

**Village of Red Hook
Village Board Meeting
August 4, 2008
7:30 PM**

Present: Mayor David Cohen, Trustee Jay Trapp, Trustee Brent Kovalchik, Trustee Edward Blundell
Trustee Jack Gilfeather

Meeting opened at 7:30 with the Pledge of Allegiance.

Brent Kovalchik made a motion to accept the minutes of July 7, 2008.
Trustee Jack Gilfeather seconded. All were in favor.

TREASURER'S REPORT

Mayor Cohen read the Treasurer's Report for the month of July: Balances are as follows:
General \$671,794.28, Water \$54,123.28, T & A \$6,436.21, Resource Recovery \$3,058.64, Petty Cash \$46.20 and Village Green \$2,168.58.

Bills To Be Paid: General - \$143,662.21, Water - \$8,510.58, T & A - \$2,801.60, Resource Recovery – \$6,086.49.

Trustee Gilfeather made a motion to accept the Treasurer's Report. Trustee Trapp seconded. All were in favor.

POLICE REPORT

Mayor Cohen read the Police Report: 79 registered complaints, 136 uniform traffic tickets, 6 parking tickets, 5 accidents investigated, 6 arrests. Mileage was unavailable this month.

Mayor Cohen advised of the new schedule for fingerprinting – Tuesdays and Thursday between the hours of 1:00 – 3:00.

***VILLAGE OF RED HOOK
VILLAGE GREEN COMMITTEE***

Trustee Kovalchik read the monthly report as follows:

1. There were no committee meetings for the month of July.
2. The Village Green Committee was notified that the NYS Department of Environmental Conservation (DEC) has favorably approved our application for 2007-2008 Urban Community Forestry Grant. The proceeds from this grant will be used exclusively on tree pruning and maintenance of the 226 trees planted by the Village Green Committee and volunteers. Requested funds total \$13,610. A 50% Village financial obligation of \$13,610 (approved by Trustee Resolution on June 2, 2008) is required. Funding will be appropriated as follows:

Brent added a note that “A 100% Village financial obligation of \$13,610”...

• Volunteer	\$ 5,000.00
• Tree Pruning and Removal (#8560.4)	\$ 5,000.00
• Village Green (#8510.4)	\$ 3,610.00
• (village employees, vests, pruners)	\$ 3,610.00
TOTAL Village obligation	\$ 13,610.00
NYSDEC Contribution	\$ 13,610.00
TOTAL FUNDING	\$ 27,220.00

Thanks to all Village Green Committee members who participated in preparing this grant. Special thanks to Jen Melitski for writing and coordinating the grant application.

INTERMUNICIPAL TASK FORCE (ITF)

Trustee Kovalchik read the monthly report as follows:

1. Meetings were held at the Red Hook Village Building on July 11, 2008 and July 25, 2008 to review progress of the Intermunicipal Central Sewer and Waste Water Treatment System Facility Plan. In attendance were Roger Akeley (Dutchess County Department of Planning and Development), Bridget Barclay (Dutchess County Water and Waste Water Authority), Harry Colgan (Red Hook Town Councilman), Bill O’Neil (Intermunicipal Task Force), Tom Mansfield (Dutchess County Legislature), Mayor, David Cohen and Trustee, Brent Kovalchik (Red Hook Village), Robert Flores and Kathryn Serra (C.T. Male, Associates). District boundaries, Equivalent Dwelling Unit (EDU) count, cost per EDU and alternate treatment systems were discussed. The Facility Plan is being prepared for submission to the NYS Environmental Facilities Corporation for review and future funding opportunities. The plan is to be submitted by August 8, 2008*. Community meetings to present and discuss the Facility Plan are being planned. Dates and times are forthcoming.

****Brent added a note: submission deadline has been extended a couple of weeks***

2. Dutchess County Water and Waste Water Authority granted \$5,000.00 to be used for the preparation of the Facility Plan on July 16, 2008.

3. USDA Rural Development has agreed to grant \$15,000 to be used for the preparation of the Facility Plan. Final preparation of documents and final confirmation of allocations are expected by early August, 2008, including grant from the USDA, total financing for the Facility Plan totals at \$32,500.00.
4. Final draft of the Agricultural Business District is being prepared and will be submitted to the Red Hook Town Board for review.
5. Responses to the Economic Development Committees memo of June 17, 2008, are being discussed and prepared.

***VILLAGE OF RED HOOK
HIGHWAY DEPARTMENT***

Trustee Kovalchik read the monthly report as follows:

1. Black top repairs for portions of Old Post Road and St. Johns Street will be completed in August, 2008.
 - St. Johns Street – 72' x 22' and 125' x 22' sections
 - Old Post Road – 150' x 22' section

Estimate: 50 tons of 1" patch at \$49.00/ton = \$2,500.00

funds to be allocated from General Repairs CE – Highway – budget line item #5110.4)

labor and equipment will be provided by the Town of Red Hook Highway Department at no additional cost to the Village.

2. A work permit from the NYS Department of Transportation has been issued for catch basin repairs at the intersection of Church Street/West Market Street and at the intersection of Elizabeth Street/East Market Street. This work is being funded by the 2007-2008 CHIPS allocation (budget line item #5110.3) and approved by the Trustees on June 19, 2008.
3. The NYSDOT has completed sweeping/cleaning Market Street and Broadway.
4. Catch basins will be cleaned and pumped between July 23rd and August 2, 2008. \$6,000.00 will be allocated from General Repairs CE – Highway #5110.4, to clean as many as possible.
5. The new compact tractor will be delivered by August 5, 2008.

6. A broom attachment is being requested from the Highway Department. Use of this attachment will be year-round. Uses include:
- Cleaning Municipal Lot and sidewalks in preparation of Village festivals and celebrations (approx. 3-5 times/year)
 - Sweep streets in preparation for blacktop repairs
 - Sweep streets after brush/leave removals
 - Sweep snow off Village sidewalks in winter months and dead wood and debris throughout the year.

Cost estimate for power broom attachment for new John Deere
Compact Tractor \$2,803.76

Funds for this attachment will be deducted from budget line item #5110.2 – General Repairs EQ – Highway.

Request to approve the purchase of a power broom attachment at the cost of \$2,803.76 by Trustees.

Mayor Cohen stated of approval for broom attachment. (see approval minutes forthcoming)

7. The current balance of the scrap metal recycling fund is \$3,289.53. This represents a \$139.20 increase from the June 2008 balance. Since the inception of this program (September, 2007) \$5,278.50 has been generated to date. Proceeds from this program go toward purchasing tools for the Village Highway Department.

Trustee Kovalchik stated that with all 3 monthly reports a total of \$33,749.20 from outside sources have been raised.

Mayor Cohen stated that the State has come through and swept the Village streets.

Trustee Gilfeather asked about the \$30,000 USDA Rural Development grant – asked if it was \$30,000 altogether or just \$15,000.00? Trustee Kovalchik stated \$15,000.00. Stated that the Village has contributed \$7,500 – Town of Red Hook \$5,000.00 and Dutchess County Waste Water \$5,000 – totaling \$32,500.00. Trustee Kovalchik stated that we originally requested \$7,500 – but we did not get that or the SMSI Grant; when we applied to the USA – they agreed to \$15,000.00.

WATER

Trustee Gilfeather read the Water Report: 2 bacteria samples were taken and sent to lab; 2 new meters were installed at 9 Cambridge and Flatiron). Oversaw installation of valve for new Ulster Savings Bank.
Average Daily Water Usage for July, 2008 – 277,871

RESOURCE RECOVERY

Trustee Blundell Spoke to indicate that there has been a problem with short staffing with the Highway Department during garbage pick-up days and issues arising with regard to garbage collection. Stated that we need a solution to the short staff – possibly a quick-response call list for garbage days- asked board for their suggestions.

Stated that Mayor Cohen, Trustee Blundell and Mayor Cortier had a brief meeting with regard to this problem. Mayor Cohen indicated that Tivoli helps with giving us their water superintendent.

Trustee Blundell read the July, 2008 resource recovery report as follows: commingle 4.18 T @ \$114.42 Cardboard/newspaper 9.13 T @ \$100.22, Garbage 33.13 T @ \$2,997.91.

Trustee Blundell spoke on the plastic acceptance – indicating that Ulster County accepts more plastic numbers - 1,2,3,4,5&7 – Dutchess County – 1,2,3,5&7 –

Trustee Blundell indicated that Dan Streib has asked for a mechanical tarp for the paper/cardboard truck. Dan feels that this is needed for when going over the bridge – Ed does not feel that it is needed – would be a \$1,800.00 item. Trustee Trapp stated that there are other ways to handle this – and would discuss them with Trustee Blundell. Mayor Cohen indicated that when they meet, to come up with another workable solution. Trustee Blundell will report back at a later date on this.

Trustee Blundell handed out a new poster for the upcoming Hardscrabble Day. Asked if anyone had something to add to the Hardscrabble Post – let him know.

Trustee Kovalchik asked if the recent garbage can project can be printed in the Post?

Would like to know if the Hardscrabble Day Website is linked through the Village website.

Would like to plan now for police/bike patrol for Hardscrabble Day – and that we usually keep the highway on that day for as needed basis.

Trustee Blundell advised of the concerts being held at Abraham's Park - Harold Fell indicated his error in dates, and that the correct concert date is August 17th (not the 10th).

Spoke about Labor Day and WKZE using the Stage – would like board approval to move and use the stage. WKZE is a Red Hook based radio station and indicated this was good for advertisement in the Village – we charge \$400.00 (cash) for advertising exchange. WKZE is promoting August 10, 2008.

Trustee Trapp made a motion to move the stage for WKZE day
Trustee Kovalchik seconded.
All were in favor.

Trustee Blundell spoke on the Block Party scheduled for August 9, 2008 from 5:00 pm – 9:00 pm. Would request that Smith Street and Zipser be closed.

Trustee Kovalchik asked if residents could get into their homes?
Trustee Blundell stated yes.

Trustee Gilfeather asked if residents had been notified?
Trustee Blundell indicated yes and showed the Board the flyer that was distributed (copy on file with Clerk's office).

Trustee Trapp asked about nature of activities?
Trustee Blundell indicated a band, food recipes, inflatables for kids.....

Mayor Cohen asked for any comments?

Trustee Trapp asked about liability issues?
Village Attorney Kelly Flood-Myers was present and indicated No.

Trustee Gilfeather made a motion to close streets for Block Party
Trustee Trapp seconded.
All were in favor.

PLANNING & ZONING

Trustee Trapp read the Planning & Zoning reports: 12 building permits issued, 2 certificates of occupancy, 1 certificates of compliance, 4 municipal searches.

Indicated the planning board actions and that between 7/1/08 – 7/31/08 building and planning department has taken in \$1,518.84.

Trustee Trapp spoke on the following issues:

1. Hugs from Home indicating a drop in donations – probably due to summer vacations, economic issues, etc... but hopes to bring donations up.
2. Begun to catalog all the existing Village of Red Hook Street lighting locations; Intends to recommend the elimination of certain lamp locations, In communications with Jon Clark of County Planning – have discovered that there do not appear to be any codified lighting regulations with respect to municipal lighting.
3. Continuing meeting with Sam Harkins, ZEA, on Zoning regulations and will soon be preparing their recommendations for possible revisions to the existing code.
4. Call placed to Mr. Brudvig (from Bard) concerning the proposed Village Green and Bard College's participation in the development.

Mayor Cohen asked to discuss the Broom Attachment purchase for the Village Highway Department.

Trustee Kovalchik outlined broom dimensions and indicated the total price would be \$2,803.76.

Trustee Trapp asked about life span?

Trustee Kovalchik indication it would probably be put in vehicle rotation. DOT usually provides list of equipment of for their expected life cycle. Once received it will be put on the list and check for what the rotation time is.

Trustee Blundell asked was it placed in rear or front mount?

Trustee Kovalchik indicated rear mount.

Trustee Gilfeather asked if it was needed?

Trustee Kovalchik indicated yes. It would save time. Indicated it would pay for itself just in the sweeping of the sidewalks.

Trustee Blundell asked if Town has anything to help?

Trustee Kovalchik said nothing that small – Mayor Cohen indicated the Town's was too big.

Trustee Kovalchik indicated that there are many uses for the broom attachment.

Trustee Gilfeather made a motion to purchase broom attachment
Trustee Trapp seconded.
All were in favor.

Village Attorney Kelly Flood-Myers asked that Trustee Kovalchik leave the room during discussion on the tax roll correction for Pagano.

Mayor Cohen spoke on a tax roll correction. Location 7571 Old Post Road – Elizabeth Pagano.
Amount Levied: \$2,734.59 – should be \$2,631.19. This was verified with Assessor.

Trustee Trapp made a motion to tax roll correction
Trustee Blundell seconded.
All were in favor.

VILLAGE OF RED HOOK JUSTICE COURT GRANT

The Hon. Jonah Triebwasser was present and spoke on the 2007 and 2008 Court Grant Applications. Judge Triebwasser indicated last year's Resolution for a court grant wherein the Village received \$24,772.24 – and what those monies paid for. The Judge indicated this year's grant that will pay for conversion of the court photocopier from a lease to a purchase – if we can receive \$5,300 from State Grant Fund, copier can be purchased outright and save taxpayers money. Judge indicated other items that would be purchased such as television-VCR-DVD combo w/ stand for jury, court, police and village business; asking for \$750.00 for a letter folding machine; \$3,000.00 for security measures that have been recommended by NYS Office of Court Administration; label printers and signage.

Judge Triebwasser submitted a Justice Court Grant Resolution for signature.

Trustee Kovalchik asked how competitive this grant was?

Judge Triebwasser indicated that last year the State allocated \$5,000,000.00 and not enough courts submitted grant application and therefore not using the entire \$5,000,000.00. Judge Triebwasser indicated that he expects the grant applications to be more competitive. The Judge indicated that if we meet the deadline of August 31, 2008 – we would have an excellent chance of getting everything we asked for.

Trustee Gilfeather asked if this was the first step?
Judge Triebwasser indicated yes, a critical step.

Mayor Cohen proceeded to read the Resolution aloud. A copy is on file in the Village Clerk's Office.

Trustee Gilfeather made a motion to sign Resolution for Justice Court Grant
Trustee Kovalchik seconded.

All were in favor.

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Mayor Cohen stated that David Groth was not present, therefore, discussions on No. 3 Agenda (AT&T) would not be discussed.

Mayor Cohen indicated that No. 5 on the Agenda (Intermunicipal Agreement/Time Warner Cable) was given to Village Attorney, Kelly Flood-Myers for review.

ANDERSON COMMONS

Present is Scott Volkman representing Keith Lore on Anderson Commons

Mayor Cohen indicated that a copy of the Resolution was given to all board members for review.

Mr. Volkman spoke indicating his appearance to take care of different components of the Anderson Commons project, more specifically, the signing of a Intermunicipal Agreement – which concerns both the Town and Village of Red Hook. Approvals are needed from both municipalities to go forward with this project.

Spoke on intermunicipal agreement with respect to the road; and that the road is in both the Town and village; a majority of which is in the Town; and it was discussed that the Town would be the lead agency in approval for the trucking project.

spoke on next issue of the transportation corporation issue for a sewage treatment plant; for which the Village would be the lead agency.

Mr. Volkman indicated that there have been several drafts of the agreement, and meetings with the Town and Village; last draft of agreement was dated July 20, 2008; both approved unanimously by the Town Board at their meeting held on July 23, 2008; seeking approval from Village for agreement which would govern the construction of the roads – doesn't necessarily affect ownership; what is in the village will be owned by the Village and what is in the Town will be owned by Town.

The agreement for the sewage plant allows for the construction of a sewage plant under the direction of the Village engineer – wherein several bond initiatives required: 1 for construction and 1 for maintenance: requirement for stocks to be held in escrow, allowing the Village to be escrow agent with respect to stocks.

Mr. Volkman indicated that attorney Jeffrey Martin has suggested a final clause which would Authorize the Mayor to execute such agreement subject to changes as shall be approved by the Mayor, and or Deputy Village Attorney.

Mr. Volkman stressed that it is critical to get this component behind them in order to deal with underlying issues with respect to the roads, dedication documents, sewage treatment plant and construction of documents as well; they are working diligently on underlying agreement which would come back to the Village for further review and approval. This is just another step to get towards the end.

Trustee Kovalchik spoke with respect to the final draft and the next step regarding the sewage district and transportation district - mentioned certain stipulations – that back on April 7, 2008 passed a resolution – February 8, 2008 stipulation and September 17, 2007 stipulation –

Mr. Volkman stated they are all subject to final agreement. They are aware of concerns and conditions. Back in June he received a letter from Mr. Martin asking for clarification – he did respond – He met and addressed out concerns about future liability on the transportation corporation and that the Village would not be responsible for any cost/expenses with the sewage treatment plant with 2 municipalities.

Mayor Cohen indicated that this resolution just lets them go to the next step.
Mayor Cohen spoke to indicate all is subject to final approval from attorney, Jeffrey Martin.

Mr. Volkman indicated that the Town unanimously voted for this at their last meeting.

Mayor Cohen asked for any comments.

Trustee Kovalchik read aloud the last paragraph of a letter sent to Jeffrey Martin, Esq., from Gellert & Klein, dated June 27, 2008, which stated “The Village and taxpayers in general would not be responsible for either the formation or the operation or maintenance of the district and all such costs shall be born solely by the resident of any such district”. Trustee Kovalchik indicated that would be exclusively Anderson Commons be the boundaries of the transportation district.

Mr. Volkman stated right – the boundaries of the transportation corporation would be only the village units which are receiving benefits from the sewage treatment plant service. Would not even get passed on to the seven other lots in this subdivision – which would not receive benefits – or other residents of the village. Any expense that the Village is forced incur for some reason in a short term – until things are up and running in the district wall are reimbursable to the Village by that District.

Trustee Kovalchik asked that details will be further explained in next step as far as who actually you put it to accommodate on-going maintenance – work – will be self contained in the subdivision?

Mr. Volkman indicated there are drafts floating around – which will come to shortly- which details all the agreements and construction obligations. Ultimately, to be reminded, the Village will be the rate making authority for the District.

Mayor Cohen stated that the Transportation Corporation, in its entirety, will be negotiated and defined more clearly in the construction of documents?

Mr. Volkman stated that was correct.

Mayor Cohen read aloud the Resolution and stated that he added at the end upon final review of Attorney, Jeffrey Martin.

Scott Volkman handed out his version of what the Resolution should read as.

Mayor Cohen asked Attorney Kelly Flood Myers to step forward to review the Resolution handed out by Scott Volkman.

Attorney Kelly Flood-Myers indicated it was fine.

A Copy of Resolution is on file with Clerks Office.

Trustee Gilfeather made a motion to move forward with signing of Resolution
Trustee Trapp seconded.
All were in favor.

USDA GRANT

Mayor Cohen read aloud the Resolution Authorizing the Execution and application of a Grant from the USDA for the purpose of the continued sewage study for the Village of Red Hook.

A copy of Resolution is on file with the Clerk's Office.

Trustee Kovaclhik asked if monies were to be put into a special checking account?

Mayor Cohen indicated no – money gets deposited into General Account.

Trustee Kovalchik made a motion to move forward with signing of Resolution
Trustee Trapp seconded.
All were in favor.

NYMIR

Trustee Gilfeather spoke on the NYMIR and that the Village was a member of the New York Municipal Insurance Ricipical Insurance Group and that group is divided in 3 aspects:

1. Attorney-In-Fact (Association of Counties)
2. Conference of Mayors (Village, Towns and Association of Towns)
3. NYMIR Board (13 Elected Officials)

There are 660 Municipalities, Counties, Water Systems, Cities and Towns in this insurance group.

The Auditing Firm named A-M Best, was recently rated with an A-.

Last week there was an annual meeting held and at that meeting there were present facilitators that were to assist NYMIR in evaluating its future pricing on re-insurance policy and surplus management strategy.

This insurance group's re-instatement rate is at 96% of actual active members.

The Village of Red Hook is very fortunate to have this group.

Feels that the Village is fortunate to have this group for our police department.

HAROLD FELL:

Harold spoke at this time to indicate his concerns for the traffic situation of making a right turn at the location in front of Nekos Pharmacy.

The Mayor will contact the State.

Harold asked about the Agreement with the Stage?

Mayor Cohen indicated that Village Attorney, Kelly Flood-Myers, is finishing it up.

EXECUTIVE SESSION:

In: 8:35 pm

Out: 8:55 pm

Trustee Blundell has requested \$2,000.00 from celebrations budget for Hardscrabble Day.

Trustee Trapp made a motion to give \$2,000.00 towards Hardscrabble Day Celebration

Trustee Kovalchik seconded.

All were in favor.

Mayor Cohen indicated that we need to move ahead with the problem with the building project – the attorney has been in negotiation with builder's attorney, therefore we need authorization to move forward with litigation in hopes to resolve it out of court.

Trustee Blundell asked which attorney, Mayor Cohen indicated attorney, Kelly Flood-Myers

Trustee Gilfeather made a motion to authorize attorney negotiations on building project legal matters

Trustee Kovalchik seconded

All were in favor.

Trustee Gilfeather made a motion made to pay bills after audit. Trustee Trapp seconded.
All in favor.

Trustee Gilfeather made a motion to adjourn. Trustee Trapp seconded. All were in favor.

Meeting was adjourned at 8:55 PM

Submitted by,

Lara Hart
Secretary (filled-in for Village Clerk, Cindi Cole)