

RED HOOK TOWN BOARD MEETING

April 9, 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
Councilperson Christine Kane
Town Clerk Sue McCann
Absent: Councilman William O'Neill
Councilperson Sarah Imboden
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 March 31, 2019 was read as follows: Opening balance - \$5,953,283.71; Receipts - \$4,555,195.38; Disbursed - \$2,934,024.40; Balance - \$7,574,454.69. The Community Preservation Fund is very healthy. For 2019 we were conservative for sales tax revenue and budgeted \$95,000. We've received \$171,000.

Supervisor McKeon referred to budget adjustments in the General A Fund, General B Fund, Highway DB Fund and "Other Funds" and Capital Projects.

On a motion of Councilman Colgan seconded by Councilperson Kane moved to approve the Supervisor's report.

Adopted	Ayes 3	McKeon, Colgan, Kane
	Nays 0	
	Absent 2	O'Neill, Imboden
		Copy attached

On a motion of Councilperson Kane seconded by Councilman Colgan moved to approve the budget adjustments.

Adopted	Ayes 3	McKeon, Colgan, Kane
	Nays 0	
	Absent 2	O'Neill, Imboden
		Copy Attached

TOWN CLERK'S REPORT

The Town Clerk's report for the period of March 1 – March 31, 2019 was read as follows: Total local shares remitted to the Supervisor - \$1,389.91; Amount remitted to NYS Ag. & Markets - \$44.00; Amount remitted to NYS Dept. of Health - \$67.50; Amount remitted to NYSDEC - \$1,056.09, Total State, County & Local revenue - \$2,557.50.

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

Adopted	Ayes 3	McKeon, Colgan, Kane
	Nays 0	
	Absent 2	O'Neill, Imboden

ANNOUNCEMENTS

Supervisor McKeon announced the following:

-The Town received word that our CDBG application for 2019 for the recreation park updates was accepted and the Town will receive \$98,000 for ADA improvements. Those include restructuring the parking area, entry gates, fencing, snack bar, and restroom alterations. We are also updating the playground and retro-fitting fields, and replacing lighting. A new basketball court is also planned.

-Yellow Ribbon Day is today. We recognize our Veterans on this day.

- April 27 - a Senior Expo at the Community Center from 10 a.m. – 2 p.m.

- April 27 - fundraising barbeque for the Firehouse 100-year celebration

- May 11 –Apple Blossom Day

PUBLIC HEARING
PROPOSED ACQUISITION OF FORMER ST. SYLVIA'S PARCELS

Town Clerk McCann read the public hearing notice.

Supervisor McKeon presented an aerial map of the properties. The Town was advised that the property was being sold by the Archdiocese of New York. We recognized that this is a very important historic property for the Village of Tivoli which lies within the National Historic Landmark District. We put together a meeting and decided to express interest in the property. The Board authorized negotiations with the church. At that same time, we set up the public hearing declaring that we had intent to acquire the properties. It will be a wonderful parking lot for the recreation park as well. Subsequently we advised the broker and the Archdiocese of our interest. We've been in negotiations with the church and the Archdiocese decided to continue negotiations with the Town. We are working out what will be included with the acquisition and discussing religious additions to the property. What will remain with the church and what will remain with the property. We are very appreciative of the Archdiocese and especially Father Pat from St. Christopher's for putting in a good word for us. They are happy to hear that the Town would acquire the church for the public to enjoy. He asked Town Historian, Emily Majer to give a little history of the church.

Emily Majer, Town Historian and Deputy Mayor of the Village of Tivoli, commented that Tivoli loves their churches. She gave the history of the Catholic Church in Tivoli for German and Irish immigrants. By 1856 a small church was built on the river and remained there until about 1900 when it was donated to a parish down the river. The story she heard is that it was loaded onto a barge, started down the river and flipped. In 1902 the Livingston daughters-built St. Sylvia's as a memorial to their mother. It has been a very important part of the community. It means so much to so many people. It is part of what the Community Preservation Fund is meant for in terms of it being recognized as historic. She explained the purpose of the Community Preservation Fund and described the National Landmark District and the area it covers.

A *resident* asked if there is a plan for the property.

Supervisor McKeon responded not yet, we got notice of this on short order. We recognize that community facilities would be required in Tivoli and the church would lend itself for that kind of use. We want a well thought out process and would like to put a task force together for ideas. We would like to preserve the church and make it available to the public. If it is left for the market place, it is not likely that the public would have access to that beautiful structure. It is important to Tivoli's community character.

Todd Baright asked about using the CPF money. If that can be used it is fantastic news.

Supervisor McKeon explained acceptable uses. This would be our first time preserving an historic structure. He explained previous uses for the CPF money.

Councilman Colgan explained there is a list of parcels that can be considered and this is actually on the list.

Susan Ezrati commented that the site should have been included on the Community Preservation Plan in 2016. It was an oversight. This church is involved in the properties and it was intended to be included.

Supervisor McKeon said we will hold more public hearings.

Linda Keeling handed in written comments. She does not agree with this purchase. This will cost us in years to come. Although it is in the historic district, if the Town would to buy this it would cost a lot of money. She cited laws that she feels refer to this purchase. The Town has not defined a purpose for this building. We have ownership of St. Margaret's Home and it has been sitting idle for many years. It takes money from the highway and recreation budgets to maintain that property. The Red Church Cemetery building is also very old. The previous group maintained that building. We have to maintain that too. We cannot afford this. Those parcels are tax exempt and don't bring any money into the Town. She agrees that parking is needed, however the Town cannot maintain old buildings. She suggested that the Town use the two parcels for the park, but let the Archdiocese sell the church and other building so that money can come in. She is all for keeping this open for the public. She referred to a special meeting with no agenda being held to discuss the purchase. Things are going on that people are not aware of.

Supervisor McKeon suggested signing up for "notify me" on the Town's website.

Chris Klose spoke about community. It is an expression of how we have survived. One point is the preservation of our historic landscape. We have maintained Red Hook for over 400 years. We have extraordinary hamlets, villages and town. It is our responsibility to look forward to

maintaining our roots. He lauds the Town Board's action and good thinking in regard to the purchase.

Barbara Maple has been here since 1973. She thanked the Board for their vision and wisdom and inclination to preserve what is important to our community. St. Sylvia's has historic value that cannot be measured. It is part of the Livingston heritage, and it is a beautiful church. It would provide venues for concerts, a community center, expand the library – she is 100% behind the Town's purchase. There are a lot of opportunities for funding.

Navin Sharma loves this community and appreciates the historic character. He does not feel that this is particularly good use for the CPF money. It is one third of the funds and is a large allocation. The funds should be used judiciously, not distributed willy nilly. We do have a decent amount of green space in the area. The Village needs more economic input. Does the Village have an adequate tax base or will there be an increase in the tax burden? Instead of keeping the property tax exempt, he thinks it should be sold to a taxable parcel to bring more money to the Village. Part of the CPP is to provide incentives. What is the long-term impact on Tivoli? Maintenance and upkeep are going to be huge. He is not convinced that this is based on facts and would like to see a plan that is explicit and lays out the financial considerations.

Danielle Cordier supports the proposed acquisition. Money from property sales from the Village also go into the CPF. This project would be uniquely suited for the Village of Tivoli. She believes there are a lot of people supportive of this project.

Pamela Marin lives in a church and loves alternative spaces and has an interest in historic preservation. As a resident of Tivoli, she is concerned about the purchase for many reasons. Tivoli does not have a huge budget; we are a modest Town and we pay a lot of taxes. This property is big. She pointed out non-profits in Tivoli. We can't afford that. We are talking about a property that has three buildable lots in an area that already has houses. It is a lot of property, and it is an enormous expense. She can't imagine we have enough money to take care of it properly. There is no real plan in place. We need a public hearing where there is an exact plan. The tax issue is huge. We are not in the real estate business we are supposed to be running municipalities. Threatening eminent domain and using those funds is wrong. Keeping it off the tax rolls is wrong. It is not a good use of our money.

Supervisor McKeon said we are sensitive to taxes in Red Hook. We do not have a proposal to raise taxes over the next couple of years. We know the structures require some work. Up to 10% of the CPF money can be used for maintenance and associated costs. We also anticipate grant opportunities that could be used for work on those buildings.

Chris Klose said in the Village of Red Hook we've lost many treasures. If we lose that church, we lost a visual sense you get when you pass by it. He described the trees and gardens.

Gerard Hurley asked if the property could possibly be subdivided. The population is shrinking in Tivoli. The church is an important piece of history but public money could be a solution.

Supervisor McKeon said we will carefully think this through and will get a lot more input from residents in Tivoli. Don't look for a concrete plan right now. We do not need one to move forward. Preserving this is important for community character.

Julia Crowley thinks preserving the church is important in various ways. She asked how the Town can restore and maintain the church.

Supervisor McKeon said it is 10% of what we've raised in the fund. We will quickly address the mold in the basement and we will reach out for grants. We might obtain a grant this year. This is a cost the Town would bear, the Village would not.

Leonard Campbell commented that he is a Viet Nam veteran and got an education at the Culinary Institute thanks to the VA. There are stained glass windows in the culinary, and he described the building which kept things intact. He hopes whatever the Town uses the building for, the windows will be kept as they are. They are historic and represent anyone's religion.

Tivoli Mayor Joel Griffith said he hears complaints about the lack of parking in Tivoli all the time. He talked about the proximity of the parking lot to the center of the Village. Twelve years ago, the Town established the community preservation fund and the acquisition of St. Sylvia's is exactly what the fund was envisioned for. We don't have farms to protect but we do have historic resources. It is an appropriate use of the funds. He commends the Town Board to grab it while you can and we will come up with wonderful ideas for uses of the property. We will have public forums where we can explore ideas. The Empire State Trail is coming up through Tivoli. This community space right on the trail is an opportunity to do wonderful things. St. Sylvia's is a gorgeous piece of architecture. He agrees that the windows should stay. Private hands could get that property, then it is the end of our heritage and would be short sighted. This is such an opportunity. After the property's listing he started getting calls about it. He is for this purchase all the way.

Linda Keeling said we need to realize that we will be setting a precedent by purchasing this church. Red Hook has lots of churches. Are we going to purchase all that have financial difficulties? When do we stop? She wants the 10% for St. Margaret's, you haven't done a thing for it.

Jake Stortini lives in Tivoli. He is conflicted with this because he respects what the Village is doing but he also sees the other side. We've heard so much about the parking. He thinks there are other things to consider. He thinks there is plenty of parking in Tivoli. He also pointed out that our sense of community could be broadened a little more. The building should be used very frequently. Reach out for a partnership with Bard College was a suggestion he had.

On a motion of Supervisor McKeon seconded by Councilman Colgan moved to extend the public hearing to April 24 at 7:35 p.m.

Adopted	Ayes 3	McKeon, Colgan, Kane
	Nays 0	
	Absent 2	O'Neill, Imboden

Councilman Colgan used to live in NYC and he wanted to move to the country. Tivoli was getting publicity in the NY Times. He came up and wound up moving here twenty years ago. He was on various committees; they've worked for years on zoning to preserve farms and open space which saves a quality of life unique to this Town. Tivoli has grown immensely. His concern is the importance of preserving the quality of life Town wide. Working on Tivoli is important in that context.

PUBLIC HEARING
**PROPOSED AMENDMENT OF THE TOWN OF RED HOOK COMMUNITY
PRESERVATION PLAN, LOCAL LAW NO. C OF 2019**

Supervisor McKeon explained the reason for the amendment to include the properties in the plan. We are going to correct that to include them.

Attorney Chale explained the corrections to the amendment.

Town Clerk McCann read the public hearing notice.

Supervisor McKeon opened the public hearing.

Linda Keeling commented that this should have been on the Town's website. She couldn't find it on the website so that she could comment on it. The public hearing should be advertised again and started over.

Supervisor McKeon mentioned that there will be an extension of the public hearing. The notice placed for this public hearing was on the Town website.

Dominic Tampone looked for the law on the website and said it wasn't available. Apparently, the law we are having the public hearing on has not been available to the public at all. It wasn't on the website or in Town. He doesn't have a comment on the law because he didn't have the opportunity to read it. The Town website should be a main resource.

Supervisor McKeon said he had the law in his hand. There are only two paragraphs.

Attorney Chale said the hearing was noticed and was on the website and in the newspaper.

Dominic Tampone said he is a concerned citizen letting everyone know that it wasn't available to read. Where does he get a copy of the law? There is nothing attached to what he has.

Supervisor McKeon pointed out the law for his review.

Todd Baright said if two people think the law wasn't available that maybe we should restart the process so that everyone can agree it was legitimate. We need to be 100% sure that the CPF money can be used and not coming from our general fund.

Richard Biezynski said the law was on the Town's website. He was able to see it.

On a motion of Councilperson Kane seconded by Councilman Colgan moved to extend the public hearing to April 24 at 7:45 p.m.

Adopted	Ayes 3	McKeon, Colgan, Kane
	Nays 0	
	Absent 2	O'Neill, Imboden

SUMMARY REPORT – ANNUAL AUDIT RESULTS

Supervisor McKeon explained the brief review of the 2018 finances from the NY State Comptroller and pointed out various fund's expenditures and revenues.

DISCUSSION – COMMUNITY PRESERVATION PLAN UPDATE PARCELS

Supervisor McKeon referred to the update. He pointed out changes to be made to the plan, and reviewed the full environmental assessment form.

Attorney Chale pointed out amendments and scoring of plans regarding specific tax I D’s.

Supervisor McKeon said this plan had to be kept the same for the first three years then it needed to be revised every few years. In 2016 there was a revision. He read the resolution.

RESOLUTION 2018 #36

RE: REFERRAL TO THE VILLAGE OF TIVOLI FOR FINDINGS UNDER THE VILLAGE LWRP REGARDING THE ADOPTION OF LOCAL LAW NO. C (PROPOSED) OF 2019 REGARDING AN AMENDMENT TO THE COMMUNITY PRESERVATION PLAN

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

Adopted	Ayes 3	McKeon, Colgan, Kane
	Nays 0	
	Absent 2	O’Neill, Imboden
		Copy attached

DISCUSSION – 2019 MUNICIPAL INNOVATION GRANT

Supervisor McKeon explained that the Town has been successful getting grants. The deadline for this application is May 3 and he asked the Board to think about what they’d like to take advantage of.

REORGANIZATION

EDC – there were two resignations leaving two vacancies on the committee.

On a motion of Councilman Colgan seconded by Supervisor McKeon moved to appoint Kristina Dousharm as Chair of the EDC for a term to expire December 31, 2019.

Adopted	Ayes 3	McKeon, Colgan, Kane
	Nays 0	
	Absent 2	O’Neill, Imboden

ENERGY COMMITTEE

On a motion of Supervisor McKeon seconded by Councilperson Kane moved to reappoint Denis Collet, Jen Cavanaugh, Laurie Husted, Paul Cadden-Zimansky, and Dan Smith for terms to expire December 31, 2020, and appoint Denis Collet as Chair for a term to expire December 31, 2019.

Adopted	Ayes 3	McKeon, Colgan, Kane
	Nays 0	
	Absent 2	O’Neill, Imboden

GREENWAY & TRAILS COMMITTEE

On a motion of Councilperson Kane seconded by Councilman Colgan moved to reappoint John Kuhn, Doug Strawinski, and Cat Viega for terms to expire December 31, 2020.

Adopted	Ayes 3	McKeon, Colgan, Kane
	Nays 0	
	Absent 2	O’Neill, Imboden

On a motion of Supervisor McKeon seconded by Councilman Colgan moved to reappoint Howie Callies as Chair for a term to expire December 31, 2019

Adopted	Ayes 3	McKeon, Colgan, Kane
	Nays 0	
	Absent 2	O’Neill, Imboden

LWRP

On a motion of Councilperson Kane seconded by Councilman Colgan moved to appoint Paula Schoonmaker as Chair for a term to expire December 31, 2019.

Adopted Ayes 3 McKeon, Colgan, Kane
 Nays 0
 Absent 2 O’Neill, Imboden

PLANNING

On a motion of Supervisor McKeon seconded by Councilman Colgan moved to reappoint Sam Phelan as Chair for a term to expire December 31, 2019.

Adopted Ayes 3 McKeon, Colgan, Kane
 Nays 0
 Absent 2 O’Neill, Imboden

TREE PRESERVATION COMMISSION

On a motion of Supervisor McKeon seconded by Councilman Colgan moved to reappoint Karen Cadorette, Doug Traudt, Cathy Michael and George Michael for terms to expire December 31, 2020.

Adopted Ayes 3 McKeon, Colgan, Kane
 Nays 0
 Absent 2 O’Neill, Imboden

On a motion of Supervisor McKeon seconded by Councilman Colgan moved to reappoint Cathy Michael as Chair for a term to expire December 31, 2019.

Adopted Ayes 3 McKeon, Colgan, Kane
 Nays 0
 Absent 2 O’Neill, Imboden

WATER DEPARTMENT

On a motion of Supervisor McKeon seconded by Councilman Colgan moved to reappoint Henry VanParys as Chair for a term to expire December 31, 2019.

Adopted Ayes 3 McKeon, Colgan, Kane
 Nays 0
 Absent 2 O’Neill, Imboden

On a motion of Supervisor McKeon seconded by Councilman Colgan moved to reappoint Jerry Gilnack, Henry VanParys, Nick Annas and Ablen Amrod for terms to expire December 31, 2020.

Adopted Ayes 3 McKeon, Colgan, Kane
 Nays 0
 Absent 2 O’Neill, Imboden

CONSERVATION ADVISORY COUNCIL

On a motion of Supervisor McKeon seconded by Councilperson Kane moved to appoint Leah Steinberg, Susan Ellis, Steven Appenzeller and Julia Solomon for terms to expire December 31, 2020.

Adopted Ayes 3 McKeon, Colgan, Kane
 Nays 0
 Absent 2 O’Neill, Imboden

On a motion of Supervisor McKeon seconded by Councilperson Kane moved to reappoint Laurie Husted as Chair for a term to expire December 31, 2019.

Adopted Ayes 3 McKeon, Colgan, Kane
 Nays 0
 Absent 2 O’Neill, Imboden

DISASTER PREPAREDNESS COMMITTEE

On a motion of Supervisor McKeon seconded by Councilman Colgan moved to reappoint Hai-Ping Yeh as Chair for a term to expire December 31, 2019.

Adopted Ayes 3 McKeon, Colgan, Kane
 Nays 0
 Absent 2 O’Neill, Imboden

On a motion of Supervisor McKeon seconded by Councilman Colgan moved to reappoint Richard Franklin, Randy Clum and Eleanor Troy for terms to expire December 31, 2019, and Theresa Burke, Perry Sheldon, Rich Hilbrandt, John Gomez, Tom Crisci, Patrick Hildenbrand and Joseph Stephens for terms to expire December 31, 2020.

Adopted Ayes 3 McKeon, Colgan, Kane
 Nays 0
 Absent 2 O’Neill, Imboden

AGRICULTURE AND OPEN SPACE ADVISORY COMMITTEE

On a motion of Councilperson Kane seconded by Councilman Colgan moved to reappoint Michael Robertson as a member for a term to expire December 31, 2020 and appoint him as Chair for a term to expire December 31, 2019.

Adopted Ayes 3 McKeon, Colgan, Kane
 Nays 0
 Absent 2 O’Neill, Imboden

CPF/PDR ADVISORY COMMITTEE

On a motion of Supervisor McKeon seconded by Councilman Colgan moved to reappoint MaryAnn Johnson as Chair for a term to expire December 31, 2019.

Adopted Ayes 3 McKeon, Colgan, Kane
 Nays 0
 Absent 2 O’Neill, Imboden

On a motion of Supervisor McKeon seconded by Councilman Colgan moved to reappoint Richard Biezynski for a term to expire December 31, 2019, Peter Hubbell and John Hardeman for terms to expire December 31, 2021 and Ken Migliorelli for a term to expire December 31, 2020

Adopted Ayes 3 McKeon, Colgan, Kane
 Nays 0
 Absent 2 O’Neill, Imboden

COMMUNICATIONS COMMITTEE

On a motion of Supervisor McKeon seconded by Councilperson Kane moved to reappoint Ann Conway, Lisa Foscolo, Vicky Perry, Matthew Braydich, Joey Shavelle, and Theresa Burke for terms to expire December 31, 2019.

Adopted Ayes 3 McKeon, Colgan, Kane
 Nays 0
 Absent 2 O’Neill, Imboden

PUBLIC COMMENT PERIOD

Supervisor McKeon opened for comments.

Linda Keeling suggested the innovation grant be applied for St. Margaret’s to assess accessibility for the disabled. She suggests using 10% of the CPF money for St. Margaret’s and reactivate a Committee for St. Margaret’s.

ATTORNEY/CLIENT SESSION

On a motion of Supervisor McKeon seconded by Councilperson Kane moved to go into Attorney/Client Session at 9:40 p.m.

Adopted	Ayes 3	McKeon, Colgan, Kane
	Nays 0	
	Absent 2	O'Neill, Imboden

On a motion of Councilperson Kane seconded by Supervisor McKeon moved to adjourn the Attorney/Client session at 10:49 p.m.

Adopted	Ayes 3	McKeon, Colgan, Kane
	Nays 0	
	Absent 2	O'Neill, Imboden

RESOLUTION 2019 #37

RE: CLASSIFYING ACTION AND ESTABLISHING LEAD AGENCY TYPE I ACTION LOCAL LAW D (PROPOSED)

On a motion of Councilperson Christine Kane seconded by Councilman Harry Colgan moved to approve the resolution.

Adopted	Ayes 3	McKeon, Colgan, Kane
	Nays 0	
	Absent 2	O'Neill, Imboden
		Copy attached

RESOLUTION 2019 #38

RE: ESTABLISHING A DATE FOR A PUBLIC HEARING REGARDING THE ADOPTION BY THE TOWN BOARD OF THE TOWN OF RED HOOK OF LOCAL LAW D (PROPOSED) OF 2019

On a motion of Councilperson Christine Kane seconded by Councilman Harry Colgan moved to approve the resolution.

Adopted	Ayes 3	McKeon, Colgan, Kane
	Nays 0	
	Absent 2	O'Neill, Imboden
		Copy attached

On a motion of Supervisor McKeon seconded by Councilperson Kane moved to adjourn the meeting at 10:57 p.m.

Adopted	Ayes 3	McKeon, Colgan, Kane
	Nays 0	
	Absent 2	O'Neill, Imboden

Respectfully submitted,

Sue McCann, Town Clerk

