

**VILLAGE OF RED HOOK
VILLAGE BOARD MEETING
JANUARY 9, 2012
7:30**

Present: Mayor Blundell, Deputy Mayor Kovalchik, Trustee Trapp, Trustee Norris

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

DM Kovalchik made a motion to accept the minutes from the December 5th Village Board Meeting and the December 15th Workshop. Mayor Blundell mentioned 4 resolutions in regards to the water improvement application. Trustee Norris seconded. All were in favor.

RESOLUTION # 2-2012 Clerk Cole read the following into record.

BOND RESOLUTION OF THE VILLAGE OF RED HOOK,
NEW YORK, ADOPTED ON JANUARY 9, 2012,
AUTHORIZING THE PHASE I IMPROVEMENTS TO THE
VILLAGE WATER SYSTEM, INCLUDING THE
REDEVELOPMENT OF EXISTING WELLS AND THE
CONSTRUCTION OF A NEW WATER STORAGE TANK,
STATING THE ESTIMATED MAXIMUM COST THEREOF IS
\$1,300,000, APPROPRIATING SAID AMOUNT THEREFOR,
AND AUTHORIZING THE ISSUANCE OF \$1,300,000 SERIAL
BONDS OF SAID VILLAGE TO FINANCE SAID
APPROPRIATION.

THE BOARD OF TRUSTEES OF THE VILLAGE OF RED HOOK, IN THE
COUNTY OF DUTCHESS, NEW YORK, HEREBY RESOLVES (by the favorable vote of not
less than two-thirds (2/3) of the voting strength of said Board) AS FOLLOWS:

Section 1. The Village of Red Hook, in the County of Dutchess, New York (herein sometimes called "Village"), is hereby authorized to construct the Phase I improvements to the Village water system, including the redevelopment of existing wells, the installation of monitoring and flow-control devices and a new generator; the construction of a new water storage tank; the installation of water meters and related software; and miscellaneous work and site restoration, including furnishings and other improvements and ancillary work necessary in connection therewith (the "Project"). The estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$1,300,000 and said amount is hereby appropriated therefore. The plan of financing includes the issuance of \$1,300,000 serial bonds of the Village to finance said appropriation and the levy and collection of taxes upon all the taxable real property in the Village to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Serial bonds of the Village in the principal amount of \$1,300,000 are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called "Law"), to finance said appropriation.

Section 3. The following additional matters are hereby determined and declared:

(a) The period of probable usefulness applicable to the object or purpose for which said serial bonds are authorized to be issued, within the limitations of Section 11.00 a. 1. of the Law, is forty (40) years.

(b) The proceeds of the bonds herein authorized and any bond anticipation notes issued in anticipation of said bonds may be applied to reimburse the Village for expenditures made after the effective date of this resolution for the purpose for which said bonds are authorized. The foregoing statement of intent with respect to reimbursement is made in conformity with Treasury Regulation Section 1.150-2 of the United States Treasury Department.

(c) Pursuant to the applicable provisions of the State Environmental Quality Review Act ("SEQRA"), the Board of Trustees, acting as Lead Agency, has heretofore determined that the construction of the Project is (i) a Type I Action, (ii) will not result in any significant adverse environmental impact, (iii) that an Environmental Assessment Form has been prepared and, (iv) that a Negative Declaration and Notice of Determination of Non-Significance has been issued and filed.

(d) The proposed maturity of the bonds authorized by this resolution will exceed five (5) years.

Section 4. Each of the bonds authorized by this resolution, and any bond anticipation notes issued in anticipation of the sale of said bonds, shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds, and any notes issued in anticipation of said bonds, shall be general obligations of the Village, payable as to both principal and interest by general tax upon all the taxable real property within the Village. The faith and credit of the Village are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds, and any notes issued in anticipation of the sale of said bonds, and provision shall be made annually in the budget of the Village by appropriation for (a) the amortization and

redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Section 21.00 relative to the authorization of the issuance of bonds having substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and Section 50.00 and Sections 56.00 to 60.00 of the Law, the powers and duties of the Board of Trustees relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized, and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, are hereby delegated to the Village Treasurer, the chief fiscal officer of the Village.

Section 6. The validity of the bonds authorized by this resolution, and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the Village is not authorized to expend money, or
- (b) the provisions of law which should be complied with at the date of the publication of such resolution, or summary thereof, are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or
- (c) such obligations are authorized in violation of the provisions of the constitution.

Section 7. This bond resolution is subject to a permissive referendum and the Village Clerk is hereby authorized and directed to cause to be published, in full, within ten (10) days

after the adoption of this resolution, in “*The Poughkeepsie Journal*,” a newspaper having a general circulation within said Village and hereby designated the official newspaper of the Village for such publication and posted in at least six (6) public places in the Village, and in each polling place in the Village, a Notice in substantially the following form:

DM Kovalchik made a motion to approve Resolution # 2-2012. Seconded by Trustee Trapp. All were in favor.

Aye Mayor Blundell
Aye DM Kovalchik
Aye Trustee Trapp
Aye Trustee Norris

TREASURER’S REPORT

Clerk Cole read the Treasurer’s report as follows: Balances as of December 31, 2011: General \$ 38,159.35, Water \$ 32,153.93, T & A \$ 11,717.40, Resource Recovery \$ 5,455.27, Petty Cash \$ 44.85, Village Green \$ 2,533.16, Hardscrabble \$ 4,027.57, Health Insurance \$ 4,488.56. Monthly expenses: General \$ 117,681.44, Water \$ 38,012.44, T & A \$ 11,717.40, Resource Recovery \$ 3,812.69. Trustee Trapp made a motion to accept the Treasurer’s report. Trustee Norris seconded. All were in favor.

POLICE REPORT

Mayor Blundell read the Police Report for the month of December as follows: 134 incidents, 124 UTT’S, 12 arrests. Mayor Blundell announced a Red Hook Police Open House on January 21st at the Village Hall from 2-4 PM. This open house is open to the public and the Police Department’s main goal is community service.

WATER

Mayor Blundell read the water report for the month of December: 2 bacteria samples were taken and sent to lab, nitrate/nitrate sample was taken and sent to lab, replaced timer in booster pumps, marked water line at Getty Station per UFPO request, average daily usage for the month 247,129.

PLANNING AND ZONING

Trustee Trapp read the planning and zoning report for the month of December, 2011: 8 building permits issued, 1 certificate of occupancy, 12 certificates of compliance, 2 municipal searches, 1 order to remedy (44 Garden St), 2 fire inspections, 24 inspections. \$ 600.00 was collected in fees. Mark Day was contacted for status of the sidewalk project. This project will be resubmitted in the spring. New code books have been delivered. The Village Code is now available on-line. Hugs from Home once again had a successful month.

Mayor Blundell stated the code is up to date with local laws and is accessed from our website.

HIGHWAY

Deputy Mayor Kovalchik read the monthly report as follows:

1. Leaf/brush pick-up service ended on December 16, 2011. The RHV Landfill closed, for the season, on December 17, 2011. These services will resume in the spring, 2012.
2. Residents are reminded to remove basketball hoops and other sports equipment from the edge of the Village streets to allow for snow plowing. The Village will not be responsible for damaged equipment during snow plowing season.
3. December 14, 2011 – Ed Blundell and Brent Kovalchik met with FEMA representative Paulisa Winsong to review the status of the RHV reimbursement request for repair of damages caused by Hurricane Irene and Tropical Storm Lee between August 26, 2011 through September 5, 2011. Reimbursement categories, including Debris Removal, Emergency Protective Measures, Permanent Work, Water Control Facilities, Buildings and Equipment and labor expenses were reviewed. Final reimbursement applications are expected to be completed within the month of January, 2012.
4. December 15, 2011 – The Village Board of Trustees awarded West Side Auto the contract for towing cars parked on Village streets during snow storms. Costs associated with towing vehicles will be the responsibility of the owner. Rates for this service are as follows:
 - \$50.00 per vehicle
 - \$25.00/day for storage (located at 3 St. John Street)
 - Towed vehicles will only be permitted for pick-up during business hours or by special arrangements with West Side Auto.

Residents can contact Cindi Cole at 845-758-1081 for more information.

5. December 21, 2011 – A meeting with property owners was held at the RHV Building to discuss extending the pumping of the Fisk Street/Elizabeth Street/South Broadway Wetland (a.k.a. pond behind the Library). Pumping equipment and hoses were removed on December 23, 2011. Expenses incurred are the responsibility of the property owners. Ed Blundell and Brent Kovalchik attended.
6. Final revisions to the Construction Management Plan (CMP) for the Red Hook Sidewalk Project, being prepared by M.A. Day Engineering, are continuing. Final revisions and approval by the NYSDOT are expected in January, 2012. The RH Sidewalk Project includes the installation of ADA compliant mid-block crosswalks on South Broadway and a new sidewalk on West Market Street. The \$233,000 estimated project cost will be funded by the FHWA STP Small Urban Grant Program and the NYDOT. An early summer 2012 completion date is anticipated.
7. Scrap metal was sold on December 12 and 13, 2011 yielding total revenue of \$1,007.20. The total revenue generated to date for FY2011 – 2012 is \$1,909.20. Since inception of the Scrap Metal Recycling Program in September, 2007, \$11,708.31 has been generated. Proceeds from this program go toward purchasing tools and equipment for the RHV Highway Department. Residents and businesses interested in donating scrap metal can contact Dan Streib at 845-758-8600 or Cindi Cole at 845-758-1081.

VILLAGE GREEN

Deputy Mayor Kovalchik read the monthly report as follows:

1. The current balances of the Village Green Committee's related budget accounts as of December 31, 2011 are as follows:
 - Community Beautification – Contractual Expenses (#8510.4)
Balance \$ 2,317.68
 - Shade Tree – Contractual Expenses (#8560.4)
Balance \$ 3,356.68
 - Village Green Committee Checking Account
Balance \$ 2,533.16
2. There were no Village Green Committee Meetings held during the month of December, 2011.

3. December 12, 2011 – A site survey of Village trees pruned/removed and review of documents (SWAT survey/maps, budget submissions, status of scope of work completion) was conducted, as necessary, to comply with the requirements for reimbursement for the 2007 – 2008 NYSDEC Urban and Community Forestry Grant. Reimbursement to the Village for the amount of \$13, 610 is anticipated upon final review and approval by the NYSDEC. Brenda Cagle, Brent Kovalchik and George Profour participated.

The reimbursement, once received, will be transferred to the Shade Tree – Contractual Expense Budget Line (#8560.4) as approved by the RHV Board of Trustees on December 15, 2011.

4. December 14, 2011 – Integral Tree and Landscape reviewed the condition of the locust tree in front of the Golden Wok Restaurant and determined root pruning is a viable option to remediate rising roots from the surrounding brick paver area. The cost to prune roots and reset pavers will be under \$2,000.00. Funds to provide for this service will be deducted from the Shade Tree – Contractual Expense Budget Line (#8560.4).

ITF

Deputy Mayor Kovalchik read the monthly report as follows:

1. Red Hook Sewer Project

- A. A Red Hook Sewer Project Committee Meeting was held on December 2, 2011 at the Red Hook Village Building. Items discussed included:
 - a. District Boundaries – considered revisions to the proposed Sewer District as discussed at November 11, 2011 Committee Meeting.
 - Additional properties considered on East Market Street (up to Citgo Gas Station and Red Hook Electric).
 - Review options of Red Hook Town properties required to form a Part County Sewer District – one property required.
 - b. District Formation – reviewed requirements, zones of assessment, developed/undeveloped property assessments, ownership, operating and maintenance responsibilities of a Part-County Sewer System owned and operated by Dutchess County Water and Wastewater Authority.

- c. Sewer System – review options for LPSS, Gravity System, subsurface treatment and combinations of pressure/gravity/subsurface based on land availability, cost, location and type of treatment facilities.
- d. Project Phasing based on anticipated available funding from Federal and New York State Agencies.
- e. Public Outreach – review comments made by public (supporters and opposition) of previous April 8, 2011 proposed sewer project.

Bridget Barclay (DCWWA), Jonathan Churins (DCWWA), Robert Flores (C.T. Male), Harry Colgan (RHT Councilman), Brent Kovalchik (RHV Trustee), Pete Girardi, Beth Pagano, Sue Mora and Lori Urbin attended.

- B. A Red Hook Sewer Project Citizen Subcommittee Meeting was held on December 15, 2011. Items discussed included:
 - a. Review public comments regarding proposed Sewer District of April 8, 2011.
 - b. Review current status of proposed amended/ revised Sewer District (zones of assessment, district boundaries, type of systems, preliminary soils/use/property maps).
 - c. Discuss actions to be taken to inform public/answer questions/provide factual documentation.

Beth Pagano, Lori Urbin, Kimberly McGrath-Gomez and Brent Kovalchik attended.

- C. A Red Hook Sewer Project Technical Subcommittee Meeting was held on December 19, 2011 at the RHV Building. Items discussed included:
 - a. Review Citizens Subcommittee Meeting Minutes of December 15, 2011.
 - b. Discuss the need for accurate water meter readings to best determine usage required for treatment system sizing.
 - c. Discuss NYSDEC SPDES Permit regulations.
 - d. Discuss Sewer District Formation regulations as per NYS General Municipal Law.
 - e. Review soil types, water usage, lot coverage and lot areas of RHV properties.

- f. Review/compare various sewage treatment systems.

Jonathan Churins (DCWWA), Robert Flores (C.T. Male), Ed Blundell (RHV Mayor) and Brent Kovalchik (RHV Trustee) attended.

2. Red Hook Village Water Project

- A. Water Project Meetings were held on December 5, 12, 19 and 27, 2011. The following items were discussed:

- a. Reviewed requirements to complete a full funding application to the USDA-RD as listed in the November 15, 2011 USDA-RD Preliminary Funding Estimate (PFE) for the Village of Red Hook/Water System Improvements, Phase I.

- Review current meter readings, rate schedule, DCDOH mandates, public notification requirements, scope of work, Bond Resolution requirements, Bond Counsel/Legal Counsel/Engineering proposals/contracts, and proposed equipment specifications.

Robert Flores (C.T. Male), Ed Blundell (RHV Mayor) and Brent Kovalchik (RHV Trustee) attended.

- B. December 15, 2011 – The RHV Board of Trustees approved by resolution the following:

- Project Engineer – C.T. Male Associates, P.C.
- Bond Counsel – Hawkins, Delafield and Wood, LLP.
- Authorize publishing of the “Notice of Intent to File Application”.
- Authorize Mayor Ed Blundell to execute documents with the USDA-RD.
- Schedule a non-mandatory/non-required Public Hearing for January 9, 2012.

- C. A Water Project Meeting was held on December 27, 2011 at the RHV Building. Items discussed included:

- a. Reviewed current USDA-RD low interest rates valid until April 1, 2012 at 2.25% interest rate for 38 years.
- b. Reviewed time-lines and due date for final funding application.
- c. Review Phase I Scope of Work.
- d. Reviewed requirements for environmental review required by USDA-RD.

George Popp (USDA-RD/Middletown), Robert Flores (C.T. Male), Ed Blundell (RHV Mayor) and Brent Kovalchik (RHV Trustee) attended.

3. Intermunicipal Task Force (ITF)

- a. The ITF met on December 2, 9, 16 and 23, 2011 at the RHT Building. Items discussed included:
 - Proposed Estates District; National Landmark District along the Hudson River and review of established local laws (Waterfront Conservation District, Historic Landmark Overlay District, Scenic Corridor Overlay District and the Historic Features Overlay). The focus of the proposed district was determined to apply to the Hamlets (Barrytown, Annandale) and the Institutions (UTS, Bard College).

The ITF met on December 23, 2011 to review the Town of Rhinebeck recently passed zoning revisions to their historic waterfront district. Sally Mazzarella (Chair, Rhinebeck Town Comprehensive Plan and Rezoning Committee) and John Clarke (DC Department of Planning and Development) attended. Discussed were possible options to consider including a Transfer of Development Rights (TDR) program and continuity of zoning between the Town of Rhinebeck and Town of Red Hook.

Deputy Mayor Kovalchik read the monthly reports as follows:

Red Hook Town Economic Development Committee (EDC) – Monthly Report

December, 2011 – Ed Blundell and Brent Kovalchik – RH Village Liaisons

- a. December 8, 2011 – An EDC meeting was scheduled. No meeting was conducted due to lack of an EDC member quorum. Miki Strawinski (RHT Liaison), Kim McGrath Gomez (RHACOC), Juliet Harrison (RHCAN), Chris Klose (RHT EDC), and Brent Kovalchik (RHV Trustee) attended.

Community Preservation Fund (CPF) Advisory Board – Monthly Report

December, 2011 – Brent Kovalchik – RH Village Representative/Member

- a. There were no CPF Advisory Board Meetings held during the month of December, 2011.

Red Hook Town Zoning Review Committee (ZRC) – Monthly Report

December, 2011 – Brent Kovalchik – RH Village Representative/Member

- a. There were no ZRC Meetings held during the month of December, 2011.

Red Hook Town Shared Services Committee – Monthly Report

December, 2011 – Ed Blundell and Brent Kovalchik – RH Village Representatives/Members

- a. There were no Shared Services Committee Meetings held during the month of December, 2011.

Red Hook Together – Monthly Report

December, 2011 – Ed Blundell and Brent Kovalchik – RH Village Representatives/Members

- a. An informal Holiday Gathering for members of Red Hook Together was held on December 8, 2011 at the RHCAN Art Pop Gallery in the Village of Red Hook.

An Employee and Volunteer Recognition Event was held on December 12, 2011 at the RHT Building. Red Hook Town Committee Members, RHT Board and RHT Staff were recognized for their contributions.

WATER – Improvements – Phase I – Linda Bard questioned as to how many phases the water improvement has and what would be the cost to the taxpayers. Mayor Blundell referred to the letter from the DOH and the list of repairs that must be done. Well upgrades, new water tank, new meters, etc. The current Central Hudson electric charge will cost taxpayers \$ 60.00 a year. This CH charge is not retroactive, these are new charges to run the pumps and must be paid into the future. The Village has hired Computel Consulting to conduct a utility audit, which would include Central Hudson, Time Warner and Frontier. DM Kovalchik stated that the other phases were in the preliminary report that was submitted by C. T. Male. The first phase will cost 1.27 million with a projected total of 9 million in improvements over all phases, subject to funding. Patricia Schultz questioned the Board as to how they determine if the meters are working correctly. Mayor Blundell stated that a high and low report is reviewed each quarter, which would indicate a problem with meters. Mrs. Schultz also questioned if the meters had been calibrated.

RESOURCE RECOVERY

Trustee Norris read the resource recovery report for the month of December: commingle 2.61 T @ \$ 96.08, cardboard 4.5 T @ \$ 00.00, garbage 11.82 T @ \$ 1,125.62.

CELEBRATIONS

Trustee Norris reported: Red Hook Library will hold their Annual Trivia Contest on January 29th at O’Leary’s. Winter Carnival will be on February 24th at the Red Hook Firehouse. Bicentennial: some calendars are still available and some key chains. Senior Services: working on dial-a-ride

to bring seniors to Hannaford from Red Hook Commons. There is also an ADA Complementary Paratransit service. One must live within 3 miles of their stop.

POND

Linda Bard submitted a letter signed by 11 citizens that are affected by recent problems with the pond, which is located behind the Red Hook Library. A copy of this letter was also sent to: NYS DOT, Michael Temple, Senator Stephen Saland, Dutchess County Executive Marc Molinaro, and district assemblyman. Ms. Bard stated that there must be a resolution to this problem. The Village had been pumping the pond, but stopped due to the winter months approaching. Ms. Schultz paid for the pump to run and she feels the Village stopped pumping too soon. The pond was almost drained and a drain was allegedly showing. But the shut-off cannot be located. Mayor Blundell stated that there have been several successful discussions, but the main problems are that the Village does not own the pond. This pond is private and it has been a wet year and the ground water is high throughout the Village. There are pipes underground since 1889 which residents are assuming is responsible for some of the problems. Clerk Cole will try to find some pond information on the micro-fiche machine. Linda Bard foiled some files in the planning office and stated that 14 months of minutes were missing from the file. Mayor Blundell is willing to work with all involved and is sure that a resolution will be in the future.

CPF-

Trustee Kovalchik reported: the balance in the CPF fund is \$ 716,613.76 which was established in 2007. The Town purchased development rights for 7 properties in the amount of \$ 716,000.00. Trustee Kovalchik would like to thank everyone involved for listening and efforts to make this project work. 10 % of the funds are from Village residents and the reason why these funds were not used for Village projects is because first you must qualify and the Village did not qualify for any of these projects. The Town votes on this project tomorrow and Trustee Kovalchik is in favor of the purchase of development rights.

RESOLUTION 3-2012

Re: CPF – Community Preservation Fund

Whereas the Red Hook Town Board is taking another positive step in farm land preservation outside the village, in the West Kerley Corners area;

Whereas the Village supported the CPF legislation with the understanding that a portion of the developing fund would go to qualifying Village projects as well as Town projects;

Whereas the Advisory Board of the CPF is considering a near depletion of current CPF balances to supplement the Town of Red Hook's Purchase of Development Rights Program(PDR) options coming due in order to avoid general tax increases;

Be it resolved, the Village Board of the Village of Red Hook endorses a disbursement of the CPF for this current purchase of development rights. We will then pursue execution of a Memorandum of Understanding that the Village's set aside amount be replenished and available for qualifying projects within the Village of Red Hook, as recommended on page 2.4 of the Community Protection Project Plan of May 2011.

Secondly, be it resolved that Brent Kovalchik be resubmitted for appointment to a term on the CPF Advisory Board to represent the Village.

RESOLUTION # 1-2012

Clerk Cole read Resolution # 1-2012 - Whereas, the Village is providing that there will be no registration day in the Village of Red Hook; Whereas, the Village of Red Hook will hold Village elections at the Village Hall (7467 South Broadway) on March 20th from 12:00 noon to 9:00 PM. Trustee Kovalchik made this in the form of a motion. Trustee Kovalchik seconded. All were in favor.

Community Garden – Mayor Blundell met with Joe Baldwin and a community garden is being considered for the Village. Currently there is a garden in the Town just north of M & T Bank. There may be a fee involved and Abrahams Park is being considered. George Beekman expressed his opinion that the current garden is an eye sore and is not in favor of another garden in the Village.

9: 25 Trustee Trapp made a motion to adjourn into executive session to discuss legal issues. Trustee Norris seconded. All were in favor.

9:30 PM the Board reconvenes from executive session.

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

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

Submitted by,

Cynthia Cole
Clerk/Treasurer