

Village of Rhinebeck Board of Trustees
Regular Meeting
Tuesday June 10, 2014 7:00 PM

Present – Mayor Heath Tortarella Deputy Mayor Howard Traudt, Trustees Gary Kenton, Heinz Sauer, Scott Cruikshank, Attorney Rich Olson, and Clerk Patricia Coon.

Others Present:

Terry Gipson- State Senator and Rhinebeck resident, Joel Tyner-County Legislator, Kyle Irwin, and members of the press and public

Mayor Tortarella opened the meeting with the Pledge of Allegiance.

Senator Gipson addressed the Board on various topics of interest including his effort to go to all local governments in his district. He is supporting Lyme disease research. He discussed that CHIPS funding is staying the same as last year. There are also more funds available due to the Winter Recovery Package. Trustee Sauer questioned the tax cap and the mandates that the Village has to adhere to and he asked if there was another way to fund school taxes. Deputy Mayor Traudt questioned the courses from NY State for volunteer fire fighters and the state regulations for them. Trustee Kenton discussed consolidation of services and the petition process involved.

County Legislator Tyner addressed the Board on various topics of interest including the debate being held on June 11 and June 26 regarding the well testing laws and the anti-pay-to-play. He is sponsoring the 11th annual essay contest ending June 20 and June 22 there will be discussion on the Zero waste solution.

Mayor Tortarella commended Wayne Rifenburg and the American Legion Montgomery Post 429 for a great Memorial Day parade and he thanked Peter Dunn and the Rhinebeck Police Dept., the Rhinebeck Fire Dept., and Village Employees Billy Mainiero and Tom Wallbank for their assistance.

Kyle Irwin discussed further details of the proposed F.E.A.T. full 26.2 Marathon and 13.1 half Marathon to be held May 15, 2015. She has been working with the Dutchess County Fair, Rhinebeck Police and Fire Department as well as the Town of Rhinebeck to create a safe and successful event. Mayor Tortarella made a motion to approve the event. Trustee Sauer seconded the motion and all the Board present was in favor.

Mayor Tortarella gave an insurance update that the Village recently renewed the Village's liability insurance with NYMIR at a cost savings with the village. The Village is re-assessing the worker's compensation at this time. Bill Dowden a resident of Rhinebeck and on the Safety Group 497 which is administered thru the New York State Insurance Fund. Mr. Dowden reviewed the differences between trusts and safety groups. Discussion followed. The Village needs to make a decision on either renewing or finding insurance by July 1, 2014.

Department Reports:

Waste Water: Trustee Kenton reported that 3.9 million gallons of waste water was treated, 44452 gallons of sludge processed and 5290 pounds of sludge was processed. Complete report is on file in the Village Clerk's office.

Water: Trustee Sauer net water treated was 12,204,000 gallons was processed. Trustee Sauer reported that a conceptual water main replacement strategy is delayed due but should be out later in the month. Complete report is on file in the Village Clerk's office.

Fire Department: Trustee Cruikshank 30 EMS calls village 13 town 17 ; 15 fire calls 7 village 8 town; 8 motor vehicle accidents- 1 village 7 town for a 53 total for month. Trustee Cruikshank discussed that he will be reviewing department needs and projections with an independent consultant on Friday June 13. The complete report of their findings should be done within a month. Mayor Tortarella reported on the contract negotiations with the Town of Rhinebeck. Town Supervisor Spinzia has questioned severing the Fire

Department from the Rescue Squad. Mayor Tortarella stated that the 160,000 for a one year contract still stands as proposed. Complete report is on file in the Village Clerk's office.

Street Department: Deputy Mayor Traudt reported that the street department has been picking up Brush which is made into mulch. Interested people can come to the Village Clerk's office and pay \$20 per yard. The Village is looking into purchasing a grapple truck for picking up brush and debris. Deputy Mayor Traudt reported on the purchasing 3 Big Belly thanks to a grant from the Frost Foundation for \$18,500.00. The Board will be looking into locations for them as soon as possible. Complete report is on file in the Village Clerk's office.

Planning and Zoning: Trustee Cruikshank reported that the Zoning Dept. performed 6 municipal reports, 3 zoning violations, 2 special use permits 5 building permits and issued 2 stop work orders. Complete report is on file in the Village Clerk's office. Deputy Mayor Traudt reported on the purchasing 3 Big Belly thanks to a grant from the Frost Foundation for \$18,500.00. The Board will continue to review the update fee schedule that John Fenton had proposed. This will be reviewed at the July Board meeting. Trustee Kenton proposed establishing a working committee for review of the Village Code. Mayor Tortarella asked that this committee could be established with 2 from planning, 2 from zoning Trustees Kenton and Cruikshank. Trustee Cruikshank stated that a review and implementation of the recommendations from independent audit of the Planning and Zoning department has commenced. Complete report is on file in the Village Clerk's office.

Police and Court: Sergeant Dunn reported on the possible implementation of a Bullet Proof vest policy. Sgt. Dunn reported that 109 violations were written during the month of May, 99 complaints and 11 arrests. Sgt. Dunn stated he is working on grants for obtaining license plate readers. Mayor Tortarella made a motion to accept the Bullet Proof vest policy as written.

87. Proper Use and Care of Body Armor

I. Purpose

The purpose of this policy is to provide law enforcement officers with guidelines For the proper use and care of body armor.

II. Policy

It is the policy of this law enforcement agency to maximize officer safety through the use of body armor in combination with prescribed safety procedures. While Body armor provides a significant level of protection, it is not a substitute for the Observance of officer safety procedures.

III. Definitions

Field Activities: Duty assignments and/or tasks that place or could reasonably be Expected to place officers in situations where they would be required to act in enforcement rather than administrative or support capacities.

IV. Procedures

A. Issuance of Body Armor

1. All body armor issued must comply with protective and related requirements prescribed under current standards of the National Institute of Justice.
2. All officers shall be issued agency-approved body armor.
3. Body armor that is worn or damaged shall be replaced by the agency. Body armor that must be replaced due to misuse or abuse by the officer shall be paid for by the officer.

B. Use of Body Armor

1. Officers shall wear only agency-approved body armor.
2. Officers that are assigned to a uniformed function and non-uniformed sworn officers are required to wear body armor while engaged in field activities unless exempt as follows:
 - a. When an agency-approved physician determines that an officer has a medical condition that would preclude wearing body armor.
 - b. When the officer is involved in undercover or plain clothes work that his/her supervisor determines could be compromised by wearing body armor; or
 - c. When the department determines that circumstances make it inappropriate to mandate wearing body armor.

C. Inspections of Body Armor

1. The Officer in Charge shall be responsible for ensuring that body armor is worn and maintained as required by this policy through routine observation.

D. Care, Maintenance and Replacement of Body Armor

1. Officers shall routinely inspect personal body armor for signs of damage and for general cleanliness.
2. As dirt and perspiration may erode ballistic panels, each officer shall be responsible for cleaning personal body armor in accordance with the manufacturer's instructions.
3. Officers are responsible for the proper storage, maintenance and care of body armor in accordance with manufacturer's instructions.
4. Officers are responsible for reporting damage or excessive wear to the ballistic panels or cover to their supervisor.
5. Body armor will be replaced in accordance with guidelines and protocols established by the National Institute of Justice.

Seconded by Trustee Cruikshank and all the Board present was in favor. Complete police and court report are on file in the Village Clerk's office.

Dog Report: the report from Dog Warden Roger Newkirk reported that May 2014 was a month of lost dogs. Complete report is on file in the Village Clerk's office.

Committee Reports:

Tree Committee: Trustee Kenton reported that an abbreviated meeting took place on June 3, in order to say good bye to Trustee Traudt. Trustee Kenton stated the Village Board and the Tree Commission needs to look at the number of trees being requested to be removed, and the language of possible sharing the price of the removal or the property owner paying for the removal. There are 20 on the list to be removed. Trustee Kenton made the motion to approve the expenditure of under \$1200 for the stated that the cost of the Emerald Ash borer treatment. Mayor Tortarella seconded the motion and all the Board present was in favor.

Website: no report

Special Requests

1. Rhinebeck American Legion Post #429 requested to do a coin drop on Sept. 5, 6, 7, 2014. Motion made by Deputy Mayor Traudt to approve, seconded by Trustee Kenton and all the Board present was in favor.
2. Deputy Mayor Traudt thanked the Rhinebeck Garden Club for their hard work and keeping Dewitt Gurnell park as beautiful as it is.
3. Permit from Shane Hansen for going door to door selling educational books. Permit has been completed but tabled for further review.

Other Business:

- a. Asher Dam/Pedestrian Bridge Bid opening – The Village received four bids on the re-bid of the Asher Dam project. The low bidder was T.J.R. at \$59,750. The other bids were Sun Up Ent. \$91,795, Contech \$69,970, and Coyle at \$1378, 000. Mayor Tortarella made a motion to accept the low bid from T.J.R. which has been reviewed by the engineer for the project and subject to review by the Village Attorney Rich Olson. Seconded by Trustee Kenton and all the Board present was in favor.
- b. Employee Health Insurance Plan- Mayor Tortarella discussed that our current plan expires on August 1, 2014, and the Village is looking into alternatives. The Village Board will present a proposed health insurance to the Village union members soon for their review.
- c. Dutchess County Shared Services contract is for a grant for the costs of planning and zoning software and maintenance for one year for municipalities in Dutchess County. The Village will pay the maintenance going forward. Motion to enter into the agreement made by Mayor Tortarella seconded by Trustee Sauer and all the Board present was in favor.
- d. Trustee Kenton made a motion supporting Senator Gipson’s legislation, S.5126, which would amend the New York State Constitution prohibiting the state from imposing new unfunded mandates on local governments and school districts. Seconded by Mayor Tortarella and all the Board present was in favor.
- e. Heinz Sauer discussed the Workplace Violence policy. Mayor Tortarella stated that a policy and training for employees’ is being formulated and should be in place the beginning of July.
- f. Deputy Mayor Traudt discussed the removal of a tree. Trustee Kenton made a motion to add the tree at 41 Mill Street to be removed to the list. Deputy Mayor Traudt seconded. Discussion and all the Board present was in favor.
- g. Mayor Tortarella discussed made the motion to cancel the July 8 2014 and schedule the next regular board meeting for July 22, 2014. Trustee Kenton seconded. Discussion followed regarding various upcoming topics that may require special meetings all the Board present was in favor.

Correspondence:

- 1. The Board received a letter from Sheldon Walters regarding tree roots damaging his sidewalk. Mayor Tortarella discussed having the street department look at it again.
- 2. The Board received a letter complaining about the saxophone player on the corner of West Market St. Mayor Tortarella stated the Village does not have a busker law to enforce.
- 3. A Thank you from Montgomery Post #429 American Legion for the Village’s help for a successful Memorial Day parade.

Water and Waste Water Adjustments

May 2014 Waste Water Adjustment				
Waste Water				
Acct #	DM (balance)	CM	Difference	Reason
40126	\$750.00		\$750.00	Gardens tap fee
40127	\$750.00		\$750.00	Gardens tap fee
40128	\$750.00		\$750.00	Gardens tap fee

40129	\$750.00		\$750.00	Gardens tap fee
40130	\$750.00		\$750.00	Gardens tap fee
40131	\$750.00		\$750.00	Gardens tap fee
40132	\$750.00		\$750.00	Gardens tap fee
40133	\$750.00		\$750.00	Gardens tap fee
40134	\$750.00		\$750.00	Gardens tap fee
40135	\$750.00		\$750.00	Gardens tap fee
40136	\$750.00		\$750.00	Gardens tap fee
40137	\$750.00		\$750.00	Gardens tap fee
40138	\$750.00		\$750.00	Gardens tap fee
40139	\$750.00		\$750.00	Gardens tap fee
40140	\$750.00		\$750.00	Gardens tap fee
40141	\$750.00		\$750.00	Gardens tap fee
40126	\$25.00		\$25.00	new owner
21222		-\$44.55	-\$44.55	incorrect previous reading
40126	\$22.16		\$22.16	final
May 2014 Water Adjustment				
<u>Water</u>				
Acct #	DM (balance)	CM	Difference	Reason
699	\$25.00		\$25.00	new owner
883	\$25.00		\$25.00	new owner
953	\$25.00		\$25.00	new owner
579	\$25.00		\$25.00	new owner
40126	\$25.00		\$25.00	new owner
31491	\$500.00		\$500.00	tap fee (meter only)
40126	\$750.00		\$750.00	Gardens tap fee
40127	\$750.00		\$750.00	Gardens tap fee
40128	\$750.00		\$750.00	Gardens tap fee
40129	\$750.00		\$750.00	Gardens tap fee
40130	\$750.00		\$750.00	Gardens tap fee
40131	\$750.00		\$750.00	Gardens tap fee
40132	\$750.00		\$750.00	Gardens tap fee
40133	\$750.00		\$750.00	Gardens tap fee
40134	\$750.00		\$750.00	Gardens tap fee
40135	\$750.00		\$750.00	Gardens tap fee
40136	\$750.00		\$750.00	Gardens tap fee
40137	\$750.00		\$750.00	Gardens tap fee
40138	\$750.00		\$750.00	Gardens tap fee
40139	\$750.00		\$750.00	Gardens tap fee
40140	\$750.00		\$750.00	Gardens tap fee
40141	\$750.00		\$750.00	Gardens tap fee
707	\$30.88		\$30.88	final
21472		-\$378.00	-\$378.00	village owned
883	\$49.20		\$49.20	final
953	\$51.00		\$51.00	final
579	\$15.31		\$15.31	final
40126	\$8.40		\$8.40	final
21347		-447.32	-\$447.32	reduced to minimum, meter issue
699	\$24.60		\$24.60	final

Motion made by Mayor Tortarella Trustee Sauer to accept the adjustments listed. Trustee Sauer seconded and all the board present was in favor.

Resident Marie Tombini lives on Prospect Street addressed the Board regarding a tree that was planted by the Tree Commission that is blocking her access to her storage shed. Discussion commenced and the Village Attorney will have to research it.

Mayor Tortarella made a motion to go to executive session for client attorney personnel matters. Trustee Sauer seconded and all the board present was in favor.

Mayor Tortarella made the motion to return to regular session. Deputy Mayor Traudt seconded and all the board present was in favor.

Adjourn –

Mayor Tortarella made a motion to adjourn. Trustee Sauer seconded and all the board present was in favor.

Submitted by,

Patricia D. Coon
Village Clerk

April 2014 Voucher Approval

In the General Fund, Electronic Transfers in the amount of \$12,931.25, Manual Checks # 5742-5754 in the amount of \$28,221.05. Computer checks #29579-29652 in the amount of \$69,027.35.

In the Water Fund, Electronic Transfers in the amount of \$4,450.00, Manual Checks # 2164-2172 in the amount of \$20,012.85. Computer checks #29653-29675 in the amount of \$20,438.88.

In the Sewer Fund, Electronic Transfers in the amount of \$1,786.00, Manual Checks # 1984-1922 in the amount of \$9,251.33. Computer checks #29677-29698 in the amount of \$9,538.15.