

**Village of Rhinebeck Board of Trustees**  
**Meeting**  
**Tuesday June 27, 2017**  
**7:00 PM**

Mayor Gary Bassett:	Present
Deputy Mayor Ric Lewit:	Present
Trustee Howard Traudt:	Present
Trustee Brant Neuneker:	Present

Also present were: Village Clerk Patricia Coon, PANDA staff and approximately 50 residents.

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

**Motion:** Mayor Bassett: To open the public hearing on the Proposed Zoning Code Changes.

**Second:** Deputy Mayor Lewit

Trustee Neuneker gave a summary of the zoning changes and explained how the short term rental sections have been carved out of the proposed draft for the short term rental committee to determine. Mayor Bassett opened the floor to public comment. Below is a brief synopsis of the following people who shared their opinions with the Village Board:

Kevin Curry- his concerns that all the provisions for short term vacation rentals were not removed from the proposed zoning code.

Pat Strong- Shared her concern as to the complexion of the village is changing due to the mini hotels operating at residences. She suggested someone needs to monitor when someone does not live at the property.

Joe Curthoys- his concern that the Board needs to discuss with all involved, and to speak to the business people. He referenced Nantucket as a good example. He also stated that the business district needs to grow and the parking in the village needs to grow.

Bob Miglino- Recommends and believes owner occupied rentals are better for the community, and that all rentals need to be on a level playing field

Kurt Reichelt- Discussed the decibel levels as suggested in the proposed zoning code are way too low. That it would be detrimental to the village business district and the businesses need to run their businesses. He offered the levels he had obtained at the farmers market, the board meeting and various other locations.

Elijah Bender- stated he is against the proposed sign law and submitted a letter in support of the signs that are historic in the Village of Rhinebeck.

Tom Darby- stated his support of the short term vacation rentals as he rents out his entire condo for the weekends.

Meg Crawford- Stated the proposed code had omissions in it, and there was no protection for urban street trees in the proposal and the need to provide good spaces for trees, with planting strips or cut outs. Meg also suggested the new code spell out how to protect trees in construction.

Gwen Bardon- Addressed the Board as she does un-hosted rental of her home and fees that she is not so dissimilar to a owner occupied rental. She doesn't think that a long term rental would keep a house up as well and she can afford to keep up her home due to the rentals. She also discussed the decibel levels as the pizza delivery vehicle wouldn't pass the proposed decibel level.

Victoria Polidoro- Addressed the board as to a possible Cabaret license to allow for a period of time outdoor music would be allowed. She also asked about legalizing historic signs and a special use permit for historic signs as well as the enforcement of the 25% altered sign would be an enforcement nightmare.

Delyse Berry- Addressed the board as she manages and represents property owners to enable them to rent out houses, and that it makes sense for an owner or manager to be nearby.

Martha Gersun- Discussed the decibel level regulation and was surprised it is raised rather than staying the same. Possible offered the option of distinction between residential and commercial.

Vicky Holt- stated she is a business owner in a tourist town, and asked that we all just work together in the Ari Bed and Breakfast/vacation rentals by owner/bed and breakfasts as everyone is just trying to make a living.

Dennis McGuire- Addressed the board in regards to the noise level, and to support the village businesses allowing music till 10-11 to help the businesses out. He suggested communication between the Village Board and the businesses, more communication, not more rules.

Elicia Lenhart- owner of Grand Cru addressed the board in regards to the noise and decibel levels which as suggested are way too low for the business district. She suggested that music in the evenings would be appreciated in the Village. Ms. Lenhart also suggested a distinction in the decibel levels between the businesses and residential areas and that the owner of a vacation rental should either live in the area or have a local manager.

James Del'Olio- Partner in the Art of Building addressed the Board in regards to historic preservation. His first area of concern is the short term vacation rentals are a major economic driver for the Village of Rhinebeck and that the guests come here and rental houses for a family experience. The second point he addressed is that vacation rentals need a special committee and finally, that the decisions in regards to short term vacation rentals be done in a fair way, genuine in hearing the feedback and that the Board be open to dialogue.

Bob Miglino- Asked for the Board to keep the decibel level the same throughout the village.

Elicia Lenhart- Shared with the Board the comparison between Kingstn, Hudson and Beacon as they have tourists that stay in the area, while Rhinebeck has day trippers.

John Clarke- Concerned that adult uses was taken out of the code and that by striking the entire portion, could allow something to come in, and suggested looking at that section again.

Mayor Bassett reported on receiving letters regarding the proposed zoning amendments from Elijah Bender, Chrissy Eighmy, and Victoria L. Polidoro including a report from Morris Associates all of which were shared with the Board and are on file in the Clerk's office.

**Motion:** Mayor Bassett: To go close the public comment on the proposed zoning code revisions.

**Second:** Trustee Traudt

Mayor Gary Bassett:	Yes
Deputy Mayor Richard Lewit:	Yes
Trustee Howard Traudt:	Yes
Trustee Brant Neuneker:	Yes

Discussion-

Mayor Bassett stated that the code could not be voted on tonight. Tim Decker stated that the noise levels presented were based on other municipalities and the Village is trying to establish parameters on the noise. The Board discussed various questions about the code including the fence height, establishing different decibel levels for residential and commercial properties, steady sound requirements and time constraints. The Board discussed allowing

live music throughout the village by using the existing Event Application, and tweaking the noise portion of the code. The Board discussed signage and what is considered historic as there are no existing parameters as to what is historic. The Board discussed an application for a historic sign to make the determination and the planning board may grant historic designation of a sign with historical character. The Board discussed the restoration of bars and the terminology of “considered” vs. “allowed” vs. “encouraged”.

Meg Crawford- asked to address the Board as there needs to have something in the code to protect the trees and sidewalks. Deputy Mayor Lewit will work with Meg to modify the sidewalk code and to add the reference in the sidewalk code. Trustee Neuneker discussed the adult use portion and discussed the limitations, but to be readdressed in the future.

### **Curbing and Sidewalk Bids- Montgomery Street and Astor Drive**

**Motion:** Deputy Mayor Lewit: To accept the solicited bids received by Superintendent of Public Works John Fenton with the low bid of Stat Construction in the amount of \$13620.00 for the curbing and sidewalk construction on Montgomery Street and Astor Drive.

**Second:** Trustee Traudt

Mayor Gary Bassett:	Yes
Deputy Mayor Richard Lewit:	Yes
Trustee Howard Traudt:	Yes
Trustee Brant Neuneker:	Yes

### **Police Utility Vehicle bond resolution**

**Motion:** Mayor Bassett: Read the following resolution;

#### **BOND RESOLUTION**

At a regular meeting of the Board of Trustees of the Village of Rhinebeck, Dutchess County, New York, held at the Municipal Building, in Rhinebeck, New York, in said Village, on the 27<sup>th</sup> day of June, 2017, at 7:00 o'clock P.M., Prevailing Time.

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

PRESENT: Mayor Gary Bassett, Deputy Mayor Richard Lewit, Trustee Howard Traudt, Trustee Brant Neuneker

ABSENT:

The following resolution was offered by Mayor Gary Bassett who moved its adoption, Trustee Deputy Mayor Lewit, to-wit:

BOND RESOLUTION DATED JUNE 27, 2017.

A RESOLUTION AUTHORIZING THE ISSUANCE OF \$40,000 BONDS OF THE VILLAGE OF RHINEBECK, DUTCHESS COUNTY, NEW YORK, TO PAY THE COST OF THE PURCHASE OF A UTILITY VEHICLE FOR THE POLICE DEPARTMENT, IN AND FOR SAID VILLAGE.

WHEREAS, the capital project hereinafter described, as proposed, 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, which regulations state that Type II Actions will not have a significant adverse effect on the environment; and

WHEREAS, it is now desired to authorize the financing of such capital project, NOW, THEREFORE,

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

Section 1. The purchase of a utility vehicle for the Police Department, including incidental equipment and expenses in connection therewith, for the Village of Rhinebeck, Dutchess County, New York, is hereby authorized at a maximum estimated cost of \$40,000.

Section 2. The plan for the financing of the aforesaid maximum estimated cost is by the issuance of \$40,000 bonds of said 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 5 years, pursuant to subdivision 29 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 not 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 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. The powers and duties of advertising such bonds for sale, conducting the sale and awarding the bonds, are hereby delegated to the Village Treasurer, who shall advertise such bonds for sale, conduct the sale, and award the bonds in such manner as the Village Treasurer shall deem best for the interests of said Village, however, that in the exercise of these delegated powers, the Village Treasurer shall comply fully with the provisions of the Local Finance Law and any order or rule of the State Comptroller applicable to the sale of municipal bonds. The receipt of the Village Treasurer shall be a full acquittance to the purchaser of such bonds, who shall not be obliged to see to the application of the purchase money.

Section 7. 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 8. 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 9. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.250-2. 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 10. This resolution, which takes effect immediately, shall be published in summary form in the official newspaper, together with a notice of the Village Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

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

Mayor Gary Bassett:	Yes
Deputy Mayor Richard Lewit:	Yes
Trustee Howard Traudt:	Yes
Trustee Brant Neuneker:	Yes

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 Municipal Building, in Rhinebeck, New York, in said Village, on the 27<sup>th</sup> day of June, 2017, at 7:00 o'clock P.M., Prevailing Time.

The meeting was called to order by Mayor Gary Bassett, and upon roll being called, the following were PRESENT: Mayor Gary Bassett, Deputy Mayor Richard Lewit, Trustee Howard Traudt, Trustee Brant Neuneker

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

BOND RESOLUTION DATED JUNE 27, 2017.

A RESOLUTION AUTHORIZING, SUBJECT TO PERMISSIVE REFERENDUM, THE PURCHASE OF A DUMP TRUCK, FOR THE VILLAGE OF RHINEBECK, DUTCHESS COUNTY, NEW YORK, AT A MAXIMUM ESTIMATED COST OF \$180,000 AND AUTHORIZING THE ISSUANCE OF \$180,000 SERIAL BONDS OF SAID VILLAGE TO PAY THE COST THEREOF.

WHEREAS, the capital project hereinafter described, as proposed, 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, which regulations state that Type II Actions will not have a significant adverse effect on the environment; and

WHEREAS, it is now desired to authorize the financing thereof, 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 (the "Village"), as follows:

Section 1. The purchase of a dump truck for maintenance purposes, for the Village of Rhinebeck, Dutchess County, New York, including incidental equipment and expenses in connection therewith, is hereby authorized at a maximum estimated cost of \$180,000.

Section 2. The plan for the financing of the aforesaid maximum estimated cost is by the issuance of \$180,000 serial bonds of said 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 15 years, pursuant to subdivision 28 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. The powers and duties of advertising such bonds for sale, conducting the sale and awarding the bonds, are hereby delegated to the Village Treasurer, who shall advertise such bonds for sale, conduct the sale, and award the bonds in such manner as the Village Treasurer shall deem best for the interests of said Village, however, that in the exercise of these delegated powers, the Village Treasurer shall comply fully with the provisions of the Local Finance Law and any order or rule of the State Comptroller applicable to the sale of municipal bonds. The receipt of the Village Treasurer shall be a full acquittance to the purchaser of such bonds, who shall not be obliged to see to the application of the purchase money.

Section 7. 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 8. 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 9. 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 10. Upon this resolution taking effect, the same shall be published in 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 11. **THIS RESOLUTION IS ADOPTED SUBJECT TO PERMISSIVE REFERENDUM.**

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

Mayor Gary Bassett:	Yes
Deputy Mayor Richard Lewit:	Yes
Trustee Howard Traudt:	No
Trustee Brant Neuneker:	Yes

### **Executive session**

**Motion:** Mayor Bassett: To go into executive session to discuss the salary of the water treatment plant trainee, motor equipment operator and definition of clerk position.

**Second:** Trustee Traudt

Mayor Gary Bassett:	Yes
Deputy Mayor Richard Lewit:	Yes
Trustee Howard Traudt:	Yes
Trustee Brant Neuneker:	Yes

**Motion:** Mayor Bassett: To leave executive session, resume regular session.

**Second:** Deputy Mayor Lewit

Mayor Gary Bassett: Yes

Deputy Mayor Richard Lewit: Yes

Trustee Howard Traudt: Yes

Trustee Brant Neunecker: Yes

**Motion:** Trustee Neunecker: To extend the offer of Water Treatment Plant Operator Trainee to Anthony Valenti at \$14 per hour with a 90 day probation period, with a start date of July 11, 2017.

**Second:** Mayor Bassett

Mayor Gary Bassett: Yes

Deputy Mayor Richard Lewit: Yes

Trustee Howard Traudt: Yes

Trustee Brant Neunecker: Yes

**Motion:** Mayor Bassett: With no further business to discuss to close the meeting.

**Second:** Deputy Mayor Lewit

Mayor Gary Bassett: Yes

Deputy Mayor Richard Lewit: Yes

Trustee Howard Traudt: Yes

Trustee Brant Neunecker: Yes

Respectfully submitted,

Patricia D. Coon, RMC  
Village Clerk













