

Red Hook Town Board Meeting

September 6, 2022 7:30 P.M.
Red Hook Town Hall
7340 South Broadway
Red Hook, NY 12571

Supervisor Robert McKeon

Councilmember Bill Hamel

Councilmember Christine Kane

Councilmember Julia Solomon

Councilmember Jacob Testa

Town Clerk Deanna Cochran

Highway Superintendent Theresa Burke

Attorney Christine Chale

PLEDGE OF ALLEGIANCE TO THE FLAG

Public Hearing 7:35: Water District Improvements

AGENDA FOR SPECIAL MEETING

- 1. Water District: Tank Replacement Grant Application**
- 2. Resolution to Amend 284 Agreement – Road improvements**
- 3. Adjournment**

NOTICE OF PUBLIC HEARING ON PROPOSAL FOR AN INCREASE AND
IMPROVEMENT OF WATER DISTRICT FACILITIES FOR RED HOOK
WATER DISTRICT NO. 1

Notice is hereby given that the Town Board of the Town of Red Hook, Dutchess County, will meet via Zoom on the 6th day of September, 2022, at 7:30 o'clock p.m., prevailing time, for the purpose of conducting a public hearing upon a proposal by said Town Board to undertake proposed improvements to the facilities of the Town of Red Hook Water District No. 1 pursuant to Section 202-b of the Town Law as hereinafter described, at which time and place said Town Board will meet to consider such proposition and hear all persons interested in the subject thereof and concerning the same.

The Town Board is considering a recommended work plan for improvements to Red Hook Water District No. 1 as described in the Preliminary Engineering Report dated August, 2022, prepared by T&B Engineers, P.C., including the replacement of the existing standpipe at the Kelly Road water storage site with a new standpipe, recommended to be glass fused steel, and including original furnishings, equipment, machinery and apparatus required therefor (the "Project"), at an estimated maximum cost of \$3,956,800. A portion of such cost in the estimated amount of \$300,000 is to be paid from the Water District's existing SW Reserve Fund, and the remaining project cost is proposed to be financed pursuant to the Local Finance Law, and the Town proposes to apply for a Water Infrastructure Improvement Grant to pay or reimburse a portion of such costs. Such Engineer's report is on file in the Town Clerk's office for public inspection.

The Town Board has determined that such Project as described in the Engineer's report constitutes a Type II action as defined under the State Environmental Quality Review Regulations, 6 NYCRR Part 617, which has been determined under SEQRA not to have a significant impact on the environment.

In conjunction with its review of the Project, the Town Board will further undertake a review of the Project in order to determine whether and to what extent Red Hook's zoning laws apply to the proposed Project, taking into account the nine factors set forth in *Matter of County of Monroe v. City of Rochester*, as follows: (1) the nature and scope of the instrumentality seeking immunity; (2) the encroaching government's legislative grant of authority; (3) the kind of function or land use involved; (4) the effect local land use regulation would have on the enterprise concerned; (5) alternative locations for the facility in less restrictive zoning areas; (6) the impact upon legitimate local interests; (7) alternative methods of providing the proposed improvement; (8) the extent of the public interest to be served by the improvements; and (9) intergovernmental participation in the project development process and an opportunity to be heard.

To the extent authorized pursuant to NY Laws of 2022 Chapter 1 and Executive Order 11, as amended, 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

#1

**TOWN OF RED HOOK
RESOLUTION NO. ___ of 2022
DATED SEPTEMBER 6, 2022**

**RESOLUTION AND ORDER AFTER PUBLIC HEARING APPROVING A
WATER FACILITIES IMPROVEMENT PROJECT FOR WATER
DISTRICT NO. 1 IN THE TOWN OF RED HOOK, IN THE COUNTY OF
DUTCHESS, STATE OF NEW YORK, PURSUANT TO SECTION 202-b OF
THE TOWN LAW**

WHEREAS, the Town Board of the Town of Red Hook (herein called "Town Board" and "Town"), respectively, in the County of Dutchess, New York, on behalf of Water District No. 1, in the Town (herein called "District"), requested T&B engineering, P.C., engineers duly licensed by the State of New York (herein called "Engineer") to prepare an engineer's report for the improvement of facilities of the District, consisting of water system improvements to include the replacement of the existing standpipe at the Kelly Road water storage site with a new standpipe, recommended to be glass fused steel, and including original furnishings, equipment, machinery and apparatus required therefor, and pursuant to the direction of the Town Board, the Engineer has completed and filed with the Town Board such engineer's report for the increase and improvement of facilities of the District; and the Engineer has estimated the total cost thereof not to exceed \$3,956,800;

WHEREAS, the Engineer completed such engineer's report and filed the same with the Town Board, and the Town Board thereafter adopted an order describing in general terms the proposed improvement of facilities, specifying the estimated total cost thereof and stating that the Town Board would meet to hear all persons interested in said improvement of facilities on September 6, 2022 at 7:30 o'clock p.m. (Prevailing Time) at the Town Hall in the Town; and

WHEREAS, notice of such order, was published and posted pursuant to the provisions of Article 12 of the Town Law; and

WHEREAS, such public hearing was duly held by the Town Board on this 6th day of September, 2022 at 7:30 o'clock p.m. (Prevailing Time) via Zoom, and considerable discussion on the matter having been had and all persons desiring to be heard having been heard, including those in favor of and those in opposition to said improvement of the facilities; and

WHEREAS, it has been determined that the aforesaid purpose 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.

WHEREAS, the Town Board and the Town have complied in every respect with all applicable federal, state and local laws and regulations regarding environmental matters including compliance with the New York State Environmental Quality Review Act, comprising Article 8 of the Environmental Conservation Law;

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

EXTRACT OF MINUTES

A special meeting of the Town Board of the Town of Red Hook, Dutchess County, New York was convened in public session on September 6, 2022 at 7:30 p.m., local time via videoconference and/or teleconference pursuant to NYS Laws Ch. 1 of 2022 and Executive Order 11, as amended. 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 law.

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		
Councilmember William Hamel		
Councilmember Christine Kane		
Councilmember Julia Solomon		
Councilmember Jacob Testa		

The following persons were ALSO PRESENT:

The following resolution was offered by _____, seconded by _____, to wit;

**TOWN OF RED HOOK
RESOLUTION NO. ____ of 2022
DATED SEPTEMBER 6, 2022**

**RESOLUTION AND ORDER AFTER PUBLIC HEARING APPROVING A
WATER FACILITIES IMPROVEMENT PROJECT FOR WATER
DISTRICT NO. 1 IN THE TOWN OF RED HOOK, IN THE COUNTY OF
DUTCHESS, STATE OF NEW YORK, PURSUANT TO SECTION 202-b OF
THE TOWN LAW**

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
Councilmember William Hamel	VOTING
Councilmember Christine Kane	VOTING
Councilmember Jacob Testa	VOTING
Councilmember Julia Solomon	VOTING

The foregoing resolution was thereupon declared duly adopted.

R5004-028
September 1, 2022

Supervisor Robert McKeon
Town of Red Hook
7430 South Broadway
Red Hook, NY 12571

Re: **Red Hook Water District No. 1 Water Storage Tank Project
SEQR Status**

Dear Supervisor McKeon:

Tighe & Bond, who provides services in New York by T&B Engineering and Landscape Architecture, PC (Tighe & Bond) has reviewed the proposed scope of the Red Hook Water District No. 1 Water Storage Tank Project as detailed in our Engineering Report "Red Hook Water Storage Tank Engineering Report" dated August 24, 2022, in regard to the State Environmental Quality Review Act.

6 NYCRR Section 617.5 (Title 6 of the New York Code of Rules and Regulations) under the State Environmental Quality Review Act (SEQR) provides that certain actions identified in subdivision (c) of that section are not subject to environmental review under the Environmental Conservation Law.

The proposed water storage tank improvements identified as the selected alternative in the Engineering Report are a Type II action in accordance with 6 NYCRR Section 617.5(c) (2) which constitutes:

- (2) replacement, rehabilitation or reconstruction of a structure or facility, in kind, on the same site, including upgrading buildings to meet building or fire codes, unless such action meets or exceeds any of the thresholds in section 617.4 of this Part

If you have any questions, please feel free to give me a call at (845) 516-5872.

Very truly yours,

T&B Engineering and Landscape Architecture, P.C.



Daniel Valentine, PE
Senior Project Manager

J:\R\R5004 Town of Red Hook\028 - WST Design\Funding\WIIA Grant\Red Hook Tank SEQRA Status Letter.docx

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

DATED: SEPTEMBER 6, 2022

**RESOLUTION DETERMINING APPLICATION OF TOWN ZONING LAWS TO
THE INCREASE AND IMPROVEMENT OF WATER DISTRICT
FACILITIES FOR WATER DISTRICT NO. 1 PROJECT**

WHEREAS, the Town Board of the Town of Red Hook (herein called "Town Board" and "Town"), respectively, in the County of Dutchess, New York, on behalf of Water District No. 1, in the Town (herein called "District"), requested T&B Engineering, P.C., engineers duly licensed by the State of New York (herein called "Engineer") to prepare an engineer's report (the "Engineering Report") for the improvement of facilities of the District, consisting of water system improvements to include the replacement of the existing standpipe at the Kelly Road water storage site with a new standpipe, recommended to be glass fused steel, and including original furnishings, equipment, machinery and apparatus required therefor (the "Water District Project"), and

WHEREAS, pursuant to the direction of the Town Board, the Engineer has completed and filed with the Town Board the Engineering Report for the increase and improvement of facilities of the District; and

WHEREAS, the Town Board has undertaken a review of the Engineering Report in order to determine whether and to what extent the Town's zoning laws apply to the proposed Water District Project, taking into account the nine factors set forth in *Matter of County of Monroe v. City of Rochester*, as follows:

1. The nature and scope of the instrumentality seeking immunity: The Town is a general purpose governmental entity and a political subdivision of the State of New York.
2. The encroaching government's legislative grant of authority: Pursuant to § 64 of the New York State Town Law, the Town is a general purpose governmental entity with full power and authority to manage municipal property and finances and to carry out projects for the benefit of the Town. The Town is authorized under Town Law § 202-b(1) to improve or reconstruct existing facilities and appurtenances on behalf of its water district. Further, the Town may replace obsolete, inadequate, damaged, destroyed or worn-out apparatus and equipment or acquire additional apparatus and equipment. Town Law § 202-b(1)
3. The kind of function or land use involved: The Water District Project consists of replacing an existing water storage tank that was constructed in 1989 at Kelly Road with a new standpipe. The existing water storage tank is a welded steel standpipe with a diameter of 40 feet, a height of 98.5 feet and a capacity of 900,000 gallons. As stated in the Engineering Report, it is recommended that the

ten (10) feet higher than that of the existing tank base elevation. This potential site is not cleared and would require the construction of additional infrastructure, including the extension of the water mains, access drive and electrical service. The Town, on the advice and consent of its engineers, determined that this potential site was unsuitable for siting a new water tank.

6. The impact upon legitimate local interests:

The Town Board has reviewed a full EAF with respect to the proposed project, a copy of which is on file with the Town Clerk. The Town Board has also determined that the Water District Project constitutes a Type II action as defined under the State Environmental Quality Review Regulations, 6 NYCRR Part 617 because it constitutes a replacement in kind.

7. Alternative methods of providing the proposed improvement: The Town has determined that there are no other facilities in the area that are reasonably available for the proposed use. The Town's engineering consultants have explored the possibility of rehabilitating the existing water storage tank at an approximate cost of \$1,389,000, plus engineering contingency and ancillary costs. The existing tank has been in service for over 30 years. During that time, normal wear and tear on the welded steel coating system, minor concrete foundation cracking and deposition of sediment on the tank bottom have occurred. In addition, requirements for tank access, safety, cathodic protection and water mixing have changed since the tank's original construction. While steel tanks are versatile and have a long service life, maintenance of their coating system can result in considerable expense.

If the existing tank is restored, the following issues would need to be addressed: (1) cracks in the concrete foundation; (2) installation of OSHA required signage; (3) installation of a new flapper valve and screen on the overflow pipe discharge; (4) installation of anti-skid rungs on the access ladder; (5) extension of handrails around the circumference of the tank roof; (6) installation of a thirty (30) inch manway to replace the existing twenty-four (24) inch manway; (7) replacement of the existing roof vent; (8) repainting of the tank exterior; (9) installation of a mixing system; (10) removal of sediment from the tank bottom; (11) installation of passive cathodic protection system; and (12) repainting of the tank interior.

During the rehabilitation of the existing tank, the tank would have to be taken out of service temporarily. In its place, a temporary storage system would be used to supply pressure to the distribution system during construction. This temporary storage system would not allow for water to be provided to Bard College. In addition, alternative means of fire protection would be required while the water tank was being rehabilitated.

8. The extent of the public interest to be served by the improvements: The supply of safe and clear water is of great importance to Town residents. The Town of Red

EXTRACT OF MINUTES

A special meeting of the Town Board of the Town of Red Hook, Dutchess County, New York was convened in public session on September 6, 2022 at 7:30 p.m., local time via videoconference and/or teleconference pursuant to NYS Laws Ch. 1 of 2022 and Executive Order 11, as amended. 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 law.

The meeting was called to order by _____, 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		
Councilmember William Hamel		
Councilmember Christine Kane		
Councilmember Julia Solomon		
Councilmember Jacob Testa		

The following persons were ALSO PRESENT:

The following resolution was offered by _____, seconded by _____, to wit;

TOWN OF RED HOOK RESOLUTION NO. _____

DATED: SEPTEMBER 6, 2022

RESOLUTION DETERMINING APPLICATION OF TOWN ZONING LAWS TO THE INCREASE AND IMPROVEMENT OF WATER DISTRICT FACILITIES FOR WATER DISTRICT NO. 1 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
Councilmember William Hamel	VOTING
Councilmember Christine Kane	VOTING
Councilmember Jacob Testa	VOTING
Councilmember Julia Solomon	VOTING

The foregoing resolution was thereupon declared duly adopted.

**TOWN OF RED HOOK
RESOLUTION NO. ___ OF 2022**

BOND RESOLUTION DATED SEPTEMBER 6, 2022

A RESOLUTION AUTHORIZING INCREASE AND IMPROVEMENT OF WATER DISTRICT FACILITIES FOR WATER DISTRICT NO. 1 AT AN ESTIMATED MAXIMUM COST OF \$3,956,800 AND AUTHORIZING THE ISSUANCE OF SERIAL BONDS OF THE TOWN OF RED HOOK, DUTCHESS COUNTY, NEW YORK IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$3,656,800 PURSUANT TO THE LOCAL FINANCE LAW TO FINANCE SUCH COST, AND DELEGATING CERTAIN POWERS IN CONNECTION THEREWITH TO THE TOWN SUPERVISOR

BE IT RESOLVED, by the Town Board of the Town of Red Hook, Dutchess County, New York (the "Town") (by the favorable vote of not less than two-thirds of all of the members of the Board) as follows:

SECTION 1. Water system improvements consisting of the replacement of the existing standpipe at the Kelly Road water storage site with a new standpipe, and including original furnishings, equipment, machinery and apparatus required therefor, is hereby authorized at an estimated maximum cost of \$3,956,800, and said amount is hereby appropriated therefor. It is hereby determined that said purpose is an object or purpose described in subdivision 1 of paragraph a of Section 11 of the Local Finance Law, and that the period of probable usefulness of said purpose is forty years.

SECTION 2. It is hereby determined that the aforesaid purpose constitutes a Type II action as defined under the State Environmental Quality Review Regulations, 6 NYCRR Part 617, which has been determined under SEQRA not to have a significant impact on the environment.

SECTION 3. It is hereby determined that the proposed maturity of the obligations authorized by this resolution will be in excess of five years from the original date of issuance of such obligation.

SECTION 4. The Town Board plans to finance a portion of the total cost of said purpose by the issuance of serial bonds of the Town in an amount not to exceed \$3,656,800, hereby authorized to be issued therefor pursuant to the Local Finance Law. A portion of such cost in the estimated amount of \$300,000 is to be paid from the Water District's existing SW Reserve Fund.

SECTION 5. Current funds are not required to be provided prior to the issuance of the bonds authorized by this resolution or any notes issued in anticipation of said bonds.

SECTION 6. The proceeds of the bonds herein authorized and any bond anticipation notes issued in anticipation of said bonds may be applied to reimburse the Town for expenditures made after the effective date of this resolution for the purpose for which said bonds are authorized.

thereof, by a serial bond and/or bond anticipation note issue of the Town and the sale of such issue or issues to the New York State Environmental Facilities Corporation or its designee.

SECTION 11. The validity of said serial bonds or of any bond anticipation notes issued in anticipation of the sale of said serial bonds may be contested only if:

(1) Such obligations are authorized for an object or purpose for which the Town is not authorized to expend money; or

(2) The provisions of law which should be complied with at the date of the publication of this resolution are not substantially complied with; and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication; or

(3) Such obligations are authorized in violation of the provisions of the Constitution of New York.

SECTION 12. The Town Clerk is hereby authorized and directed to publish this resolution, or a summary thereof, together with a notice in substantially the form provided by Section 81.00 of the Local Finance Law, in the Poughkeepsie Journal, being a newspaper having a general circulation in the Town and hereby designated as the official newspaper of the Town for such publication.

SECTION 13. This resolution shall take effect immediately.

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 6th day of September, 2022 and entitled:

**TOWN OF RED HOOK
RESOLUTION NO. ____ OF 2022
BOND RESOLUTION DATED SEPTEMBER 6, 2022**

A RESOLUTION AUTHORIZING INCREASE AND IMPROVEMENT OF WATER DISTRICT FACILITIES FOR WATER DISTRICT NO. 1 AT AN ESTIMATED MAXIMUM COST OF \$3,956,800 AND AUTHORIZING THE ISSUANCE OF SERIAL BONDS OF THE TOWN OF RED HOOK, DUTCHESS COUNTY, NEW YORK IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$3,656,800 PURSUANT TO THE LOCAL FINANCE LAW TO FINANCE SUCH COST, AND DELEGATING CERTAIN POWERS IN CONNECTION THEREWITH TO THE TOWN SUPERVISOR

(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 Town Board was present throughout said meeting, and a legally sufficient number of members (two-thirds of the Town Board) 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 ____ day of September, 2022.

-SEAL-

Deanna Cochran, Town Clerk

RECORD OF PUBLIC HEARING

A regular meeting of the Town Board of the Town of Red Hook, in the County of Dutchess, State of New York, was convened in public session via Zoom in said Town on September 6, 2022 at 7:30 p.m. local time.

The meeting was called to order by _____ and upon roll being called the following were

PRESENT:

Supervisor Robert McKeon
Councilmember William Hamel
Councilmember Christine Kane
Councilmember Jacob Testa
Councilmember Julia Solomon

ABSENT:

The following persons were ALSO PRESENT:

At ____ p.m. the Supervisor stated that a public hearing had been called for this meeting at this time and place to consider the improvement of facilities of Water District No. 1, in the Town of Red Hook consisting of a recommended work plan as described in the Engineer's Report prepared by T&B Engineering, P.C. dated as of August 2022, and to hear all persons interested in the subject thereof concerning the same and for such other action on the part of the Town Board with relation thereto as may be required by law. Such improvements include the replacement of the existing standpipe at the Kelly Road water storage site with a new standpipe, recommended to be glass fused steel, and including original furnishings, equipment, machinery and apparatus required therefor. The Town Clerk read, in full, the order calling said public hearing and presented affidavits showing that certified copies of said order had been duly published and posted pursuant to the provisions of Section 202-b of the Town Law.

The Town Supervisor stated that the public hearing in the said matter was now open and asked if there were any interested persons present who desired to be heard.

**TOWN OF RED HOOK
RESOLUTION NO. ____ OF 2022**

**RESOLUTION AUTHORIZING SUBMISSION OF NYS WATER INFRASTRUCTURE
IMPROVEMENT ACT (WIIA) APPLICATION
FOR WATER DISTRICT NO. 1 WATER STORAGE TANK PROJECT**

WHEREAS, T&B Engineering and Landscape Architecture, P.C. (“T&B”) prepared a Water Storage Tank Engineering Report dated August 24, 2022 (“Engineering Study”) to evaluate the Town of Red Hook’s (“Town”) the Water District’s existing water storage tank off of Kelly Road; and

WHEREAS, upon review of the Engineering Study, the Town Board of the Town has determined that it is necessary and in the best interests of the Town to undertake certain water system improvements consisting of the replacement of the existing standpipe at the Kelly Road water storage site with a new standpipe, and related water system improvements with an estimated maximum cost of \$3,956,800 (“Water District Improvements”); and

WHEREAS, the Town Board of the Town now desires to seek available grant funding to assist in offsetting the costs of such Water District Improvements; and

WHEREAS, the aforesaid project constitutes a Type II action as defined under the State Environmental Quality Review Regulations, 6 NYCRR Section 617 (Title 6 of the New York Code of Rules and Regulations) and therefore is not subject to environmental review;

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

1. The Town Board of the Town hereby authorizes the Supervisor or, in his absence or unavailability, the Deputy Supervisor, to execute and submit one or more applications for financial assistance in the form of grants or loans or both for the Water District Improvements, including without limitation applications to the State of New York and its agencies and to the New York State Environmental Facilities Corporation, and including without limitation an application for grant funding under the NYS Water Infrastructure Improvement Act (WIIA).
2. This resolution shall take effect immediately.

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 6th day of September, 2022 and entitled:

**TOWN OF RED HOOK
RESOLUTION NO. ____ OF 2022**

**RESOLUTION AUTHORIZING SUBMISSION OF NYS WATER INFRASTRUCTURE
IMPROVEMENT ACT (WIIA) APPLICATION
FOR WATER DISTRICT NO. 1 WATER STORAGE TANK 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 ____ day of September, 2022.

-SEAL-

Deanna Cochran, Town Clerk

**TOWN OF RED HOOK
RESOLUTION NO. _____
DATED SEPTEMBER 6, 2022**

**RESOLUTION TO APPROVE AMENDED AGREEMENT FOR 2022
HIGHWAY EXPENDITURES**

WHEREAS, pursuant to the provisions of Section 284 of the Highway Law, moneys levied and collected in the Town for the repair and improvement of highways, and received from the State for State Aid for the repair and improvement of highways, shall be expended for repairs of certain town highways as provided herein; and

WHEREAS, attached hereto is a proposed form of Amended Agreement for the Expenditure of Highway Moneys for 2022;

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

1. The Town Board hereby authorizes the Highway Superintendent to expend highway funds in an amount not to exceed \$48,000 to be set aside to be expended for materials for primary work and general repairs upon Town highways, as more specifically provided in the attached Agreement.
2. The Town Board hereby authorizes the Highway Superintendent to expend highway funds in an amount not to exceed \$260,851.61 for permanent improvement of the following Town Highway(s) as more specifically provided in the attached Agreement:
 - Manor Road starting at Aspinwall Road and leading to Colonial Drive, on Trow Boulevard, starting at Carriage Drive and leading to North Drive, on Colonial Drive, starting at Manor Road and leading to Trow Boulevard, on Meadow Drive starting at Route 199 and leading to Trow Boulevard.
3. The Town Board hereby authorizes the Highway Superintendent to expend highway funds in an amount not to exceed \$43,000.00 for permanent improvement of the following Town Highway(s) as more specifically provided in the attached Agreement:
 - Hapeman Hill Road and leading to State Route 199.
4. The Town Board hereby authorizes the Highway Superintendent to expend highway funds in an amount not to exceed \$27,000.00 for permanent improvement of the following Town Highway(s) as more specifically provided in the attached Agreement:
 - Kelly Road and leading to State Route 9G and on Whalesback Road commencing at Kelly Road and leading to Old Whalesback Road and on Old Whalesback Road leading to State Route 9G.

5. The Town Board hereby authorizes the Highway Superintendent to expend highway funds in an amount not to exceed \$10,000.00 for permanent improvement of the following Town Highway(s) as more specifically provided in the attached Agreement:
 - Shaeffer Road
6. 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 on September 6, 2022 at 7:30 p.m., local time via videoconference and/or teleconference pursuant to NYS Laws Ch. 1 of 2022 and Executive Order 11, as amended. 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 law.

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 Zoom	
Councilmember William Hamel	Via Zoom	
Councilmember Christine Kane	Via Zoom	
Councilmember Julia Solomon	Via Zoom	
Councilmember Jacob Testa	Via Zoom	

The following persons were ALSO PRESENT:

The following resolution was offered by _____, seconded by _____, to wit;

RESOLUTION NO. _____

DATED SEPTEMBER 6, 2022

RESOLUTION TO APPROVE AMENDED AGREEMENT FOR 2022 HIGHWAY EXPENDITURES

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
Councilmember William Hamel	VOTING
Councilmember Christine Kane	VOTING
Councilmember Jacob Testa	VOTING
Councilmember Julia Solomon	VOTING

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 6th day of September, 2022 and entitled:

RESOLUTION NO. _____

DATED SEPTEMBER 6, 2022

**RESOLUTION TO APPROVE AMENDED AGREEMENT FOR 2022
HIGHWAY EXPENDITURES**

(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 _____ day of _____, 2022.

-SEAL-

Deanna Cochran
Town Clerk

Amended Agreement for the Expenditure of Highway Moneys (2022)

AGREEMENT between the Town Superintendent of the Town of Red Hook, Dutchess County, New York, and the undersigned members of the Town Board.

Pursuant to the provisions of Section 284 of the Highway Law, we agree that moneys levied and collected in the Town for the repair and improvement of highways, and received from the State for State Aid for the repair and improvement of highways, shall be expended as follows:

1. GENERAL REPAIRS. The sum of **\$48,000.00** shall be set aside to be expended for primary work and general repairs upon 60 miles of town highways, including sluices, culverts and bridges having a span of less than five feet and boardwalks or renewals thereof.
2. PERMANENT IMPROVEMENTS. The following sums shall be set aside to be expended for the permanent improvement of Town highways:
 - (a) On the road commencing at **Manor Road**, starting at **Aspinwall Road** and leading to Colonial **Drive**, on **Trow Blvd**, starting at **Carriage Drive** and leading to **North Drive**, on **Colonial Drive**, starting at **Manor Road** and leading to **Trow Blvd**, on **Meadow Drive** starting at **Route 199** and leading to **Trow Blvd.**, a distance of 1.38 miles, there shall be expended not over the sum of **\$260,851.61**
Type – **Asphalt overlay**
Width of traveled surface -**20-22 feet**
Thickness - **2.5 inches**
Subbase- **Asphalt**
 - (b) On the road commencing at **Hapeman Hill Road** and leading to **State Route 199**, a distance of **2.23** miles, there shall be expended not over the sum of **\$43,000.00**
Type -**Oil and Stone Chip Seal**
Width of traveled surface - **23 feet**
Thickness -**1/4 "**
Subbase - **asphalt**
 - (c) On the road commencing at **Kelly Road** and leading to **State Route 9 G**, and on **Whalesback Raod** commencing at **Kelly Road** and leading to **Old Whalesback Road**, and on **Old Whalesback Road** leading to **State Route 9G**, a distance of **1.46** miles, there shall be expended not over the sum of **\$27,000.00**
Type – **Oil and Stone Chip Seal**
Width of traveled surface-**22-25 feet**
Thickness -**1/4"**
Subbase -**asphalt**
 - (d) On the road commencing at **Shaeffer Road** and leading to **State Route 9 G**, a distance of **.13** miles, there shall be expended not over the sum of **\$10,000.00**
Type – **Asphalt Overlay**
Width of traveled surface-**12-15 feet**
Thickness -**2"**
Subbase -**asphalt**

Executed in duplicate this _____ day of _____, 2_____

Supervisor

Councilman

Councilman

Councilman

Councilman

Councilman

County Superintendent of Highways

Town Superintendent of Highways

Note: This agreement should be signed in duplicate by a majority of the members of the Town Board and by the Town Superintendent. Both copies must be approved by the County Superintendent. One copy must be filed in the Town Clerk's office and one in the County Superintendent's office. COPIES DO NOT HAVE TO BE FILED IN ALBANY.