

**RED HOOK TOWN BOARD MEETING**  
**November 10, 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 William O'Neill  
Councilmember William Hamel  
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.

**SUPERVISOR'S REPORT**

The Supervisor's report dated October 31, 2020 was read as follows: Opening balance - \$5,656,469.51; Receipts - \$1,044,024.54; Disbursed - \$1,186,904.61; Balance - \$5,513,589.44. He showed the Budget Adjustments prepared by Bookkeeper Ann Conway, monthly variance reports and the status of our fund balances.

On a motion of Councilmember O'Neill seconded by Councilmember Hamel moved to approve the Supervisors report and budget adjustments.

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

**TOWN CLERK'S REPORT**

The Town Clerk's report for the period October 1 – October 31, 2020 was read as follows: Total Local Shares remitted to the Supervisor - \$4,359.50; Amount remitted to NYS Ag. & Markets - \$28.00; Amount remitted to NYS Dept. of Health - \$247.50; Total State, County & Local Revenues - \$4,635.00; Total monies collected for Garbage - \$3,510.00.

**ABSTRACTS**

• July	Vouchers 26531 through 26687	Total Abstract - \$1,056,286.96
• August	Vouchers 26688 through 26779	Total Abstract - \$ 377,116.16
• September	Vouchers 26780 through 26914	Total Abstract - \$ 493,264.88
• October	Vouchers 26915 through 27018	Total Abstract - \$ 252,347.41

On a motion of Councilmember Kane seconded by Councilmember Hamel moved to approve the Town Clerk's report.

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

**ANNOUNCEMENTS**

Supervisor McKeon thanked all the election workers for their hard work during this particularly difficult year during the pandemic.

He also thanked the Red Hook Central School District and Bard College for hosting additional polling sites and Dutchess County Board of Elections for making sure voters were provided enough space social distancing.

Veteran's Day - due to COVID, the VFW will hold a small, private ceremony during the course of the day at the VFW.

Supervisor McKeon said that the percent of positive cases in Dutchess County is above 2% and there were 40 cases reported yesterday.

**DISCUSSION/RESOLUTION TO APPROVE OPEN DEVELOPMENT AREA -  
CURRAN**

The resolution approving of the establishment of an ODA was described by Supervisor McKeon, and Attorney Chale explained the resolution adopting a SEQRA determination.

Attorney Chale began with describing the Short Environmental Assessment Form Part 1 that was submitted with the application that was reviewed. The Part 2 Impact Assessment is the proposed response to that in the short form to review the potential impacts. This is a single house proposed to be constructed on an existing parcel of land that is not a subdivision but a change in the proposed access to a Town road. The proposal is that all of these items would be of smaller or moderate impact based on the information that's before the Board.

The proposed Part 3 indicates that an ODA would allow a building permit to be issued for a construction of a residential structure through a right of way.

Attorney Chale explained the resolution regarding the SEQR determination which identifies the request and indicates that back in April, this was classified as an unlisted action when it was referred to the Planning Board. The Board has reviewed the EAF and the criteria that are considered and determined to adopt a negative declaration.

Supervisor McKeon added that by sharing the pre-existing driveway and not creating a new driveway, there would be environmental benefits.

Councilmember Kane agreed that it is difficult to access the property from Read Road. Using an existing driveway makes more sense from an environmental point of view.

Supervisor McKeon asked if there were anymore comments. There were none.

**TOWN OF RED HOOK  
RESOLUTION NO. 55  
DATED NOVEMBER 10, 2020**

**RESOLUTION ADOPTING A SEQRA DETERMINATION OF NONSIGNIFICANCE  
FOR THE ESTABLISHMENT OF AN OPEN DEVELOPMENT AREA PURSUANT TO  
TOWN LAW §280-a**

**WHEREAS**, a letter of request has been submitted to the Town Board of the Town of Red Hook by Lori and John Curran (the "Owners") pursuant to Town Law § 280-a for the establishment of an Open Development Area ("ODA") benefitting an approximately 1.81-acre parcel located at 26 Read Road, identified as tax parcel no. 6373-00-776820 (the "Property"), for the purpose of constructing a single-family dwelling on the Property (the "Project"); and

**WHEREAS**, the establishment of the ODA would allow building permits to be issued for the erection of structures on the Property to which access to Read Road would be given by right of way or easement over an existing driveway, also known as West View Lane, located on neighboring property at 44 Read Road, identified as tax parcel no. 6373-00-793859; and

**WHEREAS**, the Owners have submitted a Short Environmental Assessment Form Part 1 ("EAF") dated March 4, 2020, pursuant to the State Environmental Quality Review Act ("SEQRA"), a copy of which is on file in the office of the Town Clerk; and

**WHEREAS**, on April 22, 2020, by Resolution No. 17, the Town Board classified the Project as an unlisted action under SEQRA and declared its intent to serve as lead agency for the review of the Project, to which no other agency has objected; and

**WHEREAS**, the Town Board has reviewed the EAF, including the reasoning set forth in part 3 of the EAF dated March 4, 2020, and all available information concerning the potential impacts of the Project and found that it has sufficient information on which to base a determination of significance; and

**WHEREAS**, the Town Board has considered the criteria contained in 6 NYCRR 617.7 and thoroughly analyzed all identified relevant areas of environmental concern;

**NOW THEREFORE BE IT RESOLVED**, that 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) hereby:

1. Adopts a negative declaration and determines that the proposed action will not result in any significant adverse environmental impacts and that a Draft Environmental Impact Statement will not be prepared; and
2. Authorizes and directs the Town Clerk to distribute a copy of this resolution to all involved and interested agencies, the Town Supervisor, and any person that has requested a copy and to make all other filings required by law.

**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 November 10, 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	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 Christine Kane, to wit;

**TOWN OF RED HOOK  
RESOLUTION NO. 55  
DATED NOVEMBER 10, 2020**

**RESOLUTION ADOPTING A SEQRA DETERMINATION OF NONSIGNIFICANCE  
FOR THE ESTABLISHMENT OF AN OPEN DEVELOPMENT AREA PURSUANT TO  
TOWN LAW §280-a**

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 – Tuesday, November 10, 2020 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 Tuesday, November 10, 2020 at 7:30 pm. Due to the ongoing COVID pandemic, the Town Hall is closed to the general public until further notice. Pursuant to Executive Order No. 202.1, issued by Governor Cuomo, and advisories issued by Federal, State and Local officials related to the COVID-19 virus, the public will not be permitted to attend in person. Some or all of the Board members are expected to participate in the meeting via teleconference or video conference. Please refer to the meeting agenda to be posted on the Town website at <https://www.redhook.org>. The public may view and listen to the proceedings live on [www.pandatv23.org](http://www.pandatv23.org). To the extent permitted by law, and until further notice, future

Town Board meetings including the regularly scheduled meetings on the second Tuesday and fourth Wednesday of each month, will be available to the public via PANDA's website listed above. Interested persons may comment on agenda matters by submitting an email or telephone by submitting comments to the Supervisor at [rmckeon@redhook.org](mailto:rmckeon@redhook.org). All reasonable accommodations will be made for persons with disabilities. In such a case, please notify the Town Clerk's office at 845-758-4606 so that arrangements can be made.  
Deanna Cochran, Town Clerk, Town of Red Hook

Supervisor McKeon explained that this resolution approves this ODA for just this one lot, and if they wanted to consider any further, they would have to come back in front of the Planning Board and the Town Board. This resolution does not approve of a new subdivision being created on those existing lots.

Councilmember Kane noted that the resolution title had the wrong parcel number listed. All the titles in the resolution will be corrected.

Supervisor McKeon asked if there were anymore comments. There were none.

**TOWN OF RED HOOK  
RESOLUTION NO. 56  
DATED NOVEMBER 10, 2020**

**RESOLUTION APPROVING OF THE ESTABLISHMENT OF AN OPEN  
DEVELOPMENT AREA PURSUANT TO TOWN LAW §280-a FOR LOT 6373-00-  
776820 FRONTING ON READ ROAD**

**WHEREAS**, a letter of request has been submitted to the Town Board of the Town of Red Hook by Lori and John Curran (the "Owners") pursuant to Town Law § 280-a for the establishment of an Open Development Area ("ODA") benefitting an approximately 1.81-acre parcel located at 26 Read Road, identified as tax parcel no. 6373-00-776820 (the "Property"), for the purpose of constructing a single-family dwelling on the Property (the "Project"); and

**WHEREAS**, the establishment of the ODA would allow building permits to be issued for the erection of a single family residence on the Property to which access to Read Road has or would be given by right of way or easement over an existing paved private drive, also known as West View Lane, located on neighboring property at 44 Read Road, identified as tax parcel no. 6373-00-793859 (the "Neighboring Parcel"); and

**WHEREAS**, the Project is generally depicted on plans submitted to the Town Board by letter dated March 4, 2020, a copy of which is on file in the office of the Town Clerk; and

**WHEREAS**, the applicant has represented that the boundaries of the Property and the Neighboring Parcel were created by deed recorded prior to September 1, 1970, the effective date of the Town's subdivision regulations, and such lots are not shown on any map of subdivision filed of record; and

**WHEREAS**, the Owners propose the common use of an existing drive in lieu of construction of a driveway directly onto Read Road where the Property has at least 50 feet of frontage; and

**WHEREAS**, the Owners have submitted evidence of approval of a septic system site for the Property by the Dutchess County Department of Health; and

**WHEREAS**, pursuant to Town Law § 280-a(4), such an ODA shall be established upon such conditions and subject to such limitations as may be prescribed by general or special rule of the Planning Board; and

**WHEREAS**, on April 22, 2020, by Resolution No. 17, the Town Board referred the Project to the Town of Red Hook Planning Board for its advice and report on the suitability of the access to the Property from Read Road; and

**WHEREAS**, by letter dated October 9, 2020, the Town of Red Hook Planning Board responded, stating that it had no objections to the establishment of the ODA and providing its recommendations regarding the Project; and

**WHEREAS**, on November 10, 2020, the Town Board, acting as lead agency under the State Environmental Quality Review Act, adopted a negative declaration determining that the proposed establishment of the ODA will not have a significant adverse effect on the environment and that a draft environmental impact statement will not be prepared; and

**WHEREAS**, the Town Board of the Town of Red Hook, after reviewing the Planning Board's recommendations and after due deliberation, finds that the establishment of the ODA will not negatively impact public health, safety and general welfare on the conditions set forth herein;

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

1. The Town Board hereby establishes an Open Development Area over the Property and Neighboring Parcel in order to allow construction of a single-family dwelling on the Property with its access to Read Road via an existing common drive known as West View Lane, subject to the following conditions:
  - a. Approval by the Highway Superintendent of the common driveway pursuant to the Highway Specifications.
  - b. Any further use, extension or amendment of the Open Development Area will require further application to the Town Board after review by the Planning Board.
  - c. Proof of recordation of an Easement and Maintenance Agreement over West View Lane in form and substance approved by the Attorney to the Town providing for a right of way of at least 15 feet and meeting said driveway specifications.
2. The Town Clerk is hereby directed to distribute a copy of this resolution to the Town of Red Hook Highway Superintendent, Planning Board, and Building Department.

#### **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 (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 Christine Kane, to wit;

**TOWN OF RED HOOK  
RESOLUTION NO. 56  
DATED NOVEMBER 10, 2020**

**RESOLUTION APPROVING OF THE ESTABLISHMENT OF AN OPEN  
DEVELOPMENT AREA PURSUANT TO TOWN LAW §280-a FOR LOT 6373-00-  
776820 FRONTING ON READ ROAD**

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>Nay</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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**Discussion - Resolution to Approve - Local Law B Regarding Updating Qualifications and Procedures- Building and Zoning Staff**

Supervisor McKeon explained the resolution. The Planning Board did not have any objection to the Town Board passing Local Law B.

Supervisor McKeon asked if the Board had any comments. There were none.

**TOWN OF RED HOOK  
RESOLUTION NO. 57  
DATED NOVEMBER 10, 2020**

**AUTHORIZING 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 B (Proposed) of 2020 entitled “A local law to update qualifications and procedures for building and zoning office staff; amending the following 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” was presented to the Town Board of the Town of Red Hook at a special meeting held on September 23, 2020; and

**WHEREAS**, a resolution was duly adopted by the Town Board of the Town of Red Hook on September 23, 2020, setting a public hearing to be held by said Town Board on October 13, 2020 at 7:45 p.m. at the Town Hall, 7340 South Broadway, Red Hook, New York, to hear all interested parties on said proposed local law; and

**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; and

**WHEREAS**, notice of said public hearing was duly advertised in the Poughkeepsie Journal, the official newspaper of said Town, on September 30, 2020, which is not less than ten calendar days prior to the date of said public hearing; and

**WHEREAS**, notice of the October 13, 2020 public hearing was sent to the clerks of adjacent municipalities; and

**WHEREAS**, pursuant to Section 239-m of the General Municipal Law, a copy of the Proposed Local Law was referred to the Dutchess County Department of Planning and Development which responded on October 20, 2020 that it was exempt from 239 review; and

**WHEREAS**, the Proposed Local Law was referred to the Planning Board for a report and recommendation thereon pursuant to Section 143-141 of the Zoning Law; and

**WHEREAS**, the Planning Board met on November 9, 2020, and the Planning Board further reviewed the Proposed Local Law and recommended approval; and

**WHEREAS**, said public hearing was duly held on October 13, 2020 at said time and place, and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said proposed local law, or any part thereof; and

**WHEREAS**, the Town Board of the Town of Red Hook, after due deliberation, finds it in the best interests of the Town to adopt said local law, in the form attached hereto.

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

1. The Town Board hereby adopts said Local Law B (Proposed) of 2020, now referred to as Local Law No. 2 of 2020, entitled “Local Law No. 2 of 2020; **A local law to update qualifications and procedures for building and zoning office staff; amending the following 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”** in the form attached hereto and made a part of this resolution; and
2. The Town Clerk hereby is directed to enter said local law in the minutes of this meeting and in the Town Code of the Town of Red Hook, to give due notice of the adoption of said local law to the Secretary of State of New York, and to take all other actions as may be required by law.

*Local Law Filing*

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

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(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. 2 of 2020

A local law to update qualifications and procedures for building and zoning office staff; amending the following 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)(1), 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.

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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. 57  
DATED NOVEMBER 10, 2020**

**AUTHORIZING 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>Aye</u>
Councilmember Jacob Testa	VOTING <u>Aye</u>

The foregoing resolution was thereupon declared duly adopted.

NOTICE OF TOWN BOARD MEETINGS – Tuesday, November 10, 2020 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 Tuesday, November 10, 2020 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.pandav23.org](http://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](mailto:rmckeon@redhook.org). All reasonable accommodations will be made for persons with disabilities. In such a case, please notify the Town Clerk's office at 845-758-4606 so that arrangements can be made. Deanna Cochran Town Clerk, Town of Red Hook

### ADMINISTRATIVE ISSUES

- Supervisor McKeon stated that there were two written resignations from the Planning Board and those individuals have expressed their desire to stay on as alternates, Lisa Foscolo and Kallie Robertson.

On a motion by Supervisor McKeon seconded by Councilmember Kane moved to appoint Lisa Foscolo and Kallie Robertson as alternates for the Planning Board.

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

- Supervisor McKeon received word from Dutchess County advising Dutchess Land Conservancy that the County has awarded matching funds through their Partnership for Manageable Growth Program for the purchase of development rights to +/- 60 acres known as the Brittany Hollow Farm.

### CORRESPONDENCE/PUBLIC COMMENTS

Supervisor McKeon referred to a letter from last meeting he received from Susan Rohrmeier who expressed her disappointment of the removal of the mural located in the children's Learning Garden. Supervisor McKeon considered forming a Cultural and Arts Committee focusing on all the activities going on in the community and look at how we might highlight the artists and their work that exist in our community.

Supervisor McKeon asked the Board for their input.

Councilmembers Hamel and Testa co-chair a working group and have been discussing cultural issues and public art and would consider including this idea.

Supervisor McKeon also received comments from Johanna Moore stating the importance of art in the community.

The November 25, 2020 Town Board meeting has been cancelled. The next regularly scheduled meeting will be on December 8, 2020 at 7:30 p.m.

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