

## RED HOOK TOWN BOARD MEETING

February 11, 2014

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

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

### TOWN CLERK'S REPORT

The Town Clerk's report for the period January 1 – January 31, 2014 was as follows: Total local shares remitted to the Supervisor - \$5,954.60; amount remitted to NYS Ag. & Markets - \$72.00; amount remitted to NYSDEC - \$27.40; total State, County & Local revenue - \$6,054.00.

Town Clerk McCann presented the Financial Reports for the Town Clerk and for the Receiver of Taxes for 2013. Her office is in full swing collecting taxes, water bills and selling recycling stickers.

### PUBLIC COMMENT PERIOD

Supervisor Crane opened for public comments.

There were none.

### ANNOUNCEMENTS

Councilwoman Cagle announced the following:

- The Library has Health Exchange navigators, call them for information

- DC Office of the Aging Senior Picnic - Wednesday, June 25 at the Fairgrounds in Rhinebeck

Supervisor Crane received the new officers list for the Red Hook Fire Company. We are grateful and proud for their service. She listed the names and positions.

### KESICKE FARM CONSERVATION EASEMENT DISCUSSION & RESOLUTION

Supervisor Crane recused herself.

Councilwoman Cagle led the discussion. In October the Board voted to extend community preservation funds to purchase the development rights for that property. Since then the outline of the farmstead complex changed.

Art Collings from Dutchess Land Conservancy explained that in doing the conservation easement it is always a question of balancing the protection of the resources and making a property viable as a farming operation. The farmstead complex is the area where the most intensive development of farm structures is permitted. He explained the acreage and reason for change in the proposal. The appraiser was contacted, reviewed the revised map, and decided the appraisal for the property did not change. The Natural Resource and Conservation Service will have to complete what they have to do in order to close the project by March 4, 2014. Cari Watkins-Bates and Art are working on contingency plans in case they are not able to close in time.

Attorney for the Town Christine Chale explained the amendment to the resolution.

Councilwoman Cagle read the resolution.

### RESOLUTION 2014 #4

RE: AMENDMENT TO RESOLUTION GRANTING FINAL APPROVAL FOR THE PURCHASE OF DEVELOPMENT RIGHTS OF THE KESICKE FARM

On a motion of Councilman William O'Neill seconded by Councilman Harry Colgan moved to approve the resolution.

Adopted	Ayes	3	Colgan, O'Neill, Cagle
	Nays	0	
	Absent	1	Ross
	Recused	1	Crane

Copy attached

**ANNOUNCEMENTS** (continued)

Supervisor Crane announced the following:

- The DEC requested the annual report for the recycling center which is due the end of March
- The Town Court received new computers at no cost to the taxpayers
- Transportation Enhancement Program (sidewalks) process is complete, we were not selected

**SMALL URBAN AREA BOUNDARIES UPDATE FROM NYSDOT**

Supervisor Crane received a letter from NYS Department of Transportation, Region 8, which is an update of small urban area boundaries. It was sent to Supervisor Crane, Mayor Blundell of the Village of Red Hook and Mayor Cranna from the Village of Tivoli. It is notification that the functional classifications have been changed for certain areas within townships. It is an adjusted boundary. The only impact in Red Hook is that it broadens the availability of funding for Broadway in Tivoli because it is a County road and this adjustment makes funding available for those previously not included. She explained the area of the map that was changed. We are asked to submit a resolution. She read the resolution.

**RESOLUTION 2014 #5**

RE: UPDATE TO SMALL URBAN AREA BOUNDARIES TOWN OF RED HOOK, VILLAGE OF RED HOOK & VILLAGE OF TIVOLI, DUTCHESS COUNTY

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

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

Copy attached

**AGRICULTURAL FENCES DISCUSSION – NORMAN GREIG**

Supervisor Crane reminded the Board about a discussion regarding a request from the Ag. & Open Space Committee about agricultural fences.

Councilman O’Neill explained the request from the Ag. & Open Space Committee that the Town Board consider amending the Zoning to exempt agricultural fences from the regulations existing in our zoning. The Ag. & Open Space Committee drafted a resolution to that effect.

Supervisor Crane spoke with Norman Greig and invited him to attend the night’s meeting. She hasn’t seen the resolution, but it is in the Board’s packet for review. She pulled extracts from the Code of Red Hook for the Board to refer to. She asked Norman Greig to speak.

Norman Greig, speaking on behalf of the Ag. & Open Space Committee, said this issue came to their attention right after the new zoning code was passed. There is much concern from the farmers in this community. They are one of the few businesses that have their own zoning code written for the farming business. Fencing is a normal agricultural practice. He gave examples. They see the fencing requirement in the new zoning code as an oversight. Anytime a fence needs repair or to be erected they’d have to get a building permit, pay a fee, then have approval before what they’d have to do as normal agricultural practice. This creates an undue burden on the farmers and they feel strongly that it needs to be changed. They hired an attorney to draw up a resolution for the Board to consider. They are only asking that the definition of agricultural fencing be established and that they be exempted from the building permit process.

Supervisor Crane asked for comments from the Board.

Councilman Colgan feels the Zoning Review Board should look at the resolution. He understands the concern of the farming community. It would be wise to take a look at it.

Councilman O’Neill will follow up with the ZRC and hear from the Ag. & Open Space Committee.

Norman asked for a joint meeting of the two committees. The Ag. Committee feels that they’ve been marginalized in this process. The farmers feel strongly about this and when the Town Council decides to send it off to the Zoning Review Committee and does not invite a single farmer to plead his case, seems inappropriate.

Supervisor Crane explained that the process has been very valuable in the past. The ZRC looks at the problem from every perspective. It is not anyone’s intention to marginalize farmers. We have worked too hard and too long.

Norman remarked that this is farmer’s livelihood. We have agricultural zoning in the Town of Red Hook but we have code that’s written by people who know nothing about farming. We have code that gets reviewed by a committee that has no interest in farming and knows nothing about farming. When the Agriculture Committee votes unanimously on something, then it gets

referred to a committee who has the final say who knows nothing about agriculture, we have a problem with that.

Supervisor Crane told him that the committee does not have final say. They review it then get back to the Town Board with their take on it. It is the Town Board's decision to change the law or not. This is a very intelligent and balanced Board and they will do their very best to ensure this is a fair decision for everyone.

Art Collings asked to comment. He is from Dutchess Land Conservancy and also serves as Vice-Chair of the County's Farmland Protection Board. Speaking for the Farmland Protection Board, he said that these types of issues come before them and they would be open to review anything the Town would provide them. They are a very pro-agricultural organization, and would be a third party to make comments if requested.

Councilwoman Cagle asked if there is an Ag. Committee representative on the ZRC.

Councilman O'Neill told her Chuck Simmons.

Supervisor Crane told Norman that they have the resolution and is sure that out of this will come some clarity and hopefully some simplicity.

### **REORGANIZATION – Continued**

#### Conservation Advisory Council

On a motion of Councilwoman Cagle seconded by Councilman O'Neill moved to reappoint Laurie Husted as Chair of the CAC for a term to expire December 31, 2014 and Laurie Husted, Michael Zelie, Denis Collet, and Sarah Imboden for terms to expire December 31, 2015.

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

#### Agriculture & Open Space Advisory Committee

On a motion of Councilman O'Neill seconded by Councilman Colgan moved to reappoint Norman Greig and Peter Hubbell as Co-Chairs for terms to expire December 31, 2014, and Richard Biezynski, Ken Migliorelli, Marina Michahelles, Norman Greig and John Hardeman for terms to expire December 31, 2015.

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

#### Design Review/Hamlet Committee

On a motion of Councilman Colgan seconded by Councilwoman Cagle moved to appoint Geoff Carter to fill a vacancy for a term to expire December 31, 2015, reappoint Chris Gilbert as Chair for a term to expire December 31, 2014 and R. Michael Brown for a term to expire December 31, 2015.

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

#### Economic Development Committee

On a motion of Supervisor Crane seconded by Councilman Colgan moved to reappoint Chris Klose as Chair for a term to expire December 31, 2014 and Amanda Bodian, Chris Klose, Ken Migliorelli and Jacob Bump for terms to expire December 31, 2015.

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

#### Ethics

On a motion of Councilman Colgan seconded by Councilwoman Cagle moved to reappoint Fred Cartier as Chair for a term to expire December 31, 2014 and Susan Simon as member for a term to expire December 31, 2018.

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

Greenway and Trails Committee

On a motion of Councilwoman Cagle seconded by Supervisor Sue Crane moved to reappoint Howie Callies as Chair for a term to expire December 31, 2014, and Howie Callies, Bruce Cuttler and Rich Schiafo as members for terms to expire December 31, 2015.

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

IT Committee

On a motion of Supervisor Crane seconded by Councilwoman Cagle moved to reappoint Wayne Hildenbrand as Chair for a term to expire December 31, 2014, and Scott Hobson, Wayne Hildenbrand, Ted Kudzy, and Bill Moore as members for terms to expire December 31, 2015.

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

Intermunicipal Shared Services Highway Working Group

- No new appointments, it was noted that it is a 7 member group.

Intermunicipal Task Force

On a motion of Councilman O'Neill seconded by Supervisor Crane moved to appoint Paula Schoonmaker as representative from the Design Review Committee.

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

Senior Services Committee

On a motion of Councilwoman Cagle seconded by Supervisor Sue Crane moved to reappoint Andrew Kehr as Chair for a term to expire December 31, 2014, and Betty Bader, Ed Sandfort, Jeanne Duntz and Betty A'Brial as members for terms to expire December 31, 2015.

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

Tree Preservation Commission

On a motion of Councilwoman Cagle seconded by Councilman Colgan moved to reappoint Nancy Guski as Chair for a term to expire December 31, 2014, and Nancy Guski, Marcy Appell and Eleanor Friery as members for terms to expire December 31, 2015.

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

Zoning Review Committee

On a motion of Councilman O'Neill seconded by Councilman Colgan moved to reappoint Susan Simon as Chair for a term to expire December 31, 2014, and Susan Simon, Chuck Simmons, Sam Phelan, John Douglas, Steve Cole, Ann Rubin, Chris Klose for terms to expire December 31, 2014 and At-Large Community Member (vacant) and Michael Robertson for terms to expire December 31, 2015

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

**PUBLIC COMMENT PERIOD**

Supervisor Crane opened for public comments.  
There were none.

**ATTORNEY/CLIENT & EXECUTIVE SESSION**

On a motion of Supervisor Crane seconded by Councilwoman Cagle moved to go to Attorney/Client for discussion of contracts and Executive Session regarding the hiring or firing of a particular person or persons at 8:35 p.m.

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

On a motion of Councilman Colgan seconded by Councilwoman Cagle moved to close Attorney/Client & Executive sessions at 9:45 p.m.

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

On a motion of Councilman Colgan seconded by Councilman O'Neill moved to adjourn the meeting at 9:45 p.m.

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

Respectfully submitted,

Sue McCann, Town Clerk