

NOVEMBER 24, 2008 TOWN OF RHINEBECK TOWN BOARD MINUTES DRAFT

At 6:20 Supervisor called this meeting to order with Councilmember Crane, Silverstein, Staley and Washburn all present. Counsel Pam Richardson also attended. Nine residents were present.

At 6:21 Ellen Silverstein motioned to go into Executive Session pursuant to Public Officers Law Section 105(1)(f) to interview Planning Board applicants. Dan Staley seconded and all were in favor.

At 7:00 the Board came out of Executive Session and resumed the regular session on motion from Ellen and second by Dod Crane. Motion carried unanimously.

ANNOUNCEMENTS

Town Hall, Transfer Station and Highway Department closed November 27 & 28

Planning Board and Board of Assessment Review is seeking new member

December 1st - public comment period on DGEIS, Freshwater Wetlands Law and Comp Plan ends

Mt. Rutsen speed limit has been reduced from 40 MPH to 35 MPH

PUBLIC HEARING for 2009 Fire District Contracts

At 7:01 the Supervisor opened the public hearing for our 3 fire districts on motion from Dod Crane and second by Ellen Silverstein. All were in favor.

The approved budgets are as follows:

Hillside Fire District \$29,138.00

Rhinecliff Fire District \$54,085.00

Rhinebeck Fire District \$121,350.00

Contracts were given to Counsel Richardson for review. The contracts are for one year only. There were no comments from the public. The hearing was unanimously closed at 7:05 on motion from Ellen and second from Bruce.

BUSINESS

1. Resolution authorizing the purchase of a Ford F-150 4 wheel drive pick on state contract not to exceed \$20,000

Whereas, the Town of Rhinebeck Highway Department has identified a need to replace a 2002 Ford Ranger pickup truck, known as R-10; and

Whereas, a suitable replacement vehicle, a 2009 Ford F-150, is available on state contract #20339, group #40560, item 10-A, contract #PC62882 for the sum of \$19,580.77; and

Whereas, there is an existing Highway Department capital project for the purchase of equipment; and

Whereas, budget transfers from within the 2008 Highway Department budget are necessary to fund the capital project line; therefore be it

RESOLVED, the Board authorizes the Town Highway Superintendent to purchase a 2009 Ford F-150 on state contract for the sum of \$19,580.77; and be it further

RESOLVED, that the Board authorizes the Town Bookkeeper to make the following budget amendments and transfers to facilitate said purchase:

From:

• 03-04-5110-421	blacktop	\$7,000.00
• 03-04-5110-425	rental equip	\$1,000.00
• 03-04-5112-200	road improvements	\$6,708.26
• 03-04-5112-201	road improvements	\$ 98.36
• 03-04-5112-202	road improvements	\$ 869.39
• 03-04-5112-204	road improvements	\$ 82.54
• 03-04-5130-427	equip repairs	\$3,822.22

TO

03-10-9950-900 transfer to capital projects \$19,580.77

Transfer \$19,580.77 from 03-10-9950-900 to 93-04-5132-208 capital project #77

Offered by Councilmember Dod Crane Seconded by Councilmember Ellen Silverstein

Roll call vote: Councilmember Crane aye
 Councilmember Silverstein aye
 Councilmember Staley aye
 Councilmember Washburn aye
 Town Supervisor Traudt aye

Certified this 24th day of November, 2008 by:

Barbara Cunningham, Town Clerk

2. Update from attorney on status of Gardens project. Counsel Pam Richardson explained that Gellert & Klein has been working with prospective buyer for a closing before year end. New performance bonds, security agreements will need to be drawn up. Dod feels it is necessary to

increase the bond amounts for the infrastructure. Pam responded that Scott has talked about an increase but she is not sure of the amount.

3. Update from attorney on status of Rhinecliff Hotel agreement. Gellert & Klein is working with the Mr. Chapman on a permanent Declaration of Maintenance. The easements also need to be drafted.
4. Update on Grasmere Phase 3. David Queen submitted the approved site plan to be signed by the Supervisor and then he will file with the County. Dan motioned to authorize Supervisor Traudt to sign the 5/31/2008 mylars approved by the Planning Board, Cemetery Committee and Town Board. Ellen seconded. All were in favor.
5. Procurement Policy

Chapter 30: PROCUREMENT POLICY

§ 30-1. Initial evaluation; documentation.

Every prospective purchase of goods or services shall be evaluated to determine the applicability of General Municipal Law § 103. Every Town officer, board, department head or other personnel with the requisite purchasing authority (hereinafter "purchaser") shall estimate the cumulative amount of the items of supply or equipment needed in a given fiscal year. That estimate shall include the canvass of other Town departments and past history to determine the likely yearly value of the commodity to be acquired. The information gathered and conclusions reached shall be documented and kept with the file or other documentation supporting the purchase activity.

§ 30-2. Formal bid required.

All purchases of supplies or equipment which will exceed \$10,000 in the fiscal year or public works contracts over \$20,000 shall be formally bid pursuant to General Municipal Law § 103.

§ 30-3. Bidding procedure; filing of information.

- A. All estimated purchases of:
 - (1) Less than \$10,000 but greater than \$3,000 require a written request for a proposal (RFP) and written/fax quotes from three vendors.
 - (2) Less than \$3,000 but greater than \$250 require an oral request for the goods and oral/fax quotes from two vendors (\$3,000 and \$1000 respectively for Highway Department).
 - (3) \$250 or less are left to the discretion of the purchaser (\$1,000 for Highway Department).
- B. All estimated public works contracts of:
 - (1) Less than \$20,000 but greater than \$10,000 require a written RFP and fax/proposals from three contractors.
 - (2) Less than \$10,000 but greater than \$1,000 require a written RFP and fax/proposals from two contractors (\$10,000 and \$3,000 respectively for Highway Department).
 - (3) Less than \$1,000 but greater than \$500 require an oral request for the goods and oral/fax quotes from two vendors (\$3,000 and \$500 respectively for Highway Department).
 - (4) \$500 or less are left to the discretion of the purchaser.
- C. 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.

- D. 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.

§ 30-4. Award to lowest responsible bidder; exceptions; documentation.

The lowest responsible proposal or quote shall be awarded the purchase or public works contract unless the purchaser prepares a written justification providing reasons why it is in the best interest of the Town and its taxpayers to make an award to other than the low bidder. If a bidder is not deemed responsible, facts supporting that judgment shall also be documented and filed with the record supporting the procurement.

- A. There shall be no open ended contracts.
- B. All contracts or services shall have a not to exceed dollar amount.
- (1) Any services, professional or otherwise, that are performed on an hourly basis, other than general professional services as set forth in §30-6 below, must include a scope of work and budgetary estimate of the total cost.
 - (2) All acquisition of professional services shall require written proposals, except as set forth in §30-6 below.
 - (3) Work performed outside of the scope of the written contract between the Town and service provider pursuant to this §30-4 shall be subject to authorization by the Town Board.
 - (4) Payment for services in excess of the "not to exceed" dollar amount set forth in the written contract between the Town and service provider pursuant to this §30-4 shall be subject to authorization by the Town Board.
 - (5) Upon completion of services equaling not more than 90% of the "not to exceed" dollar amount set forth in the written contract, or any modification thereto, between the Town and service provider, all service providers subject to the provisions of this §30-4 shall request specific authorization for a modification of the written contract to include the reasonably anticipated fee for any remaining services to be provided in connection therewith. This paragraph shall apply to the initial written contract as well as all modifications thereto, whether by resolution of the Town Board or execution of an amended contract between the Town and service provider.

§ 30-5. Obtaining required number of proposals.

A good-faith effort shall be made to obtain the required number of proposals or quotations. If the purchaser is unable to obtain the required number of proposals or quotations, the purchaser shall document the attempt made at obtaining the proposals. In no event shall the inability to obtain the proposals or quotes be a bar to the procurement.

§ 30-6. Exceptions to solicitation and documentation requirements.

Except when directed by the Town Board, no solicitation of written proposals or quotations shall be required under the following circumstances:

- A. Emergencies declared by the Town Supervisor and highway related emergencies declared by the Highway Superintendent.
- B. Sole-source situations where the supplier provides documented verification of being the sole-source provider.
- C. Goods purchased from agencies for the blind or severely handicapped.
- D. Goods purchased from correctional facilities.
- E. Goods purchased from another governmental agency and goods purchased through state or county bid contracts.
- F. Goods purchased at auction.
- G. Goods purchased for less than \$250 (Highway, Maintenance and Recycling Departments \$500).
- H. Public works contracts for less than \$500 (Highway Department \$1000).

- I. General professional services provided pursuant to an annual retainer or engagement letter or other agreement, for provision of such professional services on an as needed basis throughout the Town's fiscal year and following appointment by the Town Board of such professionals as the designated service provider of such services in the applicable area of expertise. When considering the award of contracts for professional services, the Town Board shall consider the accountability, reliability, responsibility, skill, education and training, judgment, integrity and moral worth of any such professionals.

§ 30-7. Review by Town board.

This policy shall be reviewed at least annually by the Town Board.

§ 30-8. Authority and identification of purchasers.

- A. 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.
- B. Requisite documentation supporting a purchaser's request must be submitted to the Board as part of the approval process.
- C. The Town Supervisor, with the advice of town personnel shall, each year, create a list of authorized purchasers per General Municipal Law Article 5-A §104-b 3 f.
- D. Supporting documentation for purchases of goods or services shall include:
 - (1) Documented conformance with all procurement policies contained herein.
 - (2) Confirmation that the funds are available in the budget.
- E. Each year, by January 30th, the Town Board shall define any circumstances or situations, other than the aforementioned exceptions, where the solicitation of alternative proposals or quotations will not be in the best interest of the Town.

§ 30-9. Budget transfers made to enable purchase(s).

Budget transfers from one line to another cannot be made without the prior approval of the Town board based on written request from party requesting a transfer.

RESOLUTION of 2008

FOR RHINEBECK PROCUREMENT POLICY AND REPEALING THE POLICY
**RE: RESOLUTION ADOPTING THE TOWN ADOPTED PURSUANT
TO RESOLUTION 1992, AS AMENDED.**

WHEREAS, by resolution dated February 10, 1992, pursuant to General Municipal Law §104-b, the Town of Rhinebeck adopted Chapter 30 Town of Rhinebeck Town Code, also known as the Town of Rhinebeck Procurement Policy; and

WHEREAS, the Town Board has, on occasion, amended the Procurement Policy by resolution; and

WHEREAS, on February 13, 2006, the Town Board authorized the creation of the Committee on Budget and Finance which, among other things,

periodically reviews and makes recommendations for revisions to the Procurement Policy; and

WHEREAS, following considerable effort and study, the Committee on Budget and Finance has proposed comprehensive revisions to the Procurement Policy; and

WHEREAS, the Town Board has considered the proposed revisions and does now desire to repeal the current Procurement Policy in its entirety and adopt the proposed revisions in its place;

NOW THEREFORE BE IT RESOLVED, that the Town of Rhinebeck does hereby repeal, in its entirety, the Procurement Policy adopted on February 10, 1992, together with any amendments thereto; and

BE IT FURTHER RESOLVED, that, pursuant to General Municipal Law §104-b the Town Board of the Town of Rhinebeck does hereby adopt the proposed revisions to the Procurement Policy as recommended by the Committee on Budget and Finance in their entirety and shall hereafter be known as the Procurement Policy; and

BE IT FURTHER RESOLVED, that the Town Clerk is hereby authorized and directed to forward a copy of the Procurement Policy to the publisher of the Town of Rhinebeck Town Code for inclusion therein.

Moved By: Dod Crane motioned and seconded by Ellen Silverstein

ROLL CALL VOTE:

Councilman Crane: aye
Councilwoman Silverstein: aye
Councilman Staley: aye
Councilman Washburn: aye
Supervisor Traudt: aye

6. Ethics code update from attorney will be discussed at December 8th meeting.

7. Approve following resolution:

WHEREAS, the New York State Hudson-Fulton-Champlain Quadricentennial Commission was established under Chapter 590 of the Laws of 2002, to plan, develop, and coordinate the 400th anniversary in 2009, of the voyages of exploration made by Henry Hudson and Samuel de Champlain as well as the 200th anniversary of Robert Fultons steamship voyage up the Hudson River; and

WHEREAS, these historic voyages of exploration in 1609 would change the world forever and lead to the European settlement of the New World and the innovation of steam travel and commerce in 1807, establishing the Hudson River and Lake Champlain as a corridor of trade, communication, politics and ideas, and that further, this vital north-south corridor of water created other water links such as the Champlain and Erie Canals, which provided opportunities inland and encouraged the westward movement through these water routes; and

WHEREAS, the State and the Federal governments recognize the voyages of exploration and invention to be of historical importance and significance to New York State and the nation and recognize the tradition to observe these contributions made by Hudson, Fulton, and Champlain, by commemorating these events in 2009,

WHEREAS, as an Explore NY 400 Community, the community may use the Explore NY 400 logo, link to the Explore NY 400 website, and may be eligible for other state or federal assistance in Quadricentennial planning, events, and legacy projects; and

THEREFORE BE IT RESOLVED that the Town of Rhinebeck named below supports the mission of the Hudson-Fulton-Champlain Quadricentennial Commission, and requests designation as an Explore NY 400 Community, and will be an active partner by establishing an Explore NY 400 Committee, and will collaborate with the state efforts in making the 400th anniversary a successful historic New York State event.

Resolution offered by: Bruce Washburn

Seconded by: Ellen Silverstein

Approved unanimously 5-0

Date: November 24, 2008

Name of Town: Town of Rhinebeck

Bruce explained residents are needed to form exploratory committee. Town, Village school district Historical Society should all work together. Pam Richardson asked if any funds were needed from the Town and Bruce said no but there is \$1,000 in the budget. Michelle Donner asked the size of the committee and Bruce said he is working with David Miller and there is no limit.

WHEREAS, to be designated as an Explore NY 400 Community, the town needs to establish and sanction a 2009 planning committee to coordinate efforts; and

WHEREAS, the committee may include sub-committees and/or working groups and should work in concert with interested organizations within the town and with neighboring communities; and

WHEREAS, the purpose of the committee is to identify and develop new or existing events and/or programs that will take place in the community in 2009 as well as coordinate town involvement in community determined programs and events, including planning, management and budget,

THEREFORE, BE IT RESOLVED that the Town of Rhinebeck shall establish and sanction the Explore NY 400 Community committee to plan and coordinate Explore NY 400 Community events and programs.

Resolution offered by: Dod Crane

Seconded by: Bruce Washburn

Approved unanimously

8. Approve 284 Agreement for 2009 pursuant to the provision of Section 284 of the Highway Law, we agree that monies levied and collected for the repair and improvement of highway, and received from the state for the repair and improvements of highways, shall be expended as follows: Enterprise Road oil and stone from Salisbury Turnpike to Milan Town line not to exceed \$55,000 and Pells Road from Cedar Heights to Oriole Mills not to exceed \$75,000. Ellen motioned to approve with Dod seconding. All were in favor.

9. Ellen explained additional police coverage for the Sinterklaas celebration on Dec 6th is needed. The Village Police will all be patrolling so we need to ask the Sheriff Department for another car. Rhinecliff Road, from River Road to Route 9 will be closed for about an hour. The parade will start at Starr Library and walk into the Village to the Municipal parking lot. Rita at the Sheriff's Office is trying to get us an additional car. Dan motioned and Bruce seconded to hire Sheriff Department for maximum of 3 hours if needed. All were in favor.

10. Ellen motioned with Dod seconding to approve November 6, 10 and 11 Town Board meeting minutes. Motion carried unanimously.

11. Dod moved and Ellen seconded to approve Abstract 11C, vouchers 1363 – 1405(void 984), checks 4248-4281 for \$64,417.41. All were in favor.

12. Ellen motioned and Dod seconded to approve Capitol project #27 – Docks abstract 6, v 11 check 4282 for \$21.56 and #38 Parks/ Rec/Pool abs 8, v21, check 4283 for \$960.00. Carried unanimously.

13. Bruce moved with Dan seconding to set up Special Meeting to meet with Comp Plan consultants on December 15th at 6:00 pm. All were in favor.

14. Dan motioned with Ellen seconded to authorize disposal of old court office wooden desk, blue/grey desk, 5 drawer filing cabinet, table and bookshelf. All were in favor.

15. Authorize supervisor to sign escrow agreement with Stop and Shop Sewer Corporation

RESOLUTION AUTHORIZING SUPERVISOR TO SIGN ESCROW AGREEMENT

WHEREAS, on June 25, 2008, the Town Board of the Town of Rhinebeck granted consent to the incorporation of S&S Rhinebeck Sewage-Works Corporation;

WHEREAS, the S&S Rhinebeck Sewage-Works corporation will own and operate the existing waste-water disposal facilities, in connection with, and will service, the existing Stop & Shop development located on Route 9 in the Town of Rhinebeck, Dutchess County, New York, Tax Map Parcel Nos. 6170-00-772940 and 6170-00-799982;

WHEREAS, as a condition of the resolution of approval, Stop & Shop was to execute and deliver to the Town, a Security Agreement (the "Security Agreement" or the "Escrow Agreement"), approved in form and content by the Town Attorney, further confirming its obligations to the Town; and

WHEREAS, the Town Attorney has reviewed the Security Agreement and has advised the Town Board that same is acceptable both in form and content; and

NOW THEREFORE BE IT:

RESOLVED THAT, the Town Supervisor is hereby authorized to execute the Security Agreement on behalf of the Town.

Dated: November 24, 2008

Motion by Dan Staley

Seconded by: Ellen Silverstein

Councilman Dod Crane aye
Councilwoman Ellen Silverstein aye
Councilman Dan Staley aye
Councilman Bruce Washburn aye
Supervisor Tom Traudt aye

Passed unanimously.

16. Counsel Richardson explained that a Local Law to extend building moratorium through June 2009 is necessary. The Town Board needs to extra time to complete the process.

PROPOSED LOCAL LAW 4 OF 2008

A LOCAL LAW OF THE TOWN OF RHINEBECK, DUTCHESS COUNTY, NEW YORK, AMENDING LOCAL LAW OF 6 OF 2007, AS AMENDED BY LOCAL LAW 3 OF 2008

BE IT ENACTED BY THE TOWN BOARD OF THE TOWN OF RHINEBECK AS FOLLOWS:

SECTION 1. Section 2 of Local Law No. 6 of 2007 is hereby amended as follows:

The Town Board of the Town of Rhinebeck, in 2002, created a Comprehensive Plan Committee to act as Special Board pursuant to § 272-a(4) of the Town Law for purposes of preparing a proposed Amended Comprehensive Plan for the Town of Rhinebeck.

The Town of Rhinebeck Comprehensive Plan Committee, by Resolution dated April 17, 2006, presented a proposed Comprehensive Plan to the Town Board and recommended to the Town Board the adoption of said proposed Comprehensive Plan.

The Town Board, by Resolution dated May 9, 2006, accepted receipt of the proposed Comprehensive Plan from the Town of Rhinebeck Comprehensive Plan Committee for purposes of initiating the review and adoption procedures as prescribed in § 272-a of the Town Law. The Town Board also designated itself Lead Agency for purposes of commencing the SEQRA review; classified the action as a Type I Action under SEQRA; and determined that a Generic DEIS ("GDEIS") shall be prepared in conjunction with the SEQRA review of the Comprehensive Plan and that the said DGEIS be prepared by the Town's Consultant Planner, Greenplan, Inc. The Town Board determined that Scoping for purposes of focusing on the GDEIS on potentially significant adverse impacts and to eliminate the consideration of those impacts that are irrelevant or non-significant in conjunction with the SEQRA review of the Comprehensive Plan pursuant to § 617.8 should be conducted and held a public meeting on May 22, 2006 for purposes of allowing the public and interested agencies to provide their input on the Scope of the GDEIS pursuant to § 617.8(e). The Town Board also conducted a public Hearing on the proposed Comprehensive Plan for June 19, 2006 in accordance with the requirements of § 272-a(6) of the Town Law.

The Town Board has also directed the Town's Consultant Planner in conjunction with a Subcommittee of the Comprehensive Plan Committee to continue to work on draft amendments to the Zoning Law to reflect the recommendations for changes in the Zoning Law, as set forth in the proposed Comprehensive Plan.

The Town Board has appointed an Open Space and Affordable Housing Committee and as retained the service of Phillips Price Sharpiro Associates to assist the Committee in developing an Open Space and Affordable Housing implementation Plan ("OSAH"). The OSAH will be incorporated into the Comprehensive Plan and Zoning Law to help insure that the Town's goals of open space and affordable housing for the Rhinebeck community can be achieved. It is anticipated that the OSAH Implementation Plan will be completed in final form in the near future.

As a result of input received from the public and the Dutchess County Planning Department, the Town Board had determined to prepare the amendments to the Comprehensive Plan and the Town's Zoning Law, and the OSAH, simultaneously and prepare a single DGEIS in conjunction with the adoption of the plans and the law. The Town Board concluded that this process would be substantially more beneficial to the community than adopting the Comprehensive Plan, OSAH and then the Zoning Law at the later date. The Board also determined that such a process would have the advantage of

implementing the recommendations contained in the Comprehensive Plan and OSAH and providing the details necessary for the community and the Town Board to fully understand the implication of the plans.

The Town Board has also retained the services of AKRF Environmental and Planning Consultants to assist in reviewing and making necessary substantive and editorial changes to the Comprehensive Plan in response to comments received from the public, Town Board and the Dutchess County Planning Department. In addition, AKRF has, and will be, assisting the Town Board and its consultants in the Environmental Review of the plans and the Zoning Law and in conduct of certain environmental studies such as traffic studies, which will be incorporated in the DGEIS.

The Town Board has also appointed a task force consisting of members of the Town Board, the Comprehensive Plan Committee and the Town's Planning and legal consultants which has been meeting on a regular basis to help implement these projects and goals. The Town Board has established a projected timetable for completion, and adoption, of the Comprehensive Plan, OSAH, DGEIS and amendments to the Zoning Law which contemplates a vote on the Comprehensive Plan, OSAH and Zoning Law.

The proposed Comprehensive Plan received by the Town Board from the Comprehensive Plan Committee recommends that the Town Board implement several substantive changes to its existing Zoning Law, including, but not necessarily limited to: (i) increasing the required minimum lot sizes and adjustment of corresponding bulk requirements in portions of the R5A Zoning District to 10 to 20 acres; (ii) retention of the existing residential five (5) acre Zoning District (R5A) for the largely developed residential lots immediately East of the Hamlet of Rhinecliff; (iii) retention of the existing residential one (1) acre Zoning District for the largely developed residential lots fronting on Rhinecliff Road between the Village and the Hamlet; (iv) increasing the required lot sizes in the R3A District to six (6) acres and adjusting corresponding bulk requirements; (v) rezoning of the entire R1A District South of the Village and East of Route 9 to the a new Rural Agricultural-6 Zoning District; (vi) rezoning the entire R1A District North of the Village and West of Route 9 and portions of the R1A District North and South of Rhinecliff Road and West of the Village to a Rural Agricultural -10 Zoning District; (vii) rezoning a portion of the R1A District West and Southwest of the Village and North and South of the Rhinecliff Road to a new Historic Preservation Zoning District; (viii) creation of two (2) Traditional Neighborhood District (TND's), one adjacent to the Hamlet of Rhinecliff and the other located on Astor Flats; and (ix) elimination of the Planned Residential Development and the Planned Unit Development Districts.

In July of 2007, the Town Board adopted Local Law 6 of 2007, which imposed a one year moratorium on major subdivisions and on specified development types and uses within the Town of Rhinebeck for a period on one year. That Local Law was amended by Local Law No. 3 of 2008 and is set to

expire on December 31, 2008. The Town Board has initiated the SEQRA review process for the adoption of the Comprehensive Plan and Zoning Law. The Scoping Session was conducted in August 2008 and a final scope was adopted in September 2008. The DGEIS was submitted to the Town Board for review and has opened and has conducted public hearings on the DGEIS and Comprehensive Plan and Zoning Law. Despite that it is not expected that, the process will be completed by December 31, 2008 and one final extension is necessary to properly complete the process.

In light of all of these factors, it is appropriate for the Town Board to enact a further Moratorium on certain development within the Town in order to prevent land use development which may be prejudice, and be inconsistent with, the Town's Comprehensive Plan, OSAH and/or new or Amended Land Use Laws or Regulations which may be enacted and/or approved by the Town Board. The Town finds that appropriate interim measures must be taken in the form of a further moratorium on the review and approval of certain development and uses while recognizing that there may, in the future, be a need for a moratorium on additional development and uses, as the adoption of the Comprehensive Plan and Amended Zoning Law, and other amended or new Land Use Regulations comes closer to fruition. The Town Board also recognizes that it is appropriate to provide mechanism for property owners or sponsors of proposed development to seek relief from the provisions of this Moratorium Law upon a showing of hardship, and a variance procedure has been provided in this Law for that purpose.

SECTION 2. Section 4 of Local Law No. 6 of 2007 as amended by Local Law No. 3 of 2008 is hereby amended as follows:

The Law shall be in effect until June 30, 2009.

SECTION 3. Severability

The invalidity of any provision of this Local Law shall not affect the validity of any other provisions of this Local Law which may be given effect without such invalid provision.

SECTION 4. Supersession of the Town Law.

This Local Law is hereby adopted pursuant to the Municipal Home Rule Law § 10(l)(i) and (ii) and Subparagraph (a)(11) and (12) and shall supersede the provisions of the Town Law, § 267-b, § 274-a, § 274-b, 276, 277, 278 and 279 of the State of New York and any inconsistent provisions set forth in Article 16 of the Town Law and the provisions of Local Laws Numbers 3, 6 and 8 of 2005 and Local Law Number 3 of 2006 and Local Law Number 7 of 2007.

SECTION 5. This local Law Shall take effect immediately upon filing in the Office of the New York State Secretary of State in accordance with §27 of the Municipal Home Rule Law.

**Notice of Public Hearing
Town of Rhinebeck**

PLEASE TAKE NOTICE that the Town Board of the Town of Rhinebeck shall conduct a Public Hearing on Monday, December 8, 2008, at 7:00 p.m. at the Rhinebeck Town Hall, 80 East Market Street, Rhinebeck, New York on Proposed Local Law No. 4 of 2008, Amending Local Law No. 6 of 2007 as amended by Local Law No. 3 of 2008, entitled "Moratorium on Major Subdivisions and Specified Development Types and Uses."

The Proposed Local Law extends the termination date of Local Law No. 6 of 2007, as amended by Local Law No. 3 of 2008, from December 31, 2008 to June 30, 2009.

The Proposed Local Law is classified as a "Type II Action" under SEQRA and categorically deemed to have no significant adverse impact on the environment.

A copy of the Proposed Local Law is available for review in the Town Clerk's Office during normal business hours. All interested persons shall have an opportunity to be heard upon said Local Law at such Public Hearing.

Dated: November 24, 2008

By order of the Town Board

Barbara Cunningham, Town Clerk

**Notice of Public Hearing
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Dated: November 24, 2008

By order of the Town Board

Barbara Cunningham, Town Clerk

**RE: INTRODUCING LOCAL LAW NO. 4 OF
2008
AMENDING LOCAL LAW 6 OF 2007,
AS AMENDED BY LOCAL LAW 3, OF 2008**

The Town Board of the Town of Rhinebeck hereby acts as follows in consideration of the proposed extension of the existing moratorium on major subdivisions and on specified development types and uses until June 30, 2009 and pursuant to the Municipal Home Rule Law of the State of New York:

1. Introduces the annexed Proposed Local Law No. 4 of 2008, providing for the extension of a Moratorium on Major Subdivisions and on Specified Development Types and Uses, each to a termination date of June 30, 2009, unless either earlier terminated or extended by resolution of the Town Board.
2. Classifies the Proposed Action as a Type II Action under SEQRA categorically deemed to be of no significant adverse effect on the environment and for which further environmental review is precluded.
3. Schedules a Public Hearing on Proposed Local Law No.4 of 2008, for Monday, December 8, 2008, at 7:00 p.m. and directs the Town Clerk to post and publish notice prior to the Public Hearing in the Town's official newspaper.
4. Further directs the Town Clerk to refer Proposed Local Law No. 4 of 2008, to the Dutchess County Department of Planning and Economic Development for review and advisory opinion pursuant to Section 239 of the General Municipal Law and to the Rhinebeck Planning Board pursuant to Chapter A.136, Section XII(B)of the Rhinebeck Town Code for review and recommendations thereon, and the Towns of

Hyde Park, Milan, Red Hook, Clinton, and Esopus, the Village of Rhinebeck and the City of Kingston.

Dated: November 24, 2008
Motion by: Dod Crane
Roll Call Vote

Seconded by Ellen Silverstein

Councilman Crane aye

Councilwoman Silverstein aye

Councilman Staley aye

Councilman Washburn aye

Supervisor Traudt aye

DISCUSSION

Organizational guidelines was tabled until December 8th

Dan asked Dod for an update of the job descriptions and Dod reported he has 25 job descriptions from Gina at County Personnel. He has created a 3 column spreadsheet and he still needs to fine tune that. The County's descriptions don't match what actually happens in our Town Hall. He would like to have employees list their duties and then cross reference with County Personnel job descriptions. Not all of our jobs are civil service.

Executive Session

At 8:22 Dan motioned and Ellen seconded to go into executive session pursuant to Public Officers Law Section 105 (1)(f) to discuss personnel matter. All were in favor.

The Executive Session ended at 9:15 on motion from Ellen and second from Dod. All were in favor.

ADJOURNMENT

At 9:15 this meeting was adjourned on motion from Dod and second from Dan. Motion carried unanimously.

Respectfully submitted,

Barbara Cunningham

Town Clerk