

A workshop 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 October 3, 2006 at 7:50 p.m.

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

Supervisor Blum Bump opened the meeting with the Pledge of Allegiance. She then made two announcements: The Annual Dutchess County Crop Walk will take place on Sunday, October 15, 2006 starting at the Rec Park. The Intermunicipal Task Force will hold its second community meeting, Red Hook Centers and Green Space Plan: The Tools on Thursday, October 12, 2006 at 7:30 p.m. at the Red Hook Fire House.

Privilege of the Floor

Jonah Triebwasser, a resident since 1979, presented a letter and resume to the Board for the Town Justice position. He wants the Board to give his application consideration.

Linda Keeling would like the agenda's done earlier so that there is not a change during the day of the event. The public needs to know.

Rosemarie Zengen said there is an ongoing problem with the agenda. The final agenda was received at 4:05 p.m.

John Schmitz from Barrytown supports Jonah Triebwasser

Fergus Bordewich supports Jonah Triebwasser. Feels he is a remarkably qualified individual.

Doug Strawinski, Recreation Commission Chair, said the north ball field and softball field needs work. The best option is to power rake, remove the grass, and prepare with hydro-seeding. We would like the Board to consider releasing Parkland Funds to complete this project. Three bids were received, Loveland Landscaping, Xquisite Lawns, and Dutchess Landscape.

Councilman Ross asked if this is capital improvements or just general maintenance.

Councilwoman Crane asked if the bids were advertised.

Doug said there was no advertisement for bids

Councilwoman Bordewich asked if all bids are credible.

Doug answered that they feel comfortable with all three businesses. They came out and looked at the job.

Allison Hale-Rude encouraged the Board to appoint Jonah Triebwasser.

Vicki Perry supports considering Jonah Triebwasser for the Town Justice position.

Supervisor Blum Bump closed the public comment period.

On a motion by Councilman Ross, seconded by Councilman Ramsey move to grant Sam and Arlene Harkins relief from the moratorium for the minor lot line change adjustment.

Adopted	Ayes 4	Ross, Crane, Bordewich, Ramsey
	Nays 1	Blum Bump

Councilwoman Bordewich wants to make sure it is reflected in the minutes that we have not established clear criteria for these hardship cases and we have been voting on these without input from the Planning Board. She thinks the process is flawed. She is making her decision based on trying to analyze the information they have. She is glad the moratorium is coming to an end, and feels this has become a giant loophole.

Supervisor Blum Bump agrees with Councilwoman Bordewich

Councilman Ross said it goes from here to the Planning Board, so he doesn't see that the Planning Boards comments have any validity.

Councilman Ramsey said the Planning Board had every opportunity to come forward. This application is a technicality. It's not what the moratorium was meant to prevent. He agrees we did not have definite criteria put in place for this.

ADOPTION OF THE LOCAL LAW THAT NYS REQUIRES OUR MUNICIPALITY TO ADOPT, ALLOWING THE CODE ENFORCEMENT OFFICIAL TO ADMINISTER AND ENFORCE THE NYS BUILDING & FIRE CODE

Attorney Chale has the draft Local Law ready. The building code is what is dictated by the State; we are adapting to the State. The fee schedule is a different issue. You can move forward with the fee schedule. Attorney Chale will present the draft within the next couple of weeks. We will come in compliance with the law.

PROPOSAL REGARDING RED HOOK TOWN AQUIFER & WELLHEAD PROTECTION.

Supervisor Blum Bump said that this proposal came out of the Intermunicipal Task Force. The components of the task force include the two villages, Tivoli, Red Hook and the Town as well as our CAC and other Boards and Committees. She asked Deputy Supervisor O'Neill to make some comments.

Deputy Supervisor O'Neill said that in August Russell Urban Mead made a presentation on water protection. He proposed addressing three issues:

- create a water budget (\$6500)
- focus on the sources of water for the Town (\$1500 per source)
- prepare wellhead protection map and plans (\$1800 per source)

Part of the protection of the wellhead would be to introduce a wellhead protection ordinance, which has been proposed through Dutchess County. The Task Force met with Hank Van Parys of the Water Board. Mr. Van Parys said the proposal was addressed by himself and Art Brod, former Town Planner in 2003. He is very much in favor of it. Russell Urban Mead is aware of the connection with the pending sewer feasibility study and he will incorporate that in his report. We have a proposed contract with Russell Urban Mead. The Task Force would like to know if we could fund this project (approx. \$12,000) and we would ask the Villages to share a third (\$4,000).

Councilwoman Crane wanted Hank Van Parys brought into the conversation because in his letter of September 22nd he said he believes that Task #1 is worth doing. He questions the work related to the aquifer protection overlay ordinance. We do have a proposed ordinance provided by Art Brod as part of a zoning change proposal of 2003. We don't need to start over in this area. Regarding Tasks #2 and #3, with the availability of the Task #1 information, we would be better able to determine the need for the scope of the follow on investigation. Clearly he recommends we see the water budget first.

Supervisor Blum Bump suggests that maybe we need to integrate everything and share information so that we don't have to repeat the studies.

The Board agrees that they should possibly proceed with creating a water budget for \$6500.00.

RESOLUTION 2006 #59

RE: Approval of Phase I of the proposal from Chazen Engineering

On a motion by Councilwoman Jean Bordewich, seconded by Councilman James Ross, move that we approve Phase I of the proposal from Chazen Engineering.

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

PROCEDURES APPLICABLE TO FILLING THE VACANCY IN THE OFFICE OF THE TOWN JUSTICE

Attorney Chale explained that since the vacancy occurred after September 20, the election will be next November (2007). It is a 4 year term. The Board will appoint someone until the election, and since it's the Board who appoints, it's up to the Board to come up with a procedure.

Supervisor Blum Bump...what is the time line? We have three applications so far.

Attorney Chale...there is not a time line per say. It is the Board's appointment so it is up to them to determine the procedure.

Councilman Ross feels we should be prepared to make an appointment by the next Town Board meeting.

Councilwoman Bordewich agrees and said she only knows one applicant and would like to interview the others. We need criteria for the interviews.

COMMUNITY PRESERVATION ACT

A Public Hearing is set for October 10th at 7:30 p.m. for proposed Local Law #7.

FARMLAND PROTECTION COMMITTEE

A Public Hearing is set for October 10th at 7:05 p.m. for Ragnar Farm.

Supervisor Blum Bump said that Attorney Joel Sachs advises that we do not consider three of these applications, the two Blum properties, and the Crane property at this time.

Councilman Ross asked if we heard about the ruling from the State if any of us should vote on them.

Supervisor Blum Bump...I would like the Board not to consider those three.

Attorney Chale...there is a provision that provides for certain conflicts.

Councilman Ross...has a problem with the appraisals which I received at our last meeting. Three of the five properties have a landowner donation of 25%.

Attorney Chale... I have not seen these appraisals yet.

Councilman Ross...I feel we should get our own appraisal. Scenic Hudson hired an appraiser; in the past the County did it which is another government agency did the appraisals. Scenic Hudson hired an appraiser and they didn't even like the amount on three of the properties. They have no problem with it for Agragate or Ragnar Manor. On the other three they were only willing to pay 25% of the money not 50%. He questions the 25% donation. That tells me that Scenic Hudson themselves had questions.

Supervisor Blum Bump said they ask everyone for the donation. Some landowners say yes, some say no.

Councilman Ross does not want hearsay and he wants facts. He wants our Attorney, Christine Chale, to speak to Scenic Hudson about this. I also want us to get our own appraisals. Can we authorize our Attorney Christine Chale to speak to Scenic Hudson attorney and find out how this happened and then consider hiring our own appraiser for these three parcels.

Supervisor Blum Bump...yes I would consider that.

Attorney Chale would like to see the appraisals and she assumes she would talk to Scenic Hudson's attorney.

Councilman Ramsey understood that if Agragate wasn't considered that Scenic Hudson wouldn't consider the other parcels. If Agragate pulled out temporarily, why would we move forward on the other parcels knowing that Scenic Hudson is not going to fund anything on any of the other parcels?

Councilwoman Bordewich thought we agreed to go ahead with the Public Hearings, just not act on them.

Supervisor Blum Bump proposes we follow Attorney Sachs advice.

Councilman Ross thinks Attorney Sachs suggested that so that it doesn't appear to the public that even though Marirose (Supervisor Blum Bump) and Sue (Councilwoman Crane), would most likely not participate in the vote, that they didn't work a deal in the back room with us to vote in favor of it or not. Until we get a ruling...

Attorney Chale suggested the Board talk with Attorney Sachs about this.

Councilwoman Bordewich is tired of advertising meetings and canceling them. It is very confusing to the public. We are not taking any action we are just listening to the public. She doesn't see a reason to cancel them at this point. We get valuable information from them even if we wait until after the moratorium is over. It's been advertised, we can continue or we can close and reopen them later, I don't see the reason to cancel them.

Supervisor Blum Bump...I can appreciate that but appearance of something can.

Councilwoman Bordewich...the appearance of what? This is a public forum.

Councilman Ross...like Councilwoman Bordewich said we'll hold off to vote per Attorney Sachs recommendation but since they were advertised we should go ahead with the public hearings.

Supervisor Blum Bump... I propose we follow Attorney Sachs advice. His recommendation is that the Town Board not proceed with those properties. If you are going to talk about all five properties I am going to recuse myself.
Supervisor Blum Bump and Councilwoman Crane recuse themselves.

Councilman Ross suggests asking Attorney Sachs if we can proceed with the Public Hearings, not voting on it.

Councilman Ramsey wants to hear what Attorney Sachs has to say and get his advice.

Rosemary Zengen asks how much Attorney Sachs gets paid. Does he get an hourly rate or is he on retainer. The Supervisor runs to him with everything.

Councilwoman Bordewich...he's on an hourly rate.

Councilman Ross suggests going ahead with the Public Hearing and if they have to, cancel the two Blum hearings the night of the meeting.

Supervisor Blum Bump and Councilwoman Crane return to the meeting.

MAINTENANCE AGREEMENT FOR THE GREENWAY TRAIL AT UTS

Attorney Chale spoke with Sally Mazzarella about some of the language they had a concern about last time. They are still working on it.

RECREATION LAND ACQUISITION: STATUS

Attorney Chale said they got a report from the Planning Board about this. They wanted to forward information about water lines and where the water line would go. We need to get the most recent map so that we can lay it out and look at it. The Planning Board had a couple of questions for the Board.

THE GLYNWOOD PROJECT

Supervisor Blum Bump read a memo from Mary Ann Johnson. Mary Ann gave a brief summary of the draft of the Memorandum of Understanding (MOU).

On a motion by Councilman Ramsey, seconded by Councilwoman Crane move to authorize the Supervisor to sign the MOU for the Glynwood Project.

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

Germantown, Livingston and Clermont are also participating and they've agreed to meet quarterly to talk about the regional findings.

CAPITAL IMPROVEMENT PROJECT – REC PARK

Councilwoman Bordewich said the question is if it can be a capital improvement. She will vote for it if Purchasing Agent Ted Kudzy agrees that that's legitimate.

Councilman Ramsey wants to find out if it's a capital expense and if they have funds in the recreation budget to cover this.

Supervisor Blum Bump answered that Recreation Park Program Director, John Kuhn said they have it; the Board just has to release it.

Councilman Ramsey said that Recreation Park Director Kuhn said we have it in the capital improvement fund. Instead of hitting the capital improvement fund Councilman Ramsey said he'd like to keep that in the budget for the rest of the year and take this out of our normal operating budget.

Supervisor Blum Bump suggests telling them to go ahead and we will decide which fund it will come from later.

On a motion by Councilwoman Bordewich, seconded by Supervisor Blum Bump, move to authorize the Red Hook Recreation Commission to approve the expenditure of \$3994.00 to remove old grass and thatch, prepare and hydro-seed.

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

NATIONAL INCIDENT MANAGEMENT SYSTEMS (NIMS)

Supervisor Blum Bump has a copy of the training requirements for the year 2006. It's a web based awareness level course.

Councilman Ramsey said they use this to justify any FEMA reimbursement or any disaster and any grant money.

BUDGET 2007

Supervisor Blum Bump submitted the Supervisors budget to the Town Clerk who submitted the tentative budget to the Town Board. The next part of the process is the revision by the Town Board. We need to have a Public Hearing and an adoption process.

Dates set for the Budget Workshops are: Monday, October 16 at 7:30, Monday, October 23 at 7:30 p.m. and then possibly October 26 if further discussion needed. The Board will set a Public Hearing for November 2, 2006 at 7:30 pm.

DC SUPERVISORS AND MAYORS ASSOCIATION: RESOLUTION REGARDING MANDATORY WATER TESTING.

Supervisor Blum Bump asks if there is further discussion on this issue. She would like to hear the Boards feeling about this.

Councilman Ramsey is against this because he thinks it's an imposition on homeowners. He cited a quote from the Director of Environmental Health Services, saying that the drinking water is clean so mandating private well testing may not be warranted.

Councilwoman Bordewich is not sure, and wants to look at it more. Some of the issues of contaminations have merit. The time of the transaction is a trigger.

Councilman Ramsey said it is not a trivial cost. It is \$600 to \$1,000. It's a significant cost, if you are buying a house that may be a different story.

Councilman Ross is not in favor of mandatory testing. I can't see us getting involved in mandatory testing of private wells.

Councilwoman Crane doesn't think it should be mandated either.

Supervisor Blum Bump wants everyone prepared to vote on this next week.

FISCAL IMPACT ANALYSIS STUDY: STATUS

Councilwoman Bordewich attended a meeting of the Advisory Committee with the consultants. Everyone was pretty satisfied with the answers they got from the consultants. There will be another meeting next Friday to take the next step.

GRANTS: ASSESSORS GRANT

Town Assessor Frank Orlando will receive a grant package from MJ Watch. The Office of Real Property Services (ORPS) has established the Real Property Tax Administration Technology Improvement Grant program.

Mr. Watch is not charging us for the grant, but if we get the grant, we are tied into Mr. Watch's software. He would make money in the maintenance. Right now the assessor is using MJW to update things that would be downloaded to the County. Our grant is for individual towns. The County is applying for an assessors grant. We would have to go with Mr. Watch if we apply for the grant this year. It won't cost us to go through with the application. If we do get the grant, we are tied to Mr. Watch. He wrote this grant for 20 different towns. Mr. Watch's software has a little more in it that the State's does.

Supervisor Blum Bump asks how Assessor Orlando would rate this.

Assessor Orlando answered that it makes a more informed public when new assessments come out. They can go out and see how we arrive at our numbers.

Councilman Ross doesn't see any harm in applying for the grant if helps the assessor. The intent of all this is to make it more fair.

Councilwoman Crane is not ready to vote on this tonight because she needs more information. The fees associated with it are a mystery and she wants to know what we will be paying Mr. Watch in the end.

Councilwoman Bordewich agrees with Councilwoman Crane and questions the costs. She is also concerned about identity theft from getting the information on line.

Councilwoman Crane would like to wait a year and see if it comes to us through the County.

Assessor Orlando did check with the County to make sure it would not interfere with what they're trying to do.

ST. MARGARET'S HOME

Supervisor Blum Bump said that we should hear this month regarding the \$350,000 grant for St. Margaret's. Hopefully she will have a report on the status of tenants.

Councilman Ramsey asked about the outdoor maintenance and if anything needs immediate attention.

Supervisor Blum Bump said the grant would help with the outside help. We also got the official confirmation that we are on the Federal Historic Registry.

TIME WARNER CABLE

Supervisor Blum Bump wasn't sure that a letter they sent was any particular concern to the Board. We have been asking about the progress on the contract we have with them.

ROADS

Supervisor Blum Bump said The Poughkeepsie Dutchess County Transportation Council (PDCTC) sends us memos and updates. Supervisor Blum Bump wonders if this is something we could use if something comes up regarding road issues.

Councilwoman Bordewich...I attended a meeting about this and I think the odds of us getting any money from this is next to zero.

Councilwoman Bordewich would like a monthly police report in order to know what's going on in our Town.

Councilman Ramsey will get the information to the Board.

FEE SCHEDULE

Councilman Ross said we discussed the latest version at our workshop and everyone seemed upset with the way it was.

Councilman Ramsey said he spoke to Building Inspector Steve Cole who was willing to hold off on the actual fee part of this until we got a New York State Building Code Law that Attorney Chale is working on enacted and approved. When that is done we will go back and look at the issue.

Councilwoman Crane told Inspector Cole that it should be whether it's a commercial event and the length of that event. She thinks it's obscene to charge people for a tent for a home party. It's difficult to monitor this.

Councilman Ramsey noted the Board's receipt of the length of service award program from Attorney Chale. The Fireman's proposal will be at a special meeting on October 18, 2006.

Privilege of the Floor

Linda Keeling brought up putting aside a page in the minute book for Judge Griffiths. She also feels that it is impossible to put a grant together in two days and is glad the

Board didn't go with that. In regard to the website, where are we with that? What is the grant status?

Councilman Ramsey said we did approve River Valley Marketing, but is not sure if it was signed. We will hopefully have the new site up by the end of the year.

Supervisor Blum Bump said we are keeping up with the grants.

Councilwoman Bordewich suggested having information on the grants in the monthly Supervisors report.

Rosemarie Zengen of Save Our Town Committee said that working with Village Trustee Ed Blundell and Councilman Harold Ramsey on the Hardscrabble Committee was a pleasure. They were wonderful leaders and were wonderful to work with.

On a motion by Supervisor Blum Bump, seconded by Councilman Ramsey move to close the meeting at 10:20 p.m.

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

Respectfully submitted,

Susan McCann, Town Clerk