

**Public Hearing- Time Warner Cable Contract 7 P.M.  
Town Board Meeting 7:30 P.M.  
January 19, 2012**

**Present:** Supervisor Susan Zimet, Councilwoman Kitty Brown, Councilwoman Jean Gallucci, Councilman Jeff Logan, Councilman Kevin Barry.

At 7:08 p.m., a motion was made by Councilwoman Gallucci to open the Public Hearing on the Time Warner Cable Contract. Seconded by Councilman Logan, all aye votes cast, motion carried.

**Public Input:**

*Andrea Russo (Public Access Committee)*- The Franchise renewal agreement is long overdue. The Committee has been working hard on an agreement that it felt would be very beneficial. Town and Village agreements are almost identical, and the Village has already passed theirs. The major difference between the town and village contracts is that Time Warner pays into a construction fund to complete cable installation. The contract says that unused funds in that account go to the town. There is \$325,000 in the "Construction Fund", and it would only cost between \$125,000- \$141,000 to provide cable service to the areas without it. The Town expected an MOU with Time Warner to get the remaining balance returned. However, Time Warner has not been cooperative. Attempts to contact Brenda Parks have been unanswered. The Town does not want to move forward until the discrepancy is settled.

Supervisor Zimet-Will follow up with Time Warner and Brenda Parks next week and advise them that there is no room for negotiation.

*Bill Mulcahy*- Tired of being kicked around by Time Warner. Can we sue?

Supervisor Zimet does not want to pursue litigation.

*Don Kerr*- The key to resolving this issue is to get the Public Service Commission involved. They are the regulators that enforce the regulations. They were at the negotiations, fully aware of the situation with the Town.

A motion was made by Councilman Barry to keep the Public Hearing open until further notice. Seconded by Councilwoman Gallucci, all aye votes cast, motion carried.

At 7:40 p.m., a motion was made by Councilman Logan to open the Town Board meeting. Seconded by Councilwoman Gallucci, all aye votes cast, motion carried.

**Pledge**

**Agenda:**

-Move Crossing Guard to the first item.

-Add Warrants

-Remove Appointment of Planning/Zoning Appointment

A motion was made by Councilman Logan to accept the agenda as amended. Seconded by Councilman Barry, all aye votes cast, motion carried.

**Public Input:**

*Larry Faulkner (Town resident)*- There is a serious traffic and speeding issue on Shivertown Rd. Signs were taken down, now more trucks are using it. It's imperative to get them back up and get "No Thru Traffic" status back.

Councilwoman Gallucci- Can confirm that people do speed there, above the 35 mph speed limit. As long as it's a Town road, we can amend the law to make Shivertown a "No Thru Traffic" road and put signs back up.

*Chris Marx (Highway Superintendent)*- This must go through the Town and request a traffic study from DOT.

*Ron Turner (Village resident)*- Property at 14 Mulberry Street is a misclassified rooming house.

*Cheryl Curtis (Town resident)*- Following up on easement issue between Rocky Hill and Stonehedge that goes back to 2004. The easement floods her property and her neighbor's property, including other areas. Previously requested Highway Superintendent Phil Johnson to clean it out, and that worked. It's a spillway easement that belongs to the Town.

Supervisor Zimet- Will work with the Highway Superintendent and get more information.

*Amy Cohen (Village resident)*- Moved here 14 years ago to raise children in a safe area. Kids cannot cross the street at the Middle School. This is a dangerous situation, and we need a crossing guard before someone gets killed. There are a lot of concerned parents. This does not cost a lot of money. Something needs to be done.

*Joe Storch (Town resident)*- Against proposed consolidation. No real purpose. Would become a bigger expense. Keep what you got because it's working.

*Bruce Mikesh*- Suggests using money we should get back from Time Warner to pay for crossing guard. The kids should come first.

*MaryAnn Tozzi*- We really need a crossing guard because the situation between the school and plaza is very dangerous.

*Ira Margolis*- Could cameraman show agenda on Channel 23 before the meeting starts? This would give people a chance to see what will be discussed before coming out.

*Bill Mulcahy*- Has been fighting to improve Public Access for years. Current filming situation does not involve the community enough, wants more involvement.

Councilman Barry suggested Bill send the Town a proposal and budget and suggestions on how to improve public access.

### **Crossing Guard:**

Supervisor Zimet- Found it frustrating that the needs of the kids were not being addressed. Just saw two governments arguing over who can do what. The Police Department has to be involved with the training.

Chief Snyder- The School District would do fingerprinting, the Police Department would assist with background check. Was pursuing volunteers because money is the big issue, and there wasn't a big turn out. When the new Village Board came in, the whole process stalled. If we all come together, we can get this accomplished. Has also made suggestions for signs by DOT.

Councilwoman Gallucci- The Village board did in fact hire a crossing guard. He was turned away for fingerprinting, and referred to the Troopers barracks in Highland. Applicant was trained and certified. Unfortunately his background check and fingerprinting was not completed before the new Village board came in. The Village is by law responsible to hire crossing guards for schools within the Village boundaries.

Councilman Logan and Councilman Barry strongly feel that the responsibility falls on the School District.

Councilwoman Gallucci- The Town can choose to create a contract between the Town and Crossing Guard with SUNY as a back up. Suggests calling the applicant that was previously hired by the Village.

Supervisor Zimet- The individual would become an independent contractor with a 1099. This is a one-time deal for the Town to step up and get this done by accepting the money from the Village under certain terms. There are no legal issues with us doing this. Our first priority is the safety of the kids.

A motion was made by Councilman Logan for the Town of New Paltz to accept the funds from the Village of New Paltz set aside for a crossing guard to be transferred into an account into the Town's funds with the condition that they are used to contract with and equip a crossing guard at the New Paltz Middle School, subject to such other terms and conditions as the Town

Board may approve, as a one time transaction, the Town's responsibility shall cease on the last day of the 2011-2012 school year, also meeting all requirements set forth by the Police Chief to make this operational, and the \$4100 shall be received by February 1<sup>st</sup>.

Seconded by Councilwoman Gallucci, as amended by Town Board, all aye votes cast, motion carried.

Supervisor Zimet- Chief Snyder will continue to work with the School District and his responsibility, as well as the Town's will end at the end of this contract.

A motion was made by Councilwoman Gallucci to authorize Councilman Barry to attend the Association of Town's Conference in February. Seconded by Councilman Logan, all aye votes cast, motion carried.

A motion was made by Councilwoman Brown to table the remaining agenda items except the personnel issue and warrants, until next week's meeting. Seconded by Councilman Barry, all aye votes cast, motion carried.

**Warrant:**

A motion was made by Councilman Barry to approve the January Warrant in the amount of \$353,802.01. Seconded by Councilman Logan, all aye votes cast, motion carried.

A motion was made by Councilman Barry to approve the prepay for Toshiba Business Solutions for the copier in the Town Clerk's office in an effort to avoid a late charge. Seconded by Councilwoman Gallucci, all aye votes cast, motion carried.

A motion was made by Supervisor Zimet to go into executive session for the purpose of discussing personnel in the Assessor's office. Seconded by Councilman Logan, all aye votes cast, motion carried.

At 10:06 p.m. a motion was made by Councilman Logan to come out of Executive Session, no action taken. Seconded by Councilwoman Gallucci, all aye votes cast, motion carried.

At 10:07 p.m. a motion was made by Councilwoman Gallucci to adjourn. Seconded by Councilman Logan, all aye votes cast, motion carried.

Respectfully Submitted,

Rosanna Mazzaccari  
Town Clerk