

**VILLAGE OF RED HOOK
VILLAGE BOARD
11-02-09**

Present: Mayor Cohen, Trustee Blundell, Trustee Trapp and Trustee Kovalchik
Trustee Seymour was absent

Mayor Cohen opened the meeting at 7:30 pm with the Pledge of Allegiance.

Trustee Kovalchik made a motion to accept the minutes from October 5, 2009 and October 15, 2009; Trustee Trapp seconded. All were in favor.

Mayor Cohen introduced the School Board representatives (Perry Sheldon - Director of Facilities and Operations, Bruce Martin, Roy Paisley - High School Principal & Erin Hayes – 9/10 Principal) and Superintendent, Paul Finch, whom distributed a handout to all Board members and spoke with regard to the "Frequently Asked Questions About the High School Capital Project". Copy of handout is on file with the Clerk's Office.

TREASURER'S REPORT

Mayor Cohen read the Treasurer's report for the month of October: Balances: General \$188,658.22; Water \$61,410.91; T & A \$10,239.48; Resource Recovery \$2,417.78; Petty Cash \$80.48; Village Green \$4,265.17; Hardscrabble \$6,268.04. **Bills to be paid:** General \$94,247.01; Water \$22,932.51; T & A \$10,239.48; Resource Recovery \$3,009.78. Trustee Blundell made a motion to accept the Treasurer's report. Trustee Kovalchik seconded. All were in favor.

POLICE REPORT

Mayor Cohen read the police report for the month of October: registered complaints 140, uniform traffic tickets 105, 11 parking tickets, 12 accidents investigated and 12 arrests made. All Board members were given the October report for totals of all incidents.

Trustee Blundell asked about the new Police Pro Program and that reports would be given each month from that program and the old reports done away with. Chief Truitt indicated that the program is still being tweaked and upon completion the new reports would be the only report each Board would be given.

RESOURCE RECOVERY REPORT

Trustee Blundell read the RR report for the month of October: commingle 4.16 T @ \$192.82; cardboard/newspaper 4.08 T @ \$84.05; Garbage 13.14 T @ \$1,123.34.

Trustee Blundell has requested that the garbage pick-up day be changed from Tuesday to Monday. Trustee Blundell felt that this would be beneficial should we ever have manpower problems.

Need to get out to the public. We should put this notice in the upcoming December newsletter. Effective date would January 11, 2010.

Trustee Blundell made a motion to change the garbage pick-up day to Monday effective January 11, 2010, Trustee Trapp seconded. All were in favor.

CELEBRATIONS

Trustee Blundell announced that the Red Hook Halloween was a great success. Thanked his committee and all of his colleagues on the Board. Thank you to Andreas SanMillan and Frank Campo.

Announced that Winterfest would be December 4th this year. Friday evening event.

WATER

Mayor Cohen read the water report for the month of October: 2 bacteria samples were taken and went to lab, GWUDI samples were taken and sent to lab; water repair was completed on Graves Street; water was turned off at customer's request at 89 Cambridge Drive; average daily usage for month 270,484 gallons.

PLANNING AND ZONING

Trustee Trapp advised that he continues to work closely with CEO, Sam Harkins, and they are still discussing whether or not the Village is charging enough to cover his time, reports that he completes and send off to the State. Trustee Jay has fee schedules that will be copied for each Board member.

Trustee Trapp read the planning and zoning report for the month of October: 5 building permits, 4 certificates of occupancy, 2 municipal searches, 0 orders to remedy, 0 court appearances and 16 inspections. \$1,540.00 was collected in fees.

Sue Nandor, Zoning Secretary, has sent out a flyer to the Planning and Zoning Board for anyone who wishes to attend the short course training for the State Environmental Quality Review Act. Dutchess County New York Planning Federation worth 2 credits for ½ the total needed for the year. Trustee Trapp indicated that with SEQRA becoming more complicated it is incumbent upon the planning board and zoning board members to be very aware of everything going on - in addition litigation is something that you need to be mindful of - so being correct with time frames, etc. are very important.

Trustee Trapp indicated that he will look into the planning and zoning minutes being updated on the Village website.

Trustee Trapp has communications which were received from the Village attorney that they are still working on escrow account regarding previous applicants. Trustee Trapp also advised that last month

he gave everyone a re-do of the shed law and although it was not on the agenda he would like it added to the Agenda for next month. He would like to see it passed.

Trustee Trapp gave Lara Hart copies of fee schedules from other Towns/Villages to be copied for all Board members. Fees should be reviewed on an annual basis and we are at that point now.

RESOLUTION #13-2009

Mayor Cohen has asked that the subdivision resolution be read at this time. Trustee Trapp indicated that we need to officially authorize the Village of Red Hook Planning Board to have the power to approve or disapprove or approve with modifications any subdivision application of the Village of Red Hook.

Trustee Trapp read the resolution. All were in favor with the exception of Trustee Seymour, whom was absent. Mayor Cohen indicated the Resolution Passed.

HIGHWAY

Trustee Kovalchik read the monthly highway report as follows:

1. A part-time employee has been hired. Work is limited to 12 hours/week for the Highway Department and 8 hours/week for Resource Recovery. Hours for seasonal work (leaf/brush pick-up and snow removal) are additional.
2. Black-top repairs and re-paving have been completed at the following locations:
 - Fraleigh Street between South Broadway and Church Street
 - Fraleigh Street/Ludlow Intersection
 - original estimate was for 1" blacktop resurfacing. An additional 8-10" was needed to remediate drainage issue at an additional cost of approximately \$6000.
 - Firehouse Lane/Elizabeth Street Intersection
 - Elizabeth Street/Fisk Street Intersection
 - Hamilton and Kent repairs

Material cost funded by CHIPS Allocation (#5110.3)

Invoices are forthcoming for final amount due

Labor provided by the RH Town Highway Department

3. Repairs to Maizeland Road/Linden Avenue, connecting a 2008 drywell to a new culvert pipe has been completed. An additional 180' of an 8" diameter pipe was needed to complete the connection. Work was completed in accordance with estimates from A-W Coon & Sons (approved by the Trustee on September 14, 2009) and approved by DC DPW).

The installation of a drywell on Moul Drive and a swale on the east side of Benner Road at Fraleigh Street are expected to be completed by November, 2009.

Projects to be funded by CHIPS Allocation (#5110.3).

4. The first round of brush pick-up occurred between October 19-20, 2009. Leaf pick-up began on October 20, 2009 and will continue until leaves are picked-up, followed by a second round of brush pick-up. Residents are encouraged to separate brush from leaf piles to accommodate more efficient pick-up procedures.
5. Highway Superintendent has requested the Board of Trustees to consider and provide random police patrols during the hours of 4:00-8:00am. Dangerous road conditions, concern for vehicles driving at a high rate of speed during garbage pick-up, and employee safety are reasons being cited. Areas of particular concern include North Broadway, Ludlow/West Market, Fraleigh and Garden Streets (refer to Memo of 10/16/09).
6. Estimates for grinding uneven sections of Village sidewalks are forthcoming (refer to Precision Concrete Cutting brochure).
7. A correspondence was received on October 5, 2009 from John Cummins (NYSDOT) regarding the installation of a crosswalk on Linden Avenue at the West Market Street (Route 199) intersection. A work order has been issued and installation will start as soon as the NYSDOT schedule allows (HVSDOT Study 809-3015; File 13-07-199).
8. A correspondence was received on October 7, 2009 from Rich Peters (NYSDOT) notifying the Village that the "Safe Routes to School – Sidewalk Project" has been identified as one of the six projects having a high priority of making the November 2, 2009 (originally December 1, 2009) deadline for review from the NYSDOT – Albany Main Office. No project acceptance date or construction deadlines were mentioned.
9. A resolution to adopt Riley Lane (Knollwood Commons) as an official Village Street requires consideration by the Board of Trustees. Future construction activity is expected to continue in this development. Inclusion in the Village Road Inventory (for future CHIPS allocations) and snow removal services provided by the Village are to be considered.

VILLAGE GREEN

Trustee Kovalchik read the monthly Village Green report as follows:

1. A Village Green committee meeting was held on October 22, 2009. Committee members Brenda Cagle, Evelyn Krueger and Jen Melitski were in attendance.

Items discussed included:

- Budget reviewed as of October 5, 2009
 - Community Beautification – Contractual Expenses (#8510.4)
Balance \$ 3,443.54
 - Shade Tree – Contractual Expenses (#8560.4)
Balance \$ 2,721.00
 - Village Green Checking Account
Balance \$ 4,265.17
- Improperly pruned trees at South Broadway and Tobacco Lane:
 - The Village Green consulting arborist from Integral Tree Service considered the overall structure of the tree was completely destroyed.
 - Brenda Cagle met with Lou Sebesta (NYSDEC) Region 3 Urban Forester) on October 23, 2009 to discuss the current condition of the tree. Lou Sebesta considers the tree to have lost 75% of its functional value (structural, environmental, aesthetics, etc.). Replacement was discussed, however, Mr. Sebesta's final recommendation was to prune the remaining stubs and using the tree as an example of "what not to do".
Estimated cost to prune stubs is \$200-\$300
Funds from the 2007 NYSDEC Urban and Community Forestry Grant could be used for this purpose.
 - As approved by Village Trustee on October 5, 2009, Trustee Brent Kovalchik is to be notified of any Village trees being considered for removal and/or pruning before such action is undertaken. Appropriate review and examination of the condition of trees will then be conducted.
- 2005 NYSDEC Urban and Community Forestry Grant:
 - Brenda Cagle met with Lou Sebesta (NYSDEC Region 3 Urban Forester) on October 23, 2009 to review work completed to satisfy the grant's Final Report requirements. All requirements were met and final payment of \$2,500.00 is forthcoming. Once received, the payment will be deposited in the Village's

- General Fund and transferred, by resolution to the Shade Tree-Contractual Expense Budget line (#8560.4). This will be used to provide financial assistance for the 2007 – NYSDEC Urban and Community Forestry Grant – VGC’s financial obligation requirements.
- 2009 Spring Tree Planting is scheduled for Saturday, November 7, 2009. Committee members and volunteers will meet at the Village Building at 9:00 am for team and tree planting assignments.

- Locations of trees to be planted (pending availability) include:

| | |
|---|--------------|
| 13 Prince Street | 1 tree |
| 33 Prince Street | 1 tree |
| 3 Amherst Drive | 1 tree |
| 11 Amherst Drive | 1 tree |
| 13 Amherst Drive | 2 trees |
| 11 Cambridge Drive | 3 trees |
| 46 Fraleigh Street (on Phillips Street) | 2 trees |
| TOTAL | 11 trees |

ITF

Trustee Kovalchik read the monthly ITF report as follows:

1. Red Hook Sewer Project

- Correspondence from DCW&WA to USDA-RD have been forwarded responding to requests for an updated and NYSEFC coordinated EDU/BU assessment role. There are, currently, 169 inhabited properties and 15 vacant properties included in the proposed Sewer District. At present, with two zones of assessment, there are 222.9 residential and 156.1 commercial EDU-BU, with no vacant lots, assigned; (total of 379 EDU-BU) (correspondences from 10-2,5,9,16 -09).
- USDA-RD has requested and received correspondence from the Mohican Indian; Stockbridge – Munsee Tribal Nation requiring information regarding the archeological evaluations for the Sewer Project be forwarded to the Tribal Nation (correspondence of 8-27-09 and 10-15-09).
- All information requested from both NYSEFC and USDA-RD has been forwarded by DCW&WA. The only open issue is the possible incorporation of grinder pump

- installation and inspection fees into the overall capital cost of the project. An estimate from C.T. Male (Engineers) has been received outlining these additional costs. According to the estimates an additional \$800,000-900,000 (including installation, inspection, engineering, legal fees and additional costs associated with revising NEPA, SEQR, SERP and Engineer's Report). Funding is currently being sought from DCW&WA and US Dept. of HUD to provide soft costs. Both NYSEFC and USDA-RD have acknowledged funding for this can be provided by their agencies with amended applications.
 - Coordinated funding options from NYSEFC and USDA-RD are forthcoming.
 - A final Map, Plan and Report, including costs per EDU-BU, is expected to be complete, once funding options are settled, and be placed on the December 2009 DC Legislature's Agenda. A resolution to approve the Red Hook Sewer Project is being requested. The review period and final adoption of District is anticipated in January, 2010.
2. Former and current members of the ITF who graduated from the Land Use Leadership Alliance (LULA) Training Program were awarded the "Groundbreakers Award" by Pace University Land Use Law Center. Celebrating fifteen years of programs attended by over 2000 participants from New York, Connecticut, Pennsylvania, Utah, and New Jersey. The Red Hook ITF is the first recipient of this award. According to Pace University Land Use Law Center, "The work of the Intermunicipal Task Force of the Town of Red Hook and the Villages of Red Hook and Tivoli epitomize the spirit and purpose the LULA. The Task Force's Leadership, community, engagement, and demonstrated understanding of effective land-use mechanisms have been ground breaking for sustainable development in the Northern Dutchess region. Former members, Marcus Molinaro, Tom Cordier, and Jay Trapp and current funding members, Bill O'Neil, Harry Colgan, Charlie Lang and Brent Kovalchik were presented with this award. Current, non-LULA graduate/members including David Seymour and Brenda Cagle were acknowledged for their continuing work and involvement.
3. A request for review and reimbursement was submitted October 29, 2009 to the Hudson River Valley Greenway Council. Draft Traditional Neighborhood District Zoning Regulations, professional service fees provided by Michele Greig (Greenplan, Inc.), time of volunteers preparing the zoning regulations and maps were included. The request is for \$2500 for a Hudson River Valley Grant awarded to the Village in 2007.
4. The ITF continues to meet for the 60th consecutive month. Current items being discussed include conservation easements; as proposed by the Centers and Greenspaces Plan including CPF easements, easements (monitoring, stewardship) for Conservation Subdivisions,

Ag/Business District easements and easements under the existing PDR Program.

RESOLUTION # _____ - FOR ACCEPTANCE OF REILLY LANE

Trustee Kovalchik asked about discussing the Resolution of accepting Reilly Lane. Mayor Cohen indicated that he would like this tabled until next months meeting.

Trustee Kovalchik read the Community Preservation Fund Report; Red Hook Town Zoning Review Committee Report and the Shared Services Committee Report as follows:

**Community Preservation Fund (CPF) Advisory Board – Monthly Report
October, 2009 – Brent Kovalchik – RH Village representative/member**

- A meeting was held on October 1, 2009. Susan Ezrati, Rich Biezynski, Pete Hubbel, Phil Seymour and Brent Kovalchik attended. Items on the agenda included:
 - The CPF Advisory Board approved a Draft Monitoring/Stewardship Plan for conservation easements including revised language on cost sharing, for these expenses, between the Town of Red Hook and a Land Conservancy Organization.
 - Prioritizing land parcels is being discussed. Priorities for the Villages (cultural resources, aquifer protection, etc.) vs. Town priorities (agricultural land, scenic, viewsheds, etc.) are being considered.
 - Red Hook Town Attorney will be reviewing the Draft Monitoring Plan and requirements for land parcel prioritization for the November, 2009 meeting.

**Red Hook Town Zoning Review Committee – Monthly Report
October, 2009 – Brent Kovalchik – RH Village Liaison**

- A meeting was scheduled for October 8, 2009, but cancelled due to the lack of a quorum.
- Items to be discussed at future meetings include: Wind Turbines and Solar Collectors (bulk, setback and fire code regulations), Parking Regulations and Construction of Fences on Property lines.

Shared Service Committee – Monthly Report**October, 2009 – David Seymour and Brent Kovalchik – RH Village representatives/members**

- A meeting was held on October 9, 2009. Harry Colgan (RHT Councilman), Michael Leedy (Tivoli Trustee), David Seymour (RHV Trustee) and Brent Kovalchik (RHV Trustee) attended. Items on the agenda included:
 - discussions concerning the potential benefit associated with sharing services with the three municipalities
 - Tony Kristic, a Bard College student majoring in Political Science and Economics, has agreed to assist the committee in preparing fiscal analysis/impact reports for shared services proposals.
 - Harry Colgan discussed the Red Hook Town Budget/Highway Department expenses and tax revenues generated by the Town and Villages. Also explained were what budget categories are supported by "Town only" tax revenue, categories supported by Town and Village tax revenue.

- A meeting was held on October 23, 2009. Harry Colgan (RHT Councilman), Robert McKeon (RHT Councilman), Tom Cordier (Tivoli Mayor), Brent Kovalchik (RHV Trustee) and Tony Kristic attended. Items on the agenda included.
 - Brent Kovalchik reviewed the Red Hook Village Budget including expenses associated with Personnel, Contractural, CHIPS and Equipment of the Highway Department (including snow removal, and Resource Recovery).
 - The committee discussed similarities/differences between the three municipalities labor force and tasks to better understand the potential benefits and logistical concerns associated with combined and/or shared Highway Departments.
 - Committee members representing the Village of Tivoli will be reviewing their Budget/Highway/Snow/Resource Recovery expenses at the next meeting on November 13, 2009.

RESOLUTION NO. 12-2009

Mayor Cohen read the Amendment to Preliminary Engineering Services Contact with C.T. Male Associates.

Mayor Cohen made a motion to pass the resolution. Trustee Trapp seconded. All were in favor with the Exception of Trustee Seymour, whom was absent.

Resolution Passed.

OTHER BUSINESS – None**PUBLIC COMMENT –**

Linda Keeling spoke at this time with regard to the use of restrooms during events, and that restrooms are to be handicap accessible.

Ms. Keeling indicated that an acquaintance of hers advised her that he was denied access to the public bathroom in the Village Hall during Hardscrabble Event.

Ms. Keeling indicated that she has corresponded to the Village Board and has attended previous meetings and that this was it.

Trustee Trapp asked which bathroom – Ms. Keeling indicated that doors to the Village Hall were open and other persons were using the bathroom and that Trustee Blundell did not allow her acquaintance to use the bathroom in the building and advised him to use the restroom at the end of the parking lot.

Ms. Keeling also indicated that the handicap parking is still incomplete and does not understand as to why she has still not received an answer from Sam Harkins. She feels that this parking on the side of the building is an accident waiting to happen. Trustee Kovalchik asked Ms. Keeling as to what part of the Fire Prevention Code she is referring to. Trustee Trapp asked that she site the section. Ms. Keeling did not have the section. Ms. Keeling said that she has asked Sam Harkins for the parking law as far as being in compliance with the fire and safety code. Trustee Kovalchik asked Ms. Keeling if what she was looking for was a reading from the NYS Code to see if the parking on the side of the Village Building is allowable? Ms. Keeling replied yes. Trustee Kovalchik asked Ms. Keeling that in her mind there were no violations, but that she was checking out the code that there were no violations? Ms. Keeling replied under the Uniform Building Code. Trustee Kovalchik replied yes – Uniform Building Code.

Mayor Cohen asked that Trustee Trapp speak with Sam Harkins regarding these issues. Trustee Trapp replied yes.

Ms. Keeling also asked that that parking being dealt with – feels there is no general access. Trustee Trapp asked for specifics so he can speak to Sam Harkins. Ms. Keeling indicated that she has met with David Seymour and suggested what she feels should be done – followed up with an email – she feels that we need an access that stretches from the handicap door to the parking lot.

Trustee Kovalchik indicated that we will check on ADA compliance and indicated that there are difference circumstances for different lots.

Mayor Cohen indicated to Ms. Keeling that she would have an answer within 2 weeks.

Trustee Blundell asked that it was put on record that regarding Ms. Keeling's acquaintance that could not use the handicap bathroom – that there was a handicap bathroom facility provided and accessible in the Village parking lot.

Ms. Keeling indicated at this time that she would like these issues resolved for everyone involved, otherwise this would go to court administration and that this is a civil rights issue and that her friends are willing to file.

George Beekman asked about the No Parking issue on Cherry Street at Mercato Restaurant. Mayor Cohen indicated that this was on the agenda for the next workshop.

Andreas SanMillan presented the Board with several art drawings for the Wall at the health food store.

Trustee Blundell indicated that this was privately owned. Trustee Blundell asked if anyone has approached George Melley yet? Mr. SanMillan replied I believe yes. The Village is taking more of a third party to this issue but would like to have a review of what gets put on the wall and go through the planning board.

Trustee Kovalchik asked if this was open to the public?

Asked if we were going to solicit requests from other artists? Trustee Blundell replied no.

Mayor Cohen suggested that we narrow it down to a couple of renderings and speak to the owner get his blessing.

Trustee Kovalchik asked if we contacted for any grants?

Trustee Blundell said he felt it was more the planning department – someone had mentioned momentum – he would like to see something there. Trustee Blundell indicated that if there was a grant out there then we would go with RFP's. He feels it is the owner who has the final say.

Mayor Cohen replied that we cannot do RFP's on private property.

Trustee Blundell asked if anyone knew about the existing art there now and who funded the previous artwork?

Mr. SanMillan spoke about the artwork and his involvement.

Trustee Kovalchik asked where funding came from?

Mr. SanMillan replied Chamber of Commerce- wasn't sure.

Mayor Cohen advised that we cannot take public money and put into a private project.

Trustee Blundell suggested that could be able to coordinate some kind of private funding.

Steve Zarcheck asked about any consideration of moving the parking lot?

Mayor Cohen indicated that we were working on that right now. We have a real estate transaction going on with Key Bank and when we move further along, I will advise how it will work out. There is a private party that will be purchasing the property and will be donating 80% of the parking lot back to the village for free and retaining 20% for himself – and the Green Lot would be a long term lease with the purchaser. The Village could not afford to purchase both parcels, and these people stepped up and that was a wonderful thing.

Mayor Cohen indicated that hopefully, part of the project would be to move the information booth to the green lot and expand upon for some sheltered area for the Bard students to wait and an area where they could pull off to pick up the students. We are a little ways away from that – so not yet sure of how things will work out.

Trustee Kovalchik made a motion to pay bills after audit. Trustee Blundell seconded. All were in favor.

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

Meeting adjourned at 9:15 pm.

Submitted by,


Lara Hart
Secretary