

**RED HOOK TOWN BOARD MEETING**

**November 14, 2017**

A meeting of the Town Board of the Town of Red Hook, Dutchess County, New York was convened in public session at the Town Hall, 7340 South Broadway, Red Hook at 7:30 p.m.

Present: Supervisor Robert McKeon  
Councilman James Ross  
Councilman Harry Colgan  
Councilman William O’Neill  
Councilperson Sarah Imboden  
Town Clerk Sue McCann

Also Present: Attorney for the Town Christine Chale

Supervisor McKeon called the meeting to order and opened with the Pledge of Allegiance. He acknowledged local government students from Bard College.

**SUPERVISOR’S REPORT**

The Supervisor’s report dated October 31, 2017 was read as follows: Opening balance - \$4,722,962.97; Receipts - \$727,434.58; Disbursed - \$683,848.58; Balance - \$4,586,548.97 The Community Preservation Fund now has a balance of \$900,000.

On a motion of Councilman O’Neill seconded by Councilperson Imboden moved to accept the Supervisor’s report as read.

Adopted Ayes 5 McKeon, Ross, Colgan, O’Neill, Imboden  
Nays 0

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Budget Adjustments in the General A Fund, General B Fund, Water Works O & M Fund, “Other Funds” and Capital Projects were reviewed.

On a motion of Councilman O’Neill seconded by Councilman Ross moved to accept the budget adjustments.

Adopted Ayes 5 McKeon, Ross, Colgan, O’Neill, Imboden  
Nays 0

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**TOWN CLERK’S REPORT**

The Town Clerk’s report for the period October 1 – 31, 2017 was read as follows: Total local shares remitted to the Supervisor - \$997.16; Amount remitted to NYS Ag. & Markets - \$51.00; Amount remitted to NYS Dept. of Health - \$45.00; Amount remitted to NYS DEC - \$1,479.59; Total State, County & Local revenue - \$2,572.75.

On a motion of Councilman Colgan seconded by Councilman Ross moved to accept the Town Clerk’s report.

Adopted Ayes 5 McKeon, Ross, Colgan, O’Neill, Imboden  
Nays 0

**ANNOUNCEMENTS**

Supervisor McKeon announced the following:

- thanked residents for their patience during the sidewalk installation
- December 5 from noon to 9 p.m., a vote for an auditorium project at the high school.
- DC Historical Society Award to resident Greta Church Roman for the work she’s done with Bard College students.

**PUBLIC HEARING: AMENDMENT TO ZONING – SOLAR ENERGY SYSTEMS**

Town Clerk McCann read the public hearing notice.

Supervisor McKeon opened for comments.

*Laurie Husted*, Chair of the Conservation Advisory Council, submitted a letter in support of solar zoning with minor revisions to reduce restrictions based on zoning overlays. She’d also like to see properties in the Historic Overlay have the ability to install ground mounts.

*Steve Appenzeller*, CAC member, is also in favor of the proposed zoning. It is in compliance

with the Town's comprehensive plan and is an excellent starting point for sustainability. *Julia Solomon*, CAC member, is in favor of sustainability. She feels this is a great starting point, but there are some sections of the law that are more restrictive than they need to be.

*Dominic Tampone*, member of the Intermunicipal Task Force, commented that solar is important. He is concerned about particular items, specifically medium solar. He thinks that should be revisited. We have to recognize certain districts capacity, etc. His concern is that medium solar on a two acre or more parcels is too dense in a residential area. He would favor a larger minimum lot size.

*Julia Solomon's* concerns were of placement of small mounted systems.

*Denis Collet*, member of the Energy Committee and the CAC, brought up two acre zoning and what they considered in order to take part in programs. The idea behind medium scale would be to allow a neighborhood to have a distributed energy solution. There are a lot of benefits to encourage medium scale if the property is properly screened. He explained provisions in the law. With proper zoning we create a base line that we can adjust. We are at a point that we have something we think is workable. Some provisions can be changed to make it less restrictive.

*Jonathan Becker* asked if the same variances would apply to those who live in the Historic District.

Supervisor McKeon said that would be deemed a use variance.

*Jonathan Becker* commented that the Historic District is large, and it closes the possibility for solar.

Supervisor McKeon read written comment from Dan Smith, Energy Manager at Bard College. He feels that solar development should be done in a socially and environmentally responsible manner.

There were no more comments. The Public Hearing will be left open for further discussion.

## **RESOLUTIONS TO AWARD BIDS – HIGHWAY MATERIALS**

Supervisor McKeon explained the resolutions.

### **RESOLUTION 2017 #74**

RE: AUTHORIZING THE PURCHASE OF ICE CONTROL ABRASIVES FOR HIGHWAY DEPARTMENT PURPOSES FOR 2018

On a motion of Supervisor Robert McKeon seconded by Councilperson Sarah Imboden moved to approve the resolution awarding the bid to Red Wing Properties, Inc.

Adopted	Ayes	5	McKeon, Ross, Colgan, O'Neill, Imboden
	Nays	0	

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### **RESOLUTION 2017 #75**

RE: AUTHORIZING THE PURCHASE OF HOT MIX ASPHALT FOR HIGHWAY DEPARTMENT PURPOSES FOR 2018

On a motion of Supervisor Robert McKeon seconded by Councilman James Ross moved to approve the resolution awarding the bid to A. Colarusso and Son, Inc.

Adopted	Ayes	5	McKeon, Ross, Colgan, O'Neill, Imboden
	Nays	0	

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### **RESOLUTION 2017 #76**

RE: AUTHORIZING THE PURCHASE OF ROAD SERVICES AND MATERIALS PURSUANT TO TOWN PROCUREMENT POLICY FOR 2018

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

Adopted	Ayes	5	McKeon, Ross, Colgan, O'Neill, Imboden
	Nays	0	

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**RESOLUTION 2017 #77**

RE: AUTHORIZING THE SALE OF SURPLUS ITEMS OF THE TOWN OF RED HOOK

On a motion of Supervisor Robert McKeon seconded by Councilman William O'Neill moved to approve the resolution

Adopted      Ayes    5      McKeon, Ross, Colgan, O'Neill, Imboden  
                  Nays    0

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**DISCUSSION/RESOLUTION TO AMEND SECTION 143-37 OF THE ZONING LAW – SOLAR ACCESS**

Supervisor McKeon referred to the public hearing and comments. He suggested entertaining changes to the proposed code and consider further regulations like special use permits.

Councilman O'Neill asked Ted Fink, Greenplan Inc. about the change previously discussed. He doesn't see anything about medium solar systems being a principle use or an accessory use. He pointed out some issues in the proposed change.

Supervisor McKeon reminded the Board of the discussion at our last meeting.

Councilman O'Neill pointed out the change in language between the previous and present proposal.

The Board discussed medium solar, principal use vs. accessory use and changes in the proposed zoning.

Councilman Colgan asked how this will be operated. We would have to work through the grid. If you generate electricity, you would have to go through the grid and the electricity can go anywhere. It doesn't become a community thing. This conversation is very upsetting to him. He has been working on zoning in this community for 15 years and doing what he has to do to save the community from excess development and to preserve the quality of life here. He sees this as a work in progress. The Board was working on this and it was separated from us and was taken to the Friday morning meetings to finish it. He sees this as fraught with problems. He gave examples. It has to be thought out very clearly. It is not ready for what we intended to do tonight.

Supervisor McKeon said it's been worked on for a year and a half. It is here, up for public discussion. He pointed out the installation at Bard College that most people don't know exists. He suggested special use permits that would allow systems but undergo scrutiny and would be under special conditions. This is a very important issue and we shouldn't delay solar zoning being adopted.

Councilman Colgan is concerned that some of these systems are very intrusive and need serious controls as to where they will be located. He is concerned about the impact on the quality of life in Town. He does not see this as ready to move forward.

Councilperson Imboden questioned some items for her own clarification.

Councilman O'Neill does not see a use table the proposal explaining principle use or accessory use. He wants to see the proposed legislation before voting on it.

Attorney Chale pointed out commercial and accessory and explained. We might need to adjust the text again.

Supervisor McKeon explained the language in relation to principle and accessory use.

Councilman Colgan said this was not written by a planner who is trained to write these things to take all into consideration. Until that is done, he does not feel it's ready.

Supervisor McKeon said we need to move forward and we did engage our planner months ago to help craft this proposal in a way to fit our zoning.

Denis Collet clarified the accessory use and principle use code. He described the sizes of kilowatts in different solar arrays.

Councilman O'Neill asked why the uses are not clarified in the proposal. He pointed out some questions he had in the proposal.

Councilman Colgan is going to recommend that Bard College go off the grid and have a complete power system on campus. It can be done.

Supervisor McKeon proposed some text modifications. He had some changes prepared.

The Board discussed changes for ground mounted solar arrays. SEQRA might have to be amended.

*Jonathan Becker* thanked the Board, Supervisor McKeon and Town Clerk Sue McCann for speaking to his class. He commented on the legislation.

Councilman Ross suggested ironing out the issues at the next meeting and satisfy most arguments on both sides and get it done.

Supervisor McKeon agreed to leave the public hearing open. We want to get the community solar project going.

Councilman Colgan suggested doing away with the medium definition, include it in the large and address the concerns in one single category.

Councilman Ross suggested controlling the size by a special permitting process.

Supervisor McKeon then commented on the language that can be amended by making all medium and large arrays, both principle and accessory, require special permit. We need to move this through. The Planning Board said it is ok the way it is. It can be changed if needed. He asked Ted Fink to rephrase the sentence so that it is clear that it is speaking about both principle and accessory uses.

Ted Fink clarified the sentence change.

Councilman Ross said that he cannot vote on this tonight because both sides are confusing. He'd like to talk more or have a workshop to review these ideas. If we did that and moved quickly, we can hopefully all agree. There are good arguments both ways.

Supervisor McKeon suggested extending the Public Hearing to November 29<sup>th</sup> meeting at 7:35 p.m. The November 22 meeting has been rescheduled for November 29<sup>th</sup>. He asked the Board to review and see what they will be willing to support so that it can be voted on at that meeting.

The Board will meet on November 28, at 7:30 p.m. to discuss changes.

*Jen Cavanaugh* does not think that solar is ugly. She has panels on the roof of her house. We all have to do our part.

#### **AMENDMENT – DUTCHESS COUNTY SHERIFF'S CONTRACT AGREEMENT**

Supervisor McKeon referred to the amendment to the DC Sheriff's contract. We have to approve the agreement.

#### **RESOLUTION 2017 #78**

RE: APPROVING AN AMENDMENT TO AGREEMENT BETWEEN COUNTY OF DUTCHESS, THE DUTCHESS COUNTY SHERIFF AND THE TOWN OF RED HOOK

On a motion of Councilman William O'Neill seconded by Councilman James Ross moved to approve the resolution.

Adopted	Ayes	5	McKeon, Ross, Colgan, O'Neill, Imboden
	Nays	0	

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#### **DISCUSSION – TOWN OF RED HOOK SOCIAL MEDIA POLICY**

Supervisor McKeon received a revised social media policy from the Communications Committee. He asked the Board to review the policy and it will be put on the agenda for the next meeting.

#### **DISCUSSION – STREETLIGHT CONVERSION PROJECT – RFP INSTALLATION AND MAINTENANCE**

Supervisor McKeon referred to the draft RFP. It is out to our potential partner municipalities and is being reviewed by them. He asked the Board to review and bring anything of concern to attention by the next meeting. This is for the installation and maintenance of streetlights.

#### **DISCUSSION – PARKING REGULATIONS TOWN HALL CAMPUS**

Supervisor McKeon referred to parking during the snow season. He suggested approving the regulation extending signage to the parking lot prohibiting parking over night from November 15 – April 1 from 11 pm to 7 am and no parking during snow events during the day time.

Town Clerk McCann brought up the fact that a car plugs in at the charging station for overnight and weekends. She suggested regulating that amount of time.

Supervisor McKeon agreed to signage about how long people can stay at the charging station.

Councilman Colgan is in agreement to restrict the use of the charging station in regard to time.

Supervisor McKeon said we can decide the best way to proceed.

**CORRESPONDENCE**

Supervisor McKeon received a letter from Ken Migliorelli about Freeborn Lane. We still have legal issues that we are reviewing.

On a motion of Councilman Colgan seconded by Councilman Ross moved to accept the parking regulations.

Adopted      Ayes    5      McKeon, Ross, Colgan, O'Neill, Imboden  
                 Nays    0

On a motion of Supervisor McKeon seconded by Councilperson Imboden moved to go into Attorney/Client session at 10:00 p.m.

Adopted      Ayes    5      McKeon, Ross, Colgan, O'Neill, Imboden  
                 Nays    0

On a motion of Councilperson Imboden seconded by Councilman Colgan moved to close Attorney/Client session at 10:41 p.m.

Adopted      Ayes    5      McKeon, Ross, Colgan, O'Neill, Imboden  
                 Nays    0

On a motion of Councilperson Imboden seconded by Councilman Colgan moved to re-open the Town Board meeting at 10:42 p.m.

Adopted      Ayes    5      McKeon, Ross, Colgan, O'Neill, Imboden  
                 Nays    0

On a motion of Councilperson Imboden seconded by Councilman Colgan moved to adjourn the Town Board meeting at 10:43 p.m.

Adopted      Ayes    5      McKeon, Ross, Colgan, O'Neill, Imboden  
                 Nays    0

Respectfully submitted,

Sue McCann, Town Clerk