

Village of Rhinebeck Board of Trustees
Meeting
Tuesday, November 8, 2016
7:00 PM

Mayor Heath Tortarella:	Present
Deputy Mayor Howard Traudt:	Present
Trustee Scott Cruikshank:	Present
Trustee Gary Bassett:	Present
Trustee Gina Fox:	Absent

Also present were: Village Clerk Patricia Coon, Treasurer Karen McLaughlin, Colleen Mooney, Mark Sutton, Liz Mazzarella and Panda staff,

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

Treasurer's report- Mayor Tortarella presented Treasurer McLaughlin report the following as of October 30, 2016: Vouchers: General \$65,609.07; Water \$34,636.25; Sewer- \$20,563.85; Balance: General \$22,200.72; Tax Collector \$1,493,165.66 ; Water \$603,105.45; Sewer- \$686,147.86. Complete report is on file in the Village Clerk's office.

Motion: Trustee Bassett: To approve the Water and Waste Water Adjustments for October as presented and reviewed by Treasurer McLaughlin.

Second: Mayor Tortarella

Mayor Heath Tortarella:	Yes
Deputy Mayor Howard Traudt:	Yes
Trustee Scott Cruikshank:	Yes
Trustee Gary Bassett:	Yes
Trustee Gina Fox:	Absent

Motion: Deputy Mayor Traudt: To approve Waste Water Adjustments for October as presented and reviewed by Treasurer McLaughlin.

Second: Mayor Tortarella

Mayor Heath Tortarella:	Yes
Deputy Mayor Howard Traudt:	Yes
Trustee Scott Cruikshank:	Yes
Trustee Gary Bassett:	Yes
Trustee Gina Fox:	Absent

Motion: Mayor Tortarella: To approve the budget Adjustments for October as presented and reviewed by Treasurer McLaughlin.

Second: Trustee Bassett

Mayor Heath Tortarella:	Yes
Deputy Mayor Howard Traudt:	Yes
Trustee Scott Cruikshank:	Yes
Trustee Gary Bassett:	Yes
Trustee Gina Fox:	Absent

Department Reports

Police & Court- Mayor Tortarella reported that in the month of October 2016 Summary: Total # of Incidents –31 Town ; Total # of Incidents-Village 120; Total # of Tickets – Town 13; Total # of Tickets – Village 76; Total # of Arrests 8 ;Total # of Accidents 15 . Mayor Tortarella reported speed trailer was set up on Route 9 near Asher Road, East Market Street and Montgomery Street with the average of all cars at all locations over the speed limit. Extra details this month were due to the Hudson Valley Half Marathon, New York State Sheep and Wool, Madagascar 5K and the Halloween Parade. Mayor Tortarella reported on receiving three letters of praise and thanks: the first from the New York State Police for thanking the Department for the assistance and support that members provided to the NYS Police during the wake and funeral of Sergeant Anthony Gentile. The second was an email received from Dawn Essig as a special thank you to Officer Killian for his kindness and the positive impact showed to her son on Halloween. The Third was a thank you for Officer Reavy for having the police car at the library for the “touch a truck” event. Complete report is on file in the Village Clerk’s office.

Fire Department- Trustee Cruikshank reported for the month of October there were a total of 95 Alarms –including: 21 fire calls; 11 in the town, 4 in the village and 2 mutual aid calls to Rhinecliff and 4 mutual aid calls outside of Rhinebeck. There were 69 EMS calls; 22 in the town, 35 in the village and 7 mutual aid calls to Hillside, 3 mutual aid calls to Rhinecliff and 2 mutual aid calls outside of Rhinebeck. There were also 5 motor vehicle accidents; 3 in the town and 2 in the village. The ambulance did not respond to 9 calls, therefore the response percentage is 87.84%. The fire department’s operating year concluded on October 31 exceeding all past call volumes with 1001 calls for the year (11-1-15 to 10-31-16). The Department is preparing for our stand by detail for Sinterklaas. Complete report is on file in the Village Clerk’s office.

SEQRA RESOLUTION

At a regular meeting of the Village Board of Trustees of the Village of Rhinebeck, Dutchess County, New York, held at Village Hall, in Rhinebeck, New York, in said Village, on 8th day of November, 2016, at 7 o'clock P.M., Prevailing Time.

The meeting was called to order by Mayor Heath Tortarella, and upon roll being called, the following were

PRESENT:

Mayor Heath Tortarella

Deputy Mayor Howard Traudt

Trustee Scott Cruikshank

Trustee Gary Bassett

ABSENT:

Trustee Gina Fox

The following resolution was offered by Mayor Tortarella, who moved its adoption, seconded by Deputy Mayor Traudt, to-wit:

RESOLUTION DATED NOVEMBER 8, 2016.

A RESOLUTION OF THE VILLAGE OF RHINEBECK, DUTCHESS COUNTY, NEW YORK AS TO SEQRA DETERMINATION.

BE IT RESOLVED by the Board of Trustees of the Village of Rhinebeck, Dutchess County, as follows:

Section 1. It is hereby determined that the Board of Trustees adopting this resolution declares itself to be the lead agency under the State Environmental Quality Review Act (“SEQRA”) and the regulations promulgated thereunder (the “Regulations”) for purposes of determining the environmental impact of the project described in Section 3 hereof.

Section 2. It is hereby determined that the project described in Section 3 hereof is a “Type II Action” which, as so defined in the Regulations is hereby determined will not have a significant impact upon the environment.

Section 3. The project which is the subject of this resolution is described as follows:

Purchase of a fire-fighting vehicle, including original apparatus and incidental equipment and expenses in connection therewith at a maximum estimated cost of \$465,000.

Section 4. This resolution shall take effect immediately.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

Mayor Heath Tortarella:	VOTING	Yes
Deputy Mayor Howard Traudt:	VOTING	Yes
Trustee Scott Cruikshank:	VOTING	Yes
Trustee Gary Bassett:	VOTING	Yes
Trustee Gina Fox:	ABSENT	

The resolution was thereupon declared duly adopted.

BOND RESOLUTION
(SUBJECT TO PERMISSIVE REFERENDUM)

At a regular meeting of the Board of Trustees of the Village of Rhinebeck, Dutchess County, New York, held at the Village Hall, in Rhinebeck, New York, in said Village, on the 8th day of November, 2016, at 7 o'clock P.M., Prevailing Time.

The meeting was called to order by Mayor Heath Tortarella, and upon roll being called, the following were

PRESENT:

Mayor Heath Tortarella

Deputy Mayor Howard Traudt

Trustee Scott Cruikshank

Trustee Gary Bassett

ABSENT:

Trustee Gina Fox

The following resolution was offered by Mayor Tortarella who moved its adoption, seconded by Trustee Cruikshank, to-wit:

BOND RESOLUTION DATED NOVEMBER 8, 2016.

A RESOLUTION AUTHORIZING, SUBJECT TO PERMISSIVE REFERENDUM, THE PURCHASE OF A FIRE-FIGHTING VEHICLE, FOR THE VILLAGE OF RHINEBECK, DUTCHESS COUNTY, NEW YORK, AT A MAXIMUM ESTIMATED COST OF \$465,000 AND AUTHORIZING THE ISSUANCE OF \$465,000 SERIAL BONDS OF SAID VILLAGE TO PAY THE COST THEREOF.

WHEREAS, all conditions precedent to the financing of the capital project hereinafter described, including compliance with the provisions of the State Environmental Quality Review Act, have been performed; and

WHEREAS, the capital project hereinafter described has been determined to be a Type II Action pursuant to the regulations of the New York State Department of Environmental Conservation promulgated pursuant to the State Environmental Quality Review Act, the implementation of which as proposed, such regulations provide will not result in a significant environmental effect; and

WHEREAS, it is now desired to authorize such capital project and its financing; NOW, THEREFORE,

BE IT RESOLVED, by the affirmative vote of not less than two-thirds of the total voting strength of the Board of Trustees of the Village of Rhinebeck, Dutchess County, New York, as follows:

Section 1. The purchase of a fire-fighting vehicle, including original apparatus and incidental equipment and expenses in connection therewith, for the Village of Rhinebeck, Dutchess County, New York, is hereby authorized, subject to permissive referendum, at a maximum estimated cost of \$465,000.

Section 2. It is hereby determined that the plan for the financing of the aforesaid maximum estimated cost is by the issuance of \$465,000 of serial bonds of the Village hereby authorized to be issued therefore pursuant to the provisions of the Local Finance Law.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is twenty years, pursuant to subdivision 27 of paragraph a of

Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of the serial bonds herein authorized will exceed five years.

Section 4. The faith and credit of said Village of Rhinebeck, Dutchess County, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. There shall annually be levied on all the taxable real property of said Village, a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

Section 5. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the serial bonds herein authorized, including renewals of such notes is hereby delegated to the Village Treasurer, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Village Treasurer, consistent with the provisions of the Local Finance Law.

Section 6. All other matters except as provided herein relating to the serial bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same, including the consolidation with other issues, and also the ability to issue serial bonds with substantially level or declining annual debt service, shall be determined by the Village Treasurer, the chief fiscal officer of such Village. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the Village Treasurer shall determine consistent with the provisions of the Local Finance Law.

Section 7. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said Village is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of 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.

Section 8. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 9. Upon this resolution taking effect, the same shall be published in full or summary form in the official newspaper of said Village for such purpose, together with a notice of the Village Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

Section 10. Pursuant to the provisions of Section 36.00 of the Local Finance Law, this resolution is adopted subject to permissive referendum.

Mayor Heath Tortarella:

VOTING Yes

Deputy Mayor Howard Traudt:	VOTING Yes
Trustee Scott Cruikshank:	VOTING Yes
Trustee Gary Bassett:	VOTING Yes
Trustee Gina Fox:	ABSENT

Yes

The resolution was thereupon declared duly adopted.

NOTICE OF ADOPTION OF RESOLUTION

NOTICE IS HEREBY GIVEN that the Board of Trustees of the Village of Rhinebeck, Dutchess County, New York, at a meeting held on the 8th day of November, 2016, duly adopted the resolution published herewith **SUBJECT TO A PERMISSIVE REFERENDUM.**

Dated: Rhinebeck, New York,

November 8, 2016.

Patricia D. Coon
Village Clerk

BOND RESOLUTION DATED NOVEMBER 9, 2016.

A RESOLUTION AUTHORIZING, SUBJECT TO PERMISSIVE REFERENDUM, THE PURCHASE OF A FIRE-FIGHTING VEHICLE, FOR THE VILLAGE OF RHINEBECK, DUTCHESS COUNTY, NEW YORK, AT A MAXIMUM ESTIMATED COST OF \$465,000 AND AUTHORIZING THE ISSUANCE OF \$465,000 SERIAL BONDS OF SAID VILLAGE TO PAY THE COST THEREOF.

WHEREAS, all conditions precedent to the financing of the capital project hereinafter described, including compliance with the provisions of the State Environmental Quality Review Act, have been performed; and

WHEREAS, the capital project hereinafter described has been determined to be a Type II Action pursuant to the regulations of the New York State Department of Environmental Conservation promulgated pursuant to the State Environmental Quality Review Act, the implementation of which as proposed, such regulations provide will not result in a significant environmental effect; and

WHEREAS, it is now desired to authorize such capital project and its financing; NOW, THEREFORE, BE IT

BE IT RESOLVED, by the affirmative vote of not less than two-thirds of the total voting strength of the Board of Trustees of the Village of Rhinebeck, Dutchess County, New York, as follows:

Section 1. The purchase of a fire-fighting vehicle, including original apparatus and incidental equipment and expenses in connection therewith, for the Village of Rhinebeck, Dutchess County, New York, is hereby authorized, subject to permissive referendum, at a maximum estimated cost of \$465,000.

Section 2. It is hereby determined that the plan for the financing of the aforesaid maximum estimated cost is by the issuance of \$465,000 of serial bonds of the Village hereby authorized to be issued therefor pursuant to the provisions of the Local Finance Law.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is twenty years, pursuant to subdivision 27 of paragraph a of Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of the serial bonds herein authorized will exceed five years.

Section 4. The faith and credit of said Village of Rhinebeck, Dutchess County, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. There shall annually be levied on all the taxable real property of said Village, a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

Section 5. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the serial bonds herein authorized, including renewals of such notes, is hereby delegated to the Village Treasurer, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Village Treasurer, consistent with the provisions of the Local Finance Law.

Section 6. All other matters except as provided herein relating to the serial bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same, including the consolidation with other issues, and also the ability to issue serial bonds with substantially level or declining annual debt service, shall be determined by the Village Treasurer, the chief fiscal officer of such Village. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the Village Treasurer shall determine consistent with the provisions of the Local Finance Law.

Section 7. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said Village is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of 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.

Section 8. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 9. Upon this resolution taking effect, the same shall be published in full or summary form in the official newspaper of said Village for such purpose, together with a notice of the Village Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

Section 10. Pursuant to the provisions of Section 36.00 of the Local Finance Law, this resolution is adopted subject to permissive referendum.

Building/Planning/Zoning- Trustee Cruikshank reported 5 CO searches were done, 10 building permits, 1 fire inspections, 2 sign application fees, 3 site plan application fees, 1 special permit application fee, for the month of October 2016. Complete report is on file in the Village Clerk's office.

Motion: Trustee Cruikshank made a motion to set a public hearing for Thursday December 8, 2016 at 7:00 for the purpose of adopting the changes to the Village of Rhinebeck Zoning Code. Copies of the proposed changes will be in the Village Clerk's office.

Second: Mayor Tortarella

Mayor Heath Tortarella:	Yes
Deputy Mayor Howard Traudt:	Yes
Trustee Scott Cruikshank:	Yes
Trustee Gary Bassett:	Yes
Trustee Gina Fox:	Absent

Highway Department- Trustee Fox was absent. The Board was unable to approve the purchase of the 9' plow as the quotes were not available for review. Complete report is on file in the Village Clerk's office.

Water Department- Trustee Bassett read that 13,281,000 gallons of water was treated. Trustee Bassett reported on estimates for the engine repair and is working on the new process of state bid for purchase. The department is working on the consolidation of quarterly billing for all zones. Flushing of the water mains / hydrants in the Village Route 308 and Rhinecliff is completed. Sunup contracting is installing meter and pit at Thompson Mazzarella Park, the department installed a new tap on South Street for 138 East Market Street, and the hydrants are started to be painted at the Woods. Complete report is on file in the Village Clerk's office.

Wastewater Department- Deputy Mayor Traudt reported that 3.6 million gallons of waste water treated; 45,600 gallons of sludge processed; 4,850 lbs. of sludge processed. Deputy Mayor Traudt reported that everything is working fine at the plant and that department personnel are checking the collection systems for grease and debris as well as painting throughout the system. Complete report is on file in the Village Clerk's office.

Committee Reports

Tree Commission- The Board tabled the approval of the tree applications submitted until the new form the Tree Commission is working on is completed by the property owner. The Board will go and look at the trees in question. The tree commission minutes are on file in the Village Clerk's office.

Parks and Recreation Committee – Mayor Tortarella reported the fencing on the north side of the Legion Park was paid for and installed with the cooperation of the adjacent property owner. No report filed.

Power lines committee- Trustee Bassett reported The Committee has sent out the flyer in water bills to all residential zones in the village. The committee will tally these results and provide the village a final report on phase 1 at the December 13th meeting.

Special Requests

- **Porch Fest 2017**

Liz Mazzarella gave a summary of the inaugural PorchFest and asked for feedback from the Board in regards to it. Mayor Tortarella suggested a meeting with a couple of Trustees to review this year's event and to contact Clerk Coon as to the available dates for next year. Ms. Mazzarella mentioned that a Sunday could be possible be a consideration for next year.

- **Rosie Kahn peddling permit-** The Board discussed the application received and is referring it to the Sinterklaas committee for their decision.

Other Business

Village Election-

Motion: Mayor Tortarella made the following Resolution for the 2017 Village election:

The next Village election for the offices of the Village of Rhinebeck will be held on Tuesday, March 21, 2017 and,

That the Village Board of Trustees must designate by resolution and publish the offices which are to be filled in each election district and terms thereof:

Now therefore be it resolved:

Section I – That the Board of Trustees designates the following offices as vacant at the end of the current official year to be filled at the Village election to be held Tuesday March 21, 2017 for the following terms:

Mayor – Two year term – First Monday in April 2017 through noon of the first Monday in April 2019

Trustee – Two year term – First Monday in April 2017 through noon of the first Monday in April 2019

Trustee – Two year term – First Monday in April 2017 through noon of the first Monday in April 2019

Village Justice– Four year term – First Monday in April 2017 through noon of the first Monday in April 2021

Section II – The Village Clerk Treasurer is hereby directed to publish this resolution in full in the Poughkeepsie Journal.

Second: Trustee Bassett

Mayor Heath Tortarella:	Yes
Deputy Mayor Howard Traudt:	Yes
Trustee Scott Cruikshank:	Yes
Trustee Gary Bassett:	Yes
Trustee Gina Fox:	Absent

• **Special Request Form-**

Motion: Mayor Tortarella made a motion to approve the request form as submitted by Village Clerk Coon and effective immediately.

Second: Trustee Bassett

Mayor Heath Tortarella:	Yes
Deputy Mayor Howard Traudt:	Yes
Trustee Scott Cruikshank:	Yes
Trustee Gary Bassett:	Yes
Trustee Gina Fox:	Absent

• **Trustee Fox conference request**

Motion: Mayor Tortarella made a motion to approve the request from Trustee Fox for reimbursement to attend a conference in Albany up to \$150 for the hotel.

Second: Trustee Bassett

Mayor Heath Tortarella:	Yes
Deputy Mayor Howard Traudt:	No
Trustee Scott Cruikshank:	Yes
Trustee Gary Bassett:	Yes
Trustee Gina Fox:	Absent

Correspondence-

- The Board will review all correspondence in regards to the Power line Survey all at one time. All Comments are on file with the Power Lines Committee and Trustee Bassett.

Public Comment-

- Colleen Mooney and Mark Sutton of Slate Dock Road, Rhinecliff addressed the Board in regards to their property which is neighboring the Water Treatment Plant, and their need to obtain property from the Village as the deck constructed on their house is on village property. Mayor Tortarella discussed the legal ramifications and the Village Engineer would have to review the property and an independent appraisal would need to be completed and the property be declared surplus if warranted.

Executive session

Motion: Mayor Tortarella: To go into executive session to discuss the employment history of an individual and contract negotiations.

Second: Trustee Cruikshank

Mayor Heath Tortarella:	Yes
Deputy Mayor Howard Traudt:	Yes
Trustee Scott Cruikshank:	Yes
Trustee Gary Bassett:	Yes
Trustee Gina Fox:	Absent

Motion: Mayor Tortarella: To close the executive session, to return to regular session and with no further business to discuss to close the meeting.

Second: Trustee Bassett

Mayor Heath Tortarella:	Yes
Deputy Mayor Howard Traudt:	Yes
Trustee Scott Cruikshank:	Yes
Trustee Gary Bassett:	Yes
Trustee Gina Fox:	Absent

Respectfully submitted,

Patricia D. Coon, RMC
Village Clerk

