

RED HOOK TOWN BOARD MEETING
March 25, 2020

A meeting of the Town Board of the Town of Red Hook, Dutchess County, New York was convened via Video conference (Zoom) at 7:30 p.m.

Present: Supervisor Robert McKeon, In person/Video conference
Councilmember William O'Neill, Video conference
Councilmember Christine Kane, Video conference
Councilmember William Hamel, Video conference
Councilmember Jacob Testa, Video conference
Attorney for the Town Christine Chale, Video conference
Also Present: Bill Kemble, Freeman Reporter, In Person

At 7:35 p.m. Supervisor McKeon opened the Public Hearing with the reading of the public hearing notice regarding increase and improvement of facilities of its Consolidated Lighting District. Supervisor McKeon stated that we are now working with New York Power Authority (NYPA).

Supervisor McKeon asked for public comments. There being none the public hearing was closed.

At 7:40 p.m. Supervisor McKeon opened the Public Hearing with the reading of the public hearing notice regarding increase and improvement of facilities of its Bard Lighting District.

Supervisor McKeon asked for public comments. There being none the public comment was closed.

The Board then considered the two resolutions dated March 25, 2020.

TOWN OF RED HOOK

RESOLUTION NO. 15

DATED: MARCH 25, 2020

RESOLUTION APPROVING INCREASE AND IMPROVEMENT OF GENERAL LIGHTING FACILITIES AND AUTHORIZING EXECUTION OF CUSTOMER PROJECT COMMITMENT PURSUANT TO THE ENERGY SERVICES PROGRAM MASTER COST RECOVERY AGREEMENT WITH NEW YORK POWER AUTHORITY REGARDING THE LED STREET LIGHT REPLACEMENT PROJECT FOR THE GENERAL LIGHTING FACILITIES, CONSOLIDATED LIGHTING DISTRICT AND BARD LIGHTING DISTRICT IN THE TOWN OF RED HOOK, COUNTY OF DUTCHESS, STATE OF NEW YORK

WHEREAS, pursuant to a resolution approved August 23, 2017, the Town of Red Hook ("Town"), in the County of Dutchess, New York entered into a Purchase and Sale Agreement including forms of a Bill of Sale and Operating Agreement, with Central Hudson Gas & Electric ("Central Hudson") (collectively the "Central Hudson Acquisition Agreements") authorizing the acquisition of the existing street lighting fixtures from Central Hudson for the Town general lighting account, the Consolidated Lighting District, and the Bard Lighting District, with a purchase price of \$303.55 per fixture, as it may be modified in accordance with such agreement and the requirements of the PSC Order approving such purchase; and

WHEREAS, pursuant to a resolution dated March 28, 2018, the Town entered into an Energy Services Program Master Cost Recovery Agreement ("NYPA Master Agreement") with New York State Power Authority ("NYPA") and authorized by Public Authorities Law, Section §1005(17), for the planning, design and bidding phase of the LED Street Lighting Proposal for a turn-key LED lighting replacement project; and NYPA thereupon caused its consultant Wendel Energy, licensed professional engineers in the State of New York, to prepare a detailed design for such improvements and to solicit proposals as required by PAL Section §1005(17), as set forth in the NYPA report on file with the Town Clerk (the "NYPA Report), and

WHEREAS, NYPA has caused to be prepared a final design and secured proposals for completion of the LED Street Lighting Proposal pursuant to the Energy Services Program Master Cost Recovery Agreement, and has prepared an initial Customer Project Commitment ("Initial CPC") for acquisition and installation, a form of which is on file with the Town Clerk, with a project cost of \$273,651.92, and the estimated cost of such improvements detailed in such report, reasonably allocable to the Town's general lighting account based on the estimated number of fixtures, is \$90,214.92, to the Consolidated Lighting District is \$142,339.09, and to the Bard Lighting District is 41,097.91; and

WHEREAS, the Town Board of the Town of Red Hook (herein called "Town Board" and "Town", respectively), in the County of Dutchess, New York has authorized the increase and improvement of facilities of the Consolidated Lighting District and the Bard Lighting District for LED lighting as provided in the Initial CPC; and

WHEREAS, pursuant to and subject to the terms of the NYPA Master Agreement, NYPA has submitted and there is on file with the Town Clerk a proposed Customer Project Commitment ("Maintenance CPC") providing for maintenance service for an initial period of two years, subject to renewal but not to exceed five years, at an annual cost of \$19.47 per light for routine costs, not including non-routine and emergency work;

WHEREAS, pursuant to the State Environmental Quality Review Act (SEQR), the Town Board has determined that the proposed increase and improvement of facilities of the Consolidated Lighting District is best described as a local legislative decision concerning routine administration and management under the State Environmental Quality Review Act and constitutes a Type II action which will not have a significant effect on the environment;

NOW, THEREFORE BE IT RESOLVED, by the Town Board of the Town of Red Hook as follows:

1. The proposed LED lighting improvements for the Town's general lighting facilities are hereby approved and the Supervisor, or in his absence, the Deputy Supervisor, is hereby authorized and directed to execute the authorization to NYPA to proceed with the improvements on the terms and conditions set forth in the NYPA Report and the NYPA Master Agreement, with such changes as may be approved by the officer executing such agreement and which do not materially affect the substance thereof.
2. The execution of the Energy Services Program Initial CPC pursuant to the Master Cost Recovery Agreement with NYPA in substantially the form on file with the Town Clerk, for the acquisition and installation phase of the LED Street Lighting Proposal for the Town general lighting account, the Consolidated Lighting District, and the Bard Lighting District, is hereby approved.
3. The proposed Maintenance CPC is hereby approved and the Supervisor, or in his absence, the Deputy Supervisor, is hereby authorized and directed to execute the Maintenance Agreement with NYPA on the terms and conditions set forth in the agreement on file with the Town Clerk, with such changes as may be approved by the officer executing such agreement and which do not materially affect the substance thereof.
4. The officers, employees and agents of the Town are hereby authorized and directed for and in the name and on behalf of the Town to do all acts and things as may be necessary or, in the opinion of the officer, employee or agent acting, desirable and proper to effect the purposes of this resolution.

The Resolution shall take effect immediately.

EXTRACT OF MINUTES

A regular 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 on March 25, 2020 at 7:30 p.m., local time.

The meeting was called to order by Supervisor Robert McKeon, and, upon roll being called, the following members were: (Note: Where members are marked Present, specify whether In Person, Videoconference, or Teleconference. If any members participated via Teleconference pursuant to EO 202.1, the meeting shall be recorded and a full transcript prepared following the meeting)

	Present	Absent
Supervisor Robert McKeon	In Person/Video Conference	
Councilmember William Hamel	Video	
Councilmember Christine Kane	Video	
Councilmember William O'Neill	Video	
Councilmember Jacob Testa	Video	

The following persons were ALSO PRESENT: Christine Chale, Attorney for the Town via Videoconference

The following resolution was offered by McKeon, seconded by Kane, to wit:

TOWN OF RED HOOK

RESOLUTION NO. 15

DATED: MARCH 25, 2020

RESOLUTION APPROVING INCREASE AND IMPROVEMENT OF GENERAL LIGHTING FACILITIES AND AUTHORIZING EXECUTION OF CUSTOMER PROJECT COMMITMENT PURSUANT TO THE ENERGY SERVICES PROGRAM MASTER COST RECOVERY AGREEMENT WITH NEW YORK POWER AUTHORITY REGARDING THE LED STREET LIGHT REPLACEMENT PROJECT FOR THE GENERAL LIGHTING FACILITIES, CONSOLIDATED LIGHTING DISTRICT AND BARD LIGHTING DISTRICT IN THE TOWN OF RED HOOK, COUNTY OF DUTCHESS, STATE OF NEW YORK

The question of the adoption of the foregoing resolution was duly put to vote on a roll call, which resulted as follows:

Supervisor Robert McKeon	VOTING: Aye
Councilmember William Hamel	VOTING: Aye
Councilmember Christine Kane	VOTING: Aye
Councilmember William O'Neill	VOTING: Aye
Councilmember Jacob Testa	VOTING: Aye

The foregoing resolution was thereupon declared duly adopted.

TOWN OF RED HOOK

RESOLUTION NO. 16

DATED: MARCH 25, 2020

RESOLUTION APPROVING INCREASE AND IMPROVEMENT OF CONSOLIDATED LIGHTING DISTRICT FACILITIES AND BARD LIGHTING DISTRICT FACILITIES IN THE TOWN OF RED HOOK, COUNTY OF DUTCHESS, STATE OF NEW YORK

WHEREAS, the Town Board of the Town of Red Hook (herein called "Town Board" and "Town", respectively), in the County of Dutchess, New York, requested Crawford & Associates Engineering, PC, engineers duly licensed by the State of New York (herein called "Engineers") to prepare a report for the increase and improvement of facilities of the Consolidated Lighting District and Bard Lighting District, consisting of acquisition of street light facilities including fixtures and arms from Central Hudson, replacing the fixtures with light-emitting diode (LED) equivalents, and including land or rights in land, original furnishings, equipment, machinery and apparatus required therefor; and pursuant to the direction of the Town Board, the Engineers have completed and filed with the Town Board such report for the increase and improvement of facilities of the Consolidated Lighting District and the Bard Lighting District, entitled "Report for the Town of Red Hook Proposed Increase and Improvement of Facilities for Existing Lighting District (LED Lighting)", dated August 2017; and

WHEREAS, following a public hearing and pursuant to Resolution No. 50 approved by the Town Board on August 23, 2017, the Town entered into a Purchase and Sale Agreement including forms of a Bill of Sale and Operating Agreement, with Central Hudson Gas & Electric ("Central Hudson") (collectively the "Central Hudson Acquisition Agreements") authorizing the acquisition of the existing street lighting fixtures from Central Hudson for the Consolidated Lighting District and Bard Lighting District, with a purchase price of \$303.55 per fixture, as it may be modified in accordance with such agreement and the requirements of the PSC Order approving such purchase; and

WHEREAS, pursuant to such Resolution No. 50 the Town Board further authorized the preparation of definite plans, specifications, and a careful estimate of the expense of the improvement to be prepared and the preparation of a proposed contract or contracts to be submitted to this Town Board for examination and approval; and

WHEREAS, pursuant to a resolution dated March 28, 2018, the Town entered into an agreement ("NYPA Master Agreement") with New York State Power Authority ("NYPA") authorized by Public Authorities Law, Section §1005(17), and NYPA thereupon caused its consultant Wendel Energy, licensed professional engineers in the State of New York, to prepare a detailed design for such improvements and to solicit proposals as required by PAL Section §1005(17), as set forth in the NYPA report on file with the Town Clerk (the "NYPA Report"), and the estimated cost of such improvements detailed in such report ("Improvements"), as reasonably allocable to the Consolidated Lighting District based on the estimated number of fixtures is \$142,339.09 and to the Bard Lighting District based on the estimated number of fixtures is \$41,097.91; and ; and

WHEREAS, pursuant to the State Environmental Quality Review Act (SEQR), the Town Board has determined that the proposed increase and improvement of facilities of the Consolidated Lighting District is best described as a local legislative decision concerning routine administration and management under the State Environmental Quality Review Act and constitutes a Type II action which will not have a significant effect on the environment;

NOW, THEREFORE BE IT RESOLVED, by the Town Board of the Town of Red Hook as follows:

1. The proposed LED lighting Improvements for the Consolidated Lighting District are hereby approved and the Supervisor, or in his absence, the Deputy Supervisor, is hereby authorized and directed to execute the authorization to NYPA to proceed with the improvements on the terms and conditions set forth in the NYPA Report and the NYPA Master Agreement, with such changes as may be approved by the officer executing such agreement and which do not materially affect the substance thereof.
2. The proposed LED lighting Improvements for the Bard Lighting District are hereby approved and the Supervisor, or in his absence, the Deputy Supervisor, is hereby authorized and directed to execute the authorization to NYPA to proceed with the improvements on the terms and conditions set forth in the NYPA Report and the NYPA Master Agreement, with such changes as may be approved by the officer executing such agreement and which do not materially affect the substance thereof.
3. This Resolution shall take effect immediately.

EXTRACT OF MINUTES

A regular 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 on March 25, 2020 at 7:30 p.m., local time.

The meeting was called to order by Supervisor Robert McKeon, and, upon roll being called, the following members were: *(Note: Where members are marked Present, specify whether In Person, Videoconference, or Teleconference. If any members participated via Teleconference pursuant to EO 202.1, the meeting shall be recorded and a full transcript prepared following the meeting)*

	Present	Absent
Supervisor Robert McKeon	In Person/Video Conference	
Councilmember William Hamel	Video	
Councilmember Christine Kane	Video	
Councilmember William O'Neill	Video	
Councilmember Jacob Testa	Video	

The following persons were ALSO PRESENT:

Christine M. Chale, Esq., Attorney for the Town VIA Videoconference

The following resolution was offered by McKeon, seconded by O'Neill, to wit;

TOWN OF RED HOOK

RESOLUTION NO. 16

DATED: MARCH 25, 2020

RESOLUTION APPROVING INCREASE AND IMPROVEMENT OF CONSOLIDATED LIGHTING DISTRICT FACILITIES AND BARD LIGHTING DISTRICT FACILITIES IN THE TOWN OF RED HOOK, COUNTY OF DUTCHESS, STATE OF NEW YORK

The question of the adoption of the foregoing resolution was duly put to vote on a roll call, which resulted as follows:

Supervisor Robert McKeon	VOTING: Aye
Councilmember William Hamel	VOTING: Aye
Councilmember Christine Kane	VOTING: Aye
Councilmember William O'Neill	VOTING: Aye
Councilmember Jacob Testa	VOTING: Aye

The foregoing resolution was thereupon declared duly adopted.

Supervisor McKeon lead a discussion of emergency matters. The Town has compiled county health information, State Dept. of Health, CDC, working from home essential services and CDC recommendation. Town Hall is operating with a lock box to protect residents and staff; paperwork should be turned around in 24 hours; please be patient. The Town is looking to connect citizens with social support services; assist volunteer's who are trying to organize themselves to supplement existing services; hot line and website being created.

Supervisor McKeon reviewed a list of resource on Red Hook responds website. Councilman Testa pointed out the mental health hotline.

Supervisor McKeon noted testing sites are open at Tech City and Fishkill but a Doctors referral is required.

The Board discussed local efforts to assist, federal assistance, and looking to local services for delivery and other local needs. The Board noted the Disaster Preparedness Committee has been active chaired by Hai Ping Yeh.

The Board discussed procedures for video linkage and public/viewing audio, need to accommodate social distancing.

Meeting adjourned. Minutes prepared by Town Clerk from notes of Attorney for the Town Christine Chale.

Respectfully submitted,

Sue McCann, Town Clerk