

The Town Board of Red Hook held a workshop meeting July 10, 2006 at the Town Hall 7340 South Broadway, Red Hook, N.Y.12571 at 7:30 p.m.

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

Absent: Councilman James Ross

Also Present: Town Attorney Christine Chale and Deputy Supervisor William O'Neill

Supervisor Blum Bump opens the meeting at 7:40 p.m.

Community Preservation Act- Supervisor Blum Bump introduces Christine Chale, Town Attorney who presented information to the Board members and begins by explaining the schedule of implementation. The law has not been signed by the Governor yet, we can't take action until the law is passed. After that becomes effective that's when we can take action to adopt our proceedings under the special law. There are two effective dates, effective date of the first part of the law that talks about open space plan versus your community preservation project plan and the second that authorizes the transfer tax has a 90 day waiting period. The Town Board must adopt a resolution establishing a Community Preservation Fund which is a separate fund where all the money you collect from the tax must be kept and maintained at the Town level. An Advisory Board must be established consisting of 5 or 7 residents. Their role is to make recommendations on the proposed acquisitions. The majority of the members must have demonstrated experience with conservation or land preservation activities, at least one member must be an active farmer and they serve without compensation. After establishing the Fund, the Town Board must adopt a Community Preservation Project Plan. The Plan must be approved not less than 60 days before the mandatory referendum. It appears that the Open Space Plan, if properly adopted before the referendum on the transfer tax, may serve for a period of not to exceed 12 months. We recommend that the Town ratify adoption at this time. This step can be commenced before the Special Law becomes effective. The Board's actions will require SEQR review.

The Town must adopt a local law imposing a real property transfer tax not exceeding 2% of consideration.

- The adoption of this local law is subject to mandatory referendum. The referendum must be held after at least 10 days' published notice, with the resolution setting a special election (including an off year election such as 2006) to be adopted at least 20 days before the election.
- At least 7 calendar days (excluding Sundays) must elapse after introduction of the Local Law prior to its adoption.
- A public hearing must be held on not less than 5 days' published and posted notice.
- Section 2 of the Special Law authorizing the adoption of the transfer tax does not become effective until 90 days after the Special Law becomes a law. In order to schedule a referendum for the November 7 general election, the Governor would need to sign the Special Law not later than August 7. The Town cannot approve the proposed local law and set the referendum date until Section 2 of the Special Law becomes effective.
- The earliest effective date is the later of the date the local law is filed in the office of the Secretary of State, or the first day of the month occurring at least 60 days following the referendum. If the referendum is to be held at the November 7 general election, the earliest effective date would be February 1, 2007.

Michelle Greig from Greenplan, Inc. should prepare an EAF; Christine will work with her on that.

Councilman Ramsey...The State adopted Home Rule based on us not having a Community Preservation Plan but using our Open Space Plan. Are we locked into using the Open Space Plan that we currently have?

Attorney Chale...you can only use the Open Space Plan for 12 months and then you need to enact a Community Preservation Plan. You need to start that process as 12 months will go by quickly. Next step should be SEQR, then start process on EAF with Michelle and determine who will be on the advisory committee.

Supervisor Blum Bump discusses the Resolution on School Funding presented by the Association of Towns. She would like the Board to look at it and discuss tomorrow at the business meeting.

Zoning Review Committee-

Councilwoman Bordewich discusses her memo dated July 10, 2006 in which there are possible candidates for the ZRC. Supervisor Blum Bump says she will send letters to the chairs of these boards for their suggested appointment of who will represent their committee or board. Councilwoman Bordewich would like to discuss the three at-large members in executive session.

Fiscal Analysis Impact Steering Committee-

Councilwoman Bordewich is working on contract with Peter Fairweather and Ted Kudzy. We need to know what our zoning proposals are. When we have a package ready for the ZRC that's when we send it to the Fiscal Impact. Members of Steering Committee recommended are: Jean Bordewich- Town of Red Hook, Tom Cordier- Village of Tivoli, Dave Cohen-Village of Red Hook, Bruce Martin- RHCS, advisory- Bill O'Neill and Greenplan Inc.

Councilman Ramsey would like the appointments to be made soon as possible so they can start attending the inter-municipal meetings if they have the time.

The Board would also like to see the EDC involved. Councilman Ramsey will check with the EDC for their suggested member.

Application for Solar Power at the Town Hall-

Memo received from Laurie Husted dated June 29, 2006 RE: Photovoltaic system proposal/Energy Conservation Measures. Let's look and see if it is feasible. Board discusses pro's and con's. Laurie is willing to follow up on rebates.

Boat Club Settlement-

Tomorrow night the Board will vote to approve decision.

Supervisor Blum Bump received memo from Business Manager Debra Marks, RE: letter from Northern Dutchess Alliance. The Alliance is asking for assistance in obtaining donated items for a fund raiser, and for referring area businesses that you think might be interested in being a sponsor of this event to take place in the fall.

Supervisor Blum Bump discusses a glitch in the building fee schedule. Concern comes under new construction and renovation or barn pole, barn storage shed where the fee is per square foot. The state law considers tents as new construction is this a problem for people who are putting up tents as is the wine festival at Greig Farm and Bard College. As it stands right now it would cost Greig Farm \$8,000 to \$10,000 in fee's to put up those tents. The fee schedule needs to be looked at.

Councilman Ramsey suggests Bob Fennell and Steve Cole look into this.

Supervisor Blum Bump received a letter from Dutchess County Planning regarding Homeland Security and implementation strategy. She will get a copy to Councilman Ramsey.

Councilman Ramsey discusses the possible southern sidewalks- an application went to Dutchess County DOT pass through grant. A letter was submitted that we are interested. The cost of sidewalks is approximately \$50,000. Debra Marks has master list of grants.

Moratorium-

The public hearing regarding relief will be set tomorrow night. Attorney Joel Sachs will give us a checklist of questions we may want to ask. Hansen and Murphy public hearing will be set for July 26th.

Councilman Ramsey said we need to get that checklist to the people who are seeking relief as soon as possible.

Implementation of the Working Group-

Bill O'Neill wants to schedule a community meeting August 14th with a power point presentation. We are meeting every week, looking at zoning changes and discussing how to proceed with language changes.

Councilwoman Bordewich...the Town Board should have input, we may want to make changes. Why should we pay Greenplan to write the language before the Town Board has looked at it? I would like to have a discussion with my Town Board colleagues.

Councilman Ramsey...we need to have input.

Bill O'Neill...the idea is that we draft the language so we have something to work with.

Councilwoman Bordewich...who writes the language, does the planner or our attorney?

Supervisor Blum Bump...we asked them to give us recommendations.

Councilwoman Bordewich...as a Board we need to discuss their recommendations.

The Board will look into having a special meeting for the Inter-municipal Task Force presentation on proposed development in the Town of Red Hook, vision of future Red Hook growth for August 14th at the firehouse.

Attorney Chale and the Board discuss the option of limiting the Towns official newspapers from four to two. Having four official newspapers makes it difficult to meet those deadlines sometimes and very expensive. The Board decides that tomorrow they will vote on a resolution to have the Poughkeepsie Journal as our official newspaper.

Proposed laws regarding, outdoor lighting, highway specifications, large assembly and wood burning outdoor furnace- we'll set the public hearings tomorrow night for August 8th at 7:15 pm, 7:20 pm and 7:25 pm.

Victor Cornelius will attend tomorrow nights meeting with a proposal.

Legal-

- Occasional use of Water District property as a driveway by neighbor- Attorney Chale will contact Hank Van Parys Chair of the Water Department.
- Cokertown Rod and Gun Club- Attorney Chale informed Board they are on the ZBA agenda Wednesday night for interpretation of non-conforming use.
- Conservation easements- 3 are complete, 2 declined. Attorney Chale is rewriting instructions for the easement application.

PDR-

Robert McKeon...The state through the Ag. & Markets program granted 75% to the Mead Farm (state gave \$370,000), 25% match an application will go in front of the Farmland Protection committee. We would like to piggy back with that application the Wil-Hi Farm; Chuck Simmons has 16 acres, possible 50/50 match. Actually the county will do 45%, 5% would be like kind. PDR is a matching program that is why CPA is key. Is it OK if we make those applications?

Councilwoman Bordewich, Councilwoman Crane and Supervisor Blum Bump all responded yes.

Councilman Ramsey states that we are in a moratorium now and if we appraise now and than have zoning changes which may or may not change the value we should wait on the appraisal. Meads is a little different but I'm concerned about everyone else.

Robert McKeon...we have not done an appraisal yet; the appraisal will take into account that there is a moratorium on these lands and can actually work the other way.

Councilman Ramsey...we need a discussion on it. That does not mean we can't go on looking at this land and seeing if it's feasible land; the appraisals we may want to look at differently.

Glen Ridge Road in Innishannon Development-

Attorney Chale received the file from Attorney Trezza Friday and reviewed it. Dan Wheeler, Town Engineer will go back and take a look at it. There is an issue with the developer; we need to resolve who has the ownership of the water line under the road and within the drainage easement area that is proposed to be conveyed to the town. The engineer feels that drainage easement is necessary for the road. The water was to be provided by the village. A water district has not been created there nor a transportation corporation, so the question is who is going to own and maintain the water line that is serving these properties. The developer needs to address this and decide which option they will propose to us.

10:02 pm.-

On a motion of Councilwoman Bordewich, seconded by Supervisor Blum Bump the Town Board move into executive session for the purpose of discussion of the negotiation of the acquisition of property, contract negotiations and ZRC appointments.

On a motion of Supervisor Blum Bump, seconded by Councilwoman Crane move to adjourn the executive session at 11:30 pm.

On a motion of Supervisor Blum Bump, seconded by Councilman Ramsey the meeting adjourned at 11:30 p.m.

Respectfully submitted,

Susan McCann, Town Clerk