

TOWN OF RED HOOK BOARD MEETING
December 12, 2006

CALL TO ORDER

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 8:04 p.m.

Present: Councilman James Ross
Councilwoman Sue Crane
Councilwoman Jean Bordewich
Councilman Harold Ramsey
Town Clerk Susan McCann
Town Attorney Christine Chale
Absent: Supervisor Marirose Blum Bump
Deputy Supervisor Bill O'Neill

Due to illness of the Supervisor, as well as in the family of the Deputy Supervisor, the meeting was chaired by Councilwoman Bordewich.

SUPERVISOR'S REPORT

The Supervisor's monthly statement, dated November 30, 2006, was read as follows: Opening balance - \$2,001,818.74; Receipts - \$566,141.24; Disbursed - \$808,115.48; Balance - \$1,759,844.50 (copy attached). Town Board approved budget adjustments in the General A Fund (prior to closing November 2006): Total increased revenue - \$2,291; total reduction in appropriations - \$3,659; total increase in appropriations - \$49,330. The offset to the appropriated fund balance is an increase of \$52,260. In the General B Fund: Total reduced appropriations: \$1,846. Total increased appropriations: \$9,542. The offset to the Appropriated Fund Balance is an increase of \$7,696. In the Highway DB Fund: Total reduced appropriations - \$2,200; total increased appropriation - \$9,930; offset to the appropriated fund balance was an increase of \$7,730.

On motion of Councilwoman Bordewich, seconded by Councilwoman Crane move to adopt the monthly Supervisor's statement as read.

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

TOWN CLERK'S REPORT

The Town Clerk's report for the period of November 1-30, 2006, was read as follows: Total State, County and Local Revenues - \$2,611.75; Total Local Shares Remitted to Supervisor - \$921.31; amount paid to County Treasurer for dog licenses - \$59.57; amount paid to NYS Ag. & Markets for spay/neuter program - \$9.00; amount paid to NYS Dept. of Health for marriage licenses - \$45.00; amount paid to NYS Environmental Conservation - \$1,576.87; for a Total of State, County and Local Revenues of \$2,611.75.

Town Clerk McCann also announced 2007 recycle permits would be available as of 12/13 at the Town Hall. They may also be obtained by mailing to the Town Clerk, at Town Hall, a self-addressed, stamped envelope, along with a check for \$12 made payable to the Town Clerk. Additionally, the Town's new website will be up as of January 1, 2007. A new feature will be the Town Calendar, which will contain dates and times of various town meetings.

On motion of Councilwoman Crane, seconded by Councilman Ramsey move to adopt the Town Clerk's monthly report as read.

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

PRIVILEGE OF THE FLOOR

Councilwoman Bordewich opened the floor for public comment.

Linda Keeling, Red Hook: Welcomed back Councilwoman Bordewich and congratulated her on her new position with Representative-elect John Hall. Asked why the fund balance was so high.

Councilwoman Bordewich noted that it varies, according to the time of year. Councilwoman Crane stated that there have been many vouchers written and are in the process of being signed and they will bring down the balance.

Glenn Goldstein, Red Hook: Believed there should be some form of remuneration for volunteer fire fighters. Did not believe a defined benefit plan is the way to go; a defined contribution plan makes sense. Recommended the Board have a third party review the plan and tax implications. However, such a plan offers little compensation for older fire fighters and may not be the best way to go. He noted that there will be some hard decisions to be made along the way in the context of everything else that is going on in this community.

Dick Franklin, Red Hook: The cost of the highway garage has increased due to some foot-dragging. Additionally, it is under OSHA violation. This needs to be addressed or will cost the town additional money. Regarding volunteer fire fighters: There's difficulty recruiting people but there also is a corps of dedicated individuals. Need some sort of compensation, in addition to what the State offers, to help these people.

Councilman Ross noted that the fire fighters are covered by Workmen's Compensation, should they get injured on the job.

Tom Crisci, Tivoli: Pointed out that the cost of a volunteer fire department is far less than a paid fire department.

As there were no further comments, Councilwoman Boredewich closed the public comment period.

PRESENTATION BY PENFLEX COMPANY REGARDING A PROPOSED VOLUNTEER SERVICE AWARD PROGRAM

Councilman Ramsey, a long-term fire fighter, recused himself at 8:20 p.m.

As Tivoli Village Mayor and head of the Tivoli Fire Department, Marc Molinaro provided a synopsis of the project. The Villages of Tivoli and Red Hook have already endorsed pursuing the implementation of LOSAP (Length of Service Awards Program), and are seeking the Town's support. The county did a study regarding retention and recruitment and found that recruitment works best when many options are offered. For example, when LOSAP was packaged with other benefits (such as the Real Property Tax Exemption) it worked better as a recruitment tool. Columbia County is currently voting on adoption of LOSAP programs.

The Defined Contribution Plan, which the villages are inclined to pursue, is expected to reach a total cost of \$33,000 - \$63,000 for the Red Hook Fire Department. For the Tivoli portion, the estimated cost is \$20,000-\$37,500. There are also administrative costs and auditing requirements. This program can be adopted through public referendum in the two villages (the villages are not interested in pursuing that without full board support). Any contribution by the Town would be made through a contractual obligation.

Mayor Molinaro indicated that they would like a timeline from the town as to when the program would be considered more fully, and, if follow-up meetings are necessary, when they might occur. In this way the villages can pursue the program or not pursue it, based on the town's consideration.

Ed Holohan of Penflex, then took the floor. He explained he is the pension plan actuary for the company. In 1990 the General Municipal Law was amended to allow towns and villages to adopt simple, pension-type programs for volunteer fire fighters. This provided municipalities with a tool to help recruit and retain fire fighters. Two options were provided under the law; both use a point system in which the volunteers earn credit for carrying out various aspects of their jobs. Records of these credits are kept, and are a very important part of the system. Penflex assists with the establishment of these records and supplies support services needed, including working with auditors. For every year a volunteer earns points under this system, there are two different ways (under the law) that a service award program can be set-up.

The first method is called a Defined Benefit Plan, in which a volunteer is paid a defined amount, beginning at age 65. In the plan that was reviewed over the summer, the benefit to be paid was \$30/month for life for each year points were earned. The second method is the Defined Contribution

Program. In this program each individual has an account in the program. Each year points are earned (up to 40 years) a \$700 contribution is deposited in the volunteer's account. When the volunteer reaches the pay-out age, they receive a lump sum, rather than a monthly payment. From a funding perspective, this option is simpler for the town/villages. There is a five year vesting requirement and if a volunteer leaves before reaching the five year requirement, the contributions made by the town and villages are returned to them as a credit. Under this plan, the town and villages will know exactly how much they will pay. Under the Defined Benefit Plan, monies are invested and estimates must be made as to what the investment income will be. If the income is underestimated there will be additional costs for the town and villages. Since the Defined Benefit Plan is more complicated, the administrative, auditing and funding costs are greater, as well.

Beginning in 2007, the State Comptroller's Office will also be available to manage these plans for municipalities, if desired.

Mayor Molinaro noted that elimination/termination of the program would require a referendum. He reiterated the importance of the program for both recruitment and retention efforts. Other communities have implemented and used the program. He also indicated that there would be regular reviews of the program to determine its effectiveness.

Ed Holohan stated that current active volunteers at the start of the program get credit for five years.

Councilman Ross asked if all the legwork for the Defined Contribution Plan has been done, and was assured by Mayor Molinaro that it had. He then asked, based on the projected maximum start-up costs of \$101,000, is this based on population? If so, the town would pay the larger portion since most residents in the protection district reside outside of the villages.

Mr. Holohan said most of his clients are in a similar situation. Utilizing the tax base and assessed property values in the fire protection district, a rate per 1,000 population is determined so that each municipality pays the same rate.

Councilman Ross inquired as to when the referendum would take place. Mayor Molinaro stated that the villages would like to have the vote before the June election.

Councilwoman Crane asked if the five-year vesting requirement was open for negotiation. Mr. Holohan responded that it can be reduced, but five years is the maximum allowed and must apply to all participating fire fighters.

Councilwoman Crane also asked is a determination made as to who qualifies for points and who does not?

Ed Holohan explained that the Fire Department keeps detailed records which are subject to audit.

With regard to the investment manager of the funds, Councilwoman Crane asked if it could be the State Comptrollers office or do the two fire companies make the determination.

It was clarified that the two Village Boards would make the determination. Marc Molinaro point out that in a memo submitted to the Town Board, it has been suggested that a joint board be formed to manage the implementation of the program.

Councilwoman Bordewich asked, what is the length of the amortization period for the five year buy back of prior service credit?

Mr. Holohan noted that 10 years is being proposed, but it can be whatever the board decides.

Councilwoman Bordewich proposes that the Supervisor be asked to put this on the agenda for discussion at the next workshop.

PRESENTATION BY RED HOOK CENTRAL SCHOOLS REGARDING THE BUDGET FOR ROOFING

(Councilman Ramsey returns to the meeting.)

Superintendent Paul Finch took a moment to speak in favor of the fire fighter service award program and encouraged the board to move forward on it.

Superintendent Finch stated that 80% (or more) of the school roofs need to be replaced. The school district would like to replace 175,000 square feet of roofing over the course of three summers (this includes all three buildings). The majority of the roof on Mill Road School is 38 years old. This district wants to go to the public with a bond referendum on January 23rd asking for \$14.95 million. It is anticipated the district will get back 82.8% in state aid. In addition, the board has saved up \$500,000 and \$750,000 will be received in Excel Aid, therefore he feels this is the best time to pursue this project. There will also be savings realized in the area of energy efficiency.

Mark Phelan, Director of Facilities Operations for the School District, spoke next. In 1999 a study was done that determined the roofs needed to be replaced. The roofs are leaking throughout the district. Due to updates in the NYS Fire Prevention and Building Code and Energy Conservation Codes, not only does the roof need to be replaced, but the structural steel in certain areas of the roofs must also be upgraded. This is an involved process requiring both interior and exterior work. At Mill Road (the largest roofing project), there is asbestos piping between the ceiling and the structural steel that must be abated before the steel can be upgraded. The ceilings and lighting fixtures that are removed will be replaced with new ones. He noted that many holes have been found in the roof that allows seepage into the building's insulation. Once wet, the insulation is not effective. Replacement of the roofing system and insulation will result in an estimated annual savings of \$25,000 - \$30,000 in heating costs. There are a lot of benefits to this project in addition to the safety and welfare of the staff and students.

Bruce Martin, Business Manager for the school district, discussed the financial aspects of the project. Although the referendum that will be put before the voters in January will be for \$14.95, which is the cost of the project, that is not the cost to the local taxpayer. If the referendum is passed, there will be several sources of funding for it, as noted by Paul Finch. The balance would be bonded out over a 15 year period. Both principle and interest on the bond would be aided by the state at a rate of 82.8%. Given that rate of aid, this is a good time to do the project because that state aid rate may be reduced in two years.

The district has also worked with a fiscal consultant to determine the project cost. The local share of the project was figured to be \$119,000 per year (a conservatively high projection). This translates to \$24 a year for a property valued at \$300,000, and less for a similar property with various STAR exemptions.

Paul Finch explained the security enhancements for the schools that would be included in the cost of this project. These enhancements would involve securing the main entrances of the schools with architectural modifications, and upgrading a number of exterior doors at Mill Road. This upgrade would include identification card readers, which enable employees to enter locked doors without compromising security.

Councilwoman Bordewich thanked the district officials for their presentation. She asked if the district has discussed with NYSERDA further green building enhancements that could be included in this project. Mark Phelan responded that they are discussing this with their architect and are looking into applying for a NYSERDA grant.

Councilman Ramsey welcomed Paul Finch as the new superintendent. He then asked what would happen if the referendum is not approved. Superintendent Finch said that the schools would have a significant problem (e.g. molds could grow causing relocation of classes, but due to lack of space, it would be necessary to purchase portable classrooms). The district would have to maintain its course and bring it up again for a vote.

Councilman Ramsey asked if there are any State or OSHA violations present with regard to the roof or security issues. Mark Phelan said that the schools meet building codes, but there are a lot of problems that can happen. Councilman Ramsey followed up by asking, what other problems do you see down the road? Mark Phelan indicated that there are space needs, in general.

Councilwoman Crane asked why the district waited so long. Bruce Martin responded that they've known the useful life of the roofs was coming to an end, and now seems the best time to replace them.

Councilman Ross asked, is the \$14.95 million a reasonable estimate? Mark Phelan said they did extensive work to come up with that number and feels comfortable with it. Councilman Ross then asked, what is the "lock-in" date of the 82.8% state aid rate? Bruce Martin said that although it may move around a little, they would need to sign their construction contracts before June 30, 2008. Mr.

Martin also explained that the referendum would be for \$14.95 million, with a bonding authority of \$14.45 million (until the Excel funds are received).

Councilman Ross expressed concern that someone oversees this project very closely. Mark Phelan said that he has indicated that a Clerk of the Works is needed, up on the roof, watching the daily roof work.

Councilwoman Bordewich again thanked the school district for its presentation.

Lisa Pullaro asked what the life of the new roof would be, and was told 20 years. She also asked if the Excel money was a one-time thing, and was told yes.

RESOLUTION TO APPLY TO THE HUDSON RIVERY VALLEY GREENWAY FOR A GRANT FOR THE BREADBASKET TRAIL

RESOLUTION 2006 #82

Re: Approving and endorsing the submission of a grant application to the Hudson River Valley Greenway for a project known as Planning for the Breadbasket Trail.

On motion of Councilwoman Jean Bordewich, seconded by Councilwoman Sue Crane move to approve and endorse the application for a grant under the 2006 Greenway Conservancy for the Hudson River Valley Annual Grant Program, for a project known as *Planning for the Breadbasket Trail* and located within this community.

Adopted	Ayes 4	Ross, Crane, Bordewich, Ramsey
	Nays 0	
	Absent 1	Blum Bump

(9:45 p.m. Councilwoman Bordewich leaves the meeting due to illness and Councilman Ross chairs the remainder of the meeting.)

REQUEST FROM CAC TO JOIN ICLEI

Conservation Advisory Committee member Denise Barton presented the CAC's request to join the ICLEI. ICLEI is an international membership association of local governments dedicated to addressing environmental issues through local actions, such as reduction of local emissions that contribute to global warming. Through membership the CAC would have the latest information and resources on sustainable development and climate protection. ICLEI also offers assistance with staff training and support. The membership fee is \$600, which the CAC already has in its budget.

Councilwoman Crane expressed support for the program. Councilman Ramsey also supported it and suggested the two villages should also be contacted.

On a motion by Councilman Ross, seconded by Councilman Ramsey move to authorize the CAC to join ICLEI and approve the expenditure of \$600 from the CAC's budget for the membership fee.

Adopted	Ayes 3	Ross, Crane, Ramsey
	Nays 0	
	Absent 2	Blum Bump, Bordewich

RESOLUTION REGARDING TOWN FIRE PROTECTION/VILLAGE OF TIVOLI

RESOLUTION 2006 #83

Re: Approving fire protection district fire service agreement between the Town of Red Hook and the Village of Tivoli for 2007 and 2008.

On motion of Councilwoman Sue Crane, seconded by Councilman Harold Ramsey move to approve the fire protection contract with the Village of Tivoli.

Adopted	Ayes 3	Ross, Crane, Ramsey
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Nays 0
Absent 2 Blum Bump, Bordewich

RESOLUTION REGARDING TOWN FIRE PROTECTION/VILLAGE OF RED HOOK

RESOLUTION 2006 #84

Re: Approving fire protection district fire service agreement between the Town of Red Hook and the Village of Red Hook for 2007 and 2008.

On motion of Councilwoman Sue Crane, seconded by Councilman Harold Ramsey move to approve the fire protection contract with the Village of Red Hook.

Adopted Ayes 3 Ross, Crane, Ramsey
 Nays 0
 Absent 2 Blum Bump, Bordewich

RESOLUTION REGARDING ADOPTION OF LOCAL LAW #7

RESOLUTION 2006 #85

Re: Approving adoption of Local Law #7 regarding emergency preparedness.

On motion of Councilman Harold Ramsey, seconded by Councilwoman Sue Crane move to authorize adoption of local law #7 amending Chapter 60 of the Code of the Town of Red Hook entitled Emergency Preparedness.

Adopted Ayes 3 Ross, Crane, Ramsey
 Nays 0
 Absent 2 Blum Bump, Bordewich

RESOLUTION REGARDING ADOPTION OF LOCAL LAW #8

RESOLUTION 2006 #86

Re: Approving adoption of Local Law #8 regarding the New York State Uniform Fire Prevention and Building Code.

On motion of Councilman Harold Ramsey, seconded by Councilwoman Sue Crane move to authorize adoption of local law #8 amending Chapter 74 of the Code of the Town of Red Hook entitled Administration and Enforcement of the New York State Uniform Fire Prevention and Building Code.

Adopted Ayes 3 Ross, Crane, Ramsey
 Nays 0
 Absent 2 Blum Bump, Bordewich

RESOLUTION REGARDING POLICE PROTECTION AGREEMENT WITH THE VILLAGE OF RED HOOK

RESOLUTION 2006 #87

Re: Approving police protection agreement between the Town of Red Hook and the Village of Red Hook for 2007.

On motion of Councilwoman Sue Crane, seconded by Councilman Harold Ramsey move to approve the Police Protection Agreement between the Town of Red Hook and the Village of Red Hook for 2007 for police protection services.

Adopted Ayes 3 Ross, Crane, Ramsey

Nays 0
Absent 2 Blum Bump, Bordewich

VILLAGE OF RED HOOK REQUEST TO USE TOWN COURT ROOM

While the Village Hall undergoes renovations, the Village of Red Hook has requested use of the Town of Red Hook’s court room on the first and third Wednesday of each month. Councilman Ross noted that they may need use of the room for up to a year.

On motion by Councilman Ross, seconded by Councilwoman Crane move to approve use of the town’s court room by the Village of Red Hook court on the first and third Wednesday of each month.

Adopted Ayes 3 Ross, Crane, Ramsey
 Nays 0
 Absent 2 Blum Bump, Bordewich

OFFERING FROM WIN MORRISON REALTY

Communication Strategies Group is interested in purchasing cellular antennae sites on the water tower. Councilman Ross asks Town Attorney Chris Chale to review the letter.

TREE CITY UPDATE

The Board briefly reviewed a memo from the CAC regarding the Tree City Expenditure Requirement and decided to review it at a future workshop after Attorney Chale speaks with Brenda Cagle.

APPOINTMENT TO WATER BOARD

John Wintenburg has been recommended to replace Mark Graminski on the Water Board.

On a motion by Councilwoman Crane, seconded by Councilman Ramsey, move to appoint John Wintenburg to the Town Water Board.

Adopted Ayes 3 Ross, Crane, Ramsey
 Nays 0
 Absent 2 Blum Bump, Bordewich

RESIGNATION OF MARC MOLINARO

It was noted that the Board received a copy of Marc Molinaro’s letter to the Dutchess County Legislature relinquishing his responsibilities as a member of the Legislature as of Dec. 19th. An appointment will be made at the Board’s Dec. 20 meeting to fill the remainder of his term.

ST. MARGARET’S HOME

The Town received a letter from the NYS Office of Parks, Recreation and Historic Preservation which conveyed the certificate that indicates the home is on the State and National Register of Historic Places. A ceremony recognizing this fact may be organized in the spring.

ATTORNEY MICHAEL POLLOCK

Councilwoman Crane reported on a letter she received from Attorney Michael Pollock offering to do pro bono work for seniors. Town Attorney Chale will review the letter.

DEPARTMENT REPORTS

Town Assessor: Councilman Ross reported that the Assessor attending a seminar on 2007 updates from the NYS Office of Real Property for its RPS V4 software application and another on Agriculture Exemptions. He also completed land analysis for the 2007 assessment; completed a review of Agricultural and Veteran exemptions; reviewed 12 deeds for accuracy; continued review of current assessments; and was voted in as the Vice President of the Dutchess County Assessor’s Association.

Water District: Councilwoman Crane reported that the wells have high levels and there are not reports of any problems.

Purchasing: Councilwoman Crane stated that during the period of Nov. 11 – Dec. 12, 2006, 18 purchase orders were issued in the amount of \$9,959.24. The largest was for Smith Controls for repairing and reinstalling a transmission control of pumping at the Water District. The job is estimated to cost approximately \$3,000. In line with the rejection of the bid to replace fluorescent lights, thermostats, and occupancy sensors, as part of the energy savings measures for the Town Hall, Purchasing Agent Kudzy suggests that he, along with several members of the Town Board, Wayne Hildenbrand, Lori Husted and perhaps Lanspery Engineering, meet to strategize on measures the Town should pursue. He will set up that meeting.

Recycling: Councilman Ross noted the Recycling Center has a higher than usual metal intake, and that residents are taking advantage of the warmer weather to clean up in and around their homes. Many people have been utilizing the goods building as well. There has been an issue with the highway gate not being locked when the center is closed, resulting in illegal dumping of several appliances and debris. The Recycling Center will also receive an estimate to replace its propane heater, which is not repairable.

Councilman Ramsey stated he would like to have Morris Associates at a meeting to discuss the highway garage. Requested they be put on the January 8th agenda, and the other council members agreed.

Regarding Village Police reports, Councilman Ramsey suggested that they be put into a summary format (which he would do). Councilwoman Crane thought the packet currently being provided was fine, but suggested that the Board be provided with just one copy and circulate it among the members. Councilman Ramsey noted that Supervisor Blum Bump and Councilwoman Bordewich preferred the report to be in a summary format.

Councilman Ramsey also noted that Linda Keeling has sent the Town a lot of information about various grants. He has looked through the information and feels some of the grants should be pursued. Would like to discuss this at a future board meeting to decide how to proceed.

He reported that road and traffic issues are still being worked on (e.g. drainage on Orlich Road and installation of a catch basin on Glen View Drive).

Councilman Ramsey noted that the Winterfest turned out great and those that worked on it did a terrific job. On Dec. 16th Tivoli is having its Winterfest.

As there were no further comments from the Board, on a motion from Councilman Ross, seconded by Councilman Ramsey moved to go into attorney/client session at 10:43 p.m. to consult with the Town Attorney regarding the purchase of recreation lands.

Adopted	Ayes 3	Ross, Crane, Ramsey
	Nays 0	
	Absent 2	Blum Bump, Bordewich

Upon return from the attorney/client session, on a motion from Councilman Ross, seconded by Councilman Ramsey move to adjourn the meeting at 10:50 p.m.

Adopted	Ayes 3	Ross, Crane, Ramsey
	Nays 0	
	Absent 2	Blum Bump, Bordewich

Respectfully submitted,

Susan McCann, Town Clerk