

2009 Town of Rhinebeck Re-Organizational January 6, 2009 Meeting Minutes

At 5:00 pm the Supervisor called this meeting to order

The Pledge of Allegiance was lead by James Hicks from Cub Scout Pack #128.

Announcements:

Landfill will be open Saturday, January 10 from 9-1 for Christmas tree and storm debris drop off

Board of Assessment Review is seeking new member

Business

1. Dan motioned and Dod seconded to establish twice monthly meetings as follows at 6:45 in Town Hall, unless otherwise noted. Dod questioned why the April and October Rhinecliff meeting dates did not state Rhinecliff and Tom replied he would like to add a meeting at Hillside Fire Company. It was unanimously approved with 3 off site meeting and at least one in Rhinecliff:

January 6	July 13
January 26	July 27
February 9	August 10
February 23	August 24
March 9	September 14
March 23	September 28
April 13 (to be announced)	October 13 (to be announced)
April 27	October 26
May 11	November 9
May 26(Tues)	November 23
June 8	December 14
June 22	December 30

2. Dan motioned and Ellen seconded to establish the first meeting of the month as a business meeting and the second of the month will be a workshop format unless business is needed. All were in favor.

3. Dan moved with Ellen seconding to establish the following rules of procedures:

Call to Order

Pledge of Allegiance

Announcements/comments

Business before the Board

Old and new business with opportunity for public comments

Discussion

Adjournment

All were in favor.

4. On motion from Dan and second from Ellen the following holiday schedule for 2009 were unanimously approved.

January 1 st	September 7 th
January 19 th	October 12 th
February 16 th	November 11 th Nov 10 th Tsf Sta
April 10 th	November 26 th
May 25 th	December 24, 25 th
July 3 rd (Tsf Sta July 4 th)	

5. Dan motioned and Ellen seconded to a set annual accounting meeting for January 26, 2009 with reports due to Town Clerk on Friday January 16th
Motioned carried unanimously.

6. Supervisor was unanimously authorized to file the 2008 Supervisors annual report with the State Comptroller within 60 days after the close of the fiscal year on motion from Dan and second from Dod. Kathy Kinsella asked if this document would be available online and Tom replied it is only in hard copy form.

7. One year appointments for 2009 (1/1/2009-12/31/2009)

Dan motioned and Ellen seconded to:

- a. Establish Office of Deputy Supervisor
- b. Appoint Bruce Washburn as Deputy Supervisor
- c. Authorize Dep. Supervisor to sign checks, deposit slips and withdrawal slips for 2009
- d. Designate Kingston Daily Freeman and Gazette Advertiser as official town newspapers.
- e. Holdover Anthony Gasparini as Vanderburgh Cove Sewer operator at \$985 per month for Jan 2009.
- f. Designate Citizens and M & T Banks as official Town banks
- g. Authorize Supervisor to renew 2009 Columbia Greene contract at \$305 per dog
- h. Appoint Art Brod as planner for 2009 at \$112/hour zoning/planning, \$124 for subdivision review and \$160 for court proceedings.
- i. Appoint Gellert & Klein as Attorney to the Town for 2009
- j. Appoint Morris & Associates as Town Engineer for 2009
- k. Appoint Zarin & Steinmetz as special counsel for zoning and planning issues on Comprehensive Plan and Zoning Law Review or on an as needed basis
- l. Appoint Warren Replansky as special counsel for Comp Plan and Zoning Review on an as needed basis
- m. Appoint Greenplan Inc. as special consultant for the Comprehensive Plan and Zoning Law revisions.
- n. Appoint AKRF as special consultant firm for Comp Plan and Zoning Law
- o. Appoint Melodye Moore as Vice Chair of Planning Board
- p. Appoint Michael West as Vice Chair of Zoning Board of Appeals

- q. Set petty cash funds for Town Clerk \$200, Court \$100, Recreation \$120, Tax Collector \$25 and Highway \$100
- r. Assign liaisons as follows:
 - Tom Traudt – Emergency Plan, Town Hall personnel, fire departments, Comp Plan, Vanderburgh Cove Sewer District, Committee on Aging
 - Dod Crane – Assessors, Assessment Review Board, Highway, Rhinecliff Advisory Committee and Website Committee
 - Ellen Silverstein – transfer station, police, Justice Court, Northern Dutchess Alliance, Dog Control and C.A.C.
 - Dan Staley - Cemetery, Planning Board, Zoning Board of Appeals, Chamber of Commerce, Building/Zoning Departments, historian and Quitman House
 - Bruce Washburn – facilities/maintenance/landfill, recreation, Finance and Controls Committee, PANDA, Thompson Mazzarella Park Committee, Waterfront Committee and Technology Committee
- s. BE IT RESOLVED BY THE TOWN BOARD of the Town of Rhinebeck, County of Dutchess, and State of New York, that the Office of Supervisor’s Bookkeeper be established for the year 2009
- t. Appoint Shelly Day as Supervisor’s bookkeeper
- u. Appoint Jesse Hewitt to planning board

All were in favor.

Dan moved with Ellen seconding to appoint following for 1 year:

- Emery Ruger as Chairman of the Board of Assessors
- David Baldauf as Zoning Board of Appeals chairman
- Tony Todisco as Waterfront Committee chairman
- Barbara Cunningham as Records Manager Officer and Registrar of Vital Statistics and Tax Collector
- Alan Coon and David Queen as Cemetery Committee Co Chairs
- Joan Winne as Deputy Registrar of Vital Statistics and Deputy Tax Collector
- Donna Van Voorhis as Sub registrar of Vital Statistics
- Shelly Day as Office Manager
- Marsha DeBlasi as Committee on Aging Chairperson
- Frank Dietrich as Assessment Review Board Chairman
- Bill Dowden and Tom Mannix as Vanderburgh Cove Com Co Chairs
- Bob Ellsworth as Thompson Mazzarella Park Chairman
- Nancy Kelly as Historian
- Jack Maasz as Zoning and Code Enforcement Officer
- Al Dinga Building Inspector
- Alice Cunningham as Recreation Director
- Andrew Schulkind as Website Committee Chairperson
- Committee on Aging members Sandra Blair, Marcella Briggs, Marsha DeBlasi, Arthur Kaufman, Carol Leib, Mike Mazzarella, Mary Reid-Miller, Joan Quaderer and Beverly Sloane

Finance and Control members Debi Mimoso, Brandt Neuneker, Peter Hammond, Mike Madigan, Bob Babirad, Alex Sabo, Jim Closs and Gary Bassett Henry Campbell and Darren Forbes as Emergency Plan co-coordinators

Motion carried unanimously.

8. Two year appointments 1/01/2009-12/31/2010

Cemetery Committee members John Lobotsky, Paul Niedercorn and Marie Wager

Rhinecliff Advisory Committee members Matthew Rosenberg, Bernard Lund, Mark Browne. Dan questioned why the whole committee is Democrats when original resolution to set up committee stated it should be diversified. It is not balanced politically. Dod asked Dan if he was proposing to remove that wordage from the original resolution and Dan did not respond. Elizabeth Spinzia stated you are being exclusionary by setting policy if that is what you are trying to state here. A Rhinecliff resident asked if applications will now be judged on political party and if any applications have been rejected due to party affiliation, he feels that is dangerous policy.

Rhinecliff Waterfront Committee members Tony Todisco, Bill LaRosa and James Chapman

Thompson Mazzarella Park Committee members Kris Perry and Sally Mazzarella

Website Committee members David Hoffman, James Esler, David Kliphon, Andrew Schulkind, Kathy Kinsella and Kerri Karvetski
All were in favor.

9. Three year appointments 1/01/2009-12/31-2011

Dan motioned and Dod seconded to appoint:
Recreation members Rhonda Hammond and Dave Miller
Appoint Robert Murray to Planning Board
Motion carried unanimously

10. Five Year Appointment 1/01/2009-12/31/2013

Dan motioned and Ellen seconded to appoint David Baldauf to Zoning Board of Appeals. All were in favor.

11. Dod motioned with Ellen seconding to approve 2009 Wage & Salary Schedule

SUPERVISOR	\$20,000.04
COUNCILMAN	\$5,753.00
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COUNCILMAN	\$5,753.00
JUSTICE	\$13,160.04
JUSTICE	\$13,160.04
SUPERINTENDENT OF HIGHWAY	\$54,589.92
ASSESSOR Chairman	\$10,815.00
ASSESSOR	\$9,438.00
ASSESSOR	\$9,438.00
TOWN CLERK	\$42,436.08
DEPUTY TOWN CLERK	\$15.91
REGISTRAR	\$500.00
DEPUTY REGISTRAR	\$500.00
OFFICE MANAGER	\$45,087.60
CLERK	\$13.73
PERSONNEL CLERK	\$11.33
DEPUTY TAX COLLECTOR	\$525.00
TAX COLLECTOR	\$6,250.00
TAX PROGRAM CONSULTANT	\$500.00
SUBSTITUTE - Clerk (Assessor's or Transfer Station)	\$15.00
ASSESSOR'S AIDE	\$15.53
ASSESSOR'S AIDE – Provisional	\$12.36

SUBSTITUTE - Court Clerk	\$16.70
COURT CLERK	\$12.00
CLERK TO THE JUSTICE	\$15.04
SECRETARY TO ZONNING BRD	\$12.36
SECRETARY TO PLANNING BRD	\$15.91
TYPIST - Building Dept	\$12.36
SEC TO HWAY SUPER	\$12.36
CLERK – Sewer	\$832.00
COURT OFFICER	\$20.00
COURT OFFICER	\$20.00
BLDG INSPECTOR II	\$31.99
ZONING ADMINISTRATOR	\$30.89
GROUNDSKEEPER	\$30,297.12
CLERK – Cemetery	\$2,000.00
DOG CONTROL OFFICER	\$9,378.00
VIDEO TECHNICIAN	\$50.00/session
AUTO MECHANIC	\$24.29
HEAVY EQUIPMENT OPERATOR	\$22.68
MOTOR EQUIPMENT OPERATOR	\$21.60
WORKING FOREMAN	\$24.37
MOTOR EQUIPMENT OPERATOR	\$17.63
MOTOR EQUIPMENT OPERATOR	\$17.63
MOTOR EQUIPMENT OPERATOR	\$16.21
MOTOR EQUIPMENT OPERATOR	\$16.77

MOTOR EQUIPMENT OPERATOR	\$14.64
MOTOR EQUIPMENT OPERATOR - Transfer Station	\$23.93
CUSTODIAN OF TOWN DUMPS - Transfer Station	\$22.11
SUBSTITUTE - Transfer Station	\$12.00
SUBSTITUTE - Transfer Station	\$7.35
LABORER - Temporary as needed	\$11.00
MAINTENANCE MECHANIC	\$47,904.00
LABORER - Permanent Full Time	\$12.36
RECREATION DIRECTOR	\$17,000.00

Dod explained that the above schedule for highway department is the same as 2008 since the new union contract has not been signed. It will probably be a 3% increase with a 1 year extension. Motion carried unanimously

12. Resolution to Transfer Funds to Capital Projects

Bruce motioned and Dan seconded. Bruce explained that this is a carry over from 2008. Whereas, the approved 2008 budget contained a provision to transfer \$65,000 from the general fund; and

Whereas, the town board is aware that the lining of the large pool needs to be replaced; and
Whereas, the town board is aware that the chemical controllers for the pools need to be replaced; and

Whereas, these replacements are estimated to cost \$65,000; and

Whereas, there are insufficient funds in the H38-54 Parks/Rec/Pool capital fund to make these repairs; and

Therefore, be it resolved that the approved budget transfer of \$55,000 from the General Fund shall be made to the H38-54 Parks/Rec/Pool capital project fund to enable these repairs and \$10,000 to H29-45 Re evaluation/assessment cap project. All were in favor.

13. Resolution to Create the Town of Rhinebeck Authorized Purchaser List

Whereas, General Municipal Law 5-A §104-b3.f.states that the town is required to identify the individual or individuals responsible for purchasing and their respective titles; and

Whereas, Town Code Chapter 30: PROCUREMENT POLICY § 30-8. c. states that The Town Supervisor, with the advice of town personnel shall, each year, shall create a list of authorized purchasers per General Municipal Law Article 5-A §104-b 3 f; and

Whereas, good practices cited by GASB, GAAP and NYS OSC require segregation of responsibilities for purchasing and payment for purchases; and

Whereas, the town supervisor is to recover for the town any funds expended without proper authorization of the town board;

Therefore, be it resolved only the following designated employees and/or elected officials of the town are authorized to commit funds or make purchases for the town:

Kathy Kinsella feels it is important for us to understand these new resolutions. She applauds the Board for taking on these tasks. Dod wants Barb and Shelly in on some of the discussion when developing these policies. Bruce pointed out that these are all in the current procurement policy. Dan and Bruce stated they will not sign any vouchers until this is implemented. No vote taken

14. Resolution to Require an Enhanced Monthly Statement of All Moneys Report

Whereas, Town Law 8. §125.2 states that the supervisor shall render to the town board at the end of each month a detailed statement of all money received and disbursed by him for such month, and shall file a copy in the office of the town clerk; and

Whereas, Town Law 3. §29.4 states that the supervisor shall keep an accurate and complete account of the receipt and disbursement of all moneys; and

Whereas, accounts receivable and investments are normally considered to be assets; and

Whereas, it is logical and practical for the town board to expect and to require timely and accurate financial information;

Therefore, be it resolved that the town board shall be provided with the supervisor's monthly expenditure detail report at least two business days before the first town board meeting of the month; and

Be it further resolved that the information in the report is to accurately report Opening Balances, Receipts, Disbursements, Closing Balances, Accounts Receivable, Opening Investment Balance and Closing Investment Balance for all funds of the town for the month being reported.

Dod recapped – items 14-17 are reports. The Board needs to make responsible decisions and understand these resolutions. Tom said the reports have been done quarterly this year. Pam stated that Bruce is requesting more inclusive reports than are being done now. Dod asked if the Town was in compliance with State law and Tom replied yes, we just want more detail.,

No vote taken.

15. Resolution to Require an Enhanced Monthly Expenditure Budget Detail Report

Whereas, Town Law 3. §29.4 states that the supervisor shall keep an accurate and complete account of the disbursement of all moneys; and

Whereas, Town Law 8. §110 states that the town board may provide for the encumbering of appropriation accounts at more frequent intervals than the close of the fiscal year; and

Whereas, accounting of encumbrances throughout the year is practical as the current purchase order section regarding fiscal officer approval of funds states "I certify that there are moneys available to pay this order and the appropriation accounts have been encumbered for the amount of the order"; and

Whereas, Town Code Chapter 30-9-A requires that expenditures and or commitment to make payment or incur financial obligations of the Town shall not be made or entered into without prior written approval of the town board; and

Whereas, the town board requires timely and accurate financial information to properly weigh decisions about authorizing expenditures or commitments to incur financial obligations of the Town; and

Therefore, be it resolved that the town supervisor is to provide the town board with a monthly expenditure report at least two working days before the first town board meeting of the month; and
Be it further resolved that the information is to accurately and concisely report for each fund and each account the Approved Budget Appropriations, Modified Budget Appropriations, Outstanding Encumbrances, Expenditures Month to Date, Expenditures Year to Date, Available Balance, and Percentage of Modified Budget Used; and
Be it further resolved that the Outstanding Encumbrances column shall report all authorized yet unexpended commitments.
No vote taken.

16. Resolution to Require an Enhanced Monthly Revenue Detail Report

Whereas, Town Law 3. §29.4 states that the supervisor shall keep an accurate and complete account of the receipt of all moneys; and
Whereas, Town Code Chapter 30-9-A requires that expenditures and or commitment to make payment or incur financial obligations of the Town shall not be made or entered into without prior written approval of the town board; and
Whereas, the town board requires timely and accurate financial information to properly weigh decisions about authorizing expenditures or commitments to incur financial obligations of the Town; and
Therefore, be it resolved that the town supervisor is to provide the town board with a monthly revenue report at least two working days before the first town board meeting of the month; and
Be it further resolved that the information is to accurately and concisely report for each fund and each account the Approved Budget Estimates, Modified Budget Estimates, Accounts Receivable, Revenue Month to Date, Revenue Year to Date, Unrealized Revenue, and Percentage of Modified Budget Estimates.
No vote taken

17. Resolution for Town Board Review of Personnel Related Expenditures

Whereas, personnel related expenditures are traditionally the largest category in the town budget; and
Whereas, employees are hired to perform duties during a number of hours each week that are specified and authorized by the town board; and
Whereas, employees may be afforded certain benefits at the time of hire as authorized by the town board; and
Whereas, the town board annually authorizes the total compensation, such as wages, salaries and benefits for employees; and
Whereas, the town board may require reports from the supervisor, pursuant to Town Law 3A-2-§ 51-3, concerning the conduct of the official business of the town and the performance by town officers and employees of their functions, powers and duties; and
Therefore, be it resolved that the town board authorizes and directs the supervisor to prepare a summary report for each employee containing the date of hire, authorized hours per week at date of hire, and benefits at date of hire; and
Be it further resolved that the summary report shall include, in addition to date of hire related information, any changes in hours per week and/or benefits that were authorized by the town board; and

Be it further resolved that attached to the report shall be copies of the minutes of the town board meeting where the date of hire related hours per week and benefits were authorized by the town board; and

Be it further resolved that attached to the report shall or copies of minutes of the town board meeting were changes were made to the authorized hours per week and/or to the authorized benefits; and

Be it further resolved that the supervisor may enlist the assistance of the town clerk and the supervisor's bookkeeper to prepare the report; and

Be it further resolved that the complete report shall be provided to the town board by February 15, 2009.

No vote taken

18. Resolution to Adopt Authorization Process

Whereas, Town Code Chapter 30-9-A requires that expenditures and or commitment to make payment or incur financial obligations of the Town shall not be made or entered into without prior written approval of the town board; and

Whereas, Town Code Chapter 30-3 requires that the procure process is determined the amount of estimated purchases; and

Whereas, Town Code Chapter 30-6 provides for exceptions to solicitation and documentation requirements; and

Whereas, Town Code Chapter 30-3-D requires that all information gathered in complying with the procedures of this section shall be preserved and filed with the documentation supporting the subsequent purchase or public works contract; and

Whereas, the town supervisor or his/her delegate has verified that there are sufficient appropriations to support this request; and

Whereas, the requestor is named on the town authorized purchaser list; and

Whereas, the requestor states that this/these expenditure(s) are for valid and legal purposes; and

Whereas, the requestor will provide to the town board proof that the goods or services have actually been received; and

Whereas, the requestor understands that the town board will audit the request prior to authorizing payment; and

Whereas, the requestor understands that he/she is responsible to remit any or all expenses that are disallowed by the town board;

Therefore be it resolved that the town board will use the following templates

- up to \$250 of Town Funds for supplies or equipment
- \$250 to \$3,000 of Town Funds for supplies or equipment
- \$1000 to \$3,000 of Town Highway Funds for supplies or equipment
- up to \$1000 of Town Highway Funds for supplies or equipment
- \$3,000 to \$10,000 of Town or Town Highway Funds for supplies or equipment
- up to \$500 of Town Funds or Town Highway Funds for public works contracts
- \$500 to \$1,000 of Town Funds for public works contracts
- \$500 to \$3,000 of Town Highway Funds for public works contracts
- \$1,000 to \$10,000 of Town Funds for public works contracts
- \$3,000 to \$10,000 of Town Highway Funds for public works contracts
- \$10,000 to \$20,000 of Town or Town Highway Funds for public works contracts

- Refer to General Municipal Law §103 for supplies or equipment in excess of \$10,000 or public works in excess of \$20,000.

to authorize audit the commencement of the appropriate procurement process in compliance with applicable policies; and

Be it further resolved that the town board will use the template for Emergency Commitment of Town or Town Highway Funds in the case of a duly declared emergency.

. Bruce stated that 13, 18, 19, 20 and 21 are for audit purposes. No vote taken
No vote taken

19. Resolution to Delegate Authorization to Department Head or Liaison to Ameliorate Unforeseen Risks

Whereas, Town Code Chapter 30-9-A requires that expenditures and or commitment to make payment or incur financial obligations of the Town shall not be made or entered into without prior written approval of the town board; and

Whereas, there are unforeseen situations where waiting for written approval of the town board to incur financial obligations will, at the discretion of the department head, cause more risk to an asset, person(s), program objectives, or to the legal obligations of the town; and

Whereas, the department head estimates that there are sufficient appropriations to support this request; and

Whereas, the department head is named on the town authorized purchaser list; and

Whereas, the department head states that this/these expenditure(s) are for valid and legal purposes; and

Whereas, the department head will provide to the town board proof that the goods or services have actually been received; and

Whereas, the department head understands that the town board will audit the request prior to authorizing payment; and

Whereas, the department head understands that he/she is responsible to remit any or all expenses that are disallowed during audit by the town board;

Therefore be it resolved that the town board authorizes the department head to commence the appropriate procurement process in compliance with applicable policies; and

Therefore be it further resolved that in the absence of the department head, the assigned town board liaison may act for the department head and may use the authorization afforded to the department head to commence the appropriate procurement process in compliance with applicable policies; and

Therefore be it further resolved that the department head is required to inform the bookkeeper of the encumbrance within two business days; and

Be it further resolved that the town board authorizes the department head to commit the following expenditure(s)

	Title	Condition	Limit (\$)
1			
2			
3			
4			

No vote taken

20. Resolution to Waive Pre-approval of Town Board to Expend Town Funds or Town Highway Funds

Whereas, Town Code Chapter 30-9-A requires that expenditures and or commitment to make payment or incur financial obligations of the Town shall not be made or entered into without prior written approval of the town board; and

Whereas, Town Law Article 8 §118 states that the Town Supervisor may pay certain specified claims; and

Whereas, Town Law Article 4 §64-1-a specifies that the town board may establish petty cash funds to be used in advance of approval and audit; and

Whereas, the town supervisor is to recover for the town any funds expended without proper authorization of the town board;

Therefore, be it resolved that under the following conditions designated employees and/or elected officials of the town are authorized to commit funds or make purchases for the town:

	Title of Position	Condition	Limit (\$)
1	Town Supervisor	Claims pursuant to Town Law 8-§118	
2	Town Highway Superintendent	Petty cash pursuant to Town Law 4-§64-1-a	
3	Town Clerk / Deputy Town Clerk	Petty cash pursuant to Town Law 4-§64-1-a	
4	Tax Collector / Deputy Tax Collector	Petty cash pursuant to Town Law 4-§64-1-a	
5	Recreation Director	Petty cash pursuant to Town Law 4-§64-1-a	

No vote taken

21. Resolution to Adopt Audit Process

Whereas, pursuant to Town Law 8-§119 the town clerk shall cause each claim presented to the town board for audit to be numbered consecutively, beginning with the number one in each year and to be stamped or otherwise marked with the date of presentation. The claims shall be available for public inspection at all times during office hours. The town board shall not be required to audit any claim until thirty days after presentation to the town clerk. The town board may, in considering a claim, require any person presenting the same to be sworn before it or before any member thereof, relative to the justness and accuracy of such claim, and may take evidence and examine witnesses in respect to the claim, and for that purpose may issue subpoenas for the attendance of witnesses, except as otherwise provided by law. When a claim has been audited by the town board the town clerk shall file the same in numerical order as a public record in his office and prepare an abstract of the audited claims specifying the number of the claim, the name of the claimant, the amount allowed and the fund and appropriation account chargeable therewith and such other information as may be deemed necessary and essential, directed to the supervisor of the town, authorizing and directing him to pay to the claimant the amount allowed upon his claim. No warrant shall be drawn against one fund or appropriation account to pay a claim chargeable to another fund or appropriation account; and

Whereas, the town board employs templates to determine if the claim is for a valid and legal purpose, if the claim is authorized, if there are sufficient appropriations to pay the claim, and if the

claim meets the legal and policy requirements in relation to competitive bidding and the requirements of the town's procurement policy; and

Whereas, the Finance Department is responsible to determine if the claim has any sales tax charges for exempt expenses, if the claim includes all discounts that the town is entitled to, if the goods or services were actually received, that the claim has not been paid before, in whole or in part, and that the claim is mathematically correct; and

Whereas, signing each claim form is not required by statute; and

Whereas, a claim package should contain enough detail and documentation so that the town board is supplied with sufficient information to determine whether to allow or disallow the claim; and

Whereas, claim packages should be associated with the abstract being approved and said approval is to be duly recorded in the minutes of the town board; and

Therefore, be it resolved that the Finance Department/Supervisor's Bookkeeper shall prepare packets for each claim that include the appropriate, previously completed town board authorization template; and

Be it further resolved that each claim and supporting packet that was previously authorized by the town board shall be grouped with others of the same sort in a claim package and listed on a preliminary abstract; and

Be it further resolved that any claim and supporting packet that is disallowed by a town board member shall be removed from the package and given to the town clerk by the town board member and crossed off the preliminary abstract by the town board member and an explanation of the disallowance shall be made to the town clerk by the town board member; and

Be it further resolved that the town clerk shall prepare the final abstract from the preliminary abstract and cause the final abstract to be approved by the town board at the next regular town board meeting; and

Be it further resolved that each claim and associated packet that was not previously authorized by the town board shall be grouped with others of the same sort and listed on a preliminary abstract that clearly states unauthorized claims and the same procedure used for authorized claims shall be used; and

Be it further resolved that each claim for goods or services provided in 2008 and associated packet shall be grouped with others of the same sort and listed on a preliminary abstract that clearly states 2008 claims and the same procedure used for authorized claims shall be used; and

Be it further resolved that the town clerk shall cause each approved final abstract package and associated claim packets to be properly filed for future review; and

Be it further resolved that the following template be used to approve each abstract:

(Preliminary / Final) Abstract _____ for (Authorized / Unauthorized / Carry Over) Claims
for Year _____
Vouchers _____ to _____ Checks _____ to _____
Voiding Checks

I certify that the claims contained herein have sufficient appropriations to pay the claims, that the claims meet the legal and policy requirements in relation to competitive bidding and the requirements of the town's procurement policy, that there are no sales tax charges for exempt expenses, that all claims include all discounts that the town is entitled to, that the goods or

services associated with each claim were actually received, that the claim has not been paid before, in whole or in part, and that the claim is mathematically correct.

Supervisor's Bookkeeper _____ Date _____

I certify that these claims were audited and allowed by the town board to be paid.

Town Clerk _____ Date _____

No vote taken.

22. Request to Expend up to \$250 of Town Funds for Supplies or Equipment

Whereas, Town Code Chapter 30-9-A requires that expenditures and or commitment to make payment or incur financial obligations of the Town shall not be made or entered into without prior written approval of the town board; and

Whereas, Town Code Chapter 30-3-A-3 states that bidding procedures for estimated purchases of \$250 or less are left to the discretion of the purchaser; and

Whereas, Town Code Chapter 30-6 provides for exceptions to solicitation and documentation requirements; and

Whereas, Town Code Chapter 30-3-D requires that all information gathered in complying with the procedures of this section shall be preserved and filed with the documentation supporting the subsequent purchase or public works contract; and

Whereas, the town supervisor or his/her delegate has verified that there are sufficient appropriations to support this request; and

Whereas, the requestor is named on the town authorized purchaser list; and

Whereas, the requestor states that this/these expenditure(s) are for valid and legal purposes; and

Whereas, the requestor will provide to the town board proof that the goods or services have actually been received; and

Whereas, the requestor understands that the town board will audit the request prior to authorizing payment; and

Whereas, the requestor understands that he/she is responsible to remit any or all expenses that are disallowed by the town board;

Therefore be it resolved that the town board authorizes the requestor to commence the appropriate procurement process in compliance with applicable policies; and

Be it further resolved that the town board authorizes the requestor to commit the following expenditure(s)

			To be completed following Town Board approval		
Description of Requested Expenditure(s)	Limit (\$)	Account Code	P.O. Number if issued	Requestor initial and date when applicable policies have been satisfied	Requestor initial and date when goods or services are received

Bruce said that 22-33 are forms with resolutions on them. Dod would like Town Counsel to review and advise the Board accordingly. Pam agrees that there is a value in really studying these; it is at least worth a conversation.

No vote taken.

23. Request to Expend \$250 to \$3,000 of Town Funds for Supplies or Equipment

Whereas, Town Code Chapter 30-9-A requires that expenditures and or commitment to make payment or incur financial obligations of the Town shall not be made or entered into without prior written approval of the town board; and

Whereas, Town Code Chapter 30-3-A-2 requires that estimated purchases of less than \$3,000 but greater than \$250 require an oral request for the goods and oral/fax quotes from two vendors; and

Whereas, Town Code Chapter 30-6 provides for exceptions to solicitation and documentation requirements; and

Whereas, Town Code Chapter 30-3-D requires that all information gathered in complying with the procedures of this section shall be preserved and filed with the documentation supporting the subsequent purchase or public works contract; and

Whereas, the town supervisor or his/her delegate has verified that there are sufficient appropriations to support this request; and

Whereas, the requestor is named on the town authorized purchaser list; and

Whereas, the requestor states that this/these expenditure(s) are for valid and legal purposes; and

Whereas, the requestor will provide to the town board proof that the goods or services have actually been received; and

Whereas, the requestor understands that the town board will audit the request prior to authorizing payment; and

Whereas, the requestor understands that he/she is responsible to remit any or all expenses that are disallowed by the town board;

Therefore be it resolved that the town board authorizes the requestor to commence the appropriate procurement process in compliance with applicable policies; and

Be it further resolved that the town board authorizes the requestor to commit the following expenditure(s)

No vote taken.

24. Request to Expend up to \$1000 of Town Highway Funds for Supplies or Equipment

Whereas, Town Code Chapter 30-9-A requires that expenditures and or commitment to make payment or incur financial obligations of the Town shall not be made or entered into without prior written approval of the town board; and

Whereas, Town Code Chapter 30-3-A-3 states that bidding procedures for estimated purchases of \$1000 or less are left to the discretion of the purchaser; and

Whereas, Town Code Chapter 30-6 provides for exceptions to solicitation and documentation requirements; and

Whereas, Town Code Chapter 30-3-D requires that all information gathered in complying with the procedures of this section shall be preserved and filed with the documentation supporting the subsequent purchase or public works contract; and

Whereas, the town supervisor or his/her delegate has verified that there are sufficient appropriations to support this request; and

Whereas, the requestor is named on the town authorized purchaser list; and

Whereas, the requestor states that this/these expenditure(s) are for valid and legal purposes; and
 Whereas, the requestor will provide to the town board proof that the goods or services have actually been received; and
 Whereas, the requestor understands that the town board will audit the request prior to authorizing payment; and
 Whereas, the requestor understands that he/she is responsible to remit any or all expenses that are disallowed by the town board;
 Therefore be it resolved that the town board authorizes the requestor to commence the appropriate procurement process in compliance with applicable policies; and
 Be it further resolved that the town board authorizes the requestor to commit the following expenditure(s)

			To be completed following Town Board approval		
Description of Requested Expenditure(s)	Limit (\$)	Account Code	P.O. Number if issued	Requestor initial and date when applicable policies have been satisfied	Requestor initial and date when goods or services are received

No vote taken

25. Request to Expend \$1000 to \$3,000 of Town Highway Funds for Supplies or Equipment

Whereas, Town Code Chapter 30-9-A requires that expenditures and or commitment to make payment or incur financial obligations of the Town shall not be made or entered into without prior written approval of the town board; and
 Whereas, Town Code Chapter 30-3-A-2 requires that estimated purchases of less than \$3,000 but greater than \$1000 require an oral request for the goods and oral/fax quotes from two vendors; and
 Whereas, Town Code Chapter 30-3-C requires that any written RFP shall describe the desired goods, quantity and the particulars of delivery. The purchaser shall compile a list of all vendors from whom written/fax/oral quotes have been requested and the written/fax/oral quotes offered; and
 Whereas, Town Code Chapter 30-6 provides for exceptions to solicitation and documentation requirements; and
 Whereas, Town Code Chapter 30-3-D requires that all information gathered in complying with the procedures of this section shall be preserved and filed with the documentation supporting the subsequent purchase or public works contract; and
 Whereas, the town supervisor or his/her delegate has verified that there are sufficient appropriations to support this request; and
 Whereas, the requestor is named on the town authorized purchaser list; and
 Whereas, the requestor states that this/these expenditure(s) are for valid and legal purposes; and
 Whereas, the requestor will provide to the town board proof that the goods or services have actually been received; and
 Whereas, the requestor understands that the town board will audit the request prior to authorizing payment; and

Whereas, the requestor understands that he/she is responsible to remit any or all expenses that are disallowed by the town board;

Therefore be it resolved that the town board authorizes the requestor to commence the appropriate procurement process in compliance with applicable policies; and

Be it further resolved that the town board authorizes the requestor to commit the following expenditure(s)

	To be completed following Town Board approval
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No vote taken

26. Request to Expend \$3,000 to \$10,000 of Town or Town Highway Funds for Supplies or Equipment

Whereas, Town Code Chapter 30-9-A requires that expenditures and or commitment to make payment or incur financial obligations of the Town shall not be made or entered into without prior written approval of the town board; and

Whereas, Town Code Chapter 30-3-A-1 requires that estimated purchases of less than \$10,000 but greater than \$3,000 require a written request for a proposal (RFP) and written/fax quotes from three vendors; and

Whereas, the town supervisor or his/her delegate has verified that there are sufficient appropriations to support this request; and

Whereas, Town Code Chapter 30-3-C requires that any written RFP shall describe the desired goods, quantity and the particulars of delivery. The purchaser shall compile a list of all vendors from whom written/fax/oral quotes have been requested and the written/fax/oral quotes offered; and

Whereas, Town Code Chapter 30-6 provides for exceptions to solicitation and documentation requirements; and

Whereas, Town Code Chapter 30-3-D requires that all information gathered in complying with the procedures of this section shall be preserved and filed with the documentation supporting the subsequent purchase or public works contract; and

Whereas, the requestor is named on the town authorized purchaser list; and

Whereas, the requestor states that this/these expenditure(s) are for valid and legal purposes; and

Whereas, the requestor will provide to the town board proof that the goods or services have actually been received; and

Whereas, the requestor understands that the town board will audit the request prior to authorizing payment; and

Whereas, the requestor understands that he/she is responsible to remit any or all expenses that are disallowed by the town board;

Therefore be it resolved that the town board authorizes the requestor to commence the appropriate procurement process in compliance with applicable policies; and

Be it further resolved that the town board authorizes the requestor to commit the following expenditure(s)

	To be completed following Town Board approval
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Description of Requested Expenditure(s)	Limit (\$)	Account Code	P.O. Number if issued	Requestor initial and date when applicable policies have been satisfied	Requestor initial and date when goods or services are received

No vote taken

27. Request to Expend up to \$500 of Town Funds or Town Highway Funds for Public Works Contracts

Whereas, Town Code Chapter 30-9-A requires that expenditures and or commitment to make payment or incur financial obligations of the Town shall not be made or entered into without prior written approval of the town board; and

Whereas, Town Code Chapter 30-3-B-4 states that bidding procedures for estimated contracts of \$500 or less are left to the discretion of the purchaser; and

Whereas, Town Code Chapter 30-6 provides for exceptions to solicitation and documentation requirements; and

Whereas, Town Code Chapter 30-3-D requires that all information gathered in complying with the procedures of this section shall be preserved and filed with the documentation supporting the subsequent purchase or public works contract; and

Whereas, the town supervisor or his/her delegate has verified that there are sufficient appropriations to support this request; and

Whereas, the requestor is named on the town authorized purchaser list; and

Whereas, the requestor states that this/these expenditure(s) are for valid and legal purposes; and

Whereas, the requestor will provide to the town board proof that the goods or services have actually been received; and

Whereas, the requestor understands that the town board will audit the request prior to authorizing payment; and

Whereas, the requestor understands that he/she is responsible to remit any or all expenses that are disallowed by the town board;

Therefore be it resolved that the town board authorizes the requestor to commence the appropriate procurement process in compliance with applicable policies; and

Be it further resolved that the town board authorizes the requestor to commit the following expenditure(s)

			To be completed following Town Board approval		
Description of Requested Expenditure(s)	Limit (\$)	Account Code	P.O. Number if issued	Requestor initial and date when	Requestor initial and date when

				applicable policies have been satisfied	goods or services are received

One copy to requestor, one copy to supervisor's bookkeeper, one copy to town clerk file

No vote taken

28. Request to Expend \$500 to \$1,000 of Town Funds for Public Works Contracts

Whereas, Town Code Chapter 30-9-A requires that expenditures and or commitment to make payment or incur financial obligations of the Town shall not be made or entered into without prior written approval of the town board; and

Whereas, Town Code Chapter 30-3-B-3 requires that estimated purchases of less than \$1,000 but greater than \$500 require an oral request for the goods and oral/fax quotes from two vendors; and

Whereas, Town Code Chapter 30-6 provides for exceptions to solicitation and documentation requirements; and

Whereas, Town Code Chapter 30-3-D requires that all information gathered in complying with the procedures of this section shall be preserved and filed with the documentation supporting the subsequent purchase or public works contract; and

Whereas, the town supervisor or his/her delegate has verified that there are sufficient appropriations to support this request; and

Whereas, the requestor is named on the town authorized purchaser list; and

Whereas, the requestor states that this/these expenditure(s) are for valid and legal purposes; and

Whereas, the requestor will provide to the town board proof that the goods or services have actually been received; and

Whereas, the requestor understands that the town board will audit the request prior to authorizing payment; and

Whereas, the requestor understands that he/she is responsible to remit any or all expenses that are disallowed by the town board;

Therefore be it resolved that the town board authorizes the requestor to commence the appropriate procurement process in compliance with applicable policies; and

Be it further resolved that the town board authorizes the requestor to commit the following expenditure(s)

			To be completed following Town Board approval		
Description of Requested Expenditure(s)	Limit (\$)	Account Code	P.O. Number if issued	Requestor initial and date when applicable policies have been satisfied	Requestor initial and date when goods or services are received

No vote taken.

29. Request to Expend \$500 to \$3,000 of Town Highway Funds for Public Works Contracts

Whereas, Town Code Chapter 30-9-A requires that expenditures and or commitment to make payment or incur financial obligations of the Town shall not be made or entered into without prior written approval of the town board; and

Whereas, Town Code Chapter 30-3-B-3 requires that estimated purchases of less than \$3,000 but greater than \$500 require an oral request for the goods and oral/fax quotes from two vendors; and

Whereas, Town Code Chapter 30-6 provides for exceptions to solicitation and documentation requirements; and

Whereas, Town Code Chapter 30-3-D requires that all information gathered in complying with the procedures of this section shall be preserved and filed with the documentation supporting the subsequent purchase or public works contract; and

Whereas, the town supervisor or his/her delegate has verified that there are sufficient appropriations to support this request; and

Whereas, the requestor is named on the town authorized purchaser list; and

Whereas, the requestor states that this/these expenditure(s) are for valid and legal purposes; and

Whereas, the requestor will provide to the town board proof that the goods or services have actually been received; and

Whereas, the requestor understands that the town board will audit the request prior to authorizing payment; and

Whereas, the requestor understands that he/she is responsible to remit any or all expenses that are disallowed by the town board;

Therefore be it resolved that the town board authorizes the requestor to commence the appropriate procurement process in compliance with applicable policies; and

Be it further resolved that the town board authorizes the requestor to commit the following expenditure(s)

			To be completed following Town Board approval		
Description of Requested Expenditure(s)	Limit (\$)	Account Code	P.O. Number if issued	Requestor initial and date when applicable policies have been satisfied	Requestor initial and date when goods or services are received

No vote taken.

30. Request to Expend \$1,000 to \$10,000 of Town Funds for Public Works Contracts

Whereas, Town Code Chapter 30-9-A requires that expenditures and or commitment to make payment or incur financial obligations of the Town shall not be made or entered into without prior written approval of the town board; and

Whereas, Town Code Chapter 30-3-B-2 requires that estimated public works contracts of less than \$10,000 but greater than \$1,000 require a written request for a proposal (RFP) and written/fax quotes from two contractors; and

Whereas, the town supervisor or his/her delegate has verified that there are sufficient appropriations to support this request; and

Whereas, Town Code Chapter 30-3-C requires that any written RFP shall describe the desired goods, quantity and the particulars of delivery. The purchaser shall compile a list of all vendors from whom written/fax/oral quotes have been requested and the written/fax/oral quotes offered; and

Whereas, Town Code Chapter 30-6 provides for exceptions to solicitation and documentation requirements; and

Whereas, Town Code Chapter 30-3-D requires that all information gathered in complying with the procedures of this section shall be preserved and filed with the documentation supporting the subsequent purchase or public works contract; and

Whereas, the requestor is named on the town authorized purchaser list; and

Whereas, the requestor states that this/these expenditure(s) are for valid and legal purposes; and

Whereas, the requestor will provide to the town board proof that the goods or services have actually been received; and

Whereas, the requestor understands that the town board will audit the request prior to authorizing payment; and

Whereas, the requestor understands that he/she is responsible to remit any or all expenses that are disallowed by the town board;

Therefore be it resolved that the town board authorizes the requestor to commence the appropriate procurement process in compliance with applicable policies; and

Be it further resolved that the town board authorizes the requestor to commit the following expenditure(s)

			To be completed following Town Board approval		
Description of Requested Expenditure(s)	Limit (\$)	Account Code	P.O. Number if issued	Requestor initial and date when applicable policies have been satisfied	Requestor initial and date when goods or services are received

No vote taken

31. Request to Expend \$3,000 to \$10,000 of Town Highway Funds for Public Works Contracts

Whereas, Town Code Chapter 30-9-A requires that expenditures and or commitment to make payment or incur financial obligations of the Town shall not be made or entered into without prior written approval of the town board; and

Whereas, Town Code Chapter 30-3-B-2 requires that estimated public works contracts of less than \$10,000 but greater than \$3,000 require a written request for a proposal (RFP) and written/fax quotes from two contractors; and

Whereas, the town supervisor or his/her delegate has verified that there are sufficient appropriations to support this request; and

Whereas, Town Code Chapter 30-3-C requires that any written RFP shall describe the desired goods, quantity and the particulars of delivery. The purchaser shall compile a list of all vendors from whom written/fax/oral quotes have been requested and the written/fax/oral quotes offered; and

Whereas, Town Code Chapter 30-6 provides for exceptions to solicitation and documentation requirements; and

Whereas, Town Code Chapter 30-3-D requires that all information gathered in complying with the procedures of this section shall be preserved and filed with the documentation supporting the subsequent purchase or public works contract; and

Whereas, the requestor is named on the town authorized purchaser list; and

Whereas, the requestor states that this/these expenditure(s) are for valid and legal purposes; and

Whereas, the requestor will provide to the town board proof that the goods or services have actually been received; and

Whereas, the requestor understands that the town board will audit the request prior to authorizing payment; and

Whereas, the requestor understands that he/she is responsible to remit any or all expenses that are disallowed by the town board;

Therefore be it resolved that the town board authorizes the requestor to commence the appropriate procurement process in compliance with applicable policies; and

Be it further resolved that the town board authorizes the requestor to commit the following expenditure(s)

	To be completed following Town Board approval

Description of Requested Expenditure(s)	Limit (\$)	Account Code	P.O. Number if issued	Requestor initial and date when applicable policies have been satisfied	Requestor initial and date when goods or services are received

No vote taken

32. Request to Expend \$10,000 to \$20,000 of Town or Town Highway Funds for Public Works Contracts

Whereas, Town Code Chapter 30-9-A requires that expenditures and or commitment to make payment or incur financial obligations of the Town shall not be made or entered into without prior written approval of the town board; and

Whereas, Town Code Chapter 30-3-B-1 requires that estimated public works contracts of less than \$20,000 but greater than \$10,000 require a written request for a proposal (RFP) and written/fax quotes from three contractors; and

Whereas, the town supervisor or his/her delegate has verified that there are sufficient appropriations to support this request; and

Whereas, Town Code Chapter 30-3-C requires that any written RFP shall describe the desired goods, quantity and the particulars of delivery. The purchaser shall compile a list of all vendors from whom written/fax/oral quotes have been requested and the written/fax/oral quotes offered; and

Whereas, Town Code Chapter 30-6 provides for exceptions to solicitation and documentation requirements; and

Whereas, Town Code Chapter 30-3-D requires that all information gathered in complying with the procedures of this section shall be preserved and filed with the documentation supporting the subsequent purchase or public works contract; and

Whereas, the requestor is named on the town authorized purchaser list; and

Whereas, the requestor states that this/these expenditure(s) are for valid and legal purposes; and

Whereas, the requestor will provide to the town board proof that the goods or services have actually been received; and

Whereas, the requestor understands that the town board will audit the request prior to authorizing payment; and

Whereas, the requestor understands that he/she is responsible to remit any or all expenses that are disallowed by the town board;

Therefore be it resolved that the town board authorizes the requestor to commence the appropriate procurement process in compliance with applicable policies; and

Be it further resolved that the town board authorizes the requestor to commit the following expenditure(s)

			To be completed following Town Board approval		
Description of Requested Expenditure(s)	Limit (\$)	Account Code	P.O. Number if issued	Requestor initial and date when applicable policies have been satisfied	Requestor initial and date when goods or services are received

No vote taken

33. Emergency Commitment of Town or Town Highway Funds

Whereas, in a duly declared emergency of the town or duly declared town highway related emergency, it may be impractical to obtain proper authorization of the town board to expend town funds; and

Whereas, a duly declared emergency of the town can only be declared by the supervisor or in his/her absence the deputy supervisor; and

Whereas, a duly declared town highway related emergency can only be declared by the town supervisor, or in his/her absence by the deputy supervisor, or in his/her absence by the highway superintendent; and

Whereas, a duly declared emergency exists only for a finite period of time;

Therefore be it resolved that, in a duly declared emergency of the town or town highway related emergency declared by the supervisor, the town board authorizes, after the fact, the town supervisor to expend necessary funds to end the emergency; and

Be it further resolved that, in a duly declared emergency of the town or town highway related emergency declared by the deputy supervisor, the town board authorizes, after the fact, the deputy town supervisor to expend necessary funds to end the emergency; and

Be it further resolved that, in a duly declared town highway related emergency declared by the town highway superintendent, the town board authorizes, after the fact, the town highway superintendent to expend necessary funds to end the emergency; and

Be it further resolved that person to whom delegation has been made is required to provide for the purposes of the audit the following information:

To be completed within ten business days and submitted to Town Clerk for review at next Town Board meeting		
Description of Emergency:	Date of Emergency:	
Description of Expenditure(s):	Account Code	Actual Amount (\$)

No vote taken.

Since no votes were taken on items 14-33, they will be discussed again at the January 12th meeting.

34. Vanderburgh Cove Sewer System

Motion by Dod Crane
 Second by Dan Staley

Whereas, the Town Board of the Town of Rhinebeck desires to solicit written proposals for the operation and maintenance of the Vanderburgh Cove Sewer Plant for the fiscal year of 2009; and

Whereas, the Town Board wishes to authorize Morris and Associates to prepare specification for the proposed operation and maintenance; and

Whereas, the Town Board does hereby authorize the Town Clerk to advertise for proposals for the operation and maintenance of the Vanderburgh Cove Sewer Plant for the 2009 fiscal year; and

Whereas, such proposals shall be in accordance with the specifications prepared by Morris and Associates, dated January 6, 2009; and

Whereas, said specifications shall be available upon request from the Town Clerk; and

Now, therefore be it resolved that, the Town Board of the Town of Rhinebeck does hereby request written proposals for the operation and maintenance of the Vanderburgh Cove Sewer Plant for 2009 fiscal year, which proposals shall be delivered to the Town Clerk not later than 12 noon on Wednesday, January 21, 2009.

All were in favor.

At 6:25 the Board took a 10 minute break before meeting with the Comp Plan consultants.

At 6:35 Michael Zarin, Warren Replansky, Graham Trelstad, Sally Mazzarella and Ted Fink joined the Town Board for this workshop.

The Supervisor announced that the purpose of this meeting is for the Town Board and the planning consultants to discuss items from the December 15th meeting. He emphasized that this is a workshop and not a public hearing.

Warren Replansky explained in retrospect we probably could have done a better job at the December 15th meeting. There were a lot of issues discussed and the perception on the street seems to be issues were voted on; which is absolutely not the case. For a little history he explained that in April 2006 the proposed Comp Plan was presented to the Town Board. The prior Town Board decided to have the Zoning Law complete and present to the Town Board at the same time as the DGEIS so the public could have a better understanding of the Comprehensive Plan. The Freshwater Wetlands was then brought into the mix.

A series of task force meetings with the Town Board and consultants transpired to review the process. The Town Board determined that certain changes were needed so the plan was re-worked and a much clearer document was produced. The prior Town Board eliminated the TND in Rhinecliff and provided for a more modest Rhinecliff extension. They also extended the 5 acre zone to include the DeCola-Kibel and Holy Cross property, create a second village gateway and increase the mandated 20% affordable housing to the Zoning Law.

Michael Zarin stated there were no decisions or determinations made at the December 15th meeting. We are modifying proposal and everything is subject to full environmental review. Nothing is final yet; this is only a work in progress.

Warren feels the two major issues are the levels of down zoning and the wisdom of the Astor Flats TND. As a result it was decided that an alternative to the DGEIS would be considered. Alternative 6 is in response to comments made through a variety of meetings. This Board welcomes meaningful input from the public. Holy Cross is a major component; the property needs to be developed in a way which is beneficial to the Town and residents. The affordable housing/senior citizen idea seemed appropriate for that area. The Zoning Law allowed for a floating overlay for affordable housing/senior citizen development. All written statements were read by the Town Board and the consultants and a list of 19 issues was discussed at the December 15th meeting. That was the first opportunity for the consultants to meet with the Town Board. We needed direction on a wide variety of issues. No decision has been set in stone yet; 20 acre zone was scaled down to 10 acres, environmental constraints were changed in the 10-20 acre zones, the 6 acre zone was changed to 5 acre and to allow for a 1 lot split off to sub divide without going through conservation issues. All changes will be addressed in the FGEIS. A supplemental EIS will be recommended tonight so the consultants can formulate the Holy Cross Senior Citizen complex pursuant to 200 maximum units and eliminate the Astor Flats TND. All concerns will be addressed and he assured the public that the Town Board is aware of the compatibility with the LWRP.

Graham Trelstad said basically what is involved with the supplemental EIS is the same process; we will incorporate the new TND also on the Jesselson property. Traffic studies and community character will both be looked at. This will be subject to a public hearing following the SEIS then the FGEIS. In order to do a supplemental EIS we need to do a new build out along Mt. Rutsen and Rhinecliff Roads. The transferring of development rights will be looked at in the Waterfront Consistency Review. This will push out the completion date at least another 3-4 months; it will probably be August 2009. The SEIS is important so the Town has done its due diligence. It is the right step to follow.

Bruce and Dod are concerned about the cost of all these studies. Graham will email the list of needs and meet with a traffic engineer. The previous study was for traffic safety; this new study will provide useful information and is absolutely necessary. Dod is concerned about this process. Ellen questioned if these extra steps are due to the 200 units on Holy Cross and Graham replied no. The SGEIS will also address transferring the TND to the Jesselson property. Mr. Zarin said we are erring on the side of conservative. The natural evolution is the DGEIS then the SEIS and then the Final. These potential changes need a supplemental EIS.

Warren feels that the lead agency has a lot of discretion. There is a great deal of litigation if the SEIS is not followed. The environmental impact to the TND and Holy Cross property need to be evaluated. It won't save any money by eliminating the SEIS, those topics would have to be addressed in the FGEIS. It is a matter of shifting the process to an earlier stage in the SEQR.

Bruce asked if the TND must be sited and not overlaid and wondered what law that assumption is based on. Graham responded that a floating/overlay zone is essential the same. It is a range of sites where the TND can be located. Michael stated it is a generic analysis that is not as in depth as site specific analysis. When proposals for development come in they will go through site specific environmental review. Warren said there is a better procedure in place when the TND lists where the property lies. Bruce questioned what happens if Jesselson doesn't want to develop his lands as a TND? Graham stated there are very few properties in Rhinebeck that fit the TND model. Dan asked if the Tator Hill area as ever been considered for a TND and Ted Fink replied no. Warren stated that the Comprehensive Plan Committee over 4 years ago reviewed sites that were close to the Village for a TND area. Dan then asked if it has to contain commercial units and Graham said no. Graham feels the Jesselson property is not conducive to major commercial development; maybe a general store and community center.

Michael Zarin reminded the Board that zoning is not static. All problems do not have to be solved with this plan. Re-zoning proposals can come forward at a later date. Bruce questioned if we aren't going to solve problems then why do we keep analyzing? Sally pointed out that Jesselson site has 1,200 acres and this property could be used as an overlay and then the developer would come in and meet stringent requirements. Bruce asked what happens if the TND is never developed and Sally said nothing. Graham said a TND is important component because of density and affordable housing issues. Warren stated that the Rhinecliff TND has been removed and recaptured with a hamlet extension and now the Board needs to figure out a new location for the TND; it is their decision. Ellen thought the Board had already decided on the Jesselson TND, why are we re-visiting? Michael wants the Board to okay the consultants looking at site vs. floating zone on the Jesselson property. The supplemental EIS means we look at different concepts that were not addressed in the DGEIS. The Town Board agreed to have consultants prepare a SEIS. Warren would like to meet in 3 weeks to update Board and formulate some plans. Warren will have a resolution for the January 12th meeting.

Dod pointed out that the technical issue on LEEDS has not been resolved. Ted will review at the January 12th meeting. Ellen wants the Holy Cross issue addressed that night also. Warren said the intention is to hear informal public comments. At this point Tom was handed a list of people who are interested in speaking tonight. He asked the speakers to keep their comments to 3 minutes so we can hear everyone who wishes to speak.

Jeffrey Baker, esq. is representing the Morton Road homeowners. The Morton Road Association is extremely concerned by the apparent Town Board decision to make a major and previously unannounced change in the Holy Cross property.

At the December 15th meeting apparently Mr. Zarin and Mr. Replansky recommended that the Holy Cross property be specially designated as a senior housing district with a density greater than the proposed Senior Floating District, a lower eligible age and a designation of the district as of right only subject to Planning Board review. This takes away the process of a zoning amendment by the Town Board through application of the floating district.

It seems there was no explanation as to the rationale for this change. The MRA urges the Town Board to reject this proposal. The Comp Plan Committee recommended 5 acre zoning. Concerns about dense development in that area of Town have been well known. It is inconsistent with existing land uses and will burden Morton Road and Rhinecliff. Please reverse your December 15th discussion decision and maintain a 5 acre zone for the Holy Cross property.

Should the Board decide to proceed with this new concept, a supplemental EIS is necessary. This proposed re-zoning was not even considered in the DGEIS. The Holy Cross changes alone will have significant traffic impact, character changes in the area and impact to ground water, etc.

If you move forward with this proposal the property owners might ask for a super majority (4-1) vote on the Comp Plan. The Town Board can require Mr. Frydman pay for these studies.

Warren then addressed Mr. Baker and said the DGEIS did address the Holy Cross issue.

The following speakers then read these letters:

Carolyn Marks Blackwood

It is obvious, after watching the tape of your Dec. 15th workshop, that you do not get Rhinecliff at all. YOU see houses close together and see it as suburban

density- We who live here, see an old and historic RURAL Hamlet that was first settled in 1685 as Kipsbergen , which makes it Rhinebeck's first settlement. We are Rhinebeck's waterfront- A Vice President of the United States lived here and gave our little jewel of a Hamlet our community center- Our library.

The unending beauty of Rhinecliff, with its hills and swales and crazy little houses, is not, I repeat, NOT suburban sprawl. The way the houses were built over 100 years ago, was predicated on the topography- and because of that topography; the hamlet has remained essentially the same for the last 100 years. We live quietly here. We live bathed in beauty.

For a long time, it was unfashionable to be on the river when it was the main highway for goods and services and the rail road spewed black smoke and cinders that could catch the grass on fire. The history of Rhinecliff is rough and tumble. The people who lived here were called River Rats by those more inland from the river. But times have changed – the trains no longer spew black smoke and the river front property comes with a premium and has become precious-

Rhinecliff is one of the oldest intact hamlets along the Hudson River, and you have heard all our designations-which are worth repeating since they have been ignored by you- The National Register of Historic Places- the Hudson River National Historic Landmark District, as a Scenic Area with Statewide Significance and a DEC Scenic Road designation, and as part of the Hudson River National Heritage Corridor. But most importantly, it is home to people who love it passionately. We are a diverse and independent lot- with as many different opinions as there are people- but as diverse as our views are on most everything else, there is one thing we agree on. We can come together and tell you with one voice- We are united in defending this precious hamlet from harm.

When the present owners of Holy Cross bought the land, it was zoned at 5 acres, as it is today, without any promises that it would change. We want you to keep it at 5 acre zoning which is already a concession, as the rest of the properties along the river will probably be changed to 10 or even 20 acre zoning- The buildings, which were a liability then, have crumbled further into disrepair because of neglect, and have served as a club house for rebellious teenagers who have been stealing cars and vandalizing the hamlet. These problems have been brought to the board. The buildings and their problems were there when the owners bought the land and if anything the problems have grown- among other things, the Sewage plant which was referred to so many times at your Dec. 15th meeting, as in place, is long gone- burned in a suspicious fire- How could you not know this?

The patent disrespect for Rhinecliff is palpable at your Dec. 15th meeting. It is the place to solve all your problems- To put 25 percent affordable housing, and only 10 percent everywhere else- unloading 250 plus houses in Rhinecliff takes the burden off of other places in town. Do you understand that this more than doubles the number of houses in the hamlet? Dan Staley's mantra "density to density" "we have to help the developer- he has to make money...." echoes loudly, and the murmurs of agreement with him were reflected in the direction you chose to go at that workshop meeting. As the Decola's so wisely said at the last meeting- it is not yours or our responsibility to make a bad investment into a good investment. Also at the Dec. 15th meeting, you spoke of your direction being driven by "public comment" when you know full well that the only public comment you received about 200 plus houses at Holy Cross was direction from the developer and his lawyer. The rest of us did not know about it!!

I expected the developer to want everything he could get – I expected the developer to ignore the comprehensive plan, the history of Rhinecliff and the will of the hamlet- I expected the developers values to be diametrically opposed to those of the people living in Rhinebeck- to not care what 400 or more cars driving through Rhinecliff on narrow roads to and from the village of Rhinebeck would do to our tiny hamlet- He does not live here- But I did not expect, my own town board would do this.

So, this is the moment. I hope you hear us loud and clear- Old timers and new people- It is the moment when you can change direction- get back to the will of the people, who spoke loud and clear in the Comprehensive Plan Survey and this taken from your own Comprehensive Plan....."Clear Mandates emerged on most issues related to development. It is significant to note that 99 percent of the respondents rated Rhinebeck's rural-small town atmosphere a major strength. On the other hand, only seven percent of the respondents believe that Rhinebeck would be better off if were more suburban than rural. This overwhelming belief about maintaining rural character by the town's full time and part time residents requires serious consideration by all town officials."

If we are part of Rhinebeck, then treat us as you would any other part of Rhinebeck—This is an issue of poor planning that will impact more than just the Hamlet- what you are doing will erode the character of the entire town and lead to sprawl in the entire town and stress the infrastructure of the entire town- Rhinebeck village has houses close together and yet you are tip toeing and back peddling around the Astor Flats development on a much larger piece of land. There seem to be two standards at work here.

What happened to the comprehensive plan? What happened to walkability? What happened to accountability? This is the moment we implore you to change direction. While we would rather fight at your side, us River Rats will fight with you or against you- to preserve our precious Rhinecliff, and all of Rhinebeck.

Re: Creation of proposed special zoning district on Morton Road

Dear Mr. Traudt and Members of the Board:

My name is **Bob Fox** and I am a resident of Rhinebeck. My wife, Gloria, and I live at 232 Morton Road. I am speaking personally, and not as a representative of any other organization or board. I am a licensed architect and have been in active practice in New York State since 1966. I also have long-term roots in the area, having spent my childhood in Red Hook.

A number of years ago, one of my clients asked me to walk and assess two properties in Rhinebeck – what is now know as the Holy Cross Property, about 100 acres – and what is now known as the Kibel/DeCola Property, about 500 acres. I met John Grotto, Sr., the broker for the owner at the time, the Catholic Church, and spent the better part of a day walking and researching these properties.

My recommendations were to buy the 500 acre property and to avoid the 100 acre property at all costs. My decision was simple – one property was beautiful – the other had derelict buildings loaded with asbestos, basically beyond their useful life, and needed to be demolished, at significant expense. In no way was it worth the asking price of over 4 million dollars.

Where are we now? Under Jacob Selechnick’s ownership, the buildings have further deteriorated through further neglect. They no longer have any value. The sewage treatment plant has been totally destroyed by fire. There is little, if any, viable infrastructure on this site, despite the consultant’s and town board members’ claim to the contrary.

As a citizen of Rhinebeck, I am very proud of the incredible effort of the volunteers and consultants, who have devoted hundreds and hundreds of hours in the creation of a new Comprehensive Plan and a new set of corresponding Zoning Regulations. Part of their wisdom was to keep the Holy Cross Property at 5 acre zoning, rather than down zone it to 20 acre, as they proposed with the adjacent surrounding property.

In total contraction to the proposed Comprehensive Plan and the proposed Zoning, this Board has allowed its consultants to cajole them into “studying” a 200 acre housing development on this site.

To reinforce my comments, I would like to quote from the proposed Comprehensive Plan dated 24 Oct 08:

p. I-3 “A portion of the R5A district has been retained east of and south of the Hamlet of Rhinecliff to recognize the existing settlements that have evolved at the five-acre density in this area of town. The Holy Cross site has been included in [this] area to retain the 5 acre density due to its unique characteristics...”

- p. I-5** “A floating district has been created to encourage senior housing. This district is not mapped. Application of the senior housing floating (SH-F) district can be established through the zoning amendment procedures of articles XII and VI (D) (37) of the proposed zoning law.”
- p. I-19** “The floating district can be considered in the...RL5...zoning district...and would require approval of a zoning change by the Town Board and a special permit and a site plan review by the Planning Board.”
- p. I-28** “It (Comprehensive Plan) establishes an objective to “protect historic resources and require new development within historic districts or near historic sites to be consistent with the existing setting of the site, taking into account the history, existing architecture, and character of the surrounding area.
- p. II-18** “The proposed zoning caps the total number of senior housing units in any one development at 120 units (20 percent of which must be affordable)...other criteria apply to the senior housing floating district would need to be met in order for the proposal to be accepted.

A Town Board has no obligation to ensure any land owner or developer makes a profit. On December 15, Board member Dan Staley said, and I quote, “The developer is not going to make money at that number” – and that was at 200 units. It is not the Town Board’s responsibility to work for the developer. You represent the people who voted for you, not an out of town developer.

I have presented before many city planning commissions, community boards, town boards and community groups in my 42 years of practice. This is one of the most blatant examples of spot zoning I have ever seen. I urge you to reconsider this decision and allow this property owner to retain the 5 acre zoning that existed when he bought this site.

Thank you for allowing me this opportunity to speak.

Richard Creed, Creed Ankony Farm, 44 Ryan Rd. Rhinebeck, N.Y. 12572

As a concerned land owner of over 700 acres in the national historic landmark district in the town of Rhinebeck, I have been extremely concerned about a proposed radical down zoning of my property in the comprehensive plan documents. Like many citizens I unfortunately sat on my hands during the early years of the comp plan planning process and hoped for the best while waiting for its eventual outcome. That comp plan proposal amounted to an outright theft of our property rights, one that shocked this entire community. So, this past summer I joined a group of similarly stunned land owners representing over 2400 acres in the district. At our own expense, we hired a nationally recognized planning consultant, Randall Arendt, to educate us and the community on conservation development policies, along with fairness strategies for all landowners and to do a cursory evaluation of the various large parcels in the district with respect to the numbers of units currently available for development

under the proposed 20 acre zoning. Based on that discussion our group submitted the Plan F proposal, or what is referred to in the current plan documents as Alternative 6. Our group scheduled meetings with comp plan representatives, the town board, and the community to explain that plan. All publicly announced. The plan is simple and complete, and now shares wide support from the community at large.

So here we are: you guys have spent a million dollars and ***now*** come back with an outrageous proposal for some bogus "senior housing" ploy that amounts to nothing more than a de facto "as of right" zoning, so completely out of context for the historic district that you risk spending another million bucks going through the same exercise or litigating. This is ludicrous, when I last spoke at a public hearing I told you to "keep it up" meaning that you're almost there, ***not*** keep up the exorbitant spending and waste of time.

Our group struggled over the fairness of large versus small owners, open space, the transfer of development rights, we even addressed a fairness exception for the Holy Cross property, and most of all, an appropriate compromise density dealing with the 5 acre to 20 acre proposal. AND in "one fell swoop" you propose to consider a preferential gift to the Holy Cross property of 1/2 acre zoning, have you lost your minds? What's even more disconcerting is the temerity of this board to attempt to disavow that action at last week's meeting.

Plan F presented a process that allows for the open purchase of development rights in full public view, yet somehow you propose to bestow an award of rights to **one** property that exceeds the full build out of the district at 20 acre zoning.

It's either time for you to stop and recognize the gift you've been given with Plan F, or just STOP.

My name is **Arthur Seelbinder** and I am a resident of the Town of Rhinebeck. As I have mentioned to some of you privately, I, as well as others, are concerned about the runaway cost of the proposed comprehensive plan process to date as well as the cost to complete the process. If I am not mistaken this cost to date is in the range of \$1 million.

I believe that the residents and taxpayers of this community should be kept informed on a regular and timely basis and I call upon the Town Board to address the following issues:

- 1) Establish and make available to the public a realistic overall budget for the comprehensive plan process from inception to completion including any litigation expense contemplated from either outside developers and/or residents. The

current preliminary budget posted on the Town web site appears to be insufficient and has no monies indicated for consultants and potential litigation.

2) The source of funds to pay for not only the current and projected expenditures but more importantly the cost of any ongoing litigation.

3) What services will the Town need to cutback or eliminate to pay for this process.

4) Are the Town Board Members prepared to devote the long hours away from their current employment required for depositions, discovery and trials as well as their commitment to their duties as Town Board Members.

5) Are the current Comprehensive Plan consultants prepared to waive their fees during the litigation process? They developed the plan and will benefit from defending the plan regardless of its merits.

6) Would you ask the residents of the Town to assume property tax increases to pay for the cost of the plan? Under the current economic conditions, it should not be assumed that the Town can build its way out of this mess or that the property assessed values will increase as a result of the plan to provide added tax revenue.

These are important issues for the residents of Rhinebeck and under your fiduciary duty need to be formally addressed and communicated to us.

Finally, I wanted to raise one last issue. As a resident of River Road, I am well aware of the development issues at The Gardens. Has the committee and the Board taken into account the proposed units for phase 2 and phase 3 of that development in the overall calculations for housing in the community? If so, where are those numbers reflected?

Thank you.

Jennifer Van Tuyl, representing Mr. Frydman, stated that back in 2005 Mr. Frydman's original request was for 400 units. Since the summer of 2008 I have been his lawyer. To remediate the Holy Cross property will probably cost close to \$14 million and provide a valuable tax basis without adding to the school population. We don't agree with the 20% affordable housing.

Andrew Sheppard stated he was involved with visioning sessions many years ago. The Rhinecliff Advisory Committee came up with a 14 point plan to help guide the Town. We support Plan F, we are not anti-development. Plan F is a balanced proposal written by a professional. The land you have designated as hamlet extension is not appropriate. Andrew encourages everyone in the audience and on the Board to watch the video on Rhinebeck.org.

Melissa Cohen, RAC member, does not feel the Town Board is listening to us. The extension does not follow the Comp Plan. It is simply not viable. What do you mean by active adult housing complex at Holy Cross?

Matt Rosenburg, RAC member, asked what happens if the 49 unit proposal does not happen. There is a 12% grade on that property. Landowners do not want this proposal. AMTRAK is not a commuter train, just look at the parking lot. Someone also needs to look into Jacob Frydman's dealings.

Mike Ostrow, Morton Road resident, feels the Gardens are a perfect location for high density. Where does that development come into the high density equation. Jacob Frydman contracted with the current Holy Cross landowner when it was zoned 5 acre. Keep it at that level of zoning.

Cynthia Baer read a letter from **Dutchess Land Conservancy** expressing their concerns about the special zoning district on Morton Road. 1. Holy Cross property is part of a Historic District and located on a scenic road adjacent to lands preserved with a conservation easement held by Dutchess Land Conservancy and Scenic Hudson. This re-zoning will erode the historic, scenic and natural resource values of this area. 2. Through the Comp Plan process it is evident that the wide majority of Rhinecliff resident are opposed to increasing the density on this property. Creating such a district will result in a pattern of isolated suburban style development that is completely contrary to the pattern with this historic hamlet and its surroundings. 3. The Town has a responsibility to ensure that its actions in designating districts are part of a coherent overall concept as part of the comprehensive planning process. This proposal has the appearance of an arbitrary act of spot zoning rather than part of a well thought out plan. Signed Rebecca Thornton, President.

Mike DeCola thanked the Board for opening up the public dialogue on this issue. The process seems to be improving. Please rethink the high density and look at Plan F; it is so much more viable.

Michelle Donner doesn't think the public comments are being heard by the Board. Why would the Board put this density in the supplemental report when there have been such vocal arguments against it. Will you re-consider the 5-acre zone again?

Warren Replansky reaffirmed the fact that the Holy Cross proposal will be addressed in the Supplemental document. Scoping is not legally required and would lengthen the process. He suggested that the consultants meet.

ADJOURNMENT

At 9:04 on motion from Dan and second from Dod this meeting was unanimously adjourned.

Respectfully submitted,

Barbara Cunningham
Town Clerk