

RED HOOK TOWN BOARD MEETING

May 22, 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.

ANNOUNCEMENTS

Supervisor McKeon announced the following:

-Memorial Day parade on Monday, May 27 at 10:00 a.m. Line up at the high school and ends at Memorial Park.

-Continuation of the public hearing on June 6 at 7:00 p.m. at Village Hall regarding the community solar project.

-Food drive on June 11 from 3:00 – 7:00 p.m. at the Red Hook Community Center. Non-perishable food donations for our school district families who depend on that service during the school year.

Councilperson Kane reminded everyone about invitations for a public/private partnership regarding St. Sylvia's. People should submit ideas and suggestions.

PUBLIC HEARING – CONTINUED

PROPOSED ACQUISITION OF FORMER ST. SYLVIA'S PARCELS

Town Clerk McCann read the public hearing notice.

Supervisor McKeon opened the public hearing.

Navin Sharma asked if there is a real plan. How will the property be used and for what purposes? On what facts are we basing the justification for the acquisition? In the comprehensive plan is there something that says at some point we should meet a perfect balance between preservation space and residential space.

Supervisor McKeon said there is no clear plan yet for the various parcels but that is in development. Public/private partnerships would be welcomed. We've been negotiating with the Archdiocese exclusively. The public hearing will be continued until the second meeting in June and that will hopefully give us enough time to finish negotiations to entertain any proposals that people have for the property.

Navin Sharma feels a public hearing will be appropriate once you come up with a plan. Will people be able to respond?

Supervisor McKeon told him yes.

Councilperson Imboden asked what the process is for the plans.

Supervisor McKeon said he and the Village Mayors have been in meetings and asked people to send in any ideas they have that would qualify as a public benefit for community use.

Councilperson Imboden asked what the process will be.

Supervisor McKeon said to submit something in writing for the Town Board's consideration. It will take time.

Councilperson Imboden asked if people have strong opinions, would it be best to put those ideas forward now or later. Sometimes when you wait the idea gets solidified with the up top stakeholders. Some people want to be able to voice their opinions at the time where it can still affect the project.

Supervisor McKeon said that people are trying to form their ideas to see what would work or not. Councilperson Imboden said this public hearing is about acquisition. She hears people right now asking what the project will be and the purpose, not so much about the acquisition.

Supervisor McKeon said we enumerated historic preservation is an important aspect of legislation. It speaks to preserving the church. As far as community facilities you know there are some nearby. They heard from people from the fire department and the library. There is no shortage of ideas right now. Programming sometimes takes a while.

Councilperson Kane said we already had some suggestions, but when you are talking about a public/private partnership that is different. She would look at an entity that would partner with a business plan approach.

Supervisor McKeon said we are going to get at least one of those proposals in writing he thinks fairly soon.

Councilperson Imboden said there is no public mechanism to communicate those ideas. This public hearing is about acquisition, not about plans. This project is being based in Tivoli and is being solely purchased by the Town so she thinks there is a disconnect. Tivoli has plans but we are having the public hearings here. We should have a forum held with the Village of Tivoli Board for the community to give input before the plan gets too far down the road.

Councilman Colgan said this starts with the Community Preservation Fund and we have a committee that reviews properties that the Town should be interested in purchasing with those funds should the properties become available.

Supervisor McKeon said that we can certainly hold a meeting in Tivoli. The Mayor and Deputy Mayor have been meeting with their constituents.

Councilperson Imboden said there is no public process.

Councilperson Kane suggested making an announcement on the Town's website asking residents for suggestions directing them to both the Village of Tivoli and the Town.

**TOWN OF RED HOOK
RESOLUTION NO. 53
DATED MAY 22, 2019**

**ESTABLISHING A DATE FOR A CONTINUED PUBLIC HEARING REGARDING THE
PROPOSED ACQUISITION OF FORMER ST. SYLVIA'S PARCELS**

WHEREAS, the following parcels owned in the name of the Church of St. Sylvia have been offered for sale to the public pursuant to authorization of the Archdiocese of New York: Tax Parcel 134803-6175-18-385028 (104-108 Broadway, Tivoli, NY; approx. 1.75 acres including former church building and rectory), Tax Parcel 134803-6175-18-383052 (Broadway, Tivoli, NY; approx. 0.78 acres, former parking lot), and Tax Parcel 134803-6175-18-404054 (93 Broadway, Tivoli, NY; approx. 0.23 acres, vacant) (collectively the "Available Properties"); and

WHEREAS, Resolution No. 29 dated March 22, 2019 established a date for a public hearing regarding the proposed acquisition of the Available Properties for April 9, 2019, which public hearing was continued to April 24, 2019, and further continued to the date hereof; and

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:

1. The public hearing regarding the proposed acquisition of the Available Properties is hereby continued to June 26, 2019, at 7:35 o'clock P.M. at the Town Hall, 7340 South Broadway, Red Hook, New York, to hear all interested parties on the purpose and location of the proposed acquisition of each of the Available Properties described above, the economic, ecological and social effect upon the community, and any other information including maps and descriptions of the property to be acquired.

2. The Town Clerk shall post notice of the continued hearing on the Town signboard and website in substantially the form attached hereto.

**NOTICE OF CONTINUED PUBLIC HEARING REGARDING THE PROPOSED ACQUISITION OF
FORMER ST. SYLVIA'S PARCELS**

PLEASE TAKE NOTICE that a continued public hearing will be held by the Town Board of the Town of Red Hook on June 26, 2019 at 7:35 o'clock P.M. local time, at the Town Hall, 7340 South Broadway, Red Hook, New York 12571, to hear all interested persons regarding the acquisition of real property for the following parcels for the public purposes of enhancement of recreational programs, expansion of community facilities, and preserving historic resources: Tax Parcel 134803-6175-18-385028 (104-108 Broadway, Tivoli, NY), Tax Parcel 134803-6175-18-383052 (Broadway, Tivoli, NY), and Tax Parcel 134803-6175-18-404054 (93 Broadway, Tivoli, NY). Reputed owner: Church of St. Sylvia, which parcels have been offered for sale to the public pursuant to authorization of the Archdiocese of New York.

At the continued public hearing, the Town shall outline the purpose of the public project and its effect on the environment including the economic, ecological and social effect upon the community and any other information including maps and descriptions of the property to be acquired.

All persons having an interest in the project are invited to attend the hearing and give oral and written statements and to submit other documents concerning the public purpose of the proposed acquisition. This hearing is held pursuant to the provisions of sections 201 and 202 of the Eminent Domain Procedure Law of New York.

Property owners who may subsequently wish to challenge the condemnation of their property via judicial review may do so only on the basis of issues, facts and objections raised at such hearing.

All interested persons will be given an opportunity to be heard in person or by directing comments in writing to the Town Board, 7340 South Broadway, Red Hook, and New York 12571. All reasonable accommodations will be made for persons with disabilities. In such a case, please notify the Town Clerk in advance at the above address or by phone 845-758-4606 so that arrangements can be made.

PLEASE TAKE FURTHER NOTICE that tax maps of the properties are available for review at the office of the Town Clerk, Red Hook Town Hall, 7340 South Broadway, Red Hook, New York 12571.

By order of the Town Board of the Town of Red Hook dated May 22, 2019.

Sue McCann
Town Clerk
Town of Red Hook

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 May 22, 2019 at 7:30 p.m., local time.

The meeting was called to order by Supervisor McKeon, and, upon roll being called, the following members were:

PRESENT:

Supervisor Robert McKeon
Councilmember Harry Colgan
Councilmember Sarah Imboden
Councilmember Christine Kane
Councilmember William O'Neill

ABSENT:

The following persons were ALSO PRESENT: Christine Chale, Attorney for the Town
The following resolution was offered by Colgan, seconded by O'Neill, to wit;

**TOWN OF RED HOOK
RESOLUTION NO. 53
DATED MAY 22, 2019**

**ESTABLISHING A DATE FOR A CONTINUED PUBLIC HEARING REGARDING THE
PROPOSED ACQUISITION OF FORMER ST. SYLVIA'S PARCELS**

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 Harry Colgan	VOTING: Aye
Councilmember Sarah Imboden	VOTING: Aye
Councilmember Christine Kane	VOTING: Aye
Councilmember William O'Neill	VOTING: Aye

The foregoing resolution was thereupon declared duly adopted.

CERTIFICATE OF RECORDING OFFICER

The undersigned hereby certifies that:

(1) She is the duly qualified and acting Clerk of the Town of Red Hook, Dutchess County, New York (hereinafter called the "Town") and the custodian of the records of the Town, including the minutes of the proceedings of the Town Board, and is duly authorized to execute this certificate.

(2) Attached hereto is a true and correct copy of a resolution duly adopted at a meeting of the Town Board held on the 22nd day of May, 2019 and entitled:

**TOWN OF RED HOOK
RESOLUTION NO. 53
DATED MAY 22, 2019**

**ESTABLISHING A DATE FOR A CONTINUED PUBLIC HEARING REGARDING THE
PROPOSED ACQUISITION OF FORMER ST. SYLVIA'S PARCELS**

(3) Said meeting was duly convened and held and said resolution was duly adopted in all respects in accordance with law and the regulations of the Town. To the extent required by law or said regulations, due and proper notice of said meeting was given. A legal quorum of members of the Board was present throughout said meeting, and a legally sufficient number of members voted in the proper manner for the adoption of the resolution. All other requirements and proceedings under law, said regulations or otherwise incident to said meeting and the adoption of the resolution, including any publication, if required by law, have been duly fulfilled, carried out and otherwise observed.

(4) The seal appearing below constitutes the official seal of the Town and was duly affixed by the undersigned at the time this certificate was signed.

IN WITNESS WHEREOF, the undersigned has hereunto set her hand this 23 day of May, 2019.

-SEAL-

Sue McCann
Town Clerk

DISCUSSION – DUTCHESS COUNTY DIVISION OF VETERAN SERVICES

Supervisor McKeon introduced Marc Coviello, Director of Dutchess County Division of Veterans Services.

Marc Coviello began by explaining the time he spent serving in the Army after graduating high school, being wounded in Afghanistan and leaving the Army after serving five years. He was a two term County Legislator and Co-Chaired the Veterans Affairs Committee. He's been working with military/veterans for the last ten years. He came to Red Hook for outreach. Some veterans never come in for services. He is asking all Towns to establish a veteran's liaison for outreach. He explained what the Division of Veterans Services does as opposed to the VA. The VA is a federal entity. The Division of Veterans Services is a smaller, friendly environment who can help with services. It is more easily accessible. He listed all of the services they provide to veterans and their families.

Councilman Colgan asked Mr. Coviello if he is connected with the VFW here in Red Hook. Mr. Coviello said Red Hook has a great VFW and Legion here. They are very helpful. He would appreciate Red Hook selecting a liaison for outreach.

Councilman O'Neill asked if he wants that liaison to be a member of the Town Board. Mr. Coviello answered yes, at least for accountability. There are 15, 000 veterans in the communities. Veterans know the Board members and it would be beneficial.

Supervisor McKeon offered to be the liaison if no one else would do it. He knows a lot of the veterans here.

Mr. Coviello thanked the Board for their time.

Highway Superintendent Theresa Burke feels this is a wonderful idea. When people think Veterans, they think Senior Citizens. They are not. She has a daughter that served.

Mr. Coviello gets comments about his young age, but most veterans that need assistance are just coming out of Iraq right now. This makes it easier to access.

DISCUSSION – INTERMUNICIPAL AGREEMENT – HIGHWAY SHARED SERVICES – MOWER

Highway Superintendent Theresa Burke explained that the Town shares a mini-excavator with the Towns of Rhinebeck, Clinton and Milan. They would like to purchase a mower head attachment. The intent is to share the attachment as they share the excavator. The estimated cost is \$20,000 which would also be shared. Red Hook would be lead agency because we started the search for this mower head. We have the funds for our portion in the equipment line and we have verbal confirmation from the other Highway Superintendents. This is the procedure to continue. She is asking the Board if it is ok with her exploring this idea, and can we craft this agreement. If it is ok with everyone, then we would start the purchase process. She explained the difference in this mower head. The Board discussed the procedure.

RESOLUTION TO RELEASE BIDDING – STONY BROOK CULVERT REPLACEMENT

Supervisor McKeon explained the issue with the Stony Brook culvert. We are going out to bid to solicit firms to replace it. We hope to have that work completed no later than November 2019. A permit from the DEC has been obtained. Attorney Chale reviewed the documents and provided the Board with a resolution. There is a 3-month lead time to get the culvert manufactured.

Councilman Colgan is concerned that the footing is adequate in the poor soil.

Supervisor McKeon read the resolution.

**TOWN OF RED HOOK
RESOLUTION NO. 54
DATED: MAY 22, 2019**

RESOLUTION AUTHORIZING THE SOLICITATION OF PUBLIC BIDS FOR STONY BROOK ROAD CULVERT REPLACEMENT

WHEREAS, Crawford & Associates Engineering, P.C. (“Project Engineer”), has requested that the Town proceed with advertising for requests for bids for the “STONY BROOK ROAD CULVERT REPLACEMENT” in the Town (the “Project”) in accordance with the specifications on file with the Town Clerk; and

WHEREAS, the Project constitutes a Type II action as defined under the State Environmental Quality Review Regulations, 6 NYCRR Part 617, which has been determined under SEQR not to have a significant impact on the environment;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Red Hook does hereby authorize and direct the solicitation of bids for the Project substantially in accordance with the specifications on file with the Town Clerk, with bids to be received 2:00 p.m. on June 17, 2019 or such later time and date as determined by the Supervisor upon consultation with the Project Engineer, provided that such publication shall appear not less than five days prior to the date set for bid opening.

EXTRACT OF MINUTES

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The meeting was called to order by Supervisor Robert McKeon, and, upon roll being called, the following members were:

PRESENT:

Supervisor Robert McKeon
Councilmember Harry Colgan
Councilmember Sarah Imboden
Councilmember Christine Kane
Councilmember William O’Neill

ABSENT:

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

The following resolution was offered by McKeon, seconded by Imboden, to wit;

**TOWN OF RED HOOK
RESOLUTION NO. 54
DATED: MAY 22, 2019**

**RESOLUTION AUTHORIZING THE SOLICITATION OF PUBLIC BIDS FOR STONY
BROOK ROAD CULVERT REPLACEMENT**

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 Harry Colgan	VOTING: Aye
Councilmember Sarah Imboden	VOTING: Aye
Councilmember Christine Kane	VOTING: Aye
Councilmember William O'Neill	VOTING: Aye

The foregoing resolution was thereupon declared duly adopted.

CERTIFICATE OF RECORDING OFFICER

The undersigned hereby certifies that:

(1) She is the duly qualified and acting Clerk of the Town of Red Hook, Dutchess County, New York (hereinafter called the "Town") and the custodian of the records of the Town, including the minutes of the proceedings of the Town Board, and is duly authorized to execute this certificate.

(2) Attached hereto is a true and correct copy of a resolution duly adopted at a meeting of the Town Board held on the 22nd day of May, 2019 and entitled:

**TOWN OF RED HOOK
RESOLUTION NO. 54
DATED: MAY 22, 2019**

**RESOLUTION AUTHORIZING THE SOLICITATION OF PUBLIC BIDS FOR STONY
BROOK ROAD CULVERT REPLACEMENT**

(3) Said meeting was duly convened and held and said resolution was duly adopted in all respects in accordance with law and the regulations of the Town. To the extent required by law or said regulations, due and proper notice of said meeting was given. A legal quorum of members of the Board was present throughout said meeting, and a legally sufficient number of members voted in the proper manner for the adoption of the resolution. All other requirements and proceedings under law, said regulations or otherwise incident to said meeting and the adoption of the resolution, including any publication, if required by law, have been duly fulfilled, carried out and otherwise observed.

(4) The seal appearing below constitutes the official seal of the Town and was duly affixed by the undersigned at the time this certificate was signed.

IN WITNESS WHEREOF, the undersigned has hereunto set her hand this 23 day of May, 2019.

-SEAL-

Sue McCann
Town Clerk

**RESOLUTION DETERMINING LWRP CONSISTENCY – TIVOLI BAYS BOAT
LAUNCH**

Supervisor McKeon explained the resolution. Tivoli Bays had a kayak launch and the DEC proposes to revitalize that launch.

Councilperson Kane explained the idea behind the LWRP. There are 44 policies that the Town developed. Each time a project is done in the LWRP we have to do a consistency form to determine whether the project is consistent with our LWRP. We are looking at a draft document saying that every policy is either not applicable or is consistent with the policies.

Supervisor McKeon showed the launch on a power point presentation.

**TOWN OF RED HOOK
RESOLUTION NO. 55
DATED MAY 22, 2019**

**RESOLUTION DETERMINING LOCAL WATERFRONT REVITALIZATION PROGRAM
CONSISTENCY REGARDING TIVOLI BAYS WILDLIFE MANAGEMENT
AREA ACCESS ENHANCEMENT PROJECT**

WHEREAS, New York State Department of State (“DOS”) has submitted a copy of a Joint Application Form for Tivoli Bays Wildlife Management Area Access Enhancement Project, including improvements to the Tivoli North Bay public canoe/kayak launch site located at the end of the access road off of Kidd Lane (the “Project”), a copy of which is on file with the Town Clerk; and

WHEREAS, on May 2, 1995, the Town of Red Hook adopted a Local Waterfront Revitalization Program (“LWRP”), which was approved by the New York State Department of State on September 20, 1995; and

WHEREAS, the proposed Project is within the Coastal Area described in the LWRP; and

WHEREAS, the DOS has requested the Town’s determination as to whether the proposed Project is consistent to the maximum extent practicable with the LWRP; and

WHEREAS, the proposed action was referred to the Town of Red Hook Planning Board, which, pursuant to § 68-5D of the Town Code, has been designated to serve as the Waterfront Advisory Committee, and the Planning Board approved a consistency determination on May 10, 2019; and

WHEREAS, the Town Board has reviewed the proposed action against the forty-four (44) policies of the LWRP, as described in the attached review form (“LWRP Consistency Form”);

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 of the Town of Red Hook hereby determines that the proposed action is consistent with the policy standards and conditions of the LWRP to the maximum extent practicable.

The Town Board authorizes the Supervisor to sign the LWRP Consistency Form.

LOCAL WATERFRONT REVITALIZATION PROGRAM CONSISTENCY DETERMINATION

Town of Red Hook, New York

On May 2, 1995, the Town of Red Hook adopted a Local Waterfront Revitalization Program (LWRP), which was approved by the New York State Department of State on September 20, 1995. The LWRP requires that the lead agency under the State Environmental Quality Review Act (SEQR) must make a determination that an action under its jurisdiction which is located within the Coastal Boundary is consistent to the maximum extent practicable with the LWRP prior to approving, funding or undertaking the action.

This form is designed to assist the Town Board in making a consistency determination. The form lists the 44 policies of the LWRP. The Town Board will evaluate a proposed action against each of the policies, indicating that the action is “consistent” or “not consistent” with the policy, or that the policy is “not applicable,” by checking the appropriate column. For an explanation of the policies, please review the LWRP, which is on file in the Office of the Town Clerk in the Red Hook Town Hall.

Section V.C of the LWRP states that if the agency determines that the proposed action would cause a substantial hindrance to the achievement of the LWRP policies, such action shall not be undertaken unless the agency determines with respect to the proposed action that:

No reasonable alternatives exist which would permit the action to be undertaken in a manner which will not substantially hinder the achievement of the LWRP policy standards and conditions;
The action would be undertaken in a manner which will minimize all adverse effects on the LWRP policy standards and conditions to the maximum extent practicable; and

a. The action will result in an over-riding Town, regional or state-wide public benefit.
Actions that are not consistent with the LWRP policies must provide evidence that the above standards will be met before the Town Board can issue a consistency determination.

Name of Action: Tivoli Canoe/Kayak Launch Replacement
 Consistency Determination

The Town Board of the Town of Red Hook has reviewed the proposed action against the policies of the Town's Local Waterfront Revitalization Program and has determined that the proposed action is consistent with the policies of the LWRP.

Sue McCann
 Town Clerk

May 22, 2019

Local Waterfront Revitalization Consistency Form				
Policy	N/A	Consistent		Comments
		Yes	No	
A. Development Policies				
1. Not applicable to Red Hook.	X			
1A. Encourage growth of the tourism sector of the Town economy through: (1) preservation, enhancement and/or reuse appropriate areas and structures within the LWRP area/Historic Shorelands Scenic District, and (2) taking steps to inform the public of existing areas of historic, scenic, and recreational interest.		X		The proposed project would promote tourism by improving public access to Tivoli Bays at one of the most popular and heavily used canoe/kayak launches on the Hudson River. The site provides important access to the Hudson River for both locals and visitors, and is an essential link to the region's outdoor recreational network.
2. Facilitate the siting of water-dependent uses and facilities on or adjacent to coastal waters.		X		See above.
3. Not applicable to Red Hook.	X			
4. Not applicable to Red Hook.	X			
5. Encourage the location of development in areas where public services and facilities essential to such development are adequate, except when such development has special functional requirements or other characteristics which necessitate its location in other Coastal Areas.	X			
6. Expedite permit procedures in order to facilitate the siting of development activities at suitable locations.	X			
B. Fish and Wildlife Policies				
7. Significant coastal fish and wildlife habitats, as identified on the Coastal Area Map, shall be protected, preserved, and, where practical, restored so as to maintain their viability as habitats.		X		Minimal disturbance to coastal fish and wildlife habitats will occur. Disturbance will be limited to the installation of two 6" by 6" posts, which will be driven manually and will result in no more than 82 sq. ft. of disturbance. Moreover, the use of deadmen to stabilize the dock will reduce impacts of the previous structure where the dock floated through vegetation and swept back and forth

Local Waterfront Revitalization Consistency Form

Policy	N/A	Consistent		Comments
		Yes	No	
				creating more disturbance and a larger dead zone. The proposed structure will be installed beyond the vegetation at the end of the elevated pier, and the majority of the structure will be elevated above marsh vegetation, eliminating impacts to water quality, erosion, and vegetation associated with the previous launch structure.
7A. Protect the areas identified as significant habitat areas by the Department of State as well as the creeks, kills, wetland and cove areas draining into and adjacent to the Hudson River from alteration and/or pollutant discharge by residential, commercial, agricultural or industrial uses in order to maintain their viability as habitat areas.		X		See above.
8. Protect fish and wildlife resources in the Coastal Area from the introduction of hazardous wastes and other pollutants which bio-accumulate in the food chain or which cause significant sublethal or lethal effect on those resources.		X		No hazardous wastes or other pollutants will result from the proposed project.
9. Expand recreational use of fish and wildlife resources in Coastal Areas by increasing access to existing resources, supplementing existing stocks, and developing new resources. Such efforts shall be made in a manner which ensures the protection of renewable fish and wildlife resources and considers other activities dependent on them.		X		See above.
10. Further develop commercial finfish, shellfish, and crustacean resources in the Coastal Area by: (1) encouraging the construction of new, or improvement of existing, on-shore commercial fishing facilities; (2) increasing marketing of the State's seafood products; and (3) maintaining adequate stocks and expanding agricultural facilities. Such efforts shall be in a manner which ensures the protection of such renewable fish resources and considers other activities dependent on them.	X			
<i>C. Flooding and Erosion Hazards Policies</i>				
11. Buildings and other structures will be sited in the Coastal Area so as to minimize damage to property and the endangering of human lives caused by flooding and erosion.		X		Erosion and sediment control practices will be in place prior to disturbance, and no excavation or dredging beyond the small disturbance (± 82 sq. ft.) to install posts will occur.
12. Activities or development in the Coastal Area will be undertaken so as to minimize damage to natural resources and property from flooding and erosion by protecting natural protective features including beaches, dunes, barrier islands and bluffs. Primary dunes will be protected from all encroachments that could impair their natural protective capacity.	X			
13. The construction or reconstruction of erosion protection structures shall be undertaken only if they have a	X			

Local Waterfront Revitalization Consistency Form

Policy	N/A	Consistent		Comments
		Yes	No	
reasonable probability of controlling erosion for at least thirty years as demonstrated in design and construction standards and/or assured maintenance or replacement programs.				
14. Activities and development, including the construction or reconstruction of erosion protection structures, shall be undertaken so that there will be no measurable increase in erosion or flooding at the site of such activities or development, or at other locations.	X			
15. Mining, excavation or dredging in coastal waters shall not significantly interfere with the natural coastal processes which supply beach materials to land adjacent of such waters and shall be undertaken in a manner which will not cause an increase in erosion of such land.	X			
16. Public funds shall only be used for erosion protective structures where necessary to protect human life, and new development which requires a location within or adjacent to an erosion hazard area to be able to function, or existing development; and only where the public benefits outweigh the long term monetary and other costs including the potential for increasing erosion and adverse effects on natural protective features.	X			
17. Whenever possible, use non-structural measures to minimize damage to natural resources and property from flooding and erosion. Such measures shall include: (1) the set back of buildings and structures; (2) the planting of vegetation and the installation of sand fencing and draining; (3) the reshaping of bluffs; and (4) the flood-proofing of buildings or their elevation above the base flood level.	X			
D. General Policy				
18. To safeguard the vital economic, social and environmental interests of the State and of its citizens, proposed major actions in the Coastal Area must give full consideration to those interests, and to the safeguards which the State and municipality have established to protect valuable coastal resource areas.	X			
E. Public Access Policies				
19. Protect, maintain, and increase the level and types of access to public water-related recreation resources and facilities so that these resources and facilities may be fully utilized in accordance with reasonably anticipated public recreation needs and the protection of historic and natural resources. In providing such access, priority shall be given to public beaches, boating facilities, fishing areas and waterfront parks		X		The proposed project will improve public access to Tivoli Bays, allowing for canoeing and kayaking at one of the most popular and heavily used launch areas on the Hudson River.
20. Access to the publicly-owned foreshore and to lands immediately adjacent to the foreshore or the water's edge that are publicly-owned shall be provided, and it should be provided in a manner compatible with adjoining uses. Such lands shall be retained in public ownership.		X		See above.
20A. Reasonable vehicular access and pedestrian access shall be provided,		X		Existing parking is provided off Kidd Lane, and an existing trail connects the parking lot with

Local Waterfront Revitalization Consistency Form

Policy	N/A	Consistent		Comments
		Yes	No	
whenever feasible, to the publicly owned foreshore and public ownership or easement over adjoining land will be pursued, where appropriate.				the boat launch.
F. Recreation Policies				
21. Water-dependent and water-enhanced recreation will be encouraged and facilitated, and will be given priority over non-water-related uses along the coast, provided it is consistent with the preservation and enhancement of other coastal resources and takes into account demand for such facilities. In facilitating such activities, priority shall be given to areas where access to the recreation opportunities of the coast can be provided by new or existing public transportation services and to those areas where the use of the shore is severely restricted by existing development.		X		The proposed project will improve public access to Tivoli Bays, allowing for canoeing and kayaking at one of the most popular and heavily used launch areas on the Hudson River.
21A. Undertake efforts to establish a Town dock and park area or areas in Barrytown to provide public access for water-related recreation activities including fishing and boating.	X			
22. Development, when located adjacent to the shore, will provide for water-related recreation, as a multiple use, whenever such recreational use is appropriate in light of reasonably anticipated demand for such activities and the primary purpose of the development.		X		See above.
G. Historic Resource Policy				
23. Protect, enhance and restore structures, districts, areas or sites that are of significance in the history, architecture,	X			

Local Waterfront Revitalization Consistency Form

Policy	N/A	Consistent		Comments
		Yes	No	
archaeology or culture of the State, its communities, or the nation.				
23A. Conserve, protect, preserve and, if appropriate, promote the adaptive reuse of places, sites, structures, views and features in the Coastal Area of the Town of Red Hook of special historic, cultural or archaeological significance or which by reason of association with notable people or events, or of the antiquity or uniqueness of architectural and landscape design particular significance to the heritage of the Town.	X			
H. Scenic Quality Policies				
24. Prevent impairment of scenic resources of statewide significance, as identified on the Coastal Area Map. Impairment shall include: (i) the irreversible modification of geologic forms, the destruction or removal of vegetation, the destruction, or removal of structures, whenever the geologic forms, vegetation or structures are significant to the scenic quality of an identified resource; and (ii) the addition of structures which because of siting or scale will reduce identified views or which because of scale, form, or materials will diminish the scenic quality of an identified resource.		X		The proposed project replaces an existing dock in a wooded area and will only be visible in the area immediately surrounding the dock.
24A. Prevent impairment of the Estates District Scenic Area of Statewide Significance.		X		See above.
24B. Prevent impairment of the Ulster North Scenic Area of Statewide Significance.		X		The proposed project replaces an existing dock in a wooded area and will not be visible from the Ulster North SASS.
25. Protect, restore or enhance natural and man-made resources which are not identified as being of statewide significance, but which contribute to the overall scenic quality of the Coastal Area.		X		See above.
25A. Prevent impairment of scenic resources incorporated within the Mid-Hudson Historic Shorelands Scenic District.		X		See above.
25B. Protect and enhance the scenic qualities of roads in the Town designated as scenic roads.		X		The proposed project replaces an existing dock in a wooded area and will not be visible from any Town designed scenic roads.

Local Waterfront Revitalization Consistency Form

Policy	N/A	Consistent		Comments
		Yes	No	
I. Agricultural Lands Policy				
26. Not applicable to Red Hook.	X			
26A. To conserve and protect agricultural lands in the Coastal Area of the Town of Red Hook, an action shall not result in a loss, nor impair the productivity of important agricultural lands, if that loss or impairment would adversely affect the viability of agriculture in an Agricultural District, or if there is no Agricultural District, in the area surrounding such lands.	X			
2 J. Energy and Ice Management Policies				
27. Decisions on the siting and construction of major energy facilities in the Coastal Area will be based on public energy needs, compatibility of such facilities with the environment, and the facility's need for a shorefront location.	X			
28. Ice management practices shall not damage significant fish and wildlife and their habitats, increase shoreline erosion or flooding, or interfere with the production of hydroelectric power.	X			
29. Not applicable to Red Hook.	X			
<i>K. Water and Air Resources Policies</i>				
30. Municipal, industrial, and commercial discharge of pollutants, including but not limited to, toxic and hazardous substances, into coastal waters will conform to State and national water quality standards.	X			
31. State Coastal Area policies and purposes of approved Local Waterfront Revitalization Programs will be considered while reviewing coastal water classifications and while modifying water quality standards; however, those waters already overburdened with contaminants will be recognized as being a development constraint.	X			
32. Encourage the use of alternative or innovative sanitary waste systems in small communities where the costs of conventional facilities are unreasonably high, given the size of the existing tax base of these communities.	X			
33. Best management practices will be used to ensure the control of stormwater runoff and combined sewer overflows draining into coastal waters.	X			

Local Waterfront Revitalization Consistency Form

Policy	N/A	Consistent		Comments
		Yes	No	
34. Discharge of waste materials into coastal waters from vessels will be limited so as to protect significant fish and wildlife habitats, recreational areas and water supply areas.	X			
35. Dredging and dredge spoil disposal in coastal waters will be undertaken in a manner that meets existing State dredging permit requirements, and protects significant fish and wildlife habitats, scenic resources, natural protective features, important agricultural lands, and wetlands.	X			
36. Activities related to the shipment and storage of petroleum and other hazardous materials will be conducted in a manner that will prevent or at least minimize spills into coastal waters; all practicable efforts will be undertaken to expedite the cleanup of such discharges; and restitution for damages will be required when these spills occur.	X			
37. Best management practices will be utilized to minimize the non-point discharge of excess nutrients, organics and eroded soils into coastal waters.	X			
38. The quality and quantity of surface water and groundwater supplies will be conserved and protected, particularly where such waters constitute the primary or sole source of water supply.	X			
38A. Work to re-establish and maintain the Saw Kill Water Quality Surveillance Program.	X			
39. The transport, storage, treatment and disposal of solid wastes, particularly hazardous wastes, within Coastal Areas will be conducted in such a manner so as to protect groundwater and surface water supplies, significant fish and wildlife habitats, recreation areas, important agricultural lands and scenic resources.	X			
40. Effluent discharged from major steam electric generating and industrial facilities into coastal waters will not be unduly injurious to fish and wildlife and shall conform to State water quality standards.	X			
41. Land use or development in the Coastal Area will not cause national or State air quality standards to be violated.	X			
42. Coastal management policies will be considered if the State reclassifies land areas pursuant to the prevention of significant deterioration regulations of the Federal Clean Air Act.	X			
43. Land or development in the Coastal Area must not cause the generation of significant amounts of the acid rain precursors: nitrates and sulfates.	X			
44. Preserve and protect tidal and freshwater wetlands and preserve the benefits derived from these areas.		X		The work will involve no impacts to waters of the US. nor tidal wetlands other than to install the 6" by 6" posts.

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 May 22, 2019 at 7:30 p.m., local time.

The meeting was called to order by Supervisor McKeon, and, upon roll being called, the following members were:

PRESENT:

- Supervisor Robert McKeon
- Councilmember Harry Colgan
- Councilmember Sarah Imboden
- Councilmember Christine Kane
- Councilmember William O’Neill

ABSENT:

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

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

**TOWN OF RED HOOK
RESOLUTION NO. 55
DATED MAY 22, 2019**

RESOLUTION DETERMINING LOCAL WATERFRONT REVITALIZATION PROGRAM
CONSISTENCY REGARDING TIVOLI BAYS WILDLIFE MANAGEMENT
AREA ACCESS ENHANCEMENT PROJECT

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 Harry Colgan | VOTING: Aye |
| Councilmember Sarah Imboden | VOTING: Aye |
| Councilmember Christine Kane | VOTING: Aye |
| Councilmember William O’Neill | VOTING: Aye |

The foregoing resolution was thereupon declared duly adopted.

CERTIFICATE OF RECORDING OFFICER

The undersigned hereby certifies that:

(1) She is the duly qualified and acting Clerk of the Town of Red Hook, Dutchess County, New York (hereinafter called the “Town”) and the custodian of the records of the Town, including the minutes of the proceedings of the Town Board, and is duly authorized to execute this certificate.

(2) Attached hereto is a true and correct copy of a resolution duly adopted at a meeting of the Town Board held on the 22nd day of May, 2019 and entitled:

**TOWN OF RED HOOK
RESOLUTION NO. 55
DATED MAY 22, 2019**

RESOLUTION DETERMINING LOCAL WATERFRONT REVITALIZATION PROGRAM
CONSISTENCY REGARDING TIVOLI BAYS WILDLIFE MANAGEMENT
AREA ACCESS ENHANCEMENT PROJECT

(3) Said meeting was duly convened and held and said resolution was duly adopted in all respects in accordance with law and the regulations of the Town. To the extent required by law or said regulations, due and proper notice of said meeting was given. A legal quorum of members of the Board was present throughout said meeting, and a legally sufficient number of members voted in the proper manner for the adoption of the resolution. All other requirements and proceedings under law, said regulations or otherwise incident to said meeting and the adoption of the resolution, including any publication, if required by law, have been duly fulfilled, carried out and otherwise observed.

(4) The seal appearing below constitutes the official seal of the Town and was duly affixed by the undersigned at the time this certificate was signed.

IN WITNESS WHEREOF, the undersigned has hereunto set her hand this 23 day of May, 2019.

-SEAL- _____

Sue McCann
Town Clerk

Attorney Chale noted that the Town is in the process of updating the LWRP and one of the important things about this is that you aren't just using this for projects of your own, but you are using this to review projects undertaken by another agency, the State agency, within your area. You have the opportunity to comment and raise issues with them that you might have on a project. It is an example of why updating the LWRP is important.

Councilperson Kane reviewed what happened at the beginning of the meeting for the benefit of PANDA who arrived late. She explained the County's involvement in Veterans Services and them asking the Town to appoint someone to act as a liaison.

Supervisor McKeon added information about the public hearing regarding acquisition of St. Sylvia's and extended the public hearing to June 26th, at 7:35 p.m. There is a continuation of a Public Hearing at Red Hook Village Hall on June 6th, at 7:00 p.m. regarding the joint Village and Town solar project. He also explained the food drive from announcements made earlier in the meeting.

Councilperson Imboden thanked community members and organizations that came out to help with the playground build. There is still some work to be done but the equipment is open.

Supervisor McKeon also thanked the volunteers. More work will be done at the park soon.

There will be four pickleball courts, retrofitted areas for ADA, and the basketball court will be improved. The restrooms will also be improved. We appreciate resident's patience.

REPORTS

Highway Department – Rockefeller Lane was oil and stoned today.

Planning Board – Held a public hearing and granted conditional approval to Traditions at Red Hook (formerly Hoffman TND). Commenced or continued review the Red Hook Land Corporation – 5 Old Farm Road site plan. Also reviewed Ruges Red Hook Holding LLC minor subdivision application.

ZBA – Reviewed an application for two area variances to install one pre-fabricated storage unit. The proposed action was declared a Type II Action under SEQRA and a public hearing was set for the June 12 meeting.

Assessor – The tentative roll was published on May 1, 2019 and there is a link on the Town's website. They are preparing for grievance day on May 28 from 4:00 – 6:00 p.m. and from 6:30 – 8:00 p.m. Current assessments have been discussed with residents.

Building/Zoning – the report for the period of April 12 to May 21 showed 36 permits issued, 54 inspections, 36 CO/CC's, 19 complaints including expired permit letters and \$9,958.00 in revenue.

Police Department – The April report showed 83 total incidents, 7 arrests and 42 tickets issued.

Purchasing – for the period of April 24 – May 22, 2019 there were 30 purchase orders issued. A RFP is being readied for sealing and striping the Town Hall and garage parking lots.

Playground equipment was received and installed. Copier replacements are being reviewed and the speed trailer is operational.

Water Department – all levels are normal. There are outstanding work orders, maintenance is ongoing. Everything is in good order from wells to pumps. Hydrant flushing has taken place.

Intermunicipal Task Force – At their weekly meetings they continued to meet with Michele Greig of Greenplan, Inc., to review the draft of an annual operating permit and to discuss other regulations proposed for short term rentals and Airbnb's in the Town.

Senior Services Committee – Discussed implementation and outreach for the summer food drive to be held at the Community Center on Tuesday, June 11 from 3 – 7 p.m. The proceeds are used to provide weekly groceries for the summer to every child in the RHCS D who qualifies for subsidized meals during the school year.

Tree Preservation Commission – Following the Arbor Day celebration, thank you notes were sent to the Rotary and to Ben at Village Pizza for their donations. Tree City 13-year stickers were attached to the four Town Tree City signs. Several trees on Pitcher Lane were removed with the help of Ken Migliorelli, the Devereaux planting site and Pitcher Lane planting site were mowed by member Hop Michael, and options for the Fall 2019 planting were discussed.

CORRESPONDENCE

Supervisor McKeon shared the following correspondence:

-Two applications for block parties were received. One is from Nancy Titus for the area on Old Post Road North on June 9, from 11am to 3 pm., and have the road closed from 10 to 4 for set up and clean up. John Lauffer, Trow Blvd., asked for August 3 from 11 am – 3 p.m. or 3 – 7 p.m. Highway Superintendent Theresa Burke said they both had parties last year and are familiar with the procedure.

On a motion of Councilperson Kane seconded by Councilman Colgan moved to approve both requests.

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

PUBLIC COMMENT

Supervisor McKeon opened for comments. There were none.

ATTORNEY/CLIENT SESSION

On a motion of Supervisor McKeon seconded by Councilperson Kane moved to go into Attorney/Client session at 8:47 p.m.

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

On a motion Councilperson Kane seconded by Councilperson Imboden moved to adjourn the Attorney/Client session and Town Board meeting at 10:21 p.m.

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

Respectfully submitted,

Sue McCann, Town Clerk