

## **RED HOOK TOWN BOARD MEETING**

**April 22, 2020**

A meeting of the Town Board of the Town of Red Hook, Dutchess County, New York was convened by Zoom Videoconference due to COVID-19 pandemic stay in place rules at the Town Hall, 7340 South Broadway, Red Hook at 7:30 p.m.

Present: Supervisor Robert McKeon  
Councilmember William O'Neill  
Councilmember Christine Kane  
Councilmember William Hamel  
Councilmember Jacob Testa  
Town Clerk Sue McCann  
Also Present: Attorney Christine Chale  
Highway Superintendent Theresa Burke

Due to the pandemic, the meeting was conducted via Zoom and live streamed on YouTube. Supervisor McKeon called the meeting to order and opened with the Pledge of Allegiance.

### **DEPARTMENT OF TRANSPORTATION**

The electric van contract will not be awarded tonight.

### **ANNOUNCEMENTS**

- Apple Blossom Day is cancelled this year.
- Memorial Day Parade – not sure of status as yet.

### **PUBLIC COMMENT PERIOD**

Supervisor McKeon opened for comments, there were none.

### **CORONAVIRUS UPDATE**

Supervisor McKeon presented a slide show with information from N.Y. State Department of Health regarding COVID-19. Dutchess County Health Department also provides daily information for the Towns and Villages in the County. We are on a PAUSE enforcement through NY State until May 15. Included in the presentation was information from the State that includes complaint referral and enforcement assistance, enforcement strategy and options. Non-compliance penalties are also explained. Non-essential and essential businesses and entities were also listed. The information will be on the Town's website. He referred to an issue regarding the Lyceum Theater.

Councilmember Hamel read the body of email from Ronald Hicks, Assistant Dutchess County Executive, regarding the issue with the Lyceum Theater, ordered to cease and desist.

Supervisor McKeon commented that we get CC'd from the task force regarding complaints. We are not to do anything in conflict with Executive Orders from Albany. A face mask requirement was explained (in the presentation) when social distancing is not possible. Volunteers have been wonderful during this pandemic. The school district meal program was included in the information. Food pantries are also available in the Town, as are farm stands and some restaurants for takeout. Contact information can be found on the Town's website.

### **STONY BROOK CULVERT**

Supervisor McKeon referred to an issue with the culvert after it was replaced. There was some settling due to a lot of rain erosion. We have a recommendation from our engineer about potential ways to solve the issue. Supervisor feels a second opinion would be a benefit.

Councilmember Hamel asked what the time line window is.

Supervisor McKeon responded that we don't have a lot of time but want to have the work done during a dry season for the best possible working conditions in the July or August time frame.

Councilmember Kane agrees with getting a second opinion. It is a big project.

Councilmembers Testa and O'Neill also agree.

Supervisor McKeon asked the Board members if they agreed. All agreed to get a second opinion. There was not a formal vote.

### **HIGHWAY OPERATIONS – PAVING AND CHIP SEAL**

Highway Superintendent Theresa Burke explained a conference call she had with the State association today. She explained that if the State runs out of money, they will provide advance

notice regarding CHIPS funding. The money is in the budget right now and our project is within that budget.

Supervisor McKeon referred to the State possibly having to cut funding if they do not receive Federal help. As far as paving and sealing, it would be prudent to go ahead with both of those. Highway Superintendent Burke explained the process of a chip seal project. The roads requested are Pitcher Lane and Whaleback Road. A future project is the paving of Aspinwall Road. She explained the Quick Quote process that returns estimates quickly and lessens the bidding window by six weeks or more.

Supervisor McKeon wants to go with the Quick Quote process to fund the planned road projects. He asked the Board members if they were in agreement. All Board members agreed.

Highway Superintendent Burke explained the native pollinator plant project. The Town Hall landscaping budget was another issue she explained.

Councilmember Kane agrees with the pollinator and landscaping projects.

Councilmember Testa also agrees.

Supervisor McKeon does not think there is any chance we can get the truck needed by the Highway Department. We need better visibility on our budget. The sales tax estimates are devastating right now. The Board will have to see what budget adjustments will be made.

Highway Superintendent Burke explained the shortfall with the trucks. Services will be impacted and delayed. She wants the Board to understand that.

Councilmember Kane clarified the time frame for replacing trucks and the situation that would happen should one not pass inspections.

Councilmember Testa commented that putting it off will push it back every year.

Highway Superintendent Burke explained the probable cost increase.

Councilmember Kane asked when the budget numbers would be available.

Supervisor McKeon said it will take a couple of weeks. We have been told not to expect our sales tax growth factor, which is only one budget line. It will be a “guesstimate” due to the issues caused by the pandemic and closures. Maybe as the year progresses, we will have better visibility. He cannot support ordering the truck right now.

Councilmember Kane asked about discussing it at our next meeting.

Supervisor McKeon can show some budget lines and the budget impact.

Highway Superintendent Burke commented that we always had a capital equipment replacement plan but we never had a capital equipment funding plan. She explained how some Towns have those plans.

The Board was in agreement with the budget for the native pollinator plant project and the Town Hall lands budget. No formal vote was taken.

### **OPEN DEVELOPMENT AREA REQUEST**

Supervisor McKeon explained that this is a planning concept allowed in our zoning code. He asked Attorney for the Town, Christine Chale to explain the request.

Attorney Chale explained that this is actually a statutory provision. This particular lot was developed with access to Read Road but they want to change it to a different access. She explained the process and that it is possible in this context. The applicant is asking for the open development area. She continued to explain the process and explained the resolution.

### **TOWN OF RED HOOK RESOLUTION NO. 17 DATED APRIL 22, 2020**

#### **RESOLUTION REGARDING APPLICATION FOR OPEN DEVELOPMENT AREA PURSUANT TO TOWN LAW §280-a(1) AND (4)**

**WHEREAS**, a letter of request has been submitted to the Town Board (the “Board”) of the Town of Red Hook by Lori and John Curran (“Applicant”) pursuant to Town Law Section 280-a for approval for an Open Development Area (“ODA”), for an approximately 1.81 acre parcel located at 26 Read Road, Tax Map ID No. 6373-00-776820, Red Hook, New York, for the purpose of constructing a residence on the property; and

**WHEREAS**, pursuant to Town Law Section 280-a(4), the town board may, by resolution, establish an open development area, wherein permits may be issued for the erection of structures to which access is given by right of way or easement, provided that before establishing any such open development area, the Town Board shall refer the matter to the Planning Board for its advice and shall allow such planning board a reasonable time to report; and

**WHEREAS**, the Town Board has reviewed the thresholds for Type I and Type II actions set forth in 6 NYCRR 617.4 and 617.5 and has examined the Environmental Assessment Form submitted by the Applicant and in the form on file with the Town Clerk;

**NOW THEREFORE BE IT RESOLVED**, by the Town Board of the Town of Red Hook (by the favorable vote of not less than a majority of all of the members of the Board) as follows:  
The Town Board hereby determines that the proposed action is an unlisted action. The Town Board hereby declares itself Lead Agency for the review of this action and authorizes the circulation of a lead agency coordination request to all other involved agencies. Unless an objection to the Town Board assuming lead agency status is received within thirty (30) days of the date of mailing the EAF, the Town Board will become lead agency for the review of this action, and a Determination of Significance will be made at such time as all reasonably necessary information has been received by the Town Board to enable it to determine whether the action will or will not have a significant effect on the environment. The Town Clerk is hereby authorized and directed to refer the matter to the Planning Board for a recommendation regarding the proposed Open Development Area pursuant to Section 280-a(4). 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 via videoconference and/or teleconference pursuant to Executive Order 202.1, as amended, on April 22, 2020 at 7:30 p.m., local time. A live transmission was available to the public as described in the notice of meeting attached hereto. The meeting was recorded and a full transcript will be prepared to the extent required by the Executive Order.  
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 at the Town Hall, 7340 South Broadway, Red Hook, NY, via Videoconference, or via Teleconference.)

	Present	Absent
Supervisor Robert McKeon	VIA Videoconference	
Councilmember William Hamel	VIA Videoconference	
Councilmember Christine Kane	VIA Videoconference	
Councilmember William O'Neill	VIA Videoconference	
Councilmember Jacob Testa	VIA Videoconference	

The following persons were ALSO PRESENT:  
Christine M. Chale, Esq., Attorney for the Town VIA Videoconference.

The following resolution was offered by Kane, seconded by Hamel, to wit;

**TOWN OF RED HOOK  
RESOLUTION NO. 17  
DATED APRIL 22, 2020**

**RESOLUTION REGARDING APPLICATION FOR OPEN DEVELOPMENT AREA PURSUANT TO TOWN LAW §280-a(1) AND (4)**

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.

**SOCIAL MEDIA POLICY**

Supervisor McKeon said the Communications Committee submitted an updated recommendation for the Board to review.  
Councilmember Kane did review it and wants to discuss it at the next Board meeting.

**ELECTRIC VANS – BID RESULTS**

Supervisor McKeon explained the Federal grant for two electric nine passenger vans. There is also matching funding from NYS and money from the Ascienzo Foundation will be contributed. Two bids were received.

Denis Collet, Chair of the Energy Committee, reviewed the process which included more detail for the DOT requirement. The lowest qualifying bidder is United Access of New York. The bid was for \$334,693 for two 9 passenger vehicles.

Supervisor McKeon said we are not awarding it this evening because we want to run the submissions by the DOT to make sure everything is acceptable.

**EXECUTIVE SESSION**

On a motion of Supervisor McKeon seconded by Councilmember Testa moved to go into executive session at 8:50 p.m. to discuss a tax litigation matter under Article 7.

Adopted        Ayes    5        McKeon, O’Neill, Kane, Testa, Hamel  
                     Nays    0

On a motion of Supervisor McKeon seconded by Councilmember Kane moved to exit executive session.

Adopted        Ayes    5        McKeon, O’Neill, Kane, Testa, Hamel  
                     Nays    0

The Board returned to the Town Board meeting.

**RESOLUTION NO. 18  
DATED APRIL 22, 2020**

**RESOLUTION TOWN OF RED HOOK AUTHORIZING SETTLEMENT OF ARTICLE 7 PROCEEDING WITH RYAN CARL AND JENNIFER QUINN-CARL**

**WHEREAS**, Ryan Carl and Jennifer Quinn-Carl (“Petitioners”), with real property located in the Town of Red Hook, commenced proceedings pursuant to Article 7 of the Real Property Tax Law challenging the assessment on property located in the Town of Red Hook, Dutchess County, New York and designated as 6272-06-323945 on the Official Assessment Map of the Town of Red Hook for the tax year 2019; and

**WHEREAS**, the parties have agreed to settle the proceedings whereby the assessment on the parcels which are the subject of the proceedings will be reduced, corrected and fixed for the 2019/20 tax assessment roll; and

**WHEREAS**, a proposed order and judgement reducing assessment has been presented to the Town of Red Hook for reduction of the assessment for a period of one year, as follows:

Tax Map No. 6272-06-323945

2019 – from \$474,000 to \$417,500 for a total reduction of \$56,500;

which consent order and judgement provides that tax refunds are waived for the amount, if any, paid by Petitioners as taxes on the original 2019-2020 School taxes and 2020 Town and County taxes in excess of what the taxes would have been if said assessment had been fixed as determined in this order;

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board of the Town of Red Hook does hereby agree to the settlement and to the entry of the consent judgment for reduction of assessment for Petitioner; and

**NOW, THEREFORE, BE IT FURTHER RESOLVED**, that the Supervisor and the Town’s other officers, employees and agents are hereby authorized and directed for, and in the name and on behalf of the Town, to carry out the provisions of the consent judgment.

**NOW, THEREFORE, BE IT FURTHER RESOLVED**, that the Attorney for the Town is authorized to execute such documents as may be necessary to effectuate this resolution.

**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 via videoconference and/or teleconference pursuant to Executive Order 202.1, as amended, on April 22, 2020 at 7:30 p.m., local time. A live transmission was available to the public as described in the notice of meeting attached hereto. The meeting was recorded and a full transcript will be prepared to the extent required by the Executive Order.

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 at the Town Hall, 7340 South Broadway, Red Hook, NY, via Videoconference, or via Teleconference.)

	Present	Absent
Supervisor Robert McKeon	VIA Videoconference	
Councilmember William Hamel	VIA Videoconference	
Councilmember Christine Kane	VIA Videoconference	
Councilmember William O'Neill	VIA Videoconference	
Councilmember Jacob Testa	VIA Videoconference	

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 Kane, to wit:

**TOWN OF RED HOOK  
RESOLUTION NO. 18  
DATED APRIL 22, 2020**

**RESOLUTION AUTHORIZING SETTLEMENT OF ARTICLE 7 PROCEEDING WITH RYAN CARL AND JENNIFER QUINN-CARL**

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 <u>Aye</u>
Councilmember William Hamel	VOTING <u>Aye</u>
Councilmember Christine Kane	VOTING <u>Aye</u>
Councilmember William O'Neill	VOTING <u>Aye</u>
Councilmember Jacob Testa	VOTING <u>Aye</u>

The foregoing resolution was thereupon declared duly adopted

**TOWN OF RED HOOK  
RESOLUTION NO. 19  
DATED APRIL 22, 2020**

**RESOLUTION AUTHORIZING SETTLEMENT OF ARTICLE 7 PROCEEDING WITH KNOLLWOOD COMMONS AT RED HOOK, LLC**

**WHEREAS**, Knollwood Commons at Red Hook, LLC (“Petitioners”), with real property located in the Town of Red Hook, commenced proceedings pursuant to Article 7 of the Real Property Tax Law challenging the assessment on property located in the Town of Red Hook, Dutchess County, New York and designated as 6272-10-348506, 6272-10-348532 and 6272-10-365508 on the Official Assessment Map of the Town of Red Hook for the tax year 2019; and

**WHEREAS**, the parties have agreed to settle the proceedings whereby the assessment on the parcels which are the subject of the proceedings will be reduced, corrected and fixed for the 2019/20 tax assessment roll; and

**WHEREAS**, a proposed consent order and judgment has been presented to the Town of Red Hook for reduction of the assessment for a period of one year, as follows:

Tax Map No. 6272-10-348506  
2019 – from \$820,000 to \$743,307 for a total reduction of \$76,693;  
Tax Map No. 6272-10-348532  
2019 – from \$3,324,300 to \$3,013,386, for a total reduction of \$310,914;  
Tax Map No. 6272-10-365508  
2019 – from \$820,000 to \$743,307 for a total reduction of \$76,693;

which consent order and judgement provides that tax refunds are waived for the amount, if any, paid by Petitioners as taxes on the original 2019-2020 School taxes and 2020 Town and County taxes in excess of what the taxes would have been if said assessment had been fixed as determined in this order;

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board of the Town of Red Hook does hereby agree to the settlement and to the entry of the consent judgment for reduction of assessment for Petitioner; and

**NOW, THEREFORE, BE IT FURTHER RESOLVED**, that the Supervisor and the Town’s other officers, employees and agents are hereby authorized and directed for, and in the name and on behalf of the Town, to carry out the provisions of the consent judgment.

**NOW, THEREFORE, BE IT FURTHER RESOLVED**, that the Attorney for the Town is authorized to execute such documents as may be necessary to effectuate this resolution.

**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 via videoconference and/or teleconference pursuant to Executive Order 202.1, as amended, on April 22, 2020 at 7:30 p.m., local time. A live transmission was available to the public as described in the notice of meeting attached hereto. The meeting was recorded and a full transcript will be prepared to the extent required by the Executive Order.

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 at the Town Hall, 7340 South Broadway, Red Hook, NY, via Videoconference, or via Teleconference.)

	Present	Absent
Supervisor Robert McKeon	VIA Videoconference	
Councilmember William Hamel	VIA Videoconference	
Councilmember Christine Kane	VIA Videoconference	
Councilmember William O’Neill	VIA Videoconference	
Councilmember Jacob Testa	VIA Videoconference	

The following persons were ALSO PRESENT:  
Christine M. Chale, Esq., Attorney for the Town VIA Videoconference.

The following resolution was offered by O’Neill, seconded by Kane, to wit:

**TOWN OF RED HOOK  
RESOLUTION NO. 19  
DATED APRIL 22, 2020**

**RESOLUTION AUTHORIZING SETTLEMENT OF ARTICLE 7 PROCEEDING WITH KNOLLWOOD COMMONS AT RED HOOK, LLC**

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 <u>Aye</u>
Councilmember William Hamel	VOTING <u>Aye</u>
Councilmember Christine Kane	VOTING <u>Aye</u>
Councilmember William O’Neill	VOTING <u>Aye</u>
Councilmember Jacob Testa	VOTING <u>Aye</u>

The foregoing resolution was thereupon declared duly adopted.

**REPORTS**

**ZBA** – Reviewed an appeal for two area variances to construct a 480 SF addition on a parcel. Public Hearing for April 8 was cancelled due to social distancing requirements.

**Building/Zoning** – The April report showed 14 permits issued, 10 inspections, 9 CO/CC’s, no complaints and revenue of \$6,584.00.

**Police** – In February there were 103 incidents, 3 arrests and 30 tickets issued. In March there were 135 incidents, 2 arrests, 26 tickets issued.

**CAC** – At their March meeting they discussed natural resources inventory, native plant pollinator garden proposal, Sawkill Watershed nomination, turf fields for school and recreation, Red Hook Repair Café report.

Disaster Preparedness Committee – Gave a coronavirus update, explained some of the symptoms, will send out a mailing with Covid-19 information, area events are being cancelled, schools are using influenza protocol.

EDC– at their recent meetings, they discussed short-term rentals, the coronavirus, Card Boon (re: gift cards for businesses), marketing ideas, meal delivery, SBA grants, discussion of business support

Intermunicipal Task Force – February & March meetings they continued discussion of Short-Term Rentals (STR) in the Town, amending language of previous drafts of proposed regulations.

Recreation Commission – The March report explained a proposal for the 2020 fishing contest. Because of construction it may be necessary to cancel or modify the contest. Softball and baseball practices are scheduled to begin. Excavation part of the all-purpose field project seems to be over. Tennis court nets are installed, many other projects and improvements are ongoing. Girls softball tournament is cancelled, DC Board of Health requirements are being dealt with. April - The recreation park sign is primed and painted, the Red Church Cemetery is being cared for, St. Margaret's Home is being cleaned of winter debris.

The next Town Board meeting is scheduled for May 12. A special meeting may be called regarding the electric vans.

On a motion of Supervisor McKeon seconded by Councilmember Kane moved to adjourn the meeting at 9:27 p.m.

Adopted	Ayes	5	McKeon, O'Neill, Kane, Hamel, Testa
	Nays	0	

Respectfully submitted,

Sue McCann, Town Clerk