

RED HOOK TOWN BOARD MEETING

January 8, 2019

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 Robert McKeon
Councilman Harry Colgan
Councilman William O’Neill
Councilperson Sarah Imboden
Councilperson Christine Kane
Town Clerk Sue McCann

Also Present: Attorney Christine Chale

Supervisor McKeon called the meeting to order and opened with the Pledge of Allegiance.

SUPERVISOR’S REPORT

The Supervisor’s report dated December 31, 2018 was read as follows: Opening balance - \$4,615,791.70; Receipts - \$1,979,492.88; Disbursed - \$1,421,401.51; Balance - \$5,173,883.07.

On a motion of Councilperson Imboden seconded by Councilman Colgan moved to accept the Supervisor’s report.

Adopted Ayes 5 McKeon, Colgan, O’Neill, Imboden, Kane
Nays 0

Copy attached

TOWN CLERK’S REPORT

The Town Clerk’s report for the period December 1 – 31, 2018 was read as follows: Amount remitted to Supervisor - \$1,831.69; Amount remitted to NYS Ag. & Markets - \$72.00; Amount remitted to NYS Dept. of Health - \$135.00; Amount remitted to NYS Dept of Racing & Wagering-\$30.00; Amount remitted to NYS DEC - \$33.06; Total State, County, & Local revenue - \$2,101.75

Abstracts

November 2018: Voucher #'s 24118 through 24237 - \$310,081.69

December 2018: Voucher #'s 24338 through 24311 - \$79,921.55

On a motion of Councilperson Imboden seconded by Councilman Colgan moved to accept the Town Clerk’s report.

Adopted Ayes 5 McKeon, Colgan, O’Neill, Imboden, Kane
Nays 0

ANNOUNCEMENTS

Supervisor McKeon announced the following:

- January 19, 8 a.m. to 1 p.m., E-Waste collection, some fees apply.
- January 21, repair café from 11:30 – 2:30 p.m. at the Red Hook Community Center
- Association of Towns Annual Conference – February 17 – 20th.
- Letter received from NYS DOT -Speed limit reduction on Budds Corners Rd. from 55 to 45 mph from Pitcher Lane to 9G.
- Forest Park subdivision request to lower speed limit will not be granted.

Town Clerk McCann announced that the tax bills will be going out next week. If you don’t receive your bill, please contact the Town Clerks Office.

Councilperson Imboden reminded residents of the new Town website and how to sign up for “Notify Me”.

PUBLIC HEARING

2019 RATES FOR RED HOOK WATER DISTRICT NO. 1

Town Clerk McCann read the public hearing notice.

Supervisor McKeon opened the public hearing for comments. There were none.

On a motion of Supervisor McKeon seconded by Councilperson Imboden moved to close the public hearing.

Adopted Ayes 5 McKeon, Colgan, O'Neill, Imboden, Kane
 Nays 0

RESOLUTION TO APPOINT THOMAS MANSFIELD, ESQ. TO THE POSITION OF TOWN JUSTICE

Supervisor McKeon congratulated Judge Martin on his election to DC Family Court Judge. His vacancy will be filled by Thomas Mansfield, Esq.

Supervisor McKeon read the resolution.

RESOLUTION 2019 #1

RE: AUTHORIZING THE APPOINTMENT OF TOM MANSFIELD TO POSITION OF TOWN JUSTICE

On a motion of Supervisor Robert McKeon seconded by Councilperson Christine Kane moved to approve the resolution.

Adopted Ayes 5 McKeon, Colgan, O'Neill, Imboden, Kane
 Nays 0

Copy attached

Supervisor McKeon introduced Judge Jonah Triebwasser.

Judge Triebwasser swore Tom Mansfield in to the position of Town Justice.

PUBLIC HEARING

PROPOSED FIRE PROTECTION DISTRICT FIRE SERVICE AGREEMENT BETWEEN THE TOWN OF RED HOOK, VILLAGE OF TIVOLI, VILLAGE OF RED HOOK AND THE RED HOOK FIRE COMPANY

Town Clerk McCann read the public hearing notice.

Supervisor McKeon opened the public hearing for comments. There were none. He pointed out a minor change in the Village of Tivoli contract regarding the allocation.

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

Adopted Ayes 5 McKeon, Colgan, O'Neill, Imboden, Kane
 Nays 0

RESOLUTION 2019 #2

RE: APPROVING TOWN OF RED HOOK FIRE PROTECTION DISTRICT FIRE SERVICE AGREEMENT BETWEEN THE TOWN OF RED HOOK AND THE VILLAGE OF RED HOOK AND THE RED HOOK FIRE COMPANY, INC. FOR 2019 AND 2020 AND A FIRE PROTECTION DISTRICT FIRE SERVICE AGREEMENT BETWEEN THE TOWN OF RED HOOK AND THE VILLAGE OF TIVOLI FOR 2019 AND 2020

On a motion of Supervisor Robert McKeon seconded by Councilman William O'Neill moved to approve the resolution.

Adopted Ayes 5 McKeon, Colgan, O'Neill, Imboden, Kane
 Nays 0

Copy attached

RESOLUTION APPROVING 2019 REORGANIZATION

Supervisor McKeon explained the resolution regarding reorganization which does not include boards and committees.

Meeting dates – second Tuesday and fourth Wednesday of the month at 7:30 p.m.

Official Newspaper – Poughkeepsie Journal

Depositories – M&T Bank, The Bank of Greene County and Key Bank National Association

Petty Cash – Town Clerk/Receiver \$500.00

Salaries – Supervisor \$30,696; Town Board Members (each) \$8,618; Town Clerk \$55,407;

Town Justices (each) \$17,722; Highway Superintendent \$65,072

Mileage Reimbursement Rate - \$0.58 per mile

Other – Undertaking, check signing, annual financial report, procurement policy, investment policy and ethics policy.

RESOLUTION 2019 #3

RE: ANNUAL REORGANIZATION

On a motion of Supervisor Robert McKeon seconded by Councilperson Sarah Imboden moved to approve the resolution.

Adopted Ayes 5 McKeon, Colgan, O’Neill, Imboden, Kane
 Nays 0

Copy attached

Town Clerk McCann asked the Board to check with committees in advance when it comes to their appointments/reappointments.

RESOLUTION APPROVING 2019 RATES FOR RED HOOK WATER DISTRICT NO. 1
Supervisor McKeon explained the resolution.

RESOLUTION 2019 #4

RE: APPROVING WATER RATES AND CHARGES FOR WATER DISTRICT NO. 1

On a motion of Supervisor Robert McKeon seconded by Councilperson Christine Kane moved to approve the resolution.

Adopted Ayes 5 McKeon, Colgan, O’Neill, Imboden, Kane
 Nays 0

Copy attached

PRESENTATION – COMMUNITY CHOICE AGGREGATION

Supervisor McKeon explained that some of us have been going to meetings about this over the last few years and we may want to go forward with it. He introduced Glenn Weinberg of Joule Assets, and Jeff Domansky, Director of Hudson Valley Energy, who gave a power point presentation about clean energy products. He explained components of the program and goals. Supervisor McKeon thanked him for his presentation. We will give this consideration.

RESOLUTION TO ESTABLISH A CLIMATE SMART COMMUNITY TASK FORCE
Supervisor McKeon explained that we’ve been working with Cornell Cooperative Extension. The Town has to establish a task force and CAC Chair Laurie Husted offered to head it.

RESOLUTION 2019 #5

RE: CREATING THE CLIMATE SMART COMMUNITIES TASK FORCE

On a motion of Supervisor Robert McKeon seconded by Councilperson Christine Kane moved to approve the resolution.

Adopted Ayes 5 McKeon, Colgan, O’Neill, Imboden, Kane
 Nays 0

Copy attached

RESOLUTION APPROVING REVISED SCHEDULE OF PLANNING BOARD FEES
Supervisor McKeon pointed out the updated schedule.

RESOLUTION 2019 #6

RE: APPROVING REVISED SCHEDULE OF PLANNING BOARD FEES

On a motion of Supervisor Robert McKeon seconded by Councilperson Christine Kane moved to approve the resolution.

Adopted Ayes 5 McKeon, Colgan, O’Neill, Imboden, Kane
 Nays 0

Copy attached

The vote was taken after the following discussion:

Councilperson Imboden and Councilman Colgan didn’t remember the discussion and asked if Councilperson Kane could explain.

Councilperson Kane explained the reason for the fees. The Planning Board did some research on what the average cost was of certain categories.

Councilman Colgan said this does not address the legal fees.

Councilperson Kane explained.

Attorney Chale addressed it further.

AUTHORIZATION TO EXPEND HIGHWAY MONIES

Supervisor McKeon referred to a draft agreement prepared by Highway Superintendent Theresa Burke.

Highway Superintendent Burke said that is not a draft, it is the requested document for the projects she chose based on discussion they had in July. Since no one reached out to her she thought this was the agreement.

Supervisor McKeon asked if the Board had any thoughts.

Councilperson Kane referred to a study on Echo Valley Road. Does this preclude any of the recommendations?

Highway Superintendent Burke answered no, the only thing that would preclude was the reconstruction of the total road. There is still money in the budget for repaving. She is asking the County to do a traffic count prior to the paving. We will have them come back afterward and see if there is an increase in speed. They will not make the road any wider.

Councilman Colgan is concerned about neglecting some of the secondary roads, and he named Aspinwall and Manor roads. He knows its money. We do at some point have to address it.

Highway Superintendent Burke told him that they have patch in the material budget line.

RESOLUTION 2019 # 7

RE: TO APPROVE HIGHWAY EXPENDITURES

On a motion of Supervisor Robert McKeon seconded by Councilperson Sarah Imboden moved to approve the resolution.

Adopted Ayes 5 McKeon, Colgan, O’Neill, Imboden, Kane
 Nays 0

Copy attached

RESOLUTION TO APPROVE RFP – SHARED COURT SERVICES

Supervisor McKeon explained the resolution regarding grants to combine court administration.

RESOLUTION 2019 #8

AUTHORIZING THE ISSUANCE OF A REQUEST FOR PROPOSALS FOR JUDICIAL COURT SHARED SERVICES STUDY

On a motion of Supervisor Robert McKeon seconded by Councilperson Christine Kane moved to approve the resolution.

Adopted Ayes 5 McKeon, Colgan, O’Neill, Imboden, Kane
 Nays 0

Copy attached

DISCUSSION – FREEBORN LANE

Supervisor McKeon said the Board was approached by Ken Migliorelli to discuss whether or not the Town would be interested in abandoning Freeborn Lane. The Board agreed to research it and get legal and planning input. We were able to ascertain that a portion is a user road and we did solicit information from our planner. We are struggling to see what the public purpose would be to release the road. It is not used a lot but is used occasionally.

Ken Migliorelli said the issue he is having concerns electricity being run to a building he is constructing. Central Hudson won't make a decision until they know who owns the road.

Attorney Chale said it is a Town road. There isn't any question about that.

Highway Superintendent Theresa Burke explained the process. It is a user road, but is a gated road. They won't put utility lines on a road that they cannot access. The road is not to Town specs. Do you want to rebuild it to Town specs?

Attorney Chale said the gate was supposed to be temporary when it was initiated. It was supposed to address dumping at the landfill that used to be there.

Ken Migliorelli asked if she's been down that road lately. Look at that road after all the rain. It will cost the Town to bring it to spec. He stated that the Village of Tivoli and Northwind Farm will have access. He lives on the road and rarely is the road used.

Highway Superintendent Burke said the Town does not maintain the road. In order to maintain it properly we would have to rebuild it.

Ken said right now the road is a mess and for him to use it he will have to repair it. If the Town wants to keep it, he will want it repaired and it will cost money that is unnecessary. What is his course of action? Does he have to get a lawyer to move this forward or is this going to come from the Board? He doesn't understand why this is at a standstill.

Attorney Chale asked in what respect does he expect to get a lawyer.

Ken thinks the Town should relinquish the road. They haven't maintained it in 30 years. It's a mess and he is going to start using it frequently. He will want it fixed and it will cost the Town hundreds of thousands of dollars. Its money they don't need to spend. People are dumping garbage there and he cleans it up. What is the problem with the Town relinquishing ownership?

Supervisor McKeon said we are struggling with what the public benefit is.

Ken said there is no public benefit. Have a public hearing on it. He will pay for everyone within 500 feet to be notified.

Attorney Chale said there are procedures for terminating stub roads where the Town has no connectivity. She explained a process. This connects two major roads.

Ken said now there is a dead-end sign on the road and he again urged having a public hearing. Let the public decide.

Supervisor McKeon is talking about making decisions considering the public interest. What is the public benefit to approving his request to abandon the road?

Ken said the benefit to the public is that taxes won't go up because they wouldn't have to maintain it. No one really has reason to go down that road.

Supervisor McKeon said people walk and run down that road and if there is an issue with the utility and access maybe we can help with that.

Ken commented that Central Hudson will not run electric because of the situation of the road. Maybe he has to get a lawyer. He said it seems no one else has anything else to say, it's all coming from Supervisor McKeon.

Councilman O'Neill said that the idea of abandoning the road requires a public purpose.

Ken said it's a road that's been abandoned.

Councilman O'Neill said you can't easily abandon a road. You have to have a public benefit.

Councilperson Imboden commented that there is an argument to be made about connectivity.

There is that issue. As someone on the road, to Ken it feels abandoned. An issue for the Board is that if we decide to abandon it, we can't go back. It is permanent. The Board is not ready to make that permanent. Maybe we should visit the road.

Ken said take the gates down and have it paved.

Councilman O'Neill agrees with Councilperson Imboden that maybe we should reanalyze that road and see what we can do about it. When the gates were put up, was it because it was going to be abandoned? Why wasn't it abandoned then?

Ken said the initial reason for the gates was to stop people from dumping. He is going to look into the legality of moving forward.

Supervisor McKeon offered to assist Ken regarding Central Hudson.

HEALTHCARE DISCUSSION

Supervisor McKeon said this will be discussed at the January 23 meeting. He asked the Board to review the group of plans provided by our broker.

PUBLIC COMMENT PERIOD

Supervisor McKeon opened for comments. There were none.

ATTORNEY/CLIENT SESSION

On a motion of Supervisor McKeon seconded by Councilman O'Neill moved to go into Attorney/Client session at 9:12 p.m.

Adopted Ayes 5 McKeon, Colgan, O'Neill, Imboden, Kane
 Nays 0

On a motion of Supervisor McKeon seconded by Councilperson Imboden moved to adjourn the Attorney/Client session at 9:45 p.m.

Adopted Ayes 5 McKeon, Colgan, O'Neill, Imboden, Kane
 Nays 0

On a motion of Supervisor McKeon seconded by Councilperson Kane moved to approve the Article 7 settlement regarding 7 Pines, LLC at 9:49 p.m.

Adopted Ayes 5 McKeon, Colgan, O'Neill, Imboden, Kane
 Nays 0

On a motion of Supervisor McKeon seconded by Councilperson Kane moved to enter Executive Session at 9:51 p.m. to discuss the employment of a particular individual.

Adopted Ayes 5 McKeon, Colgan, O'Neill, Imboden, Kane
 Nays 0

On a motion of Supervisor McKeon seconded by Councilperson Kane moved at 10:05 p.m. to adjust the compensation for the Assessor.

Adopted Ayes 5 McKeon, Colgan, O'Neill, Imboden, Kane
 Nays 0

On a motion of Councilperson Imboden seconded by Councilperson Kane moved to adjourn the Town Board meeting at 10:06 p.m.

Adopted Ayes 5 McKeon, Colgan, O'Neill, Imboden, Kane
 Nays 0

Respectfully submitted,

Sue McCann, Town Clerk