

A regular 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 on July 11, 2006 at 7:40 pm.

Present: Supervisor Marirose Blum Bump
Councilman James Ross
Councilwoman Sue Crane
Councilwoman Jean Bordewich
Councilman Harold Ramsey
Town Clerk Susan McCann

Also Present: Town Attorney Christine Chale

Board discusses whether the public hearing for the highway specifications was closed or is it still open. Attorney Chale said there are significant changes so it will have to be re-noticed.

The meeting was called to order by Supervisor Blum Bump at 7:40 pm.

Supervisor Blum Bump read the Supervisor reports for May 31, 2006 and June 30, 2006, noting adjustments- copy of statements attached.

On a motion of Councilwoman Bordewich, seconded by Councilman Ramsey the board moves to accept the Supervisor reports as read.

Adopted Ayes 4 Blum Bump, Ross, Bordewich, Ramsey
Nays 0

Councilwoman Crane was not in the room at the time of the vote.

Town Clerk McCann read Town Clerk monthly report for June 30, 2006.

Privilege of the floor:

Marcy Appell...St. Margaret's needs to be mowed.

Supervisor Blum Bump...I just received a report from Purchasing Agent Ted Kudzy on what work needs to be done at St. Margaret's.

Robert McKeon...TREND group meet June 26th to discuss where money is being spent in our school system. The next meeting is July 20th at the Milan Town Hall.

Susan Ellis...I am a member of the CAC and would like to support Laurie Husted in her grant efforts for photovoltaic system.

Harry Williams...zoning review should look at gabion walls, they should not be allowed in residential areas.

Brenda Cagle, CAC Chair...I spoke to Hudson Valley Clean Energy and they said the life of the photovoltaic system would be 40-50 years and using 2005 energy costs the savings per year is approximately \$600. It will take approximately 13 years to recoup our investment. The panels are under a 25 year warranty. The grant deadline is August 15th.

Karen Petersen...I live in Milan, but I am here to discuss the discrepancies between Milan and Red Hook assessments. Urges the Town Board to reach out to the Milan Board members.

Councilman Ross suggests she speak to her assessor and Milan and Red Hook should speak.

Supervisor Blum Bump said we have submitted to the Department of Transportation a grant for our trail system. Victor Cornelius is here tonight to talk about 2 new grant possibilities.

Victor Cornelius presented information which was sent to the DOT. The request is based on the information we have to date about purchasing the easements for what is being

called the "Breadbasket Trail". We have made a request for the purchase of the easements which we based 75% of the full market value of the parcels. Two complete parcels, one which would provide parking and one which will act as a recreational/visitors interpretation area. Request was also for brush hogging and opening up the area because we are not clear that the negotiations for the actual purchase of the easements have been adequately concluded. You are not married to the actual individual line items, we can't ask for more money.

I'm here tonight to asking for the Boards permission to pursue two trails grants, one Greenway and the other State Parks Grant. 80/20 grant due in September. There are six rounds; this is the first of the six. Victor's fee would be two grants for \$2,000.

Councilman Ramsey...I would like a report and recommendations from the Trails Committee and where the matching funds are going to come from.

Victor Cornelius...yes I have to have that information.

Councilwoman Bordewich...I am the liaison to the Trails Committee and will contact them.

Councilman Ramsey...I would like a 15 minute presentation on what they are looking for in this trail and what type of trail.

Councilwoman Crane...I have a concern, 7 1/2 miles of trail is very costly and we need to be realistic on what we are trying to undertake here. We should be conservative.

Councilman Ross...I share concerns, but would like to move forward. Our share can also be in kind.

Victor Cornelius...we need more discussion and not enough information to move forward. There has to be a cost analysis. We need a creative discussion.

Councilwoman Bordewich...Laurie Husted will prepare at no cost to the Town a grant application through NYSERDA for a photovoltaic system. Approximate cost to the Town would be \$10,000, the State about \$40,000. Panels have a 25 year warranty. Laurie would like an answer this evening.

On a motion of Supervisor Blum Bump, seconded by Councilman Ross with discussion to approve applying for the grant.

Councilman Ross...always interested in energy grants. These panels are not the prettiest things to look at and we should consider our neighbors view shed to the south.

Councilman Ramsey...I'm all for this. NYSERDA would like to use us as an example.

Councilwoman Crane and Supervisor Blum Bump agree with the other Board members.

Councilwoman Bordewich said we should look into using this for the highway garage.

On a motion of Supervisor Blum Bump, seconded by Councilwoman Bordewich move to instruct Laurie Husted and the CAC to move forward with the grant application.

Adopted Ayes 5 Blum Bump, Ross, Crane, Bordewich, Ramsey
 Nays 0

PROPOSED LAW REGARDING HIGHWAY SPECIFICATIONS-

Councilman Ramsey...Highway Superintendent was under the impression roads are 22 feet for the driving lanes. He doesn't care what you call them he wants 11 foot driving lanes.

Michelle Greig/Greenplan...it would be wise to go over this with Wayne. I suggest Wayne, DF Wheeler and I discuss this.

Councilman Ross...Wayne wants 22 feet based on information for emergency vehicles, buses, plowing and safety.

Supervisor Blum Bump...there are different styles of roads, lets look at them.

Supervisor Blum Bump read resolution sent to the Town from the Association of Towns.

RESOLUTION 2006 #30

RE: School Funding

On a motion of Supervisor Marirose Blum Bump, seconded by Councilman James Ross move to pass resolution received from the Association of Towns.

Adopted Ayes 5 Blum Bump, Ross, Crane, Bordewich, Ramsey
 Nays 0

Copy Attached

Supervisor Blum Bump read resolution for article 7 Boat Club Settlement.

Albert Trezza...you must have the county attorney's office consent because of the refund.

Supervisor Blum Bump...there is to be no refund.

Attorney Chale...yes there is a refund. There was a one year determination.

Albert Trezza...the Town should talk to the county because the county is our tax collection agency and they have to make the refund.

Councilwoman Bordewich...it says that if the refund is paid within 60 days the interest is waived. If we pay after 60 days we repay with interest.

Supervisor Blum Bump...I do remember the conversation now because Jim and I had to recuse ourselves because we are members of the boat club.

Councilman Ramsey...I suggest we move ahead with the stipulation that our Town Attorney contact the county.

Attorney Chale...with a conditional approval.

RESOLUTION 2006 #31

RE: Boat Club Settlement

On a motion of Councilman Harold Ramsey, seconded by Councilwoman Sue Crane move we accept this resolution for the boat club on the condition the county approves any changes the county attorney makes to the extent that is required.

Adopted Ayes 3 Crane, Bordewich, Ramsey
 Recuse 2 Blum Bump, Ross-recuse with cause
 Nays 0

Copy Attached

On a motion of Supervisor Blum Bump, seconded by Councilman Ross for discussion move to appoint the Poughkeepsie Journal as our only official Town of Red Hook Newspaper

Councilman Ross...questions only using one newspaper.

Attorney Chale...four newspapers are a lot to get the information to and we have some issues with getting publications in every single one of the all the time. I recommend going down to one or two.

Councilman Ross...historically we have done it this way, some people get the Journal, some the Freeman and some only the weekly paper the Gazette. I understand our predicament and I'm not in favor of changing, this serves our citizens a little better.

Councilman Ramsey...if we go with one official newspaper we still can put press releases in the other newspapers and I think the public reads press releases more than they do legal ads.

Councilwoman Bordewich...this way prompted because when we set the public hearings there was not enough time to get it published in all the official papers.

Councilwoman Crane...most people read press releases, I don't think most read legal notices.

On a motion of Supervisor Blum Bump, seconded by Councilwoman Bordewich for discussion move to appoint the Poughkeepsie Journal as the one official newspaper with press releases to the other papers.

Board discusses various options.

RESOLUTION 2006 #32

RE: Town of Red Hook Official Newspaper

On a motion of Councilwoman Jean Bordewich, seconded by Councilman Harold Ramsey move to amend the Town of Red Hook official newspapers to be the Poughkeepsie Journal, Freeman and the Gazette Advertiser.

Adopted Ayes 5 Blum Bump, Ross, Crane, Bordewich, Ramsey
 Nays 0

On a motion of Supervisor Blum Bump, seconded by Councilman Ramsey move to set a public hearing regarding relief from Local Law 2, 2006 at the Town Hall on July 26, 2006 at 7:30 pm for the Hansen family.

Adopted Ayes 5 Blum Bump, Ross, Crane, Bordewich, Ramsey
 Nays 0

On a motion of Supervisor Blum Bump, seconded by Councilman Ramsey move to set a public hearing regarding relief from Local Law 2, 2006 at the Town Hall on July 26, 2006 at 7:45 pm for the Murphy family.

Adopted Ayes 5 Blum Bump, Ross, Crane, Bordewich, Ramsey
 Nays 0

On a motion of Supervisor Blum Bump, seconded by Councilman Ramsey move to set a public hearing regarding relief from Local Law 2, 2006 at the Town Hall on July 26, 2006 at 8:00 pm for Nathan Kalina.

Adopted Ayes 5 Blum Bump, Ross, Crane, Bordewich, Ramsey
 Nays 0

On a motion of Supervisor Blum Bump, seconded by Councilman Ramsey move to set a public hearing for a proposed law on outdoor lighting to be held at the Town Hall August 8, 2006 at 7:15 pm.

Adopted Ayes 5 Blum Bump, Ross, Crane, Bordewich, Ramsey
 Nays 0

On a motion of Supervisor Blum Bump, seconded by Councilman Ramsey move to set a public hearing for a proposed law on outdoor wood burning furnaces to be held at the Town Hall August 8, 2006 at 7:20 pm.

Adopted Ayes 5 Blum Bump, Ross, Crane, Bordewich, Ramsey
 Nays 0

Attorney Chale questions Supervisor Blum Bump on what version of the highway specifications law would you set the public hearing for.

The Town Board decided to wait to set public hearing date on the highway specifications.

Board discusses moving forward on the mass gathering law.

Councilman Ross questions do we have a permit fee schedule for mass gatherings.

Attorney Chale...you could amend your fee schedule to incorporate fees that would be appropriate.

Board discusses a few minor changes.

Supervisor Blum Bump reads intent of large assemblies.

On a motion of Supervisor Blum Bump the existing chapter 44 of the Town of Red Hook code is hereby amended by deleting it in its entirety and substituting in lieu thereof the following new chapter 44 as edited at tonight's Town Board meeting.

Attorney Chale...you may want to address the negative declaration which was prepared by Michelle Greig. Attorney Chale reminded the Board the reviewed and approved the environmental assessment form at your last meeting. Attorney Chale read the negative declaration; the proposed action is the adoption of amendments to Chapter 44 (Assembly, Public) of the Town of Red Hook Code under the provisions of Article IV Section 64.23 of the New York State Law.

On a motion of Councilwoman Crane, seconded by Councilman Ramsey move to approve the negative declaration.

Adopted Ayes 5 Blum Bump, Ross, Crane, Bordewich, Ramsey
 Nays 0

RESOLUTION 2006 #33

RE: Authorizing the Filing of Negative Declaration Regarding the Amendments to Chapter 44 of the Town of Red Hook Code.

On a motion of Councilman James Ross, seconded by Councilwoman Sue Crane move to approve that the Town Board authorizes the Supervisor to take such further steps as might be necessary to discharge the Lead Agency's responsibilities on this action including the Negative Declaration in accordance with the applicable provisions of Law.

Adopted Ayes 5 Blum Bump, Ross, Crane, Bordewich, Ramsey
 Nays 0

Copy Attached

RESOLUTION 2006 #34

RE: Authorizing the Adoption by the Town Board of the Town of Red Hook of Local Law No. 3 of 2006.

On a motion of Councilman Harold Ramsey, seconded by Supervisor Marirose Blum Bump move to adopt Local Law No. 3 of 2006.

Adopted Ayes 5 Blum Bump, Ross, Crane, Bordewich, Ramsey
 Nays 0

Copy Attached

Councilwoman Bordewich...the appointments to the Zoning Review Committee will be made at a later date.

On a motion of Councilwoman Bordewich, seconded by Supervisor Blum Bump move to appoint as the Steering Committee for the Fiscal Impact Study the following: Jean Bordewich, Town of Red Hook (Chair), Bruce Martin, Red Hook Central School, Tom Cordier, Village of Tivoli, and Dave Cohen, Village of Red Hook.

Councilman Ramsey...I know we also wanted the EDC included.

RESOLUTION 2006 #35

RE: Steering Committee for Fiscal Impact Task Force

On a motion of Councilwoman Jean Bordewich, seconded by Supervisor Marirose Blum Bump move to appoint as the Steering Committee for the Fiscal Impact Study the following: Jean Bordewich, Town of Red Hook (Chair), Bruce Martin, Red Hook Central School, Tom Cordier, Village of Tivoli, Dave Cohen, Village of Red Hook and Kevin Zulch of the Economic Development Committee.

Adopted Ayes 5 Blum Bump, Ross, Crane, Bordewich, Ramsey
 Nays 0

On a motion of Supervisor Blum Bump, seconded by Councilwoman Crane move to employ, for a two month probationary period, Sean M. Bialosuknia, for the position of Recycling Solid Waste Attendant at the rate of \$12.00 per hour.

Adopted Ayes 5 Blum Bump, Ross, Crane, Bordewich, Ramsey
 Nays 0

USE OF WATER DISTRICT PROPERTY AS A DRIVEWAY BY NEIGHBORS.

Discussion moved to another workshop. Town Attorney Christine Chale said they need to get a little more information.

IMPLEMENTATION OF THE WORKING GROUP REPORT

Bill O'Neill ... since June 20 the Inter-municipal Task Force has been meeting every week. Members of the Task Force and Greenplan have been meeting selectively with stakeholders in the community. They will be proposing a meeting with the Town Board within the next week or two. They are focusing on the three community meetings in early August, September and October. The first community meeting to address the vision of the task force is going to be presented to the Town Board on where to direct development in and adjacent to the Villages of Red Hook and Tivoli. The second meeting will be to deal with the tools available and what tools are being proposed to the Town Board that we might consider using to accomplish this proposed development. The third meeting will be just about more specifically what kind of proposals you would be presented with.

On a motion of Supervisor Blum Bump, seconded by Councilwoman Bordewich move for the Town Board to go into Executive Session for the purpose of negotiating for the acquisition of property, to discuss a contract negotiation and also for a personnel issue regarding the Recycle Center.

Executive Session held until after Department Reports.

DEPARTMENT /COMMITTEE REPORTS:

Highway Department:

Councilman Ramsey reports that he does not have a Highway report because of the Superintendents accident. He has been working with him and Engineer Dan Wheeler regarding sidewalks on Route 9 and the drainage problem on Glen View Drive.

Recreation Department:

Councilman Ramsey reports the Recreation Committee programs are up and running. On August 1 from 7 – 8:30 p.m. the American Legion Band will play a free concert at Abrahams Park.

Councilman Ramsey proceeded to bring up other issues regarding roads. Would like to increase cruise patrol for the summer.

Supervisor Blum Bump asked that we put off new concerns until after the reports.

Dog Control:

Councilwoman Bordewich reported that the Dog Control Officer received his cell phone. There are two dogs at the vet whose owners cannot be identified so they will go out for adoption. If the public calls the Clerks office or the Police, the new cell phone number is given out.

Building Department:

Councilwoman Bordewich also gave the Building Inspectors report. There were 21 permits, permit fees \$2, 090.00, estimated cost of construction, \$536, 950. There have been 10 single family home permits so far this year and none this month. There were 38 closed permits, permit fees totaling \$5,953 and 83 inspections.

Planning Board:

Councilman Ross reports that he was not at their last meeting. There were two public hearings and regular business items.

ZBA:

ZBA meets tomorrow evening and has two public hearings and a couple of new applications on different items before them.

Assessors Report:

Supervisor Blum Bump read the Assessors monthly report. Assessor mailed over 4,100 Change of Assessment notices. Met with property owners from the time Town Hall opened until 4:00 p.m., finalized 66 stipulations, the B.A.R. (Board of Assessment Review) met with 138 residents on Grievance Day for the total of 380 grievances submitted. Highlights for the month of June...the B.A.R. met on five separate occasions to finish their review on time. They reduced 166 grievances equating to 43.7%. 446 decision notices were mailed by June 20th and they also met to review the Assessors correction of errors which included 25 new houses not accounted for on the tentative roll. Supervisor Blum Bump said good job. The Assessor just completed a course on Assessment Administration.

Grant Update:

Supervisor Blum Bump read grant updates. There have been updates on two grants. Regarding the Community Development Block Grant, there is a \$88,632.30 balance remaining in the \$120,000 grant. On May 26, 2006, the Town received a check from DC Department of Planning for \$271,161.10 and a check was made to the DC Dept of Finance in the same amount to close the project.

Purchasing Report:

Supervisor Blum Bump read the Purchasing Report. Between June 14 to July 8, 2006 -21 Purchase Orders were issued in the amount of \$18, 173.19, the largest being to Chemung Supply Corp for guide rail parts. The Highway Superintendent purchased these through a Dutchess County contract. The sound system in the Town Hall will be improved, a Public Bid has been drafted for tennis court fencing replacement and repair, and Ted sent a memo on his review of what needs to be done at St. Margaret's to make the grounds more presentable.

Councilwoman Bordewich asked if recreation department people can mow St. Margaret's. Supervisor Blum Bump explained there are trees and other debris. We are looking at our insurance coverage because of the possibility of a volunteer clean up crew.

Councilman Ramsey asks if we can increase police patrol for the summer. The man power is available and the money is available. There are more students on the streets now. Councilman Ramsey would like speed patrols, has heard speed complaints.

Councilwoman Crane asks what areas in Town are underserved.

Councilman Ramsey...he has gotten calls about speeding on Lasher Road, Budds Corners Road, and Route 9 north. If we have the money and police available would like to increase patrols.

Supervisor Blum Bump will see about getting an extra shift on.

Councilman Ramsey reports that Hardscrabble requests \$2,000 to help fund Hardscrabble Day. Each of the Villages is donating that amount this year. Last year the Town donated \$1,500.

On a motion by Councilman Ramsey, seconded by Councilman Ross moves that the Town donate \$2,000 to Hardscrabble Day.

Adopted Ayes 5 Blum Bump, Ross, Crane, Bordewich, Ramsey
 Nays 0

Councilman Ramsey said the band "Orleans" will be playing at Hardscrabble this year.

Councilman Ross brought up for discussion that the Town has now adopted a moratorium for six months and is considering the possibility of changing our zoning laws and instituting a Transfer of Development Rights program. These changes may well have a major effect on the value of your property development rights. Because of the potential change in those values, I propose that the PDR program be put on hold and that no action be taken on any proposed purchase of development rights until the moratorium has ended and/or any proposed zoning changes and/or programs have been adopted and instituted by the Town. The other aspects of the PDR program such as receiving, processing, and reviewing applications shall continue. What I mean by this is we should do no appraisals and take absolutely no action on any PDR that may presently be in the pipeline or any applications we may have coming in. I feel very strongly about this and am very concerned about what we are doing as a Town Board. We enacted this moratorium when we were in the middle of a number of applications. Number one, if the zoning changes I'm not aware of because I've yet to see the minutes of any meetings but I know they've been discussed...farmland, zoning and so on. I haven't seen any minutes. It's out in the community and there has been a lot of hearsay on it. I haven't seen the Ag. Committee minutes. Number two, if that is a proposal that can drastically change the value of the PDR applications that are already in the pipeline to the detriment to the taxpayers of the Town of Red Hook. It certainly would not be fiscally responsible to act on any of them at this time. Any new applications that may come in after this and after these proposed changes, will drastically lower the development rights of those landowners and that certainly would not be fair to any of them compared to what the ones prior to that have received. And because of that, until all of this is filtered out, I think it would be prudent for this Board to put a stay on approval of any PDR in the interim. I feel very strongly that way. It would be the responsible action for us to take.

Councilwoman Bordewich feels we should continue on the Mead Orchard PDR. Not going through with that, she would not go along with. Regardless, not proceeding with Mead would be wrong and unfortunate not to protect it.

Robert McKeon said the County may be interested in the Mead Orchards. The town's contribution towards the Mead Farm may be very, very little. We should proceed with the Mead's application. Feels there are a lot of assumptions that would be hard to support.

Councilman Ross...it was very haphazard and very irresponsible the way we passed the moratorium. It leaves us wide open to a lot of problems in a lot of respects.

Supervisor Blum Bump wants to devote a lot of time about this at length at the next workshop.

Councilman Ross doesn't know what the Ag. Committee is doing or what's been discussed, how can the general public know. Has asked for Ag. Committee minutes and still hasn't received them.

Al Trezza asks where the minutes are.

Supervisor Blum Bump again suggests having this discussion at a later time.

Councilwoman Bordewich feels in the dark about the PDR's. Can we get a list of PDR's in process, this is their status, this is their acreage in dollar amount. Who has that information?

Robert McKeon told the Board that the Town Clerk has that information and that the minutes are on the Town web site. Not sure.

Town Clerk Sue McCann said the minutes he just sent her recently are on the web site.

Councilman Ramsey says there is so much uncertainty, not knowing what's happening in this moratorium, that it would be imprudent of us right now to go forward and say that we are going to appraise land knowing that there is a good chance that they are going to change four, six months down the road. I think that's what Jim is alluding to.

Supervisor Blum Bump said it's a fear.

On a motion of Supervisor Blum Bump, seconded by Councilwoman Bordewich, move into Executive Session at 10:25 p.m. for reasons previously stated.

Adopted Ayes 5 Blum Bump, Ross, Crane, Bordewich, Ramsey
 Nays 0

Al Trezza asks what is going to be discussed in Executive Session. It says land acquisition. Whose land?

Supervisor Blum Bump answers Migliorelli, Leone.

Al Trezza asks why Migliorelli, Leone land isn't in the Ag. Reserve because we're now discussing purchasing? They are adjacent to a preserved property. We spent one million two to preserve the property to the north of that subdivision. Why aren't we working to preserve that property instead of allowing them to go forward with the subdivision? Let's talk about it before you go into Executive Session. What subdivision are you going to allow them to pursue when everyone in the Ag. Reserve are not. They have land of state wide importance. I asked Robert to deny that fact and he won't.

Supervisor Blum Bump corrects herself and said they will be discussing the Central Hudson property.

On a motion by Supervisor Blum Bump, seconded by Councilman Ross move to close Executive Session.

Adopted Ayes 5 Blum Bump, Ross, Crane, Bordewich, Ramsey
 Nays 0

On a motion by Councilwoman Crane, seconded by Councilman Ramsey, move to adjourn meeting at 11:15 p.m.

Adopted Ayes 3 Blum Bump, Crane, Ramsey
Councilwoman Bordewich and Councilman Ross were not in room at time of adjournment.

Respectfully submitted,

Susan McCann, Town Clerk