

**RED HOOK TOWN BOARD MEETING**  
**January 23, 2019**

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 Harry Colgan  
Councilman William O'Neill  
Councilperson Sarah Imboden  
Councilperson Christine Kane  
Town Clerk Sue McCann

Also Present: Attorney Christine Chale

Supervisor McKeon called the meeting to order and opened with the Pledge of Allegiance.

**BUDGET ADJUSTMENTS**

Supervisor McKeon explained the adjustments prior to closing December 2018 and commented that the results of fiscal year 2018 will be presented at the second meeting in February.

On a motion of Councilman O'Neill seconded by Councilman Colgan moved to approve the budget adjustments.

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

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**ANNOUNCEMENTS**

Councilperson Imboden thanked the residents who came out for the E-Waste collection on Saturday, and also all volunteers, the CAC and Bard College students for their help. She also thanked our Highway Department for all they do in the storms. Highway employee Rob was thanked for helping get the E-Waste on the truck.

**PUBLIC COMMENT PERIOD**

Supervisor McKeon opened for comments.

Ken Migliorelli spoke about the Freeborn Lane issue. He referred to a document dated December 11, and the first he ever saw it was at the January 8 meeting. He asked if there was ever a title search done.

Attorney Chale said yes.

Ken questioned the issue of connectivity and he disputes the report and pointed out various issues. The document cost the Town about \$900 and he says there is no credibility to it. He cited NY State Highway Law #25, in regard to the issue of a highway not being used in six years, it would cease to be a highway. The Town abandoned the road. He referred to an attorney for possible legal action, and asked if the Town has been getting money for improvements on Freeborn Lane.

Supervisor McKeon asked Mr. Migliorelli to submit an email to the Board and it will be addressed. There were no further comments.

**DISCUSSION – HEALTHCARE PLANS**

Supervisor McKeon referred to information from our brokers that the Board was asked to review. He compared what was budgeted over the last couple of years vs. actual. He suggested keeping the current plan and because we budgeted enough this year considering fully funding the co-pays and deductibles for 2019. He asked the Boards thoughts.

Councilman Colgan questioned the financial implications. We have adequate funds for the premium?

Supervisor McKeon said we did and explained the differences in the funds. The figures are something we can cover.

On a motion of Supervisor McKeon seconded by Councilperson Imboden moved to continue with MVP Liberty Silver 8 Plan for the plan year March 1, 2019 until February 2020 and to fully fund the co-pays and deductibles.

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

## **DISCUSSION- PROPOSED LEGISLATION – NATURAL RESOURCES**

Supervisor McKeon said we have a task force who has been working on proposed changes/recommendations to our zoning code with regard to our resources, in particular, commercial size extraction of some of those resources. He referred to their first draft of proposed recommendations.

Julia Solomon serves on the CAC and they were tasked with leading this revision process and making recommendations for updates to the current zoning. Particularly, timber harvesting, soil mining and water extraction. They began to work closely with their two contracted consultants, Ted Fink from Greenplan and Russell Urban Mead of the Chazen Companies to figure out how to take recommendations and work them into something integrated with the code. She thanked the members of the working group who worked on this.

Supervisor McKeon told Ted Fink that we will need time to go over the proposed zoning changes. It is difficult to get through, and they want to understand it. He asked Ted to encapsulate the main points.

Ted Fink began by explaining the summary of the preliminary draft. Because of the way Local Laws work we have to go through section by section. He took the working groups recommendations and translated them into a proposal. He began addressing water which was one of the three issues that was most difficult to try and get a handle on. Currently groundwater withdrawal is permitted in certain districts. It takes in a fairly broad area of the community. A concern was how to delineate a small-scale water operation from a large-scale operation. The idea was to create a line based on the amount of water withdrawn in order to qualify for a permit from the Town. Its industrial use has the potential for having detrimental effects. That was one of the concerns of the working group. There is a district that has never been mapped. An amendment to a zoning map has to go through all of the same procedures text changes have to go through. To ensure appropriate use in the community based upon the site, characteristics, highway structure, etc., it seems to make sense to amend zoning regarding water extraction to only be permitted in the light industrial district. If the light industrial district is approved by the Board as a map amendment, an applicant would need to go before the Planning Board for special use permission. The provisions in the draft were added to the special use requirements for water extraction.

Supervisor McKeon commented that when we had rezoning as part of Centers & Greenspace, we identified the area south of Hannaford as perhaps being appropriate for light industrial. There is some concern about having a floating light industry.

Ted continued explaining the draft zoning provision. When he looked at the purpose of the AB district, there is language that leads him to believe that the intent of that district does not include potential for industrial uses that are incompatible with agriculture. A couple of purposes of the AB District is the protection of agriculture and to separate agricultural land uses and activities from anything compatible with residential, commercial, industrial, institutional and public facility development and prevent fragmentation. There are other amendments, one having to do with mining. He explained the recommendation of the task group. Many communities decided to abide by NYS law regarding mining if a situation requires a State permit.

Councilman Colgan said we do have a choice to eliminate major mining all together.

Julia Solomon commented that they want regulation based on soil type.

Supervisor McKeon doesn't think we should do soil mining off of ABD parcels whether they are prime or soils of statewide importance. Soil maps are basically guidelines and it would be impossible to enforce mining based on soil types.

Ted explained that the working group suggested a new code to address disturbance of land. He explained the draft amendments addressing tree and topsoil removal. In response to the working group's recommendations the draft also creates new uses that include small-scale and large-scale commercial logging as well as small- and large-scale extractive operations. Extractive operations divide activities requiring a NYS DEC permit as "large scale" and those that are smaller than the State threshold being defined as "small scale". The Working Group said current definitions for forestry are confusing due to multiple definitions and the draft cleaned up the definitions.

Julia Solomon explained that the working group tried to come up with a balanced approach.

Councilperson Imboden asked if there is anything in the draft about fines.

Ted explained there is already an enforcement section in the Towns zoning.

Supervisor McKeon is concerned about large scale operations going through the Town Board then the Planning Board.

Councilman Colgan said that five years ago a company wanted to buy water here, take it to Kingston, then sell around the country. He would want to outlaw any mining for water here.

Supervisor McKeon agrees with Councilman Colgan. He would be hesitant to go into partnership with companies who create impacts such as large-scale bottling. Councilperson Kane appreciates the overview. There is some language that allows for confusion. It is important to remove confusion wherever they can. We want to be very clear. Supervisor McKeon suggested that Councilpersons Kane and Imboden work with the group going forward once we get more input to see if we can finalize some recommendations. Councilperson Kane would be glad to help. Councilperson Imboden suggested having a workshop where Town Board members could meet informally to discuss this only with the working group. Russell Urban Mead, Hydrogeologist for the Chazen Company, suggested leaving a path to review something carefully. He said that the DEC has changed their review process and will review every extractive project over 100,000 gallons. He explained their process. The Town could assume more of that review authority and set it at a lower bar, i.e.; 50,000 gallons a day. Supervisor McKeon said we can only pass zoning legislation that is consistent with our comprehensive plan. Our plan calls for encouraging small scale businesses and there is nothing in that plan that encourages a large-scale bottling operation. Councilperson Imboden doesn't think we should prohibit small scale operations and there is nothing in the comprehensive plan about that either. Supervisor McKeon suggested holding a special meeting on January 29 at 7:00 p.m. for further discussion. A subsequent workshop will be scheduled for discussion regarding water extraction.

**CLIMATE SMART RESILIENCY PLANNING TOOL AND RECOMMENDATIONS SUMMARY**

Supervisor McKeon explained that Cornell Cooperative Extension had a proposal to work with the community to achieve climate smart status. They asked the Town to be the pilot community. Michelle Gluck of Cornell Cooperative Extension, explained the work was started a year ago to complete two projects. One was the Climate Smart resiliency planning tool and the other, was assessment of the Climate Smart Communities certification program to see where the Town stands to receive certification. She presented a copy of a recommendation summary. After reviewing the Town's plans this summary is a guiding document. Supervisor McKeon thanked her for compiling the information. The recommendations are extensive. One thing to take is look at is how to prioritize. Councilperson Imboden commented that setting priorities would help the Board. Michelle Gluck reviewed the recommendation summary. She pointed out the Towns strengths, areas of opportunity, and reviewed recommendations. Those recommendations are vulnerability and risk assessment, public outreach and engagement, integration of municipal plans, disaster preparedness and recovery and hazard mitigation implementation. An additional recommendation is to ensure all plans have frequent updates. Funding sources were presented.

**COMMUNITY CHOICE AGGREGATION**

Supervisor McKeon said the presentation from the last meeting was reviewed by our Town Attorney. He asked if the Board was ready to support the issue and set a public hearing. Attorney Chale pointed out Appendix D which explains the rules for municipal programs. It is a long document.

**RESOLUTION 2019 #9**

RE: ESTABLISHING A DATE FOR A PUBLIC HEARING REGARDING THE ADOPTION BY THE TOWN BOARD OF THE TOWN OF RED HOOK OF LOCAL LAW A (PROPOSED) OF 2019 REGARDING ESTABLISHING A COMMUNITY CHOICE AGGREGATION PROGRAM FOR THE TOWN OF RED HOOK

On a motion of Supervisor Robert McKeon seconded by Councilman William O'Neill moved to set the public hearing for February 12, 2019 at 7:35 p.m.

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

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**RESOLUTION TO APPROVE NYS DOT CONTRACT – ENHANCED MOBILITY**

Supervisor McKeon thanked Councilperson Sarah Imboden and ZBA Secretary Anne Rubin and others for preparing the grant. The Town received it from NYS DOT for electric vans for enhanced mobility of seniors and individuals with disabilities.

**RESOLUTION 2019 #10**

RE: AUTHORIZING THE EXECUTION OF A FEDERAL TRANSIT ASSISTANCE AGREEMENT FOR ENHANCED MOBILITY OF SENIORS AND INDIVIDUALS WITH DISABILITIES BETWEEN THE TOWN OF RED HOOK AND NYSDOT

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

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

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Before the vote, Councilperson Imboden said there were a lot of questions about who would drive, maintain, park, and use them. She would like to discuss it before we get the vans. Supervisor McKeon said it will take quite a while before the vans come in. A committee will be put together and the Ascienzo Foundation wants to be involved. They will probably be charged at Town Hall. Federal grant money takes time.

**REORGANIZATION**

**TOWN OF RED HOOK**  
**2019 Town Appointments**

*Town Board Appointments*

Official Town Depository	Key Bank, M&T, Bank of Greene County
Official Newspaper	Poughkeepsie Journal
Safety Officer	Highway Superintendent
Disaster Preparedness & Civil Defense	Supervisor
Emergency Interim Successors	Robert McKeon, Theresa Burke, Harry Colgan Sarah Imboden
Receiver of Taxes	Sue McCann
Registrar of Vital Statistics	Sue McCann
Water Rents Collector	Sue McCann
Issuing Agent-Handicapped parking permits	Sue McCann
Assessor (6-Year Appt)	Cheryl Kaszluga
Building Inspector II	Stephen Cole
ZEO/Building Inspector- P/T	Robert Fennell
Director of Purchasing	Theodore Kudzy
Animal Control Officer	DCSPCA
P.A.N.D.A. Representative from Town	Mary Anne Harvey (1/12)
P.A.N.D.A. Alternate	Mark Durand (3/13)
Buildings & Grounds	Supervisor Highway Superintendent
Justice Court Clerks PT	Nancy Roberts/ Katherine Fell
Attorneys for the Town	Rodenhause, Chale LLP (Christine Chale)
Town Engineers	Crawford & Associates, Tighe & Bond, Weston & Sampson, Chazen Co.

*Supervisor Appointments*

Deputy Supervisor	William O’Neill
Budget Officer	Robert McKeon
Secretary PT	Jacqueline Fenaroli (Assistant to the Supervisor)
Town Historian	Emily Majer
Assistant to the Town Historian	Claudine Klose

*Town Clerk Appointments*

Deputy Town Clerk	Claire Horst
Deputy Registrar of Vital Statistics	Claire Horst
Deputy Receiver of Taxes	Claire Horst

*Highway Superintendent Appointments*  
Deputy Superintendent of Highways Richard Schloemer

*Other Town Employees/Officers:*

Highway Secretary PT	Lori Pierce
Assistant Budget Officer	Ann Conway
Bookkeeper to Supervisor	Ann Conway
Deputy Assessor's PT	Diana Picciano
Transfer Station Operator	T.J. Hackett
Solid Waste Attendants	William Szigethy, Paul Testa
Maintenance & Groundskeeper	Tom Peters, Howie Callis, Jeff Tremper, Connor Boryk, Joseph Coon
Recreation Park and Program Director	John Kuhn
Water District Meter Readers PT	Cynthia Fildes, Bryan Smith Chris Gifford

*Contracts/Consultants:*

Town Physician	Northern Dutchess Hospital
Attorney for Planning Board	Keane & Beane
Water District Operator	VRI Environmental Services, Inc.
Computer Software	Software Consulting Associates
Planner	Greenplan, Inc.
Town CPA	Lori Doty
Custodial Services	Pollard's Cleaning Service
Police and Court Attendants	Village of Red Hook Police Department Dutchess County Sheriff's Deputies

Appointments are annual unless otherwise noted

**Jan. 14, 2014 – Town Board voted unanimously that any and all Town committee appointees must be residents or property owners of the Town of Red Hook unless otherwise required by law or town code.**

**MISCELLANEOUS**

***A. Meetings--2019***

Town Board Regular Meetings: 7:30 P.M.  
Second Tuesday: Regular Business Meeting  
Fourth Wednesday: Committee Report Workshop/Regular Meeting

***B. Monthly and Annual Reports to Town Board***

Department Heads and Committee Chairs minutes or report monthly by noon on the Friday before the second Board meeting of the month.  
Annual committee and departmental reports shall be submitted by noon on the Friday before the second Board meeting of February.

The CAC is required to present an annual report by April 1<sup>st</sup>.

The Recreation Commission is required to present an annual report by April 1<sup>st</sup>.

***C. Town Board Organizational Responsibility***

Chain of Responsibility:  
Supervisor  
Deputy Supervisor  
Town Board members in alphabetical order  
Harry Colgan  
Sarah Imboden  
Christine Kane  
William O'Neill

***D. Mileage:*** \$0.58 per mile

***E. Town Departments***

Chain of Command:

Department Head  
Deputy Department Head (if one exists)  
Supervisor  
Town Board Liaison

**TOWN BOARD LIAISONS TO TOWN DEPARTMENTS:**

<b>FUNCTION:</b>	<b>LIAISON:</b>
Assessor	Robert McKeon
Attorney	Robert McKeon
Bard College	Robert McKeon
Bookkeeper	Robert McKeon
Building Inspector	Harry Colgan
Animal Control	Sarah Imboden
Fire Companies	Bill O'Neill
Highway Dept.	Harry Colgan
Purchasing	Harry Colgan
Recycling	Sarah Imboden
Red Hook CSD	Sarah Imboden
Special Projects	
IM Task Force	Bill O'Neill
Town Clerk	Robert McKeon
Village - Red Hook	Sarah Imboden
Village - Tivoli	Harry Colgan, Christine Kane

**BOARD AND COMMITTEE LIAISONS:**

Agricultural and Open Space Advisory Board – Bill O'Neill  
Board of Assessment Review – Robert McKeon  
Board of Ethics – Harry Colgan  
CPF/PDR Advisory Committee – Harry Colgan, Christine Kane  
Cemetery Committee – Bill O'Neill  
Communications Committee – Sarah Imboden  
Conservation Advisory Council – Sarah Imboden  
Design Review/Hamlet- Bill O'Neill  
Disaster Preparedness Committee – Robert McKeon  
Economic Development Committee – Harry Colgan  
Energy Committee – Robert McKeon  
Greenway and Trails Committee – Christine Kane  
Planning Board – Christine Kane  
Recreation Commission – Harry Colgan  
St. Margaret's Committee – Bill O'Neill  
Senior Services Committee – Robert McKeon  
Sister Cities Working Group- Robert McKeon  
Tree Preservation Commission – Sarah Imboden  
Water District #1 Advisory Board – Harry Colgan  
Zoning Board of Appeals – Bill O'Neill  
Zoning Review Committee – Bill O'Neill

**ASSOCIATION OF TOWNS – RESOLUTION**

Supervisor McKeon explained the issue of needing a delegate and alternate at the Association of Towns meeting.

**RESOLUTION 2019 #11**

RE: APPOINTING VOTING DELEGATES TO ASSOCIATION OF TOWNS FOR 2019

On a motion of Supervisor Robert McKeon seconded by Councilman Harry Colgan moved to appoint Supervisor McKeon as voting delegate and Ann Conway as alternate.

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

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## REPORTS

Planning Board – Held public hearings and granted conditional approval to a lot line alteration and an amended site plan. They commenced review of a minor subdivision and lot line alteration.

Dog Control – In November there were 24 total calls. A mailman was bitten by a small dog but declined a dangerous dog hearing. In December there were 28 total calls. A dog was hit by a car and the owner took it to the emergency clinic prior to officer's arrival.

Assessor – They are busy accepting and entering data for exemption renewals. She continues updating inventory on existing and new construction parcels.

Building & Zoning – Dec. 2018/Jan. 2019 – 34 permits, 54 inspections, 51 CO's/CC's, 19 complaints and \$17,050.00 in revenue.

Police – In November there were 150 total incidents, 12 arrests and 17 tickets issued. In December there were 116 total incidents, 8 arrests and 36 tickets issued.

Purchasing – during the period of November 21, 2018 through January 23, 2019 there were 44 purchase orders issued. A speed awareness trailer has been purchased, a proposal for installation of 2 charging stations is being worked on, RFP for solar panel field was sent out, and playground equipment has been shipped and will be delivered to Red Hook between April 15 – 30.

Water Department – All levels are normal, no coliform detected, water tests are complete, and pump control is good.

Intermunicipal Task Force – Continued to discuss and review short term rentals and prospective regulations of Airbnb's. Met with the Planner and Town Attorney to understand ramifications. Their discussion focused on the concepts of allowable uses under our current law.

Recreation Commission – Kathleen Dunn will not be able to be Director of the Summer Rec. Program this year, removal of a damaged tree was completed and other trees were trimmed, the playground committee met, a grant application to the USTA for two bounce boards and windscreens was submitted for the new tennis courts, there are ongoing repairs, new fencing is needed, CDBG for restroom improvement needs were reviewed, bluebird boxes will be added, more information can be found on the new Town website, pickle ball courts will be color coated at the roller hockey rink for four courts.

Tree Commission – Tree work on Pitcher Lane was completed, stump removal will be scheduled, site prep for spring planting was discussed, Hop Michael will prune trees on Red Church property and ways to involve more youth was discussed.

On a motion of Supervisor McKeon seconded by Councilperson Kane moved to go into Attorney/Client session at 9:55 p.m.

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

On a motion of Councilperson Kane seconded by Councilperson Imboden moved to adjourn the Attorney/Client session at 10:18 p.m.

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

On a motion of Councilperson Kane seconded by Councilperson Imboden moved to adjourn the Town Board meeting at 10:19 p.m.

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

Respectfully submitted,

Sue McCann, Town Clerk