

**Joint Town & Village Meeting
March 18, 2013
7:30 p.m.**

Present: Supervisor Susan Zimet, Councilwoman Jean Gallucci, Councilman Kevin Barry.

Absent: Councilwoman Kitty Brown, Councilman Jeff Logan.

Present: Trustee Stewart Glenn, Trustee Brian Kimbiz, Trustee Sally Rhoads, Trustee Ariana Basco. **Absent:** Mayor Jason West.

At 7:41 p.m. a motion was made by Trustee Sally Rhoads to open the meeting with the pledge. Seconded by Councilwoman Gallucci, all aye votes cast, motion carried.

Joint Resolution for LGE Grant for Solar Energy:

Project Manager Randolph Horner spoke to the Boards and indicated that he has sent in the grant application to the Department of State. The next step is for both Boards to pass the resolutions needed to complete the grant application. If the Town and Village get the grant, the paused solar vendor procurement will restart.

Trustee Rhoads and Supervisor Zimet thanked Jim for doing the research and finding this grant, and for his letter of support. Councilman Barry clarified that the Town's commitment assuming the Town receives the \$200,000 grant will be \$21,600.

A motion was made by Trustee Basco to move the resolution as amended,

Whereas, the Project Funding request from the Village of New Paltz under DOS RFA #12-LGE-17 is \$200,000, with the total request for the Municipalities being \$400,000,

Now, Therefore Be It Resolved That, at a regularly scheduled Village and Town Consolidation Planning Meeting on February 28, the Village Mayor and Trustees and the Town Board jointly authorized Consolidated Municipal Project Manager Randolph Horner to prepare and submit a Local Government Efficiency Grant Application on behalf of the Municipalities, and appointed Project Manager Horner to act as lead applicant contact person "to execute all financial and/or administrative processes relating to the implementation of the program," in accordance with DOS Grant Application Appendix B-I, and

Be It Resolved That, in the event that a DOS Grant Award of \$200,000 is made to the Village in support of its participation in the consolidated Municipal Solar Project, the Village is committed to contributing a 5% Local Share, which would be \$21,600, and

That the Village is the Co-Applicant and the Lead Applicant is the Town of New Paltz, and

That, in the event of a Grant Award, the Village and Town of New Paltz shall enter into an Inter-Municipal Agreement in support of the Consolidated Municipal Solar Electricity Project, and

That the Town Clerk shall record and certify the vote of the Joint Boards on this Resolution.

Seconded by Trustee Glenn as amended, all aye votes cast, motion carried.

A motion was made by Councilman Barry to move the resolution incorporating the Whereas clause that was read by Trustee Basco tailored to the Town with no further amendments required at that point. Seconded by Councilwoman Gallucci, all aye votes cast, motion carried.

RESOLUTION OF THE NEW PALTZ TOWN BOARD

WHEREAS, in collaboration with the Village of New Paltz Mayor and Trustees, the New Paltz Town Board authorized Solar Project Manager Randolph Horner to conduct a Municipal procurement process for the selection of a Developer/Operator for a privately-financed Photovoltaic (PV)-on-Landfill Facility, by means of a Solicitation issued September 28, 2012, and

WHEREAS, the Request for Proposals was sent directly to 65 Solar Development companies believed to be capable, in terms of financial and technical resources, to prepare and present Proposals to the Town and Village that would be both responsive and responsible, and

WHEREAS, of these, 16 prospective Vendors sent in expressions of interest and intent to participate, and

WHEREAS, in preparation for the Site Visit/Pre-Bidding Conference, Central Hudson Gas & Electric Company was verbally requested to estimate the cost of the necessary Electric Service upgrades to the closed Landfill, and

WHEREAS, the cost estimate provided by the utility in an email exchange on October 15 would have greatly added to the total Project cost -- to the extent that solar-generated electricity to be supplied by the private Vendor to the Town and Village would have been unaffordable, and

WHEREAS, in order to prevent the group of prospective Vendors from expending the resources needed for detailed Proposals based upon extensive system design and engineering work, only to learn that the price of solar-generated electricity quoted would be unsustainable and unacceptable for the Municipalities, they were informed that there would be a pause in the Project procurement process until the cost of Electric Service upgrades could somehow be reduced, and

WHEREAS, even after suspending Procurement, Project Manager Horner asserted the following to the utility in a continuing effort to resume the Project development process:

- However, the figure quoted is roughly equivalent to the price per mile of all-new 3-phase service.
- \$422,000 in service upgrade expense effectively precludes the initial PV-on-landfill phase.
- Because of the long-run possibilities of the site and the inter-municipal cooperation between New Paltz Town and Village, making the Phase 1 project feasible is pivotally significant.
- In addition, New Paltz has been chosen by the US Environmental Protection Agency as one of only 13 communities nationwide in the Zero-Waste Agenda.
- Because this effort also links to the EPA RE-Powering America's Lands Initiative, the potential for PV-on-Landfill at the Town of New Paltz property has important benefits for Central Hudson, as an industry-leading electric utility -- along with all the other Parties to be involved.

and

WHEREAS, notwithstanding the representations made on behalf of the Municipalities, the utility reconfirmed the estimated Upgrade price of \$422,000 in a message sent on November 26, and

WHEREAS, in addition to the cost of upgrading the Central Hudson Distribution Network facilities, the cost of the Coordinated Electric Service Interconnection Report (CESIR) required under New York State Public Service Commission regulations would be at least \$10,000, making the total Project cost for interconnecting the PV-on-Landfill Solar Facility at least \$432,000, and

WHEREAS, due to the perceived infeasibility of the New Paltz Town & Village Consolidated Municipal PV-on-Landfill Project, the Procurement process continued to be suspended until the Municipalities learned, in Mid-February, 2013 about the NYS Department of State 2012-2013 Request for Applications # 12-LGE-17, and

WHEREAS, at the regularly scheduled Town and Village Consolidation Planning Meeting on February 28, the Village Mayor and Trustees and the Town Board jointly authorized Consolidated Municipal Project Manager Randolph Horner to prepare and submit a Local Government Efficiency Grant Application on behalf of the Municipalities, and appointed Project Manager Horner to act as lead applicant contact person "to execute all financial and/or administrative processes relating to the implementation of the program," in accordance with DOS Grant Application Appendix B-I, and

WHEREAS, the Project Title is "Town & Village of New Paltz Consolidated Municipal Solar Electricity Project" and it may briefly be described as follows:

"Project Description (from LGE Grant Application): Town and Village agreed in September 2012 on an Inter-municipal Solar PV Project on the closed, capped Town Landfill -- with electricity to be delivered to essential municipal functions of each via remote net metering. The Solar PV facilities would be constructed and operated on behalf of the Municipalities with private, commercial investment under a Power Purchase Agreement (PPA); however, the cost of the necessary electric service upgrades to the Landfill site quoted by Central Hudson Gas & Electric Company would have made the price of electricity under the PPA infeasible and unaffordable for the Village and Town. NYS Department of State LGE Grant

Assistance would defray the cost of the infrastructure link to the Electricity Distribution Network to the extent needed to make the initial Town and Village Phase possible,” and

WHEREAS, the Project Funding request from the Town of New Paltz under DOS RFA# 12-LGE-17 is \$200,000, with the total request for the Municipalities being \$400,000,

NOW, THEREFORE BE IT RESOLVED THAT, in the event that a DOS Grant Award is made to the Town in support of its participation in the Consolidated Municipal Solar Project, the Town is committed to contributing a 5% Local Share, which would be \$21,600 (Twenty-one thousand six-hundred dollars), and

THAT the Town is Lead Applicant and the Co-Applicant is the Village of New Paltz, and

THAT, in the event of a Grant Award, the Town and Village of New Paltz shall enter into an Inter-Municipal Agreement in support of the Consolidated Municipal Solar Electricity Project, and

THAT the Town Clerk shall record and certify the vote of the Town Board on this Resolution.

Approval of Joint Minutes:

A motion was made by Supervisor Zimet to approve the minutes of **February 21, 2013** with the following corrections:

“The Research Center at SUNY was asked by the Town and Village to provide funds to revisit this issue.” Should be *“to help apply for funds to revisit this issue.”*

“Everyone worked very hard and they are standing by the numbers except for the \$300,000 in Police savings, as a reflection of their values.”

All aye votes cast, Councilman Barry and Trustee Rhoads abstained due to their absences from the meeting, motion carried.

A motion was made by Trustee Rhoads to approve the minutes of **February 28, 2013**. Further clarification is needed on the discussion relative to the RFP for legal services. Tabled until next meeting. Trustee Rhoads withdrew her motion.

Agenda: A motion was made by Councilwoman Gallucci to adopt the agenda. Seconded by Trustee Rhoads, all aye votes cast, motion carried.

One Community Conversation continued:

Proposals for legal work were received from CGR; Tarshis, Catania, Liberth, Mahon & Milligram, PLLC; Jacobowitz and Gubits, LLP and Squire Sanders. A proposal for accounting/financial work was received from O’Connor Davies.

There was a discussion where each Board member indicated what he/she believed to be the pros and cons of the submissions. The consensus was that the Boards should conduct interviews.

A motion was made by Councilman Barry to interview Tarshis, Squire Sanders and CGR for legal work. Seconded by Trustee Rhoads.

Supervisor Zimet indicated that some of the firms understand more about the Citizens Empowerment Act than some of the others, who had to go back and do more research about it. Some of the proposals addressed the Citizens Empowerment Act and some did not.

Trustee Rhoads amended the motion to include the 4 firms for legal work. Councilwoman Gallucci suggested conducting interviews in 20-minute increments, as the only business of the night, as long as the Boards do not entertain comments from the audience. Councilman Barry amended his motion to include the 4 firms that submitted proposals for legal work. Trustee Rhoads seconded this amendment. Supervisor Zimet further amended the motion to include interviewing O’Connor Davies in an effort for the Town Board to become familiar with them. Councilman Barry seconded this amendment. All aye votes cast, motion carried.

A motion was made by Trustee Rhoads to schedule the next joint meeting for March 28th at 6:30 p.m. at Town Hall. With an additional date of April 1st at 6:30 p.m. at Town Hall, if needed. Seconded by Councilman Barry, all aye votes cast, motion carried.

Trustee Rhoads indicated that it is important for the Boards to get input from the Fire Department and the Downtown Businesses Association about their concerns regarding consolidation.

Public Comment:

Don Kerr requested a change in tactics. There has been a pattern of threatening and bullying language relative to the Police budget. People react poorly to that. He believes there has been a cut in police coverage for the Little League Parade. This is the not the right way to go about it.

Supervisor Zimet responded to this comment by indicating that the process is broken in terms that the Village can approve parade requests, but the Town has to pick up the cost of providing police coverage; which may not be in the budget. It is important to have conversations with the groups to work together to understand the implications.

Ira Margolis indicated that last year, there had been about 9 non-New Paltz groups/events that came from other communities to have parades. The Police Commission discussed permit fees to cover costs.

At 9:19 p.m. a motion was made by Supervisor Zimet to adjourn the meeting. Seconded by Councilman Barry, all aye votes cast, motion carried.

Respectfully Submitted,

Rosanna Mazzaccari
Town Clerk