

**RED HOOK TOWN BOARD MEETING**  
**November 13, 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 Harry Colgan  
Councilman William O'Neill  
Councilwoman Brenda Cagle  
Town Clerk Sue McCann

Also Present: Attorney for the Town Christine Chale  
Business Manager Deborah Coon  
Budget Officer Rose Rider

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

**SUPERVISOR'S REPORT**

The Supervisor's report dated October 31, 2012 was read as follows: Opening balance - \$2,827,485.84; Receipts - \$277,501.00; Disbursed - \$544,720.25; Balance - \$2,560,266.59. There were no budget adjustments.

On a motion of Councilman Colgan seconded by Councilman Ross moved to approve the Supervisors report.

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

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**TOWN CLERK'S REPORT**

The Town Clerk's report for the period October 1 through October 31, 2012 was read as follows: Total local shares remitted to the Supervisor - \$1,691.90; Amount remitted to NYS Ag. & Markets - \$74.00; NYS Dept. of Health for Marriage Licenses - \$135.00; Amount remitted to NYS Environmental Conservation - \$2,595.60; Total State, County & Local revenue - \$4,496.50.

**ANNOUNCEMENTS**

Supervisor Crane made the following announcements:

- Thanked the VFW Post 7765 for such a moving ceremony on Veterans Day.
- Boy Scout Troop 42 Scouts Joseph Spano and Stephen Munisteri received their Eagle awards. She congratulated them and acknowledged their leaders.
- Betty Mae VanParys, Secretary to the Planning Board, is retiring after 30 years. Paula Schoonmaker, Secretary to the Planning Board, read a statement speaking for Planning Board Chair Christine Kane and the entire Planning Board in thanking Betty Mae for her time in service. She will be sorely missed in the day to day activities of the Planning Office.
- She introduced the new Dog Control Officer Stephanie Fitzpatrick.

**HEALTHCARE CONTRACT MEETING**

Supervisor Crane asked the Board for a date to discuss healthcare contracts for 2013. November 26, 2012 at 7:30 was set for the special workshop meeting.

**PUBLIC COMMENT**

Supervisor Crane explained that the budget public hearing was left open. There was a comment last week after the public hearing regarding the audit of books. The question was asked if a CPA is required for the audits of the Tax Collector, Town Clerk and the two Court Clerk's books. Our Town Accountant has acceptable credentials to audit the Town Clerk and Tax Receiver. Business Manager Deborah Coon explained that she spoke with an auditor associated with the Association of Towns. She read a response from them stating that the Town Clerk's and Tax Receivers books do not have to be audited by a CPA because they are not filed in the State Comptroller's Office. The Court Clerk's books will have to be signed by a CPA.

**CONTINUATION OF PUBLIC HEARING – BUDGET 2013**

Supervisor Crane re-opened the public hearing.  
Town Clerk Sue McCann read the continuation notice for the Public Hearing.  
Supervisor Crane asked for comments. There were none.  
Business Manager Debora Coon will file intent with State Comptroller’s Office.  
Supervisor Crane referred to the reduction in the amount of sales tax revenue we are receiving through the County. She wrote a letter to the County Executive and Councilman Colgan and Councilwoman Cagle drafted a resolution which reflects the Boards concern about having the revenues frozen over time. If the sales tax revenue is reduced, we are asking that as those sales tax revenues increase our piece of that increases at the same rate as is received by the County.  
Councilwoman Cagle read the draft resolution.

**RESOLUTION 2012 #65**

RE: CALLING FOR COMPROMISE ON COUNTY’S PROPOSED SALES TAX REVENUE CAP

On a motion of Councilwoman Brenda Cagle seconded by Councilman Harry Colgan moved to approve the resolution.

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

Copy attached

Supervisor Crane thanked Councilwoman Cagle for drafting the resolution.

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

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

Supervisor Crane asked the Board if they were prepared to pass the budget. If so, Business Manager Deb Coon will contact the State Comptroller’s Office with our intent to do so tonight. Supervisor Crane thanked Deb and Budget Officer Rose Rider for their work on the budget. It was a struggle on all the Department Heads.

**PUBLIC COMMENT**

Supervisor Crane opened for public comments. There were none.

**ECHO VALLEY STREET LIGHTING**

Supervisor Crane said the Board received a petition from the residents of Echo Valley Road in favor of replacing the street lights. She read the petition.  
Attorney Chale explained that the street lights were installed by the developer. They intended to be in the lighting district, but they are not.  
Councilman Colgan explained that the residents would have to pay a proportional share of the cost of the lighting district. It is based on assessed value. This is pending listening to what Central Hudson has to say.  
Supervisor Crane said that two poles came down. Do residents want all the lights replaced? Lisa Obrizok responded yes, it is a safety issue.  
Councilman Colgan thinks that Central Hudson proposed what you see at the normal intersections along Route 199. Lighting up and down the block could be very expensive. He explained the procedure to replace the poles.  
Attorney Chale pointed out the proposed light replacements on a map provided by Central Hudson.  
Supervisor Crane proposed having Central Hudson replace the one light on the pole that exists that belongs to Central Hudson. That would take care of the dangerous corner. Additionally, we need to determine how to bill for these other lights that exist on the street that belong to a lighting district. It should be part of a lighting district as other neighborhoods are.  
Councilman Ross said there would have to be a consolidated lighting district and there would have to be a public hearing where residents can voice whether they want the lights or not.  
Councilman Colgan noticed that a number of houses have their own lights out front which is another way to address the issue. There are no overhead lighting poles.

Attorney Chale suggested putting one light out front and the Central Hudson representative said that properties can be put in the district and the costs assessed.  
Supervisor Crane thinks the residents would want to wait. We need to resolve the fact that the development should be in the Red Hook lighting district.  
Councilman Ross said replacing the light at the 199 intersection Town wide everybody bears the expense. He sees no other option but creating a district unless we turn the lights off because Town wide should not continue to pay for that.  
Attorney Chale said the option is to stop there or replacement which is \$2,000 to \$3,000 per pole.

On a motion of Councilman Colgan seconded by Councilman Ross move to replace one light to the pole that already exists.

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

#### **4000 PERSON CONCERT AT GREIG FARM - LARGE ASSEMBLY PERMIT DISCUSSION**

Supervisor Crane referred to the large assembly application for a concert at Greig Farm. She asked Norman Greig and Zach Levy to give the Board some information.  
Zach Levy explained his history with concert production. It will be the "Big Up Music & Arts Festival", by Shireworks Productions located in Ghent, NY. Admission fees provided to the Board are accurate. He is proposing a three day event with camping on the grounds.  
Councilman Ross asked the expected attendance.  
Mr. Levy said they will keep it under 5,000 people.  
Councilman Ross spoke to him about safety and security.  
Councilwoman Cagle read the public assemblies law and spoke about the sound constraint and limit for noise.  
Supervisor Crane asked about the stage construction, medical services and security.  
Mr. Levy responded that they have an ambulance service and he will contact the police, etc.  
Supervisor Crane asked Norman Greig how many attended the Gathering of the Vibes Concert.  
Mr. Greig didn't remember the number.  
Supervisor Crane asked who would be booked for the concert.  
Mr. Levy will schedule groups after approval. It will be a wide range of music geared towards young people.  
Councilman O'Neill wants to hear what the Zoning Officer has to say.  
Supervisor Crane asked how they would control drugs. That would be her biggest concern. It was a serious concern at the Gathering of the Vibes. The problem was unacceptable.  
Councilman Colgan asked about the length of time the music would run. We have regulations that specifically addresses sound and the hours allowed.  
Highway Superintendent Theresa Burke brought up traffic control.  
Mr. Levy handed out information about how they would control traffic.  
Supervisor Crane will place this on the agenda for the December 11, 2012 meeting.  
Attorney Chale said there is a substantial amount of additional information needed in order to approve this and she suggested an environmental assessment form be submitted and hold a public hearing.  
Zach Levy will contact Building Inspector Steve Cole and the health department.  
Councilwoman Cagle and Councilman Colgan will also meet with them.

#### **APPOINTMENT – DOG CONTROL OFFICER**

Supervisor Crane referred to the appointment of Stephanie Fitzpatrick.

On a motion of Supervisor Crane seconded by Councilwoman Cagle moved to appoint Stephanie Fitzpatrick as dog control officer retroactively to her start date.

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

#### **RESOLUTIONS**

Supervisor Crane explained the resolutions regarding the Highway Material Bids for various products. She read the first resolution.

**RESOLUTION 2012 #66**

RE: AUTHORIZING THE PURCHASE OF ROAD SERVICES AND MATERIALS PURSUANT TO TOWN PROCUREMENT POLICY

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

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

Copy attached

Councilman Ross read the ice control abrasives resolution.

**RESOLUTION 2012 #67**

RE: AUTHORIZING THE PURCHASE OF ICE CONTROL ABRASIVES FOR HIGHWAY DEPARTMENT PRUPOSES

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

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

Copy attached

Councilwoman Cagle read the hot mix asphalt resolution.

**RESOLUTION 2012 #68**

RE: AUTHORIZING THE PURCHASE OF HOT MIX ASPHALT FOR HIGHWAY DEPARTMENT PURPOSES

On a motion of Councilwoman Brenda Cagle seconded by Councilman Harry Colgan move to approve the resolution.

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

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**APPOINTMENT – CARL DOWDEN**

Supervisor Crane asked the Board to appoint Carl Dowden as Chair of the Board of Assessment Review.

On a motion of Supervisor Crane seconded by Councilman Colgan moved to reappoint Carl Dowden as Chair of the Board of Assessment Review and as member for a five year term to expire September 30, 2017.

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

**RESOLUTIONS - CONTINUED**

Councilwoman Cagle read and explained the Energize Partnership Pact.

**RESOLUTION 2012 #69**

RE: PARTICIPATION IN THE ENERGIZE NEW YORK PROGRAM

On a motion of Councilwoman Brenda Cagle seconded by Councilman Harry Colgan move to approve the resolution.

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

Copy attached

**ADOPTION OF PRELIMINARY BUDGET**

On a motion of Councilman Ross seconded by Councilman Colgan moved to adopt the preliminary budget that was heard on two public hearings with minimal public comment.

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

**PUBLIC COMMENT**

Supervisor Crane opened for public comments.

Linda Keeling said that neighbors should be involved in planning of the proposed concert.

Supervisor Crane said this will be subject to public hearing. She also has concerns

**EXECUTIVE SESSION**

On a motion of Supervisor Crane seconded by Councilman Colgan move to go into Executive Session at 9:17 p.m. pending matters of litigation.

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

On a motion of Councilwoman Cagle seconded by Supervisor Crane moved to close the Executive Session at 10:06 p.m.

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

**RESOLUTION - ARTICLE 7 PROCEEDING**

Supervisor Crane referred to the following resolution:

**RESOLUTION 2012 #70**

RE: AUTHORIZING SETTLEMENT OF ARTICLE 7 PROCEEDING WITH RED HOOK ESTATE PROPERTIES, LLC.

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

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

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The November 28, 2012 Town Board meeting is cancelled.

On a motion of Councilwoman Cagle seconded by Councilman Colgan moved to adjourn the meeting at 10:07 p.m.

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

Respectfully submitted,

Sue McCann, Town Clerk