

APRIL 8, 2010
TOWN BOARD MEETING

The Town Board of the Town of Stuyvesant held its monthly meeting on Thursday, April 8, 2010 at the Stuyvesant Town Hall. In attendance at the meeting were Supervisor Valerie Bertram, Councilperson Brian Chittenden, Councilperson Rosalind Gumaer, Councilperson Ronald Knott, Councilperson Edward Scott, Town Clerk Melissa Naegeli, Highway Superintendent Bernie Kowalski and Attorney for the Town Tal Rappleyea.

Supervisor Bertram called the meeting to order at 7:00pm and began with the Pledge of Allegiance.

A motion was made by Councilman Edward Scott to approve the minutes of the previous meeting. The motion was seconded by Councilman Brian Chittenden and was approved unanimously.

COMMUNICATIONS

Supervisor Bertram read the communications:

- ✧ A copy of a letter from Assemblyman Tim Gordon to NYS DOT Acting Commissioner Stanley Gee regarding the Ferry Road issue.

A motion was made by Councilman Edward Scott to approve the correspondence as read and file them in the Clerk's Office. His motion was seconded by Councilman Brian Chittenden. The motion was voted on and approved unanimously.

A motion was made by Councilman Ronald Knott to approve the bills submitted. The motion was seconded by Councilman Edward Scott and was approved unanimously.

OLD BUSINESS:

Councilman Knott said that the Board had discussed the draft law for the Outdoor Wood Burners. He suggested that since all situations are different that the law should state that the application for installing an outdoor wood burner should trigger a site plan review. Attorney for the Town Tal Rappleyea suggested that the setback of 100' be left in the law and that if the best site for the burner would be within the 100' the homeowner could go to the Zoning Board for a site variance. Supervisor Bertram announced that there would be another joint workshop meeting on April 24th at 12:00noon between the Town Board, the Planning Board and the Zoning Board. Also in attendance will be the Town Attorney, the Town Engineer and the Code Enforcement Officer.

Supervisor Bertram began an update on the Ferry Road situation and asked road resident John Hutchinson if he would like to begin. Mr. Hutchinson asked that the Board show unified support and send a letter similar to the one read earlier from Assemblyman Gordon. He said that there are a variety of engineering solutions that should be explored before the decision to close the road is final. Mr. Hutchinson said that one simple solution would be a traffic light similar to the one in Castleton.

Supervisor Bertram gave a brief history of the issues at Ferry Road, saying that it all began with a 1996 Court Ruling that Ferry Road was a dangerous railroad crossing and that it needed to be closed. In 2006, that ruling was amended to include language that stated that the Road wouldn't be closed until a connector road was built from Ice House Road. At a meeting on March 9, 2010 attended by Supervisor

Bertram, Councilman Scott, Highway Superintendent Kowalski and Mr. Sean Cummings, with DOT and DEC, DEC announced that there would not be a connector road built because of the wetlands. Supervisor Bertram added that when the original plans were being made that 9/10th of an acre would have been disturbed in the wetlands but that plans were included to re-site the wetlands in another area. She added that where the wetlands are now are part of the flooding problem that exists in that area. The water no longer flows through there and that there are significant drainage problems.

Supervisor Bertram said that the idea of a traffic light had been discussed at the March 2010 meeting and that it wasn't discounted by DOT. Other ideas discussed were a bridge over the tracks, gates and updated crossing equipment. The question as to what would happen to the homes on Ferry Road if the connector road wasn't built and the 1996 ruling was held up wasn't answered. Supervisor Bertram told everyone at the meeting that she and the Board wouldn't support an eminent domain proceeding. She added that the Town of Stuyvesant has 9 miles of riverfront and Ferry Road is the only way we can access the shoreline – the only spot where we can drive right to it. She said that the loss of Ferry Road would not only be a loss to the Town but to the County as well. Supervisor Bertram said talks will continue with DOT for options but that it didn't look like DEC was ready to change their decision. She said that community support will be very important with this issue and that it has been dragging on for over 20 years. Supervisor Bertram said the Board is standing behind the residents.

John Hutchinson added that the 9/10th acre was the size discussed when there was a plan to put a trailered boat launch at the end of Ferry Road – a 1992 Grant had outlined putting in a boat launch at Ferry Road, upgrading the ice house and building the connector road. He went on to explain that at a meeting held by past Supervisor Tod Greci, the boat launch idea had been taken off of the table so that a smaller road could be built and that only a 1/2 acre would be disturbed. Mr. Hutchinson said that he had spoken with Mr. Crattinger from the NYS Historic Society who suggested that the area of Newton Hook be considered as a Historic District because of the historical significance of the area.

Supervisor Bertram read a letter that she was asking the Board to approve to be sent to DEC. Councilman Ronald Knott made a motion to approve sending the letter but asked that a copy be also sent to Mark Castiglione of the NYS Greenway. The motion was seconded by Brian Chittenden and was passed unanimously. Councilwoman Gumaer said that she thought the letter was a great idea and that we should look into declaring that area a Historic District.

Supervisor Bertram said that she had spoken with Gene Kelly, DEC Region 4 Director. She said they had a frank discussion about the wetland constraints. She told him that she and the Board are obligated to protect the homes on Ferry Road. Supervisor Bertram pledged to keep an eye on the situation.

Councilman Knott said that there is a concern about preserving the historical aspect of Ferry Road but that the history of Ferry Road is important because of the way it was used.

Martin Roby asked if there were any updates on any other crossings. Supervisor Bertram said there wasn't other than she had asked the crossing at the landing and was assured it would remain open.

Lee Jamison said she was glad that there was Federal stimulus money available to protect the grade crossings but was concerned about the mention of a gate. She said there were gates in Castleton that didn't open.

Supervisor Bertram said that she told Betsy Blair at the meeting that the State had spent a lot of money on restoring the ice house but that there isn't access except by boat or foot.

Marilyn Burch added that the Town residents had been holding clean up days for 9 years and that should show our commitment to these areas.

Patricia Casey asked Supervisor Bertram why this particular crossing was being targeted. Supervisor Bertram said that it has been an ongoing discussion for many years. She added that she thought DOT and DEC had been having continued discussions and decided to update the Town.

Councilman Scott asked if there was a way to get the train to slow down through that area like in other towns. Supervisor Bertram said that these are passenger trains whereas those others are freight carriers.

Supervisor Bertram said that what has made this process even more difficult is that the participants at the meetings seem to change all the time. She said each time its almost like starting over.

Another resident of Ferry Road thanked Supervisor Bertram and the Board for the letter and for their continued support. He added that Ferry Road provides the only access in town for the elderly and disabled right up to the river. He asked that the residents of the Town also support the project and write letters and emails to all State and Federal Officials asking to keep the road open. Mrs. Catherine Knott added that while emails are great, people should take the time to send letters too.

Supervisor Bertram encouraged all residents to send letters asking for assistance. She asked Mr. Hutchinson to get the email addresses to the Town Clerk and they'll be put on the webpage in addition to the addresses for our representatives. Mr. Hutchinson added that he is developing a website under the domain name of "saveferryrd.com" and when it is up will send the link to the Town website as well.

Supervisor Bertram closed the discussion by reiterating that there had been no hard decisions had been made yet, that everyone is still looking at various options and promised to continue to be vigilant in protecting the homeowners of Ferry Road.

Supervisor Bertram reported that she had received a call from a representative of the Environmental Section of the Attorney General's Office regarding the CSX Bridge on Schoolhouse Road. He asked her to send him all of the background information and thinks he may be able to assist the town. Supervisor Bertram mailed the information to him during the week and will update everyone when she gets any information.

REPORTS:

Highway Department

Highway Superintendent Bernie Kowalski reported that the Spring Clean Up Day will be held on Saturday, May 15th from 8:00am – 4:00pm (rain or shine) at the Sharptown Road site. Town Clerk Melissa Naegeli will get the information in the newspaper and post up some announcements.

Town Clerk

Town Clerk Melissa Naegeli read her financial report and it is in file in her office. Melissa also reported that she had received a contract proposal from the Albany Running Exchange Event Productions for this year's Ken Hummel 5K Race. The price was increased from \$750 to \$1000. Mrs. Naegeli asked for the

Board's approval stating that they do a great job, are here early and get us instant results. Councilman Knott made a motion to approve the contract for the ARE Event Productions. He added that the money is raised through the race to pay for it and that everyone enjoys the event. The motion was seconded by Councilwoman Rosalind Gumaer and was passed all in favor.

Building Inspector/Zoning Enforcement Officer

Gerry Ennis was not in attendance. His report is on file in the Town Clerk's Office.

Planning Board & Zoning Board

Report will be on file in the Town Clerk's Office.

Greenway Committee

Councilman Knott reported that the committee had met and had requested an advanced tabulation of the survey results and that he has the information if anyone is interested. Councilman Knott said they were continuing to work with Steve Winkley and that the Ground Water Study was continuing and should be finished up by the summer.

Supervisor Bertram asked if the committee had any sense of when they will be able to wrap up. Councilman Knott said when the Ground Water Study was completed they will have a lot of the information they need to make recommendations. He is hoping for late Fall.

The next meeting will be held on April 22nd at 7:00pm at the Town Hall.

Town Hall Committee

Councilman Ron Knott reported that he had replaced many light bulbs in the building. He also reported that the flag outside needed to be replaced. Supervisor Bertram said she had given the extra flag to Marilyn Burch for the Railroad Station. Mrs. Burch will return the flag so it can be hung up.

Councilman Knott said that he and Supervisor Bertram had discussed putting an informational sign out in front of the building. He said he would get some information and prices. Supervisor Bertram added that it would be helpful for people to see what is going on.

Councilman Knott also said he had spoken with Councilman Scott about repairing the "Town Hall" sign. He said that the painted logo on the sign is in rough shape. They will look at replacing or repairing it.

Railroad Restoration Committee

Marilyn Burch reported that the opening day of the Farmer's Market will be May 7th and will be a movie night. Dan Schnoover will bring his reel-to-reel and show "20th Century". Mrs. Burch added that the Market had been approved to receive WIC and that the documents are on file in the Clerk's Office.

Mrs. Burch gave a list of events that are set so far for the market:

- 5/7: Opening Day/movie night
- 5/14: ICC Student Art Show
- 5/21: Book sale
- 5/28: Baked Potato festival

June is National Dairy Month and the committee is trying to have the Columbia County Dairy Princess and past princesses at the market. June 11th will be Strawberry Shortcake day. Also in June there will be a nutrition program and a gardening program.

In July:

2nd: Taste of Thailand III

9th: 4-H Day

16th: Children's Day

30th: Corn Festival

9/3: Taste of Buffalo

9/17: Historic Stuyvesant Dairy Day

9/24: Pot Luck Harvest and the last day of the Market.

Other special events will be an alternative energy day, the spinners and the committee is hoping the alpaca farmers will be able to attend this year.

Supervisor Bertram asked if there is a parking plan for the day of the ICC Art Show. She added that Stuyvesant Fire Co. #1 Chief Montie has agreed to help with traffic control.

The next meeting will be April 17th at 9:00am.

Town Historian

Mrs. Juanita Knott was not in attendance but Supervisor Bertram reported that Mrs. Knott continues to work on the Stuyvesant book.

Assessor's Office

Assessor's Clerk, Catherine Knott, reported that Grievance Day will be May 25th from 4pm – 8pm. The forms are available in the Assessor's Office as well as the Town Clerk's Office.

Recreation Committee

Councilwoman Rosalind Gumaer reported that the meeting scheduled for April 3rd had been cancelled because of the holiday. The meeting was rescheduled for April 10th at 3:00pm.

Councilwoman Gumaer reported that she had received the executed contract for the \$5000 for the Ken Hummel Park from the Department of State with a letter stating that the package had been sent to finance.

Councilwoman Gumaer attended the recreation meeting in Kinderhook and said that they will charge us the same amount for the summer playground program. She added that they will be cutting out some of the more expensive activities but that they would like to use the Ken Hummel Park for two different programs. She will work with them on those programs. Councilwoman Gumaer stated that the letters to the Stuyvesant residents about the summer program will be going out in the following week.

Trails Committee

Sean Cummings was not in attendance so the report was given by Michelle Richardson. Mrs. Richardson reported that the Kinderhook-Stuyvesant-Stockport Committee is finalizing the contract for

the feasibility study. The Stuyvesant Committee will meet with NYS DEC Officer Chris DeCintio on April 22nd to discuss the adopt-a-trail program. Sean Cummings will contact Allied Health for permission to use the trails in Stuyvesant Falls.

The next meeting will be April 13th at 7:00pm at the Town Hall.

Mrs. Richardson also gave the following list of clean up dates:

4/27 Newton Hook
5/1 Stuyvesant Landing (See Park) and Stuyvesant Landing Playground
5/8 Swyer Preserve
Sandbar
Stuyvesant Falls Playground
This will be day of the final picnic at the Sandbar also.

Dog Control Officer

Wes Powell was not in attendance. Supervisor Bertram reported that he had received numerous complaints about the dog camp in Stuyvesant Falls and that he was looking into the situation. Michelle Richardson suggested that the barking may be coming from across the creek. Supervisor Bertram said that the residents that lived closest to Rybka Road were sure the barking was coming from the dog camp. Supervisor Bertram added that there is a dog barking law on record for the Town and that Mr. Powell is working on the situation.

Councilman Scott asked if Supervisor Bertram could ask Mr. Powell to be at the next meeting to update everyone on the issue. Supervisor Bertram said she would.

New Business

There was nothing raised under new business.

Public Comments

Mark Young asked if Sunnyside Road was being widened. Highway Superintendent Kowalski replied that the highway department was doing maintenance on the road in preparation of paving in May.

Martin Roby asked Supervisor Bertram about the Board of Supervisors. He asked if she could give a report at the Town Board meeting from the B.O.S. monthly meeting. Supervisor Bertram said she could give a report each month. Mr. Roby asked when the B.O.S. meetings were held and Supervisor Bertram told him that the meetings were always the 2nd Wednesday of the month.

Lee Jamison asked for an update on the LaFarge settlement money that Supervisor Bertram had mentioned at the last workshop meeting. Supervisor Bertram explained that there had been a multi-state lawsuit against LaFarge several years ago. She had been contacted that all towns within a 30 mile radius of the plant would get a portion of the settlement. She was more recently contacted to notify the Town that the money was being turned over to NYSERTA and they would decide how the money would be distributed. The money has to be spent on a project that improves the air quality.

Councilman Knott said he received a telephone call from Larry Klein following up on the street lights issue he had raised at the last meeting. Councilman Knott said he had read in the paper where another

had gotten a refund from National Grid because there so many street lights that weren't working. Supervisor Bertram said she would contact National Grid to get the matter resolved.

Councilman Knott asked if Supervisor Bertram had spoken with the County Public Safety Committee regarding the purchase of electronic speed signs to be shared by the County. Supervisor Bertram said she had not but that she would.

A motion to adjourn was made by Councilman Ronald Knott and seconded by Councilman Brian Chittenden. The motion was passed unanimously.

Recorded this 8th Day of April 2010

Approved this 13th Day of May 2010

TOWN CLERK

SUPERVISOR

COUNCILPERSON

COUNCILPERSON

COUNCILPERSON

COUNCILPERSON

APRIL 2010 ABSTRACTS

THE FOLLOWING BILLS WERE PRESENTED FOR AUDIT:

CLAIM #	PAYEE	A/C#	GENERAL	HIGHWAY
117	National Grid (1746.93)	5182.4	1,475.18	
		1620.4	271.75	
118	Fairpoint Communications (338.12)	1620.4	232.09	
		5132.4	106.03	
119	Columbia County Treasurer (5745.87)	9060.8	2,086.32	3,659.55
120	Yaun Co., Inc.	1620.4	106.39	
121	Corner Stone Telephone Co., Inc.	1620.4	33.71	
122	Otto Miranda (<i>railroad station sign</i>)	1620.4	151.00	
123	Xerox Corp. (462.00)	1110.4	54.00	
		1410.4	144.53	
		1620.4	264.00	
124	Columbia County Sheriff's Office	1110.4	149.28	
125	Staples Business Advantage (172.65)	1110.4	98.86	
		1620.4	35.12	
		1410.4	29.01	
126	Business Automation Services, Inc.	1410.4	90.00	
127	US Postal Service	1410.4	88.00	
128	Tal G. Rappleyea, Esq.	1420.4	2,000.00	
129	Catherine G. Knott	1355.4	26.88	
130	Johnson Newspaper Corp.	1355.4	37.41	
131	Charlene Leach	6140.4	72.00	
132	ARE Event Productions (<i>5K Run</i>)	7550.4	600.00	
133	Fleet Services	5110.4		188.69
134	A.T.R. Trucking	5110.4		2,028.34
135	Ben Funk, Inc.	5130.4		136.56
136	Rainbow Distributors	5132.4	10.60	
137	Madsen Overhead Doors, Inc.	5132.4	293.50	
138	Culligan	5132.4	26.75	
139	Mario's Home Center (305.99)	1620.4	147.27	
		5132.4	158.72	
140	Bernard Kowalski	5130.4		84.57
141	Northern Safety Co.	5130.4		61.88
142	Mooradians	5130.4		295.56
143	Watkins Spring Co., Inc.	5130.4		1,722.17
144	Van Kleeck's Tire Inc. Hudson	5130.4		9.95
145	Preston Chain	5130.4		684.70
146	CarQuest of Valatie	5130.4		58.62

CLAIM #	PAYEE	A/C#	GENERAL	HIGHWAY
147	Main Care Energy (1130.89)	5132.4	469.19	
		5110.4		661.70
148	Chartwell's Dining Service	5142.1		60.00
149	Unifirst Corp.	9090.8	79.84	
150	Colarusso Quarry Co.	5110.4		5,038.95
	TOTAL FORWARD		\$7,590.50	14,691.24