

**RED HOOK TOWN BOARD SPECIAL MEETING**  
**February 3, 2021**

A special 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: Councilmember Christine Kane  
Deputy Supervisor William O'Neill  
Councilmember Jacob Testa  
Town Clerk Deanna Cochran  
Also Present: Attorney Christine Chale  
Absent: Supervisor Robert McKeon  
Councilmember William Hamel

Councilmember O'Neill called the meeting to order and opened with the Pledge of Allegiance.

**Public Comment:**

Deputy Supervisor O'Neill acknowledged the written comment by Linda Keeling with questions regarding agenda item Proposed Easements - Preserve at Lakes Kill, including a provision for Oak Tree Escrow and referencing the Ecological Investment Report conducted in 2011.

**Proposed Easements - Preserve at Lakes Kill**

John Wagner, Attorney for the Preserve at Lakes Kill which is the current owner of the subdivision property, explained the two drainage easements in question: 1) Grant of Permanent Drainage Easements and 2) Drainage Swale Easement.

Attorney Wagner explained the purpose of those easements is to allow for stormwater runoff on Feller Newmark Road to be collected onto the subject's property. There will be catchment basins installed on the applicant's property. The first of these two drainage easements is to allow the Town Highway Department to enter upon the property and to maintain the catchment structure. The Swale Easement is an extension backward from the structure easement, which is the first of the two drainage easements. The Swale Easement was created in response to comments from the Town Attorney about the concern that water may spill over beyond the catchment structure and extend further back onto the applicant's property. The Town wanted to ensure that there would be no question that they have the right to discharge that stormwater backward onto the property. Attorney Wagner explained a third easement, Conservation Easement that is to be given by the landowner to the Winnakee Land Trust. The subdivision property is over 100 acres; over 88 of those acres, which is the northern area of the property, is to be placed under a conservation easement and will be held and managed by the Winnakee Land Trust.

Attorney Wagner continued to explain the Deed of Conservation Easement, which grants the land trust very extensive rights on the property in order to maintain the property in its current natural state.

Attorney Wagner explained the Oak Tree Escrow arrangement is unrelated to the easements being considered at tonight's meeting. It was designed to account for an oak tree that is on the southerly side of Feller Newmark Road across from the proposed entrance road for the subdivision that may or may not be compromised when the retaining wall structure along the southerly line of Feller Newmark Road is installed. The purpose of the Oak Tree Escrow is to provide \$3,900 set aside for monitoring the health of the tree after the retaining wall improvements are complete along the road. If the tree is badly damaged and needs to be removed, it would allow for the removal of that tree.

Attorney Wagner continued to say that the Ecological Inventory Report has been recently updated as of December 31, 2020.

Attorney Chale noted that in the Town's Planning Subdivision Law, there is a provision for conservation easements. In the provision, there is a reference to a requirement that an easement is granted that third party enforcement rite be granted to the Town. The purpose of this easement is not only being given to a conservancy, but a third-party enforcement rite being offered to the Town.

**Discussion/Resolution to Appoint Temporary P/T Building Inspector**

Councilmember O'Neill explained the resolution.

**TOWN OF RED HOOK  
RESOLUTION NO. 11  
DATED: FEBRUARY 3, 2021**

**RESOLUTION AUTHORIZING THE APPOINTMENT OF INSPECTOR FOR THE  
BUILDING DEPARTMENT**

**WHEREAS**, pursuant to Section 73-3 of the Town Code, one or more Inspectors may be appointed by the Town Supervisor, with the approval of the Town Board, to act under the supervision and direction of the Building Inspector for the purposes described in such section; and

**WHEREAS**, pursuant to Section 143-129 of the Town Code, one or more deputies may be appointed by the Town Supervisor, with the approval of the Town Board, to act under the supervision and direction of the Zoning Enforcement Officer for the purposes described in such section, and Inspectors appointed pursuant to Section 73-3 may be appointed as deputies pursuant to this provision;

**WHEREAS**, the Supervisor has determined to appoint a qualified candidate for such position, subject to approval of the Town Board;

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

1. The appointment of Sam Harkins to the part time position of Inspector for all purposes described in Section 73-3 to fill a temporary vacancy is hereby approved by the Town Board; and
2. The Town Board further approves the concurrent appointment of such Inspector to act as deputy to the Zoning Enforcement Officer for all purposes described in Section 143-129.
3. This resolution shall take effect immediately.

**EXTRACT OF MINUTES**

A special 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 January 17, 2021 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 is required to be prepared to the extent required by such 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	X
Councilmember William Hamel	VIA videoconference	X
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 Councilmember Kane, seconded by Councilmember O'Neill, to wit;

**TOWN OF RED HOOK  
RESOLUTION NO. 11  
DATED: FEBRUARY 3, 2021**

**RESOLUTION AUTHORIZING THE APPOINTMENT OF INSPECTOR FOR THE  
BUILDING DEPARTMENT**

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 Absent
Councilmember William Hamel	VOTING Absent
Councilmember Christine Kane	VOTING Aye
Councilmember William O'Neill	VOTING Aye
Councilmember Jacob Testa	VOTING Aye

The foregoing resolution was thereupon declared duly adopted.

NOTICE OF TOWN BOARD MEETINGS – Wednesday, February 3, 2021 at 7:30 pm Town of Red Hook NOTICE OF TOWN BOARD MEETINGS A public meeting will be held by the Town Board of the Town of Red Hook on Wednesday, February 3, 2021 at 7:30 pm. Due to the ongoing COVID pandemic, the Town Hall is closed to the general public until further notice. Pursuant to Executive Order No. 202.1, issued by Governor Cuomo, and advisories issued by Federal, State and Local officials related to the COVID-19 virus, the public will not be permitted to attend in person. Some or all of the Board members are expected to participate in the meeting via teleconference or video conference. Please refer to the meeting agenda to be posted on the Town website at <https://www.redhook.org>. The public may view and listen to the proceedings live on [www.pandatv23.org](http://www.pandatv23.org). To the extent permitted by law, and until further notice, future Town Board meetings including the regularly scheduled meetings on the second Tuesday and fourth Wednesday of each month, will be available to the public via PANDA's website listed above. Interested persons may comment on agenda matters by submitting an email or telephone by submitting comments to the Supervisor at [rmckeon@redhook.org](mailto:rmckeon@redhook.org). All reasonable accommodations will be made for persons with disabilities. In such a case, please notify the Town Clerk's office at 845-758-4606 so that arrangements can be made.  
Deanna Cochran Town Clerk, Town of Red Hook

The next regularly scheduled meeting will be on Tuesday, February 9, 2021 at 7:30 p.m.

On a motion of Councilmember Kane seconded by Councilmember Testa moved to adjourn the meeting.

Adopted	Ayes	3	Kane, O'Neill, Testa
	Nays	0	
	Absent		McKeon, Hamel

Respectfully submitted,

Deanna Cochran, Town Clerk