21; Receipts - \$1,109,790.60; Disbursed - \$1,739,489.71; Balance - \$2,504,846.10. There were no budget adjustments.

On a motion of Councilman Ross seconded by Councilman O'Neill moved to accept the Supervisor's report.

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|---------|--------|---|-----------------------------|
| Adopted | Ayes | 4 | Crane, Ross, O'Neill, Cagle |
| | Nays | 0 | |
| | Absent | 1 | Colgan |

Copy Attached

Supervisor Crane stated that in an effort to keep residents informed we are going to have documents available one hour before the meeting. If anyone wants to come early documents will be available for review.

TOWN CLERK'S REPORT

The Town Clerk's report for the period January 1 – 31, 2012 was read as follows: Total local share remitted to the Supervisor - \$6,611.28; Amount remitted to NY State Ag. & Markets - \$80.00; Amount remitted to NYS Dept. of Health for Marriage Licenses - \$45.00; Amount remitted to NYS Environmental Conservation - \$4.72; Total State, County & Local revenue - \$6,741.00.

Town Clerk Sue McCann presented the Town Board with her financial report for the Receiver of Taxes at the last meeting. Total warrant was \$6,900, 593.68. The Town Clerk Financial Report for 2011 was also presented. The Town Clerk fees - \$49,080.02; Town Water revenue - \$131,782.75; Total revenue collected – \$180,862.77. She also announced that she received a \$400 scholarship so that she can attend the NYS Town Clerk Association conference. We've sold almost 600 recycling stickers, and the office is busy collecting taxes.

Supervisor Crane asked her about the total warrant collected regarding the 2011 taxes. She asked about some of that going to the County.

Town Clerk Sue McCann said that the Town received \$2,314,174.11. We send out second notices and get reimbursed for that which was \$194.00. Unpaid taxes were returned to the County in the amount of \$728,993.00 for them to try to collect.

ANNOUNCEMENTS

Supervisor Crane asked if anyone had announcements.

Councilman O'Neill complimented the boys and girls basketball teams in Red Hook.

Town Clerk Sue McCann announced a free rabies clinic in Milan on March 28 from 10 a.m. - 2 p.m. Non-residents will be charged \$10 per pet. Contact her for more information.

Councilwoman Cagle announced the Artists Network Meeting at the Emporium. On April 14th they will host an all day literary event called "Read Local Red Hook" from 10 a.m. until after noon at Village Hall. The Bicentennial Committee will hold a Tivoli Masons pork dinner on March 9 at 5:00 p.m. for \$15.00. Bicentennial Calendars are still on sale for \$10.00.

PUBLIC COMMENT PERIOD

Harold Ekblom referred to foreclosures and asked if we have information on foreclosures in the Town. He explained what he was interested in.

Supervisor Crane will look into it and try to provide the information at the next meeting.

Dick Hansen told Mr. Ekblom that he could use the computers at the public library to access that type of information.

RESOLUTION AUTHORIZING REFERRAL TO NYS DOT REGARDING GREIG FAMILY AIRSTRIP

Supervisor Crane explained and read the resolution.

RESOLUTION 2012 #13

RE: PURSUANT TO NEW YORK STATE GENERAL BUSINESS LAW SECTION 249 TO REFER THE GREIG APPLICATION TO THE DEPARTMENT OF TRANSPORTATION

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

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| Adopted | Ayes | 4 | Crane, Ross, O’Neill, Cagle |
| | Nays | 0 | |
| | Absent | 1 | Colgan |

Copy attached

Supervisor Crane said the map is available for anyone who wants to review it. Norman Greig contacted the DOT and was informed the process will take about 30 days.

RESOLUTION AUTHORIZING SETTLEMENT OF ARTICLE 7 PROCEEDING WITH JAN ROBIN GROVES

Supervisor Crane read the resolution. Attorney Chale explained the settlement process.

RESOLUTION 2012 #14

RE: AUTHORIZING SETTLEMENT OF ARTICLE 7 PROCEEDING WITH JAN ROBIN GROVES

On a motion of Supervisor Sue Crane seconded by Councilman William O’Neill moved to approve the resolution.

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|---------|--------|---|-----------------------------|
| Adopted | Ayes | 4 | Crane, Ross, O’Neill, Cagle |
| | Nays | 0 | |
| | Absent | 1 | Colgan |

Copy attached

FACEBOOK GUIDELINES – RICHARD WAMBACH

Supervisor Crane asked Richard Wambach to review the Facebook recommendations. Richard Wambach presented the guidelines which were reviewed by the IT Committee. A draft was submitted to the Town Attorney who made comments. He presented a revised draft to the Board. The St. Margaret’s Committee would like to move forward with the Facebook page. Supervisor Crane asked about monitoring the site. Richard Wambach said there are people on the committee who can monitor the site. It would be on a case by case basis for different committees. He will also be keeping an eye on postings. If it is to be successful it has to be monitored by someone from the committee. Attorney Chale referred to information regarding archival procedures. Councilman Ross asked who can get at the archives. Richard said the webmaster has access to data and explained the process. Supervisor Crane commented that social media seems to be the thing of common use. If there are problems we can always cancel the account. Councilman Ross asked who can get to the archives and how easy is it to retrieve. Richard told him that the webmaster will be the main administrator of the account. There will be additional administrators on the committee. He will work closely with the committee developing the content of the page and will be happy to report on the committee’s behalf.

On a motion of Supervisor Crane second by Councilman O'Neill moved to move forward with the Facebook account for St. Margaret's Committee with Richard Wambach as Webmaster and approve the presented Facebook standards.

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

TOWN OF RED HOOK FLOOD DAMAGE PREVENTION LAW DISCUSSION – CHRISTINE CHALE – RESOLUTION TO SET PUBLIC HEARING

Supervisor Crane said the Town Board received from FEMA, a letter indicating that flood insurance studies and maps are completed for our community and that we need to take into account the maps and modify language if necessary to make certain that they are current and adequate. They are kept in the Building Department for anyone's review. Supervisor Crane, Attorney Chale, Building Inspector Steve Cole and Highway Superintendent Theresa Burke went over each map and it showed the effects of the high water level. We believe that now we have material on hand that demonstrates the likelihood of flooding in our Town. We are asked to pass a local law and she asked Attorney Chale to explain.

Attorney Chale explained that there are existing flood regulations in the Town. Those regulations are required to qualify for flood insurance. What we have now is a new series of maps that were issued by FEMA and they are provided to be effective May 2. In the interim they provided modified regulations to accompany those maps. They asked us to adopt the new map. There are also new regulations they asked the Town to adopt to replace the existing regulations. She explained the requirement changes. She referred to a model set of regulations provided by the DEC. We also have to call a public hearing. After the public hearing we can review the EAF.

Supervisor Crane suggested setting March 13, 2012 for the public hearing and read the resolution.

RESOLUTION 2012 #15

RE: ESTABLISHING A DATE FOR A PUBLIC HEARING REGARDING THE ADOPTION BY THE TOWN BOARD OF THE TOWN OF RED HOOK OF LOCAL LAW NO. A (PROPOSED) OF 2012 REGARDING FLOOD DAMAGE PREVENTION

On a motion of Supervisor Sue Crane seconded by Councilman James Ross moved to set the public hearing for March 13, 2012 at 8:00 p.m.

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

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Attorney Chale suggested reviewing the optional provisions and perhaps discussing the provisions at a workshop.

Councilman O'Neill asked if this applies to the Village of Red Hook too.

Attorney Chale responded that the Village of Red Hook and the Village of Tivoli have been provided their own version with their own provisions.

MOTION TO SUBMIT APPLICATION TO NYS DOS FOR SHARED SERVICES GRANT PREPARATION BY CRAWFORD & ASSOCIATES (COST TO BE SHARED WITH THE VILLAGE OF RED HOOK)

Supervisor Crane explained that this is a result of the shared services meetings we've been having with the Village of Red Hook to include them in the Highway Department in the initial plan of the construction of the garage. The hope is to house both highway departments. There is a grant available through the DOS for study of shared services and we have discussed this with the Village. They passed a resolution to submit the grant and we received a proposal from our engineering firm to prepare the grant. The amount of the grant for each municipality would be for a maximum of \$35,000. Brandee Nelson from Crawford & Associates looked at the requirements for the application and is willing to do it for no more than \$1500 and that cost would be shared with the Village.

On a motion of Supervisor Crane seconded by Councilman O'Neill moved to proceed with the application.

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

2012-2013 MEDICAL BENEFITS PLAN – DISCUSSION

Supervisor Crane explained that the Board met in a special meeting to discuss the medical benefits plan. The Board talked with the insurance broker about a number of options that we could link to in 2012. After listening to what was said at the meeting she has strong misgivings about switching to CDPHP because not all of our employees could be insured by them. She referred to MVP Option I which will save the Town near 8%, is a higher deductible and a little higher out of pocket. The co-pays for medication will be equivalent for what we now have.

On a motion of Supervisor Crane seconded by Councilman O'Neill moved that we adopt and notify the broker that we will join MVP Option I EPO Preferred HDHP plan.

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

The Board discussed various points of the insurance. The issue will be revisited next year.

ASSOCIATION OF TOWNS COURT CLERK TRAINING

Supervisor Crane referred to a letter she shared with the Board from Judge Triebwasser regarding the Association of Towns meeting. He is requesting that the Board reverse its decision to exclude staff from the meeting this year due to budget constraints. He is lobbying for the two court clerks to attend the training in February. She asked for the Board's comments. Councilman O'Neill asked if we've always paid for it.

Supervisor Crane told him that up until recently the Town has budgeted for most departments to send at least one person and in some cases more to the training, the reasoning is because it is a good investment. When we were faced with budget constraints we opted not to send people to the conference. The justices presented the case that the clerks must have their yearly training session.

Councilman O'Neill asked if there is training anywhere else.

Supervisor Crane explained that there are other venues for training but the justices haven't found one yet or one hasn't been announced yet. She knows that Town Clerk Sue McCann would benefit from training and it is a matter of cost of doing business. She got a grant to go and investigated another possibility. Supervisor Crane is disinclined to consider this in fairness to all the employees all of whom are dedicated and have benefited from training. It does not feel right to make an exception with the Justice Court. It was discussed during the budget process not to send employees. Maybe if they can look at the proposed budget presented to the Board and be able to identify areas that could be adjusted in order for them to go she would be open to that. Councilman Ross said that he's always felt that sending employees to the Association of Towns gave the Town a lot of "bang for our buck". Two or three years ago it was decided not to do it anymore. He feels as Supervisor Crane does that if they can find it in their budget he would allow it. Next year come to the Board and let the Justice Department as well as other departments add that to their line item for the next fiscal year. He agrees that Supervisor Crane made a good point don't make an exception unless they have it in their budget.

Supervisor Crane said we made that decision for obvious reasons. Departments have to look at their budgets to see where they can make adjustments.

Councilwoman Cagle thinks it is difficult to say that it is more important for some staff to go than others. She looked at the NYS Association of Magistrates website to look at the training schedule and it said to come back in March. She hopes there will be something closer at a more reasonable fee.

Supervisor Crane will convey the results of this discussion to the Justices tomorrow.

RECREATION BUDGET – FEES

Supervisor Crane explained that the Board budgeted revenue that has run into some snags. We hoped to manage a way to collect revenues for the use of the pavilion at the Rec. Park. Town Clerk Sue McCann, Recreation Department Chair John Kuhn and Supervisor Crane met to discuss the mechanics of scheduling, collecting money, refunding money, etc. and we knew from John that the Recreation Commission was not in favor of collecting a fee for use of the pavilion.

They decided to forgo that goal of collecting revenue for the pavilion. Regarding league fees the Recreation Commission met and discussed the \$5 per participant for those in various leagues. They recommended that they conform to the \$5 participant fee for all leagues. In our course of discussion the second issue that came up was regarding getting the baseball fields and roller rink back in shape after the hurricane damage. The tennis courts have been repaired. John Kuhn is going to try to set up a meeting with Bruce Martin from Red Hook Central Schools. We need to try to negotiate with the school district to absorb some of the costs of the restoration of the fields so those fields are in shape for their baseball and softball programs.

CONSERVATION EASEMENT REVIEW COMMITTEE – BRENDA CAGLE

Supervisor Crane asked Councilwoman Cagle about recommendations for someone to serve on the panel to look at this law.

Councilwoman Cagle recommended Planning Board Chair Christine Kane, Mary Ann Johnson from the Ag & Open Space Committee, Trilby Sieverding, ZBA Alternate, and one CAC representative, either Karen Schneller-McDonald or Sara Imboden. There has been a request that they meet evenings not Tuesday.

Councilman Ross spoke to John Douglas who would be happy to serve.

Councilwoman Cagle said that some requested information before hand.

Councilman Ross suggested getting them a copy of the current law before the first meeting.

ZBA COMPOSITION: 7 MEMBERS VS. 5 MEMBERS – DISCUSSION

Supervisor Crane explained that we've had an inconsistency in the law for a number of years. The law could be modified to say the ZBA shall have five members or seven members. Since Councilman Ross is the liaison to the ZBA she asked him to lead off in the discussion.

Councilman Ross said it should be clarified in the code. Our Zoning Board of Appeals has always been made up of seven members since its start in then 1970's. He always felt strongly about a seven member board because the ZBA is the only makeup of non-elected officials that actually has the right to zone pieces of property. Because that is their authority he feels more members are better as long as it is a manageable group. In the 30 years he's been involved with the ZBA he always found that the seven member board is manageable. You might find differing opinions which is a good thing when you have a group who are making pertinent zoning decisions. If it were just a body of five it would be too narrow. He spoke of the issues of a quorum and the seven year membership.

Supervisor Crane asked what happens if a member does not show up. Does the Town Board ignore that and continue with the seven year reappointment without recourse?

Councilman Ross answered no. The Town Board passed a resolution for all of our committees that we request an attendance record. Based on attendance we would have the authority to ask that they leave the committee. He wasn't sure of the percentage of attendance.

Councilwoman Cagle asked what the State's rationale was to recommend five rather than seven. Councilman Ross responded that he isn't sure. The State had originally seven members then in 1992 they changed it. He explained the contradictions in the change.

Councilman O'Neill feels if they changed the law there must be a reason. The Chairman of the ZBA might feel that five members would be more manageable. Without Councilman Colgan here who did the research he isn't sure of the rationale.

Councilman Ross explained his stance on the issue. He cannot go along with reducing the membership on the ZBA.

Supervisor Crane said this is important. Because of the absence of a Board member she wants the Board to review the attendance records of those members on the committee and discuss this with a full Board. She recalls that there were some members who had other commitments that prevented full participation.

Supervisor Crane reminded the Board that the reorganization needs to be concluded. She doesn't want it to go on meeting after meeting.

PUBLIC COMMENT PERIOD

Harold Ekblom asked that a date is displayed when the meeting is on PANDA.

Elaine Fernandez asked when the Conservation Easement Review Committee will meet and if it will be posted on the web site. She asked about some documents being available on the website. She explained she wants to tape meetings to post on her own website.

Micki Strawinski is glad that the Board is going to use Facebook. She would be interested in getting the standards because she'd like to post the Tour-de-Red Hook and the Clean-Up day on

Facebook. Secondly, regarding the FEMA recommendations, she asked if they would be posted on the website.

Supervisor Crane said it will be on the website and available in the Town Clerk's Office.

Micki Strawinski asked what the deductible will be going up to in regard to the medical benefits.

Supervisor Crane said the Board is recommending going with what was considered in October when they reviewed the budget. She gave the numbers of the deductibles.

Micki Strawinski said the Clean-Up day might have to be changed due to an affair at Marist College.

On a motion of Councilman O'Neill seconded by Councilman Ross moved to adjourn the meeting at 9:10 p.m.

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|---------|--------|---|-----------------------------|
| Adopted | Ayes | 4 | Crane, Ross, O'Neill, Cagle |
| | Nays | 0 | |
| | Absent | 1 | Colgan |

Respectfully submitted,

Sue McCann, Town Clerk