

## RED HOOK TOWN BOARD MEETING

July 14, 2015

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  
Brandee Nelson, Crawford & Associates

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

### SUPERVISOR'S REPORT

The Supervisor's statement dated May 31, 2015 was read as follows: Opening balance - \$4,764,465.83; Receipts - \$498,918.40; Disbursed - \$588,142.87; Balance - \$4,675,241.36. There were the following budget adjustments: General A Fund – Total increase in appropriations - \$9,700; Highway DB Fund – Total increase in appropriations - \$27,261.

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

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

### TOWN CLERK'S REPORT

The Town Clerk's report for the period of June 1 – June 30, 2015 was read as follows: Total shares remitted to Supervisor - \$1,788.74; Amount remitted to NYS Ag. & Markets - \$59.00; Amount remitted to NYS Dept. of Health - \$247.50; Amount remitted to NYS DEC - \$701.76; Total State, County and Local revenue - \$2,797.00.

### VOUCHER ABSTRACTS:

<u>October 2014</u> – Voucher #'s 18190–18294	Total abstract - \$130,981.52
<u>November 2014</u> – Voucher #'s 18295-18388	Total abstract - \$164,501.83
<u>December 2014</u> – Voucher #'s 18389-18485	Total abstract - \$312,859.46
<u>January 2015</u> – Voucher #'s 18486-18615	Total abstract - \$156,433.05
<u>February 2015</u> – Voucher #'s 18616-18705	Total abstract - \$108,018.84
<u>March 2015</u> – Voucher #'s 18706-18794	Total abstract - \$254,047.76
<u>April 2015</u> – Voucher #'s 18795-18939	Total abstract - \$404,990.78
<u>May 2015</u> – Voucher #'s 18940-19029	Total abstract - \$223,132.70
<u>June 2015</u> – Voucher #'s 19030-19194	Total abstract - \$494,044.94

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### ANNOUNCEMENTS

Councilwoman Cagle - The Linden Avenue Bridge project will be delayed until 2016.

Supervisor Crane announced the following:

- Thanked Highway Superintendent Theresa Burke and Highway Secretary Carole Thomassen for placing and planting the barrels in place of the barriers in the entranceway to the parking lot.
- Vacancy on the Planning Board plus two alternates (7 year terms) – send resume to Town Clerk
- Congratulated Secretary Linda Stoddard for soliciting the banks on behalf of the Town and the senior citizens for supporting the Senior Picnic. Those banks are the Bank of Greene County, Key Bank, M&T Bank, Mid-Hudson Valley Federal Credit Union, Rhinebeck Savings Bank, Trustco Bank and Ulster Savings Bank. We are grateful to them for their generosity. She also thanked the Red Hook Senior Citizens group.
- Red Hook CAN's Kari Feuer discussed using St. Margaret's Home building for an art event. Possible dates are August 22 & 23<sup>rd</sup>.
- Erica Freudenberger, Director of Red Hook Library, was nominated for an award from NY Library Association. It is a great honor.

**PUBLIC COMMENTS**

Supervisor Crane opened for comments. There were none.

**ENGINEERING PROPOSALS**

Brandee Nelson, Crawford & Associates Engineering, explained the project which was significantly helped by DC Planning’s John Clark. She presented conceptual drawings and explained the design of the parking lot Master Plan. The project will be funded through two sources. The Town obtained a Community Development Block Grant through the County for handicapped accessibility improvements in the parking lot and in the building. She gave specifics. The remaining portion will be paid by the Town. She explained the reason for separating the resolutions although there is one job. They hope to get started in late summer/early fall.

Supervisor Crane read the following resolution:

**RESOLUTION 2015 #28**

RE: AUTHORIZING THE PROPOSAL OF CRAWFORD & ASSOCIATES ENGINEERING, P.C. FOR THE CDBG TOWN HALL CAMPUS ADA IMPROVEMENTS

On a motion of Supervisor Sue Crane seconded by Councilwoman Brenda Cagle moved to approve the resolution as read.

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

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Supervisor Crane read the following resolution:

**RESOLUTION 2015 #29**

RE: AUTHORIZING THE PROPOSAL OF CRAWFORD & ASSOCIATES ENGINEERING, P.C. FOR THE TOWN HALL CAMPUS PARKING LOT IMPROVEMENTS

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

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

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**PUBLIC HEARINGS**

Extension to Consolidated Lighting District – Echo Valley Road, Willard Road, Blue Echo Road  
Town Clerk Sue McCann read the Notice of Public Hearing. She presented two letters from residents.

On a motion of Councilman Colgan seconded by Councilwoman Cagle moved to open the public hearing at 8:00 p.m.

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

Supervisor Crane opened for comments.

*Carl Dowden* lives on Echo Valley Road. He asked the Board not to include Echo Valley Road in the consolidated lighting district. He doesn’t think it is reasonable for the 38 parcels to be affected by this. Echo Valley is a through road, not a development like other areas in the consolidated lighting districts. There are three lights because they were required when the houses were built there. It is not your traditional neighborhood development. Adding 38 more parcels to the consolidated lighting district will lower the rate and cost for others in it, but add a cost to us that isn’t reasonable or necessary.

Councilman O’Neill asked Mr. Dowden if his concern is that it will encourage people to use that road as a bypass.

*Mr. Dowden* responded no. He understands that right now the taxpayers are paying for the three lights on Echo Valley Road. His feeling is that the proposal to add them is so that the whole Town doesn’t have to pay for those three lights. We aren’t like any other part of Town in the consolidated lighting district. It won’t increase or decrease the traffic. We aren’t a

neighborhood like College Park or Linden Acres. It will be a windfall for those in developments within the lighting district. It isn't fair to the taxpayers in his area.

Councilwoman Cagle asked if the cost will be spread among all residents in the district.

Attorney Chale explained the consolidated lighting districts. Each area, when they were developed, was required to create a lighting district. In fact, it was required that this area was to create a lighting district. For some reason it wasn't. When we had the engineer do an assessment of the lighting district several years ago it came to the bookkeeper's attention that this was supposed to be assessed but it wasn't. In fact these properties haven't been billed over the years after they were constructed.

Councilman Ross commented that this was brought to our attention when some of the residents had problems with the lights. That's when we realized that they were supposed to be in the lighting district but were not.

Attorney Chale explained that there are only two lights on Echo Valley Road now. If they are to go into the district those two light poles will have to be replaced.

Councilman Colgan explained the expense of replacing those lights if it doesn't go into the lighting district.

Councilman Ross sees it as either put them in the consolidated lighting district or disconnect those two lights. Those are the options.

Councilman Colgan agrees.

*Mr. Dowden* commented that it is his understanding that if they go into the consolidated lighting district that they will be sharing the cost in all those in the lighting district and they will benefit.

Attorney Chale commented yes.

Councilman Ross asked *Mr. Dowden* what he would want.

*Mr. Dowden* wouldn't want the lights turned off. He is contending that Echo Valley Road is more of a Town-wide road rather than a development road. The way the lights are placed now on a curve, if the lights aren't there will be very dangerous.

Supervisor Crane said when those houses went in it was a farm. Eventually almost 40 homes were added, to her that constitutes a development. Those people are enjoying the luxury of lighting on the road since 1988 that they haven't paid a dime for compared to other developments.

*Mr. Dowden* again commented that you cannot equate it to other developments because it is used as a through road.

Councilman Ross said it was a through road to aid the developers and the development. He understands *Mr. Dowden's* perspective but he doesn't agree as to who should pay for the lights.

*Mr. Hazenbush*, resident of Echo Valley Road, referred to a letter he submitted to the Board.

Councilman Colgan commented that Whalesback Road has through traffic and those residents are in the lighting district.

Supervisor Crane read *Mr. Hazenbush's* letter against inclusion in the lighting district.

Councilwoman Cagle asked about the amount of lights in other districts. The Board discussed the other districts.

*Mr. Dowden* asked if they could just pay for just the lights that are there now.

Supervisor Crane told him not through the consolidated lighting district. She asked if there were further comments. There were none. She asked for a motion to close the public hearing.

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

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

Supervisor Crane read the resolution.

### **RESOLUTION 2015 #30**

RE: APPROVING THE EXTENSION OF THE CONSOLIDATED LIGHTING DISTRICT FOR ECHO VALLEY, WILLARD AND BLUE ECHO ROADS, PURSUANT TO SECTION 209-d OF TOWN LAW, SUBJECT TO PERMISSIVE REFERENDUM

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

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

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Extension to Consolidated Lighting District – Fairways Residential Development Subdivision  
Town Clerk Sue McCann read the Notice of Public Hearing.

On a motion of Councilman Colgan seconded by Councilman Ross moved to open the public hearing at 8:33 p.m.

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

Supervisor Crane opened for comments.  
There were none.

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

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

Councilman Ross read the resolution.

### **RESOLUTION 2015 #31**

RE: APPROVING THE EXTENSION OF THE CONSOLIDATED LIGHTING DISTRICT FOR FAIWAY LANE AND TEE LANE, PURSUANT TO SECTION 209-d OF TOWN LAW, SUBJECT TO PERMISSIVE REFERENDUM

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

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

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### **HIGHWAY**

#### Old Rhinebeck Aerodrome Crosswalk

Highway Superintendent Theresa Burke explained that the aerodrome requested painting crosswalks and placing signage. Norton Road was repaved last year and the crosswalk was covered. The Aerodrome painted the crosswalks themselves in the past. She explained the process involved in installing a crosswalk.

After a discussion it was decided to table the issue until a future meeting.

#### Highway Equipment Discussion

Highway Superintendent Theresa Burke asked for the Board’s authorization to go out to bid for a conveyor controlled sander body.

Supervisor Crane read the resolution.

### **RESOLUTION 2015 #32**

RE: AUTHORIZING THE TOWN CLERK TO ADVERTISE A REQUEST FOR SEALED BIDS FOR THE PURCHASE OF A CONVEYOR TYPE HOPPER BODY SPREADER FOR SALT AND SAND

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

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

Copy attached

#### Pick-up Truck Replacement

Highway Superintendent Theresa Burke requested the purchase of a one ton pickup truck to replace pick-up #1. Expected replacement cost is \$50,000. They propose selling the old truck as is through a municipal auction website. She explained the issues with the old truck and the advantages of the new truck with lift gate. It is also used for plowing cul-de-sacs.

On a motion of Councilman Colgan seconded by Councilman Ross moved to approve replacing the old pick-up truck #1 with a new one.

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

**PROPOSED LOCAL LAW AMENDMENT DISCUSSION – CHAPTER 143 – REPLACING SECTION ENTITLED “DEVELOPMENT WITHIN HAMLET (H) DISTRICT” WITH “HISTORIC STRUCTURES AND DISTRICTS”**

Councilman O'Neill explained the amendment. He pointed out the final draft that was provided for the Town Board's review. The Task Force worked with Greenplan to discuss the proposed law and bring it into written form for review. He explained the area affected and what is involved. The 19 page draft is for the Board to review, and then he asked to schedule a workshop on a night that is convenient for everyone. At least one public informational meeting would be scheduled for those who would be impacted by the proposed zoning. There is a secondary effort to consider an inventory of historic structures within the Town and determine if there should be zoning proposed to protect them.

Councilman Colgan requested a Town Board workshop with Michelle Greig from Greenplan. Supervisor Crane suggested devoting the September 23 meeting to this issue.

**AGRICULTURAL FENCES**

Councilman O'Neill said the ZRC along with the Ag. & Open Space Committee proposed two changes to the zoning. He provided a memorandum for the Board. The first proposal is to add to Section 143-4 in our Zoning, a definition of agricultural fences. The second proposal is to modify Section 143-28a to delete the sentence beginning 'fencing for agricultural purposes' and just use a sentence that says 'agricultural fences shall be exempt from building permits and height restrictions in all zones'. Those are the two proposed languages on agricultural fencing. At the same time the ZRC had to deal with the question of 'spite fences' which was also raised by the Town Board. The ZRC came up with a simple definition 'no fence or other structure in the nature of a fence shall be erected for a purpose other than for fences under Section 143-4 or agricultural fences under the proposed new Section 143.4'. The ZRC determined that language would be the simplest. Councilman O'Neill gave the information to the Town Attorney to review for its legality. The committee wants to be advised of the Board's action.

The Board discussed remitting all of the zoning changes at the same time for cost savings. The issue will be brought back at the next meeting.

**RECREATION PARK EXTENSION**

Supervisor Crane referred to the plans for the new recreation park and wetlands mitigation. It has been mapped, delineated and we now have a proposal for moving earth.

Councilman Colgan explained that the wetlands have been identified and pointed it out on a graphic. A necessary planting will be done which consists of Red Maple, Spice Bush, Winter Berry and Pussy Willow.

Councilwoman Cagle is investigating cost of the trees.

Councilman Colgan said that Recreation Director John Kuhn is also looking into costs. The estimate is between \$3,000 and \$3,500. We have a time frame which limits when this can be done, hopefully in the fall. The terrain work is estimated to cost \$4,200. Recreation Director John Kuhn is ready to go.

Councilwoman Cagle commented about possibly holding a community day for planting.

On a motion of Supervisor Crane seconded by Councilman Colgan moved to use parklands funds for wetlands mitigation.

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

**REPORTS**

Red Hook Police Department – In June there were 66 incidents, 3 arrests and 15 tickets issued.  
DC Sheriff's Department – In June there were 76 total incidents.

**CORRESPONDENCE**

There was the following correspondence:

-John Rhodes, President NYSEDA, asking for the Board's support of the application of the Mid-Hudson Municipal LED Street Light Consortium for a Cleaner Greener Communities award. Councilwoman Cagle explained the program. This is just asking for financial support at

this point. A letter of support does not commit us to anything more; it is to support their application for funding. The Board agreed to send the letter of support.

-Supervisor Crane called the Board of Elections about sending the packet of letters from Bard students requesting the change of their polling place and she was told that they already received one.

-Supervisor Crane received a letter from the Department of Public Service Commission regarding examining the state of telecommunications in New York.

**PUBLIC COMMENT PERIOD**

Supervisor Crane opened for comments.

There were none.

**EXECUTIVE SESSION & ATTORNEY/CLIENT SESSION**

On a motion of Councilman Colgan seconded by Councilwoman Cagle moved to go into Executive session at 9:40 p.m. regarding the hiring or firing of particular persons and Attorney/Client to consider contracts.

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

On a motion of Councilman O'Neill seconded by Councilman Ross moved to close the Executive Session and Attorney/Client Sessions at 10:40 p.m.

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

On a motion of Supervisor Crane seconded by Councilwoman Cagle moved to accept Rondout Consulting's contract extension for professional services through August 31, 2015.

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

On a motion of Councilwoman Cagle seconded by Councilman Colgan moved to adjourn the meeting at 10:45 p.m.

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

Respectfully submitted,

Sue McCann, Town Clerk