

**Village of Rhinebeck Board of Trustees**  
**Tuesday, March 8, 2016**  
**7:00 PM**

**Present:** Mayor Heath Tortarella, Deputy Mayor Howard Traudt, Trustees Scott Cruikshank, Gary Bassett, Trustee Sean Kemp and Village Clerk Patricia Coon, Treasurer Karen McLaughlin, Danielle Maloney from Panda and numerous members of the public.

Mayor Tortarella opened the meeting at 7:00 pm with the Pledge of Allegiance.

Mayor Tortarella announced the Organizational meeting will take place on Tuesday April 5, 2016 following immediately will be the regular monthly Board meeting. This is a rescheduling of the meeting on April 12, 2016.

County Legislator Joel Tyner reported on various topics that he is involved with at the county legislature including: the 10<sup>th</sup> or 11<sup>th</sup> Repair Café will be held Saturday March 26, 2016 at the Rhinebeck Town Hall. Rhinebeck Community Solar meeting will be held Tuesday April 5, 2016 at the Town Hall. Mr. Tyner also discussed the proposed new Dutchess County Jail expansion.

Mayor Tortarella introduced village resident Gentry Rouse who made a presentation in regards to the Village sponsoring a Solar program to raise awareness of solar by offering volume discounts. Mr. Rouse requested putting a banner up across Route 9, and to use the Village's insurance. This will be discussed further at the March 22, 2016 special meeting. Mayor Tortarella also discussed that at the last regular Village Board meeting, Gentry Rouse was named as chair of the newly formed Power Lines committee, which will have their first meeting on March 28, 2016.

**Treasurer's report-** McLaughlin reported the following: Vouchers: General \$79619.82 Water \$28442.69; Sewer- \$19,178.20 ; Capital Projects water \$1323.81; Capital Projects waste water \$47694.27 Escrow; 0. Motion made by Trustee Bassett to accept the water adjustments and billing as submitted. Trustee Kemp second the motion. Vote was as follows: Mayor Tortarella- Yes, Deputy Mayor Traudt- Yes, Trustee Cruikshank- Yes, Trustee Kemp- Yes and Trustee Bassett- Yes. Motion passed. Trustee Kemp made a motion to accept the waste water adjustments and billing as submitted. Trustee Bassett second the motion. Vote was as follows: Mayor Tortarella- Yes, Deputy Mayor Traudt- Yes, Trustee Cruikshank- Yes, Trustee Kemp- Yes and Trustee Bassett- Yes. Motion passed. Mayor Tortarella made motion to accept the transfer of funds as follows: \$357.50 for the Lagoon Clean-out and \$47,694.27 for the Waste Water Treatment Plant Headworks project. Motion was second by Trustee Kemp. Vote was as follows: Mayor Tortarella- Yes, Deputy Mayor Traudt- Yes, Trustee Cruikshank- Yes, Trustee Kemp- Yes and Trustee Bassett- Yes. Motion passed. Mayor Tortarella made a motion to approve the payment of vouchers as submitted. Motion was second by Trustee Kemp Vote was as follows: Mayor Tortarella- Yes, Deputy Mayor Traudt- Yes, Trustee Cruikshank- Yes, Trustee Kemp- Yes and Trustee Bassett- Yes. Motion passed. Complete report is on file in the Village Clerk's office.

Mayor Tortarella made a motion to continue the public hearing on the Brush and Yard Waste Removal Local Law. Motion was second by Trustee Cruikshank. Vote was as follows: Mayor Tortarella- Yes, Deputy Mayor Traudt- Yes, Trustee Cruikshank- Yes, Trustee Kemp- Yes and Trustee Bassett- Yes. Motion passed. Resident Isabelle Scholte addressed the Board with questions that she had in regards to the pickup dates. Mayor Tortarella made a motion to close the public hearing. Deputy Mayor Traudt second the motion. Vote was as follows: Mayor Tortarella- Yes, Deputy Mayor Traudt- Yes, Trustee Cruikshank- Yes, Trustee Kemp- Yes and Trustee Bassett- Yes. Motion passed. Mayor Tortarella made a motion to approve the Local Law #2 Brush and Yard Waste Removal in accordance with the resolution as prepared. Trustee Cruikshank second the motion and the Vote was as follows: Mayor Tortarella- Yes, Deputy Mayor Traudt- Yes, Trustee Cruikshank- Yes, Trustee Kemp- Yes and Trustee Bassett- Yes. Motion passed.

RESOLUTION # - 2016

WHEREAS, the attached amendments to Chapter 38 Brush/Yard Waste Removal was introduced by the Board of Trustees of the Village of Rhinebeck on January 19, 2016, and

WHEREAS, a public hearing was held on February 9, 2016 at 7:00 p.m. at the Village Hall, 76 East Market Street, Rhinebeck, New York, notice of said hearing duly published and at which time all interested parties had an opportunity to be heard; and

WHEREAS, the public hearing was continued to March 8, 2016 at which time all interested parties had an additional opportunity to review and comment on the proposed legislation; and

WHEREAS, the Board of Trustees of the Village of Rhinebeck determined this action to be a Type II action based on the criteria found in 6 NYCRR, § 617.5 (c) (16) and therefore has determined that there are no adverse environmental impacts associate with the adoption of this Local Law;

NOW THEREFORE BE IT ENACTED, by the Board of Trustees of the Village of Rhinebeck the following:

VILLAGE LAW OF RHINEBECK  
LOCAL LAW NO. OF 2016  
**BRUSH/ YARD WASTE REMOVAL**

CHAPTER 38

BRUSH/YARD WASTE REMOVAL

§38-1 Purpose.

It is hereby declared the policy of the Village of Rhinebeck to preserve and maintain the clean and wholesome character of its environs and to preserve and maintain the health and welfare of its residents within the incorporated area of the Village, and in so doing it is necessary to establish regulations governing the collection and disposal of yard waste materials within the Village of Rhinebeck.

§38-2 Annual collection of yard waste materials.

Materials compiled in the process of a normal spring/fall yard cleanup of property in the Village shall be collected by Village collection crews. Spring cleanup will be conducted on a continuous basis between April 1 through May 15 of each year. Fall clean up will be conducted on a continuous basis between October 1 and December 1 of each year.

§38-3 Materials included.

Materials collected upon the provisions of this Chapter shall include sand accumulated in yards from being spread upon roads during the winter season, brush, limbs (up to 4 feet in length and 8 inches in diameter) and leaves. Such materials shall not include garbage, such as kitchen wastes, building materials, stones, lumber or man made materials or other similar discarded items which may be picked up by means of commercial refuse haulers. Grass clippings are prohibited in all clean up periods. All material placed in front of the property for pick up shall be generated from that property, no other debris from any other source shall be included.

§38-4 Designation of weekday for regular summer collections.

At such time as the Village Board adopts a motion pursuant to §38-2 above, said Board shall also designate, by motion, no less than one weekday per month for regular pickup of brush, limbs and leaves providing for such collection during the period of June 1 through September 30. Yard waste may be placed at the curb the weekend before the established collection date.

§38-5 Placement of materials for collection.

Such material shall be placed in front of the property but not in the gutter, covering any storm water drain, or in a location that impedes the flow of traffic. Placement of materials for pick up in front of the property may begin no earlier than 4:00 PM on the Friday preceding the scheduled pickup. Placement of yard waste at the front of the property at any other time shall constitute a violation of this Chapter.

§38-6 Enforcement.

A. The Superintendent of Public Works of the Village of Rhinebeck and such other person as may be designated by resolution of the Village Board are hereby authorized and directed to enforce this Chapter, to cause collections to be made according to this Chapter and to cause to be printed and distributed proper notice to notify persons governed by this Chapter of the dates and times for waste collection and of any rules and regulations promulgated pursuant to this Chapter.

B. The Superintendent of Public Works is hereby authorized to issue and serve appearance tickets and/or summonses with respect to violations of this Chapter.

§38-7 Penalties for offenses.

Any violation by a person, firm or corporation of any provision of this Chapter shall be deemed a violation and shall be subject to the following penalties:

- (1) First offense: a fine of \$50
- (2) Second offense: a fine \$100.

Mayor Tortarella discussed having the local law and the schedule placed on the website and having it included in the next water bills

Village Clerk Pat Coon read the following notice in regards to the March 15, 2016 Election:  
Village of Rhinebeck Voters

- 1 The annual Village election will take place on Tuesday, March 15, 2016
- 2 The Village election will take place at the Rhinebeck Town Hall, 80 East Market Street, Rhinebeck, NY as the Town Hall is handicapped accessible.
- 3 Voting will take place from noon to 9:00 p.m.
- 4 Village registered voters will be voting for Three candidates: Two (2) Trustees with two year terms, and One (1) Trustee with a one year term
- 5 The following candidates are running for office:

Trustee (2 year term) – Scott Cruikshank, 21 N. Parsonage Street, Rhinebeck

Trustee (2 year term) – Sean Kemp, 33 Stortini Drive, Rhinebeck

Trustee (2 year term) – Gary Bassett, 6 Somers Drive, Rhinebeck

Trustee (2 year term) – Richard Lewitt, 39 Lorraine Drive, Rhinebeck

Trustee (1 year term) – Sheryl Monaco, 34 Platt Avenue, Rhinebeck

Trustee (1 year term) – Gina Walker Fox, 9 Manor Road, Rhinebeck

- 6 Absentee Ballots are available at the Village Office, 76 East Market Street, Rhinebeck, NY. Applications can be requested at the Village Office or by phone 876-7015. These applications must be returned to the Village Office by March 8, 2016 if the ballots have to be mailed or by March 14, 2016 if the ballots can be personally delivered to the Village Office.
- 7 There is no longer a Village registration day. All voters for the Village election must be registered with Dutchess County Board of Elections at the correct address in the Village.

Farm Animal discussion- tabled as the Village is waiting to hear back from Dutchess County Planning department.

**Police & Court-** Mayor Tortarella read the police report of 15 total incidents in the Town; 79 incidents in the Village; 8 tickets in the town; 76 tickets in the Village; 13 arrests; 9 accidents  
Complete report is on file in the Clerk's office.

**Fire Department-** Trustee Cruikshank reported there were 23 fire calls, 6 in the town, 14 in the village and 3 mutual aid calls. There were 54 EMS calls: 22 in the town, 22 in the village, 6 mutual aid. There were also 4 MVS; 1 in the town, 2 in the village and 1 mutual aid. They did not respond to 4 calls, therefore response percentage is 92%, with an average of 8.55 minutes. There were 39 patient transports, 36 to NDH, 1 to MHR and 2 to VBMC. Trustee Cruikshank

made a motion from the fire department to go out to bid on a Initial fire response attack truck to replace 59-14. This new truck will have an added 500 gallon water capacity. Motion was second by Trustee Kemp. Vote was as follows: Mayor Tortarella- Yes, Deputy Mayor Traudt- Yes, Trustee Cruikshank- Yes, Trustee Kemp- Yes and Trustee Bassett- Yes. Motion passed. Mayor Tortarella made a motion to for the Village of Rhinebeck to approve Workers compensation coverage for the Volunteer Fireman and Volunteer rescue squad members for when they provide service outside of his or her jurisdiction prior to the arrival of an officer in command. Motion was second by Trustee Cruikshank. Vote was as follows: Mayor Tortarella- Yes, Deputy Mayor Traudt- Yes, Trustee Cruikshank- Yes, Trustee Kemp- Yes and Trustee Bassett- Yes. Motion passed. Complete report is on file in the Clerk's office.

**Planning & Zoning-** Trustee Kemp reported the following were processed by the building department: 18 CO searches; 4 building permits; 6 fire inspections. The Planning Board processed 1 sign application, and 1 subdivision application fee. The complete report is on file in the Clerk's office.

**Street Department-** Deputy Mayor Traudt reported the following jobs completed: continuous mechanical, cold patch pot holes, cleaned out catch basins, vegetation clearing from roadways and easements, road sign repair, street sweeping and general village and shop maintenance. Complete report is on file in the Clerk's office.

**Water Department-** Trustee Bassett reported on the total water treated as a net of 12,089,000 gallons. Trustee Bassett reported several leaks were investigated and will be repaired in the spring. Quarterly samples were collected and delivered. A property at 6425 Montgomery Street had the water shut off at the curb due to broken pipes where approximately 210,000 gallons was lost. Hilee Road residents Mr. Garrido and Mr. Santamarina addressed their concerns about the goats to the Board. Mayor Tortarella made a motion to schedule a public comment at the special meeting on March 24 for the public to comment on the goats at the Water reservoir on Hilee Road. The Board discussed the lagoon cleanup and removing the sludge from the lagoon and Trustee Bassett asked the Board to review the proposal at either of the special meetings on March 22 or 24. Trustee Bassett also reported the department is moving forward with the water distribution project and a report should be prepared shortly after the completion of the mapping.

**Wastewater Department-** Trustee Kemp reported he had met with The Wood's resident Pierce Lichman regarding the noise issue from the fans at the waste water plant. A cover was created by village maintenance employee John Raimondo to mitigate the noise. Trustee Kemp reported that 3.578 million gallons of waste water were treated, 28,357 gallons of sludge processed and 3,140 lbs. of sludge processed. Trustee Kemp reported two new employees were hired, Scott Rathjen and Brian Baccomo. Complete report is on file in the Clerk's office.

### **Committee Reports**

**Tree Commission-** Deputy Mayor Traudt discussed the tree pruning by Central Hudson. No report filed. Isabella Scholte addressed the Board and suggested that the property owners were not made aware of the impact of the removal of the trees.

**Parks and Recreation Committee-** Mayor Tortarella reported that the committee is working with Superintendent of Public Works John Fenton regarding the Legion Park.

**Other Business**

Dutchess County Local Business Registry information will be placed in the village Hall lobby.

**Special Requests-**

**Animal Hospital Event** – Mayor Tortarella discussed as the attendance will be under the number required by the event code, this application does not need to be addressed.

**Correspondence –**

**Mayor Tortarella read the notice from the** Dutchess County Fair in regards to the Mulberry Street closures. It was suggested to Village Clerk Pat Coon put the Fair dates and events that take place at the fairgrounds put on our website calendar.

**Other Business-**

The Center for performing arts requested to place banners in the village for their Shakespeare Festival. Mayor Tortarella made a motion to approve the placement pending Central Hudson Approval. Motion was second by Deputy Mayor Traudt Vote was as follows: Mayor Tortarella- Yes, Deputy Mayor Traudt- Yes, Trustee Cruikshank- Yes, Trustee Kemp- Yes and Trustee Bassett- Yes. Motion passed.

**Minutes approval** – Mayor Tortarella made a motion to approve the following minutes; 1-19-2016, 2-9-2016, 2-15-2016 Motion was second by Trustee Cruikshank Vote was as follows: Mayor Tortarella- Yes, Deputy Mayor Traudt- Yes, Trustee Cruikshank- Yes, Trustee Kemp- Yes and Trustee Bassett- Yes. Motion passed

Motion to adjourn made by Mayor Tortarella second by Trustee Kemp and Vote was as follows: Mayor Tortarella- Yes, Deputy Mayor Traudt- Yes, Trustee Cruikshank- Yes, Trustee Kemp- Yes and Trustee Bassett- Yes. Motion passed.

Respectfully Submitted,

Patricia D. Coon  
Clerk