

RED HOOK TOWN BOARD MEETING

September 23, 2020

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

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

Supervisor McKeon opened with the Pledge of Allegiance.

ANNOUNCEMENTS

-Supervisor McKeon gave an update on COVID-19 in our community and Dutchess County. As of September 21, 2020, there were 140 active cases and 6 hospitalizations. The Town and the two Villages continue to report 5 or less cases and Bard College continues to have no cases. The Regional Percentage Positive Results for Dutchess County is 1%.

-Police Reform Community Forums – Every police agency in New York State must undergo reforms. These forums are facilitated by the Commission on Human Rights and are an opportunity for the public to make suggestions on improving policing in our county. The next forum, done remotely, will be on Saturday, September 26th, 3-5 p.m. for Towns of Rhinebeck, Red Hook, Milan and Clinton. To register, go to DutchessNY.gov/PoliceForums. For more information, call 845-486-2169, or email DCHumanRights@dutchessny.gov.

-Tivoli Street Painting has been cancelled this year due to COVID-19. It would have normally been held this weekend.

-The VFW is holding an Oktoberfest Dinner on Sunday, October 25th from 4-7 p.m. For more information, call 845-758-6212.

PUBLIC COMMENTS

-Linda Keeling (just prior to last meeting) – would like to see agendas posted 3 days in advance of a meeting. Supervisor McKeon says that they try to make sure all information is ready before posting so there aren't multiple additions to the agenda. Linda also asked when the Town Hall would open. Supervisor McKeon is not yet scheduled to open to the public because of the safety of our constituents and employees. We conduct business the best that we can with our drop box. She asked about St. Margaret's Committee being unfulfilled for 5 years. Supervisor McKeon will get in touch with Bill O'Neill regarding this. Regarding the playground, Linda asked about use and procedures. Supervisor McKeon said that there is signage at the park and asked all to follow the safety protocols.

-Jonathan Becker asked if voting would take place at Town Hall this November as the primaries were moved to the high school gym. Supervisor McKeon said that polling districts 7 and 8 will remain here at Town Hall. Jonathan also brought up what the CDC has recommended. Supervisor McKeon said that people can also vote by absentee ballot and early voting. Information regarding voting will be put on the Town's website.

RESOLUTION AUTHORIZING ADOPTION OF NEW RECORDS RETENTION SCHEDULE

Supervisor McKeon asked Attorney Chale to explain the Resolution.

Attorney Chale explained that the State Archives routinely issues a procedure of all the municipalities to follow in terms of the records that are required to be retained. The Clerk's office is the repository for our records. Any archives from offices other than the Clerk's office need to go to the Town Clerk's office for disposition either archiving and long term or disposal if the records retention schedule allows for that. They've issued a new schedule and have asked each municipality to adopt that as their own. This will govern how we deal with our documents.

**TOWN OF RED HOOK
RESOLUTION NO. 43
DATED SEPTEMBER 23, 2020**

**RESOLUTION AUTHORIZING ADOPTION OF
NEW RECORDS RETENTION SCHEDULE**

WHEREAS, the office of State Archives, New York State Education Department, has issued a new schedule LGS-1 required for use by all local governments;

NOW THEREFORE BE IT RESOLVED, by the Town Board of the Town of Red Hook that the Retention and Disposition Schedule for New York Local Government Records (LGS-1), issued pursuant to Article 57-A of the Arts and Cultural Affairs law, and containing legal minimum retention periods for local government records, is hereby adopted for use by all officers in legally disposing of valueless records listed therein; and

BE IT FURTHER RESOLVED, that in accordance with Article 57-A:

(1) only those records will be disposed of that are described in *Retention and Disposition Schedule for New York Local Government Records (LGS-1)*, after they have met the minimum retention periods described therein; and

(2) only those records will be disposed of that do not have sufficient administrative, fiscal, legal, or historical value to merit retention beyond established legal minimum periods.

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 September 23, 2020 at 7:30 p.m., local time. A live transmission was available to the public as described in the notice of meeting attached hereto. The meeting was recorded and a full transcript 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		✓
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 Bill Hamel, to wit;

**TOWN OF RED HOOK
RESOLUTION NO. 43
DATED SEPTEMBER 23, 2020**

**RESOLUTION AUTHORIZING ADOPTION OF
NEW RECORDS RETENTION SCHEDULE**

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>Absent</u>
Councilmember Jacob Testa	VOTING <u>Aye</u>

The foregoing resolution was thereupon declared duly adopted.

NOTICE OF TOWN BOARD MEETINGS – Wednesday, September 23, 2020 at 7:30pm 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, September 23rd, 2020 at 7:30pm. 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

ESTABLISHING A DATE FOR A PUBLIC HEARING REGARDING THE ADOPTION BY THE TOWN BOARD OF THE TOWN OF RED HOOK OF LOCAL LAW NO. B (PROPOSED) OF 2020 REGARDING UPDATING QUALIFICATIONS AND PROCEDURES FOR BUILDING AND ZONING OFFICE STAFF

Supervisor McKeon explained the resolution. It relates specifically to the building and zoning department. This is designed for when there is a single structure in both the Town and Village of Red Hook that are in both municipalities. It’s more efficient to have one municipality conduct the inspection utilizing both codes and report to the other municipality. The Intermunicipal Agreement will allow for this and the Local Law modifies our code to allow officers to allow for deputies to conduct certain portions of the business with that department.

Attorney Chale added that the Local Laws does make consistent sound provisions that we have in our building and zoning department so that they can, subject to the Boards appointment, back one another up with the part-time staff as well as the shared services arrangements that are sometimes put into effect.

Supervisor asked if there were any questions. A Public Hearing will be held on October 13th at 7:45 p.m.

Councilman Hamel asked for a change in the writing of the Local Law. He felt the word “strictly” was a subjective term. Since this law is about granting the authority to enforce the law, he felt it was not necessary and could cause issues down the road. He would like to see the word “strictly” removed.

**TOWN OF RED HOOK
RESOLUTION NO. 44
DATED SEPTEMBER 23, 2020**

ESTABLISHING A DATE FOR A PUBLIC HEARING REGARDING THE ADOPTION BY THE TOWN BOARD OF THE TOWN OF RED HOOK OF LOCAL LAW NO. B (PROPOSED) OF 2020 REGARDING UPDATING QUALIFICATIONS AND PROCEDURES FOR BUILDING AND ZONING OFFICE STAFF

WHEREAS, a proposed form of Local Law No. B (Proposed) of 2020 entitled “A local law to update qualifications and procedures for building and zoning office staff; amending the followings chapters and sections of the Town Code: Chapter 25 entitled “Officers and Employees” to establish residency requirements for the offices of Zoning Enforcement

Officer and Building Inspector/Code Enforcement Officer and their deputies and assistant inspectors; Chapter 74 entitled “Fire Prevention and Building Construction” to modify provisions regarding assistants to the Building Inspector/Code Enforcement Officer and appearance tickets; Section 143-129 of the Zoning Law entitled “Designation of Enforcement Officer; Coordination of Application Processing; Fee” to modify provisions for assistants to the Zoning Enforcement Officer; and Section 143-133 of the Zoning Law entitled “Penalties for Offenses” to modify provisions regarding appearance tickets” has been submitted to the Town Board of the Town of Red Hook (“Proposed Local Law”); and

WHEREAS, the Proposed Local Law would modify the provisions of the Town Code of the Town of Red Hook for the appointed offices of Zoning Enforcement Officer and Building Inspector/Code Enforcement Official, including requirements for residency, the appointment of deputies and inspectors under their supervision and control, and the powers and duties thereof, as set forth in a copy of the Proposed Local Law attached hereto;

WHEREAS, pursuant to the State Environmental Quality Review Act, the Town Board has determined that the Proposed Local Law is best described as a local legislative decision concerning routine administration and management and that adoption of this Local Law constitutes a Type II action which will not have a significant effect on the environment.

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 Town Board of the Town of Red Hook shall hold a public hearing on October 13, 2020, at 7:45 p.m. in the manner provided in the notice of public hearing attached hereto to hear all interested parties on said Proposed Local Law; and

2. The Town Clerk is hereby authorized and directed to publish notice of said public hearing in the Poughkeepsie Journal, the official newspaper of said Town, on or before October 3, 2020, which is not less than ten calendar days prior to the date of said public hearing.

Local Law Filing

NEW YORK STATE DEPARTMENT OF
STATE
99 WASHINGTON AVENUE, ALBANY, NY
12231

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

Town of Red Hook

Local Law No. B (Proposed) of 2020

A local law to update qualifications and procedures for building and zoning office staff; amending the followings chapters and sections of the Town Code: Chapter 25 entitled “Officers and Employees” to establish residency requirements for the offices of Zoning Enforcement Officer and Building Inspector/Code Enforcement Officer and their deputies and assistant inspectors; Chapter 74 entitled “Fire Prevention and Building Construction” to modify provisions regarding assistants to the Building Inspector/Code Enforcement Officer and appearance tickets; Section 143-129 of the Zoning Law entitled “Designation of Enforcement Officer; Coordination of Application Processing; Fee” to modify provisions for assistants to the Zoning Enforcement Officer; and Section 143-133 of the Zoning Law entitled “Penalties for Offenses” to modify provisions regarding appearance tickets.

Be it enacted by the Town Board of the Town of Red Hook as follows:

SECTION 1. LEGISLATIVE INTENT.

The purpose of this law is to modify the provisions of the Town Code for the appointed offices of Zoning Enforcement Officer and Building Inspector/Code Enforcement Official, including requirements for residency, the appointment of deputies and inspectors under their supervision and control, and the powers and duties thereof. The Town of Red Hook Town Board has determined that it is in the best interests of the Town to broaden the residency requirements for these offices so the Town can fill the same with qualified individuals and promote the opportunity for municipal sharing arrangements. The appointment of qualified deputies and inspectors under the supervision of the Zoning Enforcement Officer and Building Inspector/Code Enforcement Officer will aid in the efficient and proper administration of the offices.

SECTION 2. STATUTORY AUTHORITY.

This local law is adopted pursuant to Municipal Home Rule Law § 10, including § 10 (1)(ii)(a)(I), which grants to local governments the authority to enact local laws regarding the qualifications of local officers and § 10(4)(a) and Criminal Procedure Law § 150.20 regarding the issuance of appearance tickets. Furthermore, the Town recognizes that, due to exceptions to residency requirements adopted by the New York State Legislature, Public Officers Law § 3 is a special law with respect to any appointed town officer.

SECTION 3. OFFICERS AND EMPLOYEES; RESIDENCY REQUIREMENTS. Chapter 25 of Code of the Town of Red Hook entitled “Officers and Employees” is hereby amended by adding a new Article IV entitled “Residency Requirements” to read as follows:

Article IV Residency Requirements

§ 25-12. Town Building Inspector, Inspectors, Code Enforcement Officer, Acting Building Inspector, Zoning Enforcement Officer and Deputies

The Town Building Inspector as defined in §74-3, Inspectors as defined in § 74-2, Code Enforcement Officer as defined in § 74-2, Acting Building Inspector as defined in §74-3(C) and Zoning Enforcement Officer as defined in §143-4, as well as any Inspectors or deputies, need not be electors of the Town of Red Hook. Said officers may reside outside the Town of Red Hook but must reside within Dutchess County or a county adjoining Dutchess County and within the State of New York. Said officers shall have all other qualifications for holding said offices required by law.

§25-13 to §25-15. **Reserved.**

§ 25-16. Supersession of New York State Law

This Article supersedes New York State residency requirements for public officers, including but not limited to those found in Town Law § 23 and Public Officers Law § 3.

SECTION 4. AMENDMENTS TO CHAPTER 74, FIRE PREVENTION AND BUILDING CONSTRUCTION.

4.1. **Subsection D of Section 74-3 of the Town Code**, entitled “**Building Inspector; Inspectors**” is hereby amended to read as follows:

D. 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 and to assist the Building Inspector in the exercise of the powers and fulfillment of the duties conferred upon the Building Inspector by this chapter, including without limitation the conduct of inspections and the issuance of permits, appearance tickets, stop work orders, and notices of violation. Each Inspector shall, within the time prescribed by law, obtain such basic training, in-service training, advanced in-service training and other training as the State of New York shall require for code enforcement personnel, and each Inspector shall obtain certification from the State Fire Administrator pursuant to the Executive

Law and the regulations promulgated thereunder. The Zoning Enforcement Officer and/or any deputies may be appointed as Inspectors pursuant to this provision provided that such person has the training and certification required for an Inspector pursuant to this provision.

4.2. Subsection B of Section 74-16 of the Town Code entitled “**Enforcement; Penalties for Offenses**” is hereby amended to read as follows:

B. Appearance tickets. Pursuant to the provisions of this Chapter, adopted pursuant to Municipal Home Rule Law, § 10(4)(a) and Criminal Procedure Law § 150.20, Police Officers, the Code Enforcement Official/Building Inspector of the Town of Red Hook, and each Inspector are hereby authorized to issue and serve appearance tickets, as defined in the Criminal Procedure Law, returnable in Town Court of the Town of Red Hook, when such officer has reasonable cause to believe a person has violated, this chapter, including a violation of the Uniform Code, or any of the following chapters of the Town Code: Chapter 44 entitled “Assemblies, Public”, Chapter 52 entitled “Buildings, Unsafe”, Chapter 60 entitled “Disaster and Emergency Preparedness”, Chapter 73 entitled “Wood-Burning Fireplaces, Outdoor”, Chapter 77 entitled “Flood Damage Prevention”, Chapter 79 entitled “Food Trucks”, Chapter 92 entitled “Noise”, Chapter 117 entitled “Streets and Sidewalks”, and Chapter 123 entitled “Swimming Pools”, and to prosecute the violation in Town Court. The content of such appearance ticket and the method of prosecution thereunder shall at all times be subject to the Criminal Procedure Law and the Uniform Justice Court Act of the State of New York.

SECTION 5. AMENDMENTS TO CHAPTER 123, ZONING, REGARDING ZONING ENFORCEMENT OFFICER.

5.1. Section 143-129 of the Town Code entitled “**Designation of enforcement officer; coordination of application processing; fee**” is hereby amended by adding a new **Subsection D** to read as follows:

D. 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 and to assist the Zoning Enforcement Officer in the exercise of the powers and fulfillment of the duties conferred upon the Zoning Enforcement Officer by this chapter and by Chapters 68 entitled “Environmental Quality Review”, Chapter 77 entitled “Flood Damage Prevention”, Chapter 79 entitled “Food Trucks”, Chapter 92 entitled “Noise”, Chapter 117 entitled “Streets and Sidewalks”, Chapter 120 entitled “Subdivision”, and Chapter 128 entitled “Trees” of the Code of the Town of Red Hook, and related regulations pertaining to the use and development of land and to the use of structures within the Town of Red Hook, including without limitation the conduct of inspections and the issuance of permits, appearance tickets, stop work orders, and notices of violation, provided that any interpretation of the Zoning Law shall be issued or approved by the Zoning Enforcement Officer. The Building Inspector/Code Enforcement Officer and any Inspectors may be appointed as deputies pursuant to this provision.

5.2. Subsection D of Section 143-133 of the Town Code entitled “**Penalties for Offenses**” is hereby amended to read as follows:

D. The Town Zoning Enforcement Officer shall administer and enforce all provisions of this chapter except where otherwise specifically provided herein. Pursuant to the provisions of this Article, adopted pursuant to Municipal Home Rule Law § 10(4)(a) and Criminal Procedure Law § 150.20, Police Officers, the Zoning Enforcement Officer and any deputies, , are hereby authorized to issue and serve appearance tickets, as defined in the Criminal Procedure Law, returnable in Town Court of the Town of Red Hook, when such officer has reasonable cause to believe a person has violated, this Chapter or any of the following chapters of the Town Code: Chapters 68 entitled “Environmental Quality Review”, Chapter 77 entitled “Flood Damage Prevention”, Chapter 79 entitled “Food Trucks”, Chapter 92 entitled “Noise”, Chapter 117

entitled “Streets and Sidewalks”, Chapter 120 entitled “Subdivision”, and Chapter 128 entitled “Trees” and related regulations pertaining to the use and development of land and to the use of structures within the Town of Red Hook, and to prosecute the violation in Town Court. The content of such appearance ticket and the method of prosecution thereunder shall at all times be subject to the Criminal Procedure Law and the Uniform Justice Court Act of the State of New York.

SECTION 6. SEVERABILITY.

If any provision of this law is held invalid for any reason by a court of competent jurisdiction, such decision shall not affect the validity of the remaining provisions of this law.

SECTION 7. EFFECTIVE DATE.

This local law shall take effect immediately after it is filed with the Secretary of State as provided in section twenty-seven of the Municipal Home Rule Law.

NOTICE OF PUBLIC HEARING TOWN OF RED HOOK

PLEASE TAKE NOTICE that a public hearing will be held by the Town Board of the Town of Red Hook on October 13, 2020 at 7:45 p.m. local time, at the Town Hall, 7340 South Broadway, Red Hook, New York 12571, to hear all interested persons on a proposed local law entitled **“A local law to update qualifications and procedures for building and zoning office staff; amending the followings chapters and sections of the Town Code: Chapter 25 entitled “Officers and Employees” to establish residency requirements for the offices of Zoning Enforcement Officer and Building Inspector/Code Enforcement Officer and their deputies and assistant inspectors; Chapter 74 entitled “Fire Prevention and Building Construction” to modify provisions regarding assistants to the Building Inspector/Code Enforcement Officer and appearance tickets; Section 143-129 of the Zoning Law entitled “Designation of Enforcement Officer; Coordination of Application Processing; Fee” to modify provisions for assistants to the Zoning Enforcement Officer; and Section 143-133 of the Zoning Law entitled “Penalties for Offenses” to modify provisions regarding appearance tickets”** (the “Proposed Local Law”). The Proposed Local Law would modify the provisions of the Town Code of the Town of Red Hook for the appointed offices of Zoning Enforcement Officer and Building Inspector/Code Enforcement Official, including requirements for residency, the appointment of deputies and inspectors under their supervision and control, and the powers and duties thereof.

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, as extended, 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. Board members are expected to participate in the public hearing via teleconference or video conference. Please refer to the meeting agenda to be posted on the Town website at <https://www.redhook.org> listing the specific link which will allow the public to view and listen to the proceedings live, which is expected to be available at www.pandativ23.org (click on “WATCH live”). Project documents will be posted with the meeting agenda on the Town’s website.

All interested persons will be given an opportunity to be heard as follows: 1) The public is encouraged to submit written comments by email or telephone in advance of the hearing to rmckeon@redhook.org and 845-758-4622 by 4:00 p.m. the day of the hearing. Please note “Local Law B (Proposed) of 2020/Building and Zoning” in the subject. 2) Written comments may be dropped in the Town’s drop box in advance of the hearing at the Town Hall, 7340 South Broadway, Red Hook, New York 12571 by 4:00 p.m. the day of the hearing. Please observe the recommendations of the CDC regarding distancing and use of masks. 3) All comments so received in advance of the hearing will be noted in the hearing record. Interested persons may also comment by email or telephone to rmckeon@redhook.org and 845-758-4622 on the date of the hearing from the time of opening the hearing until the close of the hearing.

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.

By order of the Town Board of the Town of Red Hook dated September 23, 2020.

Deanna Cochran
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 via videoconference and/or teleconference pursuant to Executive Order 202.1, as amended, on September 23, 2020 at 7:30 p.m., local time. A live transmission was available to the public as described in the notice of meeting attached hereto. The meeting was recorded and a full transcript 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		✓
Councilmember Jacob Testa	VIA Videoconference	

The following persons were ALSO PRESENT:

Christine M. Chale, Esq., Attorney for Town, VIA Videoconference

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

**TOWN OF RED HOOK
RESOLUTION NO. 44
DATED SEPTEMBER 23, 2020**

**ESTABLISHING A DATE FOR A PUBLIC HEARING REGARDING
THE ADOPTION BY THE TOWN BOARD OF THE TOWN OF RED HOOK OF
LOCAL LAW NO. B (PROPOSED) OF 2020 REGARDING UPDATING
QUALIFICATIONS AND PROCEDURES FOR
BUILDING AND ZONING OFFICE STAFF**

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>Absent</u>
Councilmember Jacob Testa	VOTING <u>Aye</u>

The foregoing resolution was thereupon declared duly adopted.

NOTICE OF TOWN BOARD MEETINGS – Wednesday, September 23, 2020 at 7:30pm 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, September 23rd, 2020 at 7:30pm. 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.pandav23.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

RESOLUTION AUTHORIZING THE EXECUTION OF AN INTERMUNICIPAL AGREEMENT WITH THE VILLAGE OF RED HOOK FOR SHARED SERVICES REGARDING BUILDING DEPARTMENT SERVICES

Supervisor McKeon explained the resolution.

Attorney Chale added that it is very helpful when you have a conflict situation or illness; it's a back up arrangement. This is the same IMA structure that's typically used where there are basic terms in the front part and the exhibit is where we have the plan for shared services that outlines the specific services to be shared which, in this case, include both building and zoning departments. The specific services are to be provided on the basis of an estimate of cost at a specified hourly rate and with specific authorization for each incident so that this is not something to be intended for whenever it seems convenient. The services are to be provided when it is specifically authorized by each of the municipal officials, the mayor or the supervisor, so that we have budgeted authority.

**TOWN OF RED HOOK
RESOLUTION NO.45
DATED SEPTEMBER 23, 2020**

RESOLUTION AUTHORIZING THE EXECUTION OF AN INTERMUNICIPAL AGREEMENT WITH THE VILLAGE OF RED HOOK FOR SHARED SERVICES REGARDING BUILDING DEPARTMENT SERVICES

WHEREAS, the Town Board of the Town of Red Hook has determined that entering into an Intermunicipal Agreement for Shared Services regarding Building Department Services between the Town of Red Hook and the Village of Red Hook, in substantially the form on file with the Town Clerk (the "Intermunicipal Agreement"), is in the best interests of the Town; and

WHEREAS, the proposed action constitutes a Type II action which will not have an adverse effect on the environment;

NOW, THEREFORE, BE IT RESOLVED, by the Town Board of the Town of Red Hook, Dutchess County, New York (by the favorable vote of not less than a majority of all of the members of the Board) as follows:

1. The Supervisor is hereby authorized and directed to execute the Intermunicipal Agreement in substantially the form on file with the Town Clerk, with such changes as shall be approved by the Supervisor and which do not affect the substance thereof.
2. The Supervisor the Town Clerk, and the Town's other officers, employees and agents are hereby authorized and directed for, and in the name and on behalf of the Town, to do all acts and things required or provided by the provisions of the Intermunicipal Agreement.
3. 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 September 23, 2020 at 7:30 p.m., local time. A live transmission was available to the public as described in the notice of meeting attached hereto. The meeting

was recorded and a full transcript 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		✓
Councilmember Jacob Testa	VIA Videoconference	

The following persons were ALSO PRESENT:

Christine M. Chale, Esq., Attorney of the Town, VIA Videoconference

The following resolution was offered by Robert McKeon, seconded by Bill Hamel, to wit;

**TOWN OF RED HOOK
RESOLUTION NO. 45
DATED SEPTEMBER 23, 2020**

**RESOLUTION AUTHORIZING THE EXECUTION OF AN INTERMUNICIPAL
AGREEMENT WITH THE VILLAGE OF RED HOOK
FOR SHARED SERVICES REGARDING
BUILDING DEPARTMENT SERVICES**

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>Absent</u>
Councilmember Jacob Testa	VOTING <u>Aye</u>

The foregoing resolution was thereupon declared duly adopted.

NOTICE OF TOWN BOARD MEETINGS – Wednesday, September 23, 2020 at 7:30pm 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, September 23rd, 2020 at 7:30pm. 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

REPORTS

Water District – All seems to be running well. A lot of water was used in June and July, but things are back to where they normally are. The water tests well. Off of Whalesback Road, there are a couple of people interested in coming onto the water district. There was discussion as to whether they would pay for the installation of the line to do that. It is still an open discussion.

PLANNING BOARD – The Planning Board has lost three members. Letters of resignation have not been submitted to the Town Clerk yet. They are down to the minimum of four. Two of those members have agreed with the Board, with our Board’s approval, to serve as alternates. There continues to be an ongoing discussion for a heliport which is cattycorner to Rokeby Road and Route 9. The applicant would like to do a public information session on October 5th for all who live in the area, village and other interested parties with a possible demonstration of the helicopter landing and taking off.

HIGHWAY DEPARTMENT – Budget Highlights – Increase level of staffing by at least one Mechanical Equipment Operator – Optimum: 8 crew members; Manageable: 7 crew members; Debilitating: 6 crew members.

Increase Highway Department Clerk’s hours from 6 hours to 12 house – Optimum: 16 hours; Manageable: 12 hours; Debilitating: 6 hours.

Purchase of a Backhoe/Loader and Skid Steer – Optimum: purchase of a backhoe loader and a skid steer; Manageable: purchase of a backhoe/loader; Debilitating: no purchase of equipment this year.

Supervisor McKeon mentioned that we have an IMA with the Village of Red Hook with shared services with equipment and labor. The Village will take over the plowing of The Traditions development. The mayor is also open to discussing additional roadways that are near the village that, perhaps, they could take over. Due to the loss of revenue, the Town can’t provide additional staff, increase highway clerk’s hours or purchase of a backhoe. Some funding will be provided for temporary help when we might find ourselves short staffed.

ASSESSOR’S REPORT – The Assessor is currently working on the Article 7 petitions. The renewals for exemptions are all prepared and will be mailed towards the end of the year. There’s been an increase in sales. The Town of RH has sold 18 homes; Village of RH has sold 4 homes and Village of Tivoli had one sale in Tivoli Garden.

DOG CONTROL – There was an elusive dog that had been out during a severe storm and roaming around in the area of Pin Oak Drive for a few days. Fortunately, the dog was caught. A vaccinated and licensed dog bit a mail carrier. The mail carrier did not wish to file any dangerous dog paperwork.

BUILDING AND ZONING – There were 31 permits issued; 41 inspections; 18 CO/CC’s issued; 4 complaints and the revenue was \$12,899.10. It was a busy month for putting on roofs and a variety of other jobs, chimneys, driveways, electrical, hot tubs, etc.

POLICE REPORT – There were 138 incidents with 38 tickets issued and 9 arrests. In the Village of Tivoli, there were 4 incidents, no arrests or tickets issued.

RECREATION PARK – The Rec Park is officially open and all of the parts of the park are getting a lot of use. The Challenger Field has practices and games happening on it. The Town Clerk is now taking pavilion reservations. There are 12 different hand sanitizer stations set up in the park. The restrooms are open with just a few items requiring completion by the contractor. The snack bar will not be open this year because of COVID. A lot of mowing has been happening due to the recent frequent rains. A Bay Horse garage has been ordered and will take a few weeks to arrive. There are still piles of dirt that have to be moved around and some of the dirt will go to St. Margaret’s. They are still looking into getting Wi-Fi for the park. The playground turtle has been refurbished and is waiting to be reinstalled.

TREE PRESERVATION – Unfortunately, the grant submitted to NYS Urban Forestry Council was denied. The committee has not met in person. All communication has been through email.

CORRESPONDENCE:

Supervisor McKeon discussed the request to close a road (Woods Road) for filming on October 2nd and 3rd. We don’t have the authority to close a road. The applicants must fill out an application similar to the Neighborhood Block Party application. Theresa has indicated that she would like the Board to take action on this so that she can work with the applicant on providing any type of equipment that will be needed. Along with insurance, additional conditions of approval are the applicant shall hire local police at each end of the event to help guide traffic, the road shall not be fully closed and emergency vehicles shall be able to traverse at all times.

Supervisor McKeon asked if there were any questions.

A vote was taken for approval of this application.

Supervisor McKeon	Aye
Councilmember Kane	Aye
Councilmember Hamel	Aye
Councilmember Testa	Aye
Councilmember O’Neill	Absent

Supervisor McKeon discussed the Village of Tivoli being awarded a CDBG (\$70,000) to increase accessibility to work on the infrastructure, drainage, etc. for their Memorial Park Improvements Project. At that time, the Town of Red Hook indicated to the mayor to help upgrade or maintain their park. The mayor is requesting \$10,000 from the Town of Red Hook Council to assist in their project to make Memorial Park more accessible and attractive and available to townsfolk in Red Hook and Tivoli.

Supervisor McKeon asked if there were any questions.

Highway Superintendent Burke questioned the Town contemplating giving \$10,000 to the Village of Tivoli for their playground and continued to say that in the case of the highway department clerk, who's paid out of the "A" Fund, the Town can't afford \$5,600 to give back six hours. Highway Superintendent Burke found this to be very disturbing. She further stated "Want and need, and I have been told that we don't have funding to pay for six hours for the clerk, and you're proposing to pay \$10,000 to the Village of Tivoli."

Supervisor McKeon responded by saying that the Village of Tivoli is within the Town of Red Hook and the Village residents pay Town taxes.

Councilmember Kane asked if there was a deadline involved, as she did not know they would be voting tonight.

Supervisor McKeon said that the Mayor needs to award the contract.

Councilmember Kane asked if the funding would be coming out of our Rec. Department budget.

Supervisor McKeon said that we could appropriate the funding out of recreation funds and engineering lines. We need to identify the sources. It could be taken out of fund balance, and that's something that needs to be decided as well.

Councilmember Kane would like to research this more, as to where the funding would come from before she felt comfortable to vote.

Councilmembers Hamel and Testa would like to table this to the next meeting as well.

PUBLIC COMMENTS

Councilmember Kane announced that beginning in October, the Village of Tivoli will be replacing water mains starting on Woods Road and working towards Broadway from 7 a.m. to 3:30 p.m., Monday through Friday.

Supervisor McKeon announced that next week he will be proposing the 2021 budget and called a Budget Workshop Meeting to be held on Tuesday, October 6th at 7 p.m., seconded by Councilmember Testa.

Supervisor McKeon	Aye
Councilmember Testa	Aye
Councilmember Kane	Aye
Councilmember Hamel	Aye
Councilmember O'Neill	Absent

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

Adopted	Ayes	4	McKeon, Kane, Hamel, Testa
	Nays	0	
	Absent		O'Neill

Respectfully submitted,

Deanna Cochran, Town Clerk