

TOWN OF RED HOOK

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SUPERVISOR
ROBERT P. MCKEON

COUNCIL MEMBERS
BILL HAMEL
CHRISTINE KANE
JULIA SOLOMON
JACOB TESTA

TOWN JUSTICES
THOMAS MANSFIELD
JONAH TRIEBWASSER

TOWN CLERK
DEANNA COCHRAN

SUPT. OF HIGHWAYS
THERESA BURKE

General Code Publishers
781 Elmgrove Road
Rochester, NY 14624

Re: Town of Red Hook Local Law #4 of 2023

Dear Sir or Madam:

Enclosed for the Town of Red Hook please find the following local law:

Local Law No. 4 of 2023 entitled "Amending Chapter 131, Vehicles And Traffic, Providing For No Parking and No Stopping Zone At Fruit Bud Lane"

Please provide us with two (2) copies for the Town of Red Hook Code.

Thank you for your assistance. If you have any questions, please do not hesitate to contact me.

Very truly yours,



Deanna Cochran

Enclosure

Local Law Filing

(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.

County City Town Village
(Select one:)

of Red Hook

Local Law No. 4 of the year 20²³

A local law A LOCAL LAW AMENDING CHAPTER 131, VEHICLES AND TRAFFIC, PROVIDING FOR
(Insert Title)
FOR NO PARKING AND NO STOPPING ZONE AT FRUIT BUD LANE

Be it enacted by the Town Board of the
(Name of Legislative Body)

County City Town Village
(Select one:)

of Red Hook as follows:

(If additional space is needed, attach pages the same size as this sheet, and number each.)

(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)

1. (Final adoption by local legislative body only.)

I hereby certify that the local law annexed hereto, designated as local law No. 4 of 2023 of the ~~(County)(City)(Town)(Village)~~ of Red Hook was duly passed by the Town Board on April 26, 2023, in accordance with the applicable provisions of law.
(Name of Legislative Body)

2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer*.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved) *(Name of Legislative Body)* (repassed after disapproval) by the _____ and was deemed duly adopted *(Elective Chief Executive Officer*)* on _____ 20 , in accordance with the applicable provisions of law.

3. (Final adoption by referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved) *(Name of Legislative Body)* (repassed after disapproval) by the _____ on _____ 20____. *(Elective Chief Executive Officer*)*

Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on _____ 20____, in accordance with the applicable provisions of law.

4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved) *(Name of Legislative Body)* (repassed after disapproval) by the _____ on _____ 20____. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of _____ 20____, in accordance with the applicable provisions of law.

* Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

5. (City local law concerning Charter revision proposed by petition.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the City of _____ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on _____ 20____, became operative.

6. (County local law concerning adoption of Charter.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the County of _____ State of New York, having been submitted to the electors at the General Election of November _____ 20____, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph 1 above.

(Seal)



[Handwritten signature]

Clerk of the county legislative body, City, Town or Village Clerk or officer designated by local legislative body

Date: April 26, 2023

Town of Red Hook

Local Law No. 4 of 2023

A LOCAL LAW AMENDING CHAPTER 131, VEHICLES AND TRAFFIC,
PROVIDING FOR NO PARKING AND NO STOPPING ZONE AT FRUIT BUD
LANE

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

SECTION 1. PURPOSE

The Town Board of the Town of Red Hook has determined that the parking of vehicles along Fruit Bud Lane creates unnecessary and undue risk and difficulty for passing motorists and pedestrians. The Town Board finds that prohibiting the parking and stopping of motor vehicles on Fruit Bud Lane will benefit the health, safety, and welfare of the public.

SECTION 2. AMENDMENT TO CHAPTER 131 OF THE TOWN
OF RED HOOK CODE, VEHICLES AND TRAFFIC

Town of Red Hook Code Chapter 131, Section 3, Parking, Standing, and Stopping of Motor Vehicles Prohibited in Certain Areas, is hereby amended to add new subsections E & F to read as follows:

E. Fruit Bud Lane, on either side, from its intersection with Linden Avenue (County Rt. 79) approximately 520 LF to its intersection with the Town Recreation Park.

F. Fruit Bud Lane, on the East Side, from its intersection with the Town Recreation Park in a southerly direction for a distance of 185 linear feet.

SECTION 3. STATEMENT OF AUTHORITY

This local law is authorized by New York State Constitution, Article IX, Section 2, the provisions of the New York Municipal Home Rule Law, the provisions of the Statute of Local Governments, the New York Vehicle and Traffic Law Section 1660, the relevant provisions of the New York Town Law, and the laws of the Town of Red Hook.

SECTION 4. SEVERABILITY

If any clause, sentence, paragraph, section or part of this Local Law shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to said clause, sentence, paragraph, section or part of this Local Law.

SECTION 5. EFFECTIVE DATE

This local law shall take effect on the later of August 31, 2023 and upon filing with the Secretary of State as provided in Section 27(3) of the Municipal Home Rule Law of the State of New York.

**TOWN OF RED HOOK
RESOLUTION NO. 26
DATED APRIL 26, 2023**

**RESOLUTION AUTHORIZING ADOPTION BY THE TOWN BOARD OF THE TOWN
OF RED HOOK OF LOCAL LAW NO. D (PROPOSED) OF 2023 REGARDING A NO
PARKING ZONE AT FRUIT BUD LANE**

WHEREAS, a proposed form of Local Law No. D (Proposed) of 2023 entitled “A LOCAL LAW AMENDING CHAPTER 131, VEHICLES AND TRAFFIC PROVIDING FOR NO PARKING AND NO STOPPING ZONE AT FRUIT BUD LANE” (the “Proposed Local Law”) was presented to the Town Board of the Town of Red Hook at a regular meeting on April 11, 2023; and

WHEREAS, a resolution was duly adopted by the Town Board of the Town of Red Hook on April 11, 2023, setting a public hearing to be held by said Town Board on April 26, 2023 at 7:35 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 under the State Environmental Quality Review Act (“SEQRA”); and

WHEREAS, notice of said public hearing was duly advertised in the Poughkeepsie Journal, the official newspaper of said Town, on April 18, 2023, which is not less than five calendar days prior to the date of said public hearing; and

WHEREAS, said public hearing was duly held on April 26, 2023 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 (by the favorable vote of not less than a majority of all of the members of the Board) as follows:

1. The Town Board hereby adopts said Local Law D (Proposed) of 2023, now to be referred to as Local Law No. 4 of 2023, entitled “**Local Law No. 4 of 2023; A LOCAL LAW AMENDING CHAPTER 131, VEHICLES AND TRAFFIC PROVIDING FOR NO PARKING AND NO STOPPING ZONE AT FRUIT BUD LANE**” 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.

Town of Red Hook

Local Law No. 4 of 2023

A LOCAL LAW AMENDING CHAPTER 131, VEHICLES AND TRAFFIC,
PROVIDING FOR NO PARKING AND NO STOPPING ZONE AT FRUIT BUD
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If any clause, sentence, paragraph, section or part of this Local Law shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to said clause, sentence, paragraph, section or part of this Local Law.

SECTION 5. EFFECTIVE DATE

This local law shall take effect on the later of August 31, 2023 and upon filing with the Secretary of State as provided in Section 27(3) of the Municipal Home Rule Law of the State of New York.

EXTRACT OF MINUTES

A regular meeting of the Town Board of the Town of Red Hook, Dutchess County, New York was convened in public session at on April 26, 2023 at 7:30 p.m. local time at the Town Hall, 7340 South Broadway, Red Hook NY.

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

	Present	Absent
Supervisor Robert McKeon	In-Person	
Councilmember William Hamel	In-Person	
Councilmember Christine Kane	In-Person	
Councilmember Julia Solomon	In-Person	
Councilmember Jacob Testa	In-Person	

The following persons were ALSO PRESENT:

Christine M. Chale, Esq., Attorney for the Town

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

**TOWN OF RED HOOK
RESOLUTION NO. 26
DATED APRIL 26, 2023**

RESOLUTION AUTHORIZING ADOPTION BY THE TOWN BOARD OF THE TOWN OF RED HOOK OF LOCAL LAW NO. D (PROPOSED) OF 2023 REGARDING A NO PARKING ZONE AT FRUIT BUD LANE

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 Julia Solomon	VOTING <u>Aye</u>
Councilmember Jacob Testa	VOTING <u>Aye</u>

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 26th day of April, 2023 and entitled:

**TOWN OF RED HOOK
RESOLUTION NO. 26
DATED APRIL 26, 2023**

**RESOLUTION AUTHORIZING ADOPTION BY THE TOWN BOARD OF THE TOWN
OF RED HOOK OF LOCAL LAW NO. D (PROPOSED) OF 2023 REGARDING A NO
PARKING ZONE AT FRUIT BUD LANE**

(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 26 day of April, 2023.

-SEAL-



Deanna Cochran
Town Clerk