

RED HOOK TOWN BOARD MEETING

March 24, 2021

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 Hamel
Councilmember Christine Kane
Councilmember William O'Neill
Councilmember Jacob Testa
Town Clerk Deanna Cochran

Also Present: Attorney Christine Chale
Supervisor's Assistant Matt Fenaroli

Supervisor McKeon opened with the Pledge of Allegiance and reviewed the agenda.

ANNOUNCEMENTS

Supervisor McKeon gave an update on COVID in Dutchess County which also can be found on the Town's website.

DEC has issued the annual residential brush burning ban starting March 16th, 2021 and will run through May 14th 2021.

Public Hearing – Modification of Water Rates

Supervisor McKeon opened the Public Hearing regarding the proposed modification of the water rates and charges for Water District No.1. A gradual increase of 5% each year over the next 5 years will mitigate the cost of maintenance and or replacement of infrastructure. This increase is part of 5-year plan which was determined in 2018.

Public Comments

Supervisor McKeon referred to a letter he received from a Town of Red Hook Resident, Renee O'Neill regarding her opposition to the water rates increasing at this time.

On a motion of Supervisor McKeon seconded by Councilmember O'Neill moved to close the Public Hearing.

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

Presentation – Hudson Valley Community Power

Glenn Weinberg with Joule Community Power discussed the Community Choice Aggregation program which focuses on changing to a renewable energy supply now partnering with Hudson Valley Energy. This is an opt-out program and is a 100% New York State Renewable Electricity Supply allowing for a significant shift in emissions.

Resolution- Authorizing Continuation of Community Choice Aggregation Program

RESOLUTION NO. 21 DATED MARCH 24, 2021

AUTHORIZING CONTINUATION OF TOWN'S COMMUNITY CHOICE AGGREGATION PROGRAM OFFERING ELECTRICITY SUPPLY AGREEMENT AND APPROVING AMENDMENT TO AGREEMENT FOR PROFESSIONAL SERVICES BETWEEN THE TOWN OF RED HOOK AND JOULE ASSETS INC.

WHEREAS, the Town of Red Hook, Dutchess County, New York (the "Town") has adopted Local Law No. 1 of 2019 entitled "A LOCAL LAW TO ESTABLISH A COMMUNITY CHOICE AGGREGATION PROGRAM FOR THE TOWN OF RED HOOK", providing for a program for Community Choice Aggregation ("CCA") in the Town; and

WHEREAS, the New York State Public Service Commission has authorized municipalities to participate in CCA pursuant to the Order issued by the New York State Public Service Commission in Case 14-M-0224 - an Order Authorizing Framework For Community Choice Aggregation Opt-Out Program ("PSC CCA Order"), as it may be amended or supplemented; and

WHEREAS, the Town of Red Hook entered into an Agreement for Municipal Energy Services (the “2019 Agreement”) with Joule Assets Inc., (“Joule”) as Program Administrator, dated as of April 25, 2019, providing for services as Community Choice Aggregation Program Administrator on behalf of the Town of Red Hook; and

WHEREAS, as permitted by the Town’s CCA Local Law and the PSC CCA Order, the Town of Red Hook entered into an Electricity Supply Agreement dated as of November 15, 2019, with Direct Energy, an Energy Supply Company, procured by Joule on behalf of the Town pursuant to an RFP issued pursuant to the 2019 Agreement, with a service term commencing January 1, 2020 and ending June 30, 2021, to provide 100% renewable electricity supply to eligible residents and small businesses who did not opt-out; and

WHEREAS, Joule has proposed that the Town participate in a subsequent RFP commencing at the end of the current agreement for a term of up to 48 months to solicit competitive bids from electricity supplies pursuant to a request for proposals that is intended to result in a three party Electricity Supply Agreement between the selected supplier, the Town, and Joule as Administrator; and

WHEREAS, RFP is to incorporate the amended form of Electricity Supply Agreement in the form on file with the Town Clerk, which has been deemed to provide benefits, adequate protections, and minimize risk to the Municipality; and

WHEREAS, the Town Board has determined that it is in the best interests of the Town to enter into an amendment to the 2019 Agreement in substantially the form on file with the Town Clerk, and to authorize Joule to proceed with an RFP for renewable energy supply under the Town’s opt out CCA Program;

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

1. Supervisor Robert McKeon, or in his absence Deputy Supervisor William O’Neill, is hereby authorized and directed to execute the Amendment with Joule Assets Inc. in substantially the form on file with the Town Clerk, with only such changes as shall not affect the substance thereof. Such Amendment shall be approved by the officer executing such Amendment consistent with the terms of this resolution.
2. Joule in its role as Administrator for the CCA Program shall, among other things, manage the energy procurement process, prepare and issue the RFP, including the amended form of Electricity Supply Agreement substantially in the form on file with the Clerk; and
3. Joule shall make a recommendation to the Municipality for award, with bids to be evaluated based upon compliance with the specifications of the RFP including, without limitation, price and term parameters, and Supplier’s acceptance of all material terms of the Electricity Supply Agreement; provided, however, that the Town will make the final award decision.
4. The Supervisor, the Town Clerk and its officers, employees and agents are hereby authorized and directed for, and in the name and on behalf of the Town of Red Hook, to do all acts and things required or provided by the provisions of the Agreement.
5. 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 March 24, 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	
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 Robert McKeon, seconded by William Hamel, to wit;

**TOWN OF RED HOOK
RESOLUTION NO. 21
DATED MARCH 24, 2021**

**AUTHORIZING CONTINUATION OF TOWN’S COMMUNITY CHOICE
AGGREGATION PROGRAM OFFERING ELECTRICITY SUPPLY
AGREEMENT AND APPROVING AMENDMENT TO AGREEMENT FOR
PROFESSIONAL SERVICES BETWEEN THE TOWN OF RED HOOK AND
JOULE ASSETS INC.**

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.

NOTICE OF TOWN BOARD MEETINGS – Wednesday, March 24, 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, March 24, 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. 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. 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

Presentation – Audubon Sustainable Communities Project

Sarah Imboden and Erin Cannan are from Audubon International; this organization is not connected to or affiliated the National Audubon society. Councilmember Christine Kane recused herself as her organization is involved with this project. This project began in 2019 focusing on helping Red Hook become a healthy and vibrant place to live. The program will be concluding in the Spring of 2022 with an Art Box project funded by a grant from Audubon International.

Resolution – Approve Water District Rates

Supervisor McKeon explained the resolution and wants to delay implementation until October 1st, 2021. Councilmember Testa questioned why we are voting now if there will be a delay to implement. Robert McKeon explained we can come back in August to vote again. Councilmember Kane added that delaying the increase will give people two quarters to prepare and plan for the changes.

**TOWN OF RED HOOK
RESOLUTION NO. 22
DATED MARCH 24, 2021**

**RESOLUTION APPROVING WATER RATES AND CHARGES
FOR WATER DISTRICT NO. 1**

WHEREAS, the operation and maintenance of Water District No. 1 is supported by revenue from the water rates and charges paid for by customers of the system; and

WHEREAS, the Red Hook Water Board has recommended modification of the water rates and charges to increase the minimum rate \$44.88 to \$47.12 for up to 9000 gallons, and from \$5.46 to \$5.73 per 1000 gallons over 9000 as further set forth in the attached schedule, which schedule is on file with the Town Clerk, in order to produce revenues sufficient to pay the necessary costs and expenses of the operation and maintenance of the District facilities for the production, storage and distribution of water;

NOW THEREFORE BE IT RESOLVED by the Town Board of the Town of Red Hook that the Water District No. 1 rates and charges set forth on the attached schedule are hereby approved effective October 1, 2021.

**Water District No.1
Appendix A – Schedule of Charges
Effective October 1, 2021**

Rates: as of April 2020	In-District and Bard College:
	\$44.88 minimum – up to 9000 gallons
	\$5.46 per 1000 gallons over 9000 gallons
	Out of District: 150% of in-district charges
Rates: as of April 2021	In-District and Bard College:
	\$47.12 minimum – up to 9000 gallons
	\$5.73 per 1000 gallons over 9000 gallons
	Out of District: 150% of in-district charges
Terms of payment:	30 Days Net – 10% late charge after 30 days
Term:	From date of commencement of service until termination of service, which date shall not be less than 10 days after written notice to TWD to discontinue service.

Other Charges:	
Service connections:	\$1000.00
Tapping fee – minimum:	\$250.00 (tapping fee charges exceeding \$250.00 are also the responsibility of the applicant)
Service Restoration Fee:	\$100.00
Unauthorized Hydrant Use:	\$100.00 (plus cost for estimated water us

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 March 24, 2021 at 7:39 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	
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 Robert McKeon, seconded by William O’Neill, to wit;

**TOWN OF RED HOOK
RESOLUTION NO. 22
DATED MARCH 24, 2021**

**RESOLUTION APPROVING WATER RATES AND CHARGES
FOR WATER DISTRICT NO. 1**

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.

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Deanna Cochran Town Clerk, Town of Red Hook.

Resolution to Set Public Hearing- Public Emergency Plan

Supervisor McKeon decided a public hearing about the Public Emergency Plan was not necessary. Public Comments will be welcomed at the next meeting on Tuesday, April 13th 2021.

Resolution – Appropriate \$22,000 from Recreational Parklands Fund
Supervisor McKeon explained the resolution.

**TOWN OF RED HOOK
RESOLUTION NO. 23**

DATED MARCH 24, 2021

**RESOLUTION REGARDING TRANSFER OF FUNDS FROM PARKLANDS MONIES
TO A0.08.7140.208 REC PARK EQUIPMENT**

GENERAL A FUND

WHEREAS, the Town Board is the governing body of the Town of Red Hook, and

WHEREAS, the Town Board has established a budget line specifically for Parklands Capital Improvements, and

WHEREAS, there are monies in the Trust and Agency Account derived from Parklands Deposits, and

WHEREAS, the Town Board wishes to transfer to the above mentioned budget line an amount to specifically pay for Lawn and Power Equipment purchase from Keil Equipment, per attached quote.

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

That the sum of \$22,000.00 (Twenty-Two Thousand dollars & no/00) be recorded as a revenue in the General A Fund with an offsetting increase to the above referenced expenditure line A0.08.7140.208 Recreation Park Equipment.

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The following resolution was offered by Supervisor McKeon, seconded by Councilmember Kane to wit;

**TOWN OF RED HOOK
RESOLUTION NO. 23**

DATED MARCH 24, 2021

**RESOLUTION REGARDING TRANSFER OF FUNDS FROM PARKLANDS MONIES
TO A0.08.7140.208 REC PARK EQUIPMENT
GENERAL A FUND**

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

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Deanna Cochran Town Clerk, Town of Red Hook.

BOARD REPORTS:

PLANNING BOARD – In February, there was a Public Hearing for a Special Use Permit and they are continuing to review a Special Permit at Grieg Farm for the use of a second grass airstrip. There was applications for Site Plan for a retail shop at Grieg Farm and a Special Use Permit to establish a daycare center at 14 Linden Farm Lane. Public Hearings were scheduled for each for March 1st. In March, they continued discussion of the daycare application and there was a Site Plan for an extension at Bard College.

ZBA – They reviewed an application from David King to construct a detached garage and set a public hearing for April 14th, 2021.

DEPARTMENT REPORTS

ANIMAL CONTROL – A dog bite incident occurred on 2/25/2021. A chihuahua bit a woman while riding a bicycle. No charges were filed and the chihuahua was subjected to a 10-day bite quarantine until 3/7/2021.

BUILDING AND ZONING - From 2/20/2021 to 3/22/2021 there were 20 permits, 13 CO's, 1 driving permit, 1 renewal and 2 sheds and Revenue was \$5,303.

HIGHWAY REPORT – Some equipment needs to be replaced do due age and safety issues and some potential funding sources have been identified. A 6-Wheel Dump Truck with plow and wing was one of the pieces of equipment that was requested. It was stressed that the Plow Truck was the most vital as it is a necessary part of our winter maintenance and cannot be rented or borrowed. This piece of equipment takes at least a year to build and can be ready sometime in 2022 or 2023 if ordered now.

POLICE REPORT- There were a total of 90 incidents, total arrests were 4 and total tickets issued were 23.

RECREATION PARK – The Rec Committee is planning the summer program and other summer activities. There is a master schedule being developed to address all the requests for

different fields. There is continued work being done to the Challenger Field Dugouts. Portable restrooms at Rec Park West need to be addressed and signage is needed. The Annual Fishing Contest will occur on Saturday April 3rd.

TREE PRESERVATION - Rec Park and Rec Park West were assessed for new tree plantings and the committee will replace two crabapple trees that were vandalized. Rec Park West was noted to have a lot of opportunity for new trees this spring and next fall. They are looking for a new source for bare root trees due to increased freight costs. A bluebird nesting box was donated to the new Rec Park West.

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

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

Respectfully submitted,

Deanna Cochran, Town Clerk