

**Public Hearing-Accessory Apartments
Town Board Meeting
October 24, 2013
7 p.m.**

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

At 7:13 p.m. a motion was made by Councilwoman Brown to open the Public Hearing on Accessory Apartments. Seconded by Councilman Logan, all aye votes cast, motion carried.

Public Comment:

Albert Hoffman, Woodland Ponds, indicated that this is an excellent idea and that it has been very successful in Woodstock. With the proper regulations, this will be a good thing.

Dorothy Jessup, Woodland Ponds, indicated it is very important for people to lower the expenses of their homes with income.

Councilman Barry thanked Building Inspector Stacy Delarede for all the work she has done.

Building Insp. Delarede indicated that the Town has had an accessory apartment law since 1986, but that was very discriminatory. No home built after August 1986 can have an accessory apartment. We have fixed that. Homes in the Town must now be at least seven years old in order to get a special use permit for an accessory apartment. The homeowner must also maintain his/her primary residence on the property and provide proof on a regular basis that they still live there. Other aspects such as size and parking have not changed.

At 7:19 p.m. Councilwoman Gallucci arrived.

At 7:24 p.m. a motion was made by Councilman Barry to hold the Public Hearing open until a later date. Seconded by Councilwoman Gallucci, all aye votes cast, motion carried.

At 7:31 p.m. a motion was made by Councilman Barry to open the Town Board meeting. Seconded by Councilwoman Gallucci, all aye votes cast, motion carried.

Agenda: +Prepay for Jim Littlefoot's training, +ZBA Training, +Food for Election Day, +Set Public Hearing and Adoption of Resolution on Electric Car Charging Stations, [+Brook Farm Disc. and Tax Assessment Practices at end of meeting].

A motion was made by Councilman Barry to adopt the agenda as amended. Seconded by Councilwoman Gallucci, all aye votes cast. Councilman Logan and Councilwoman Brown voted no. Motion carried.

Announcements:

Election Day is November 5th. There are many Constitutional Amendments on the ballot, which are very important. Everyone is encouraged to go out and vote!

World War II Veterans Memorial:

Harold "Jake" Schoonmaker gave the history of why the memorial was taken down many years ago. For 20 years he has been trying to get it back up, at his own expense. He feels that war memorials are very important and meaningful. He is looking for permission from everyone to restore it. He is hoping to dedicate it next year on Memorial Day. He is not willing to take any donations for this project; he wants to pay for it himself.

A motion was made by Supervisor Zimet for the Town Board to accept with gratitude, this gift of a WW II Veterans Monument from Mr. Schoonmaker. The Town will use \$500 in the Veterans Line to help offset any costs. Seconded by Councilman Logan, all aye votes cast, motion carried.

Public Comment:

Ray Lunati, member of NY Rising Committee, spoke about the convention he attended in Albany. He encouraged people to attend the weekly meetings and recommend projects. He also thanked Supervisor Zimet for recommending him for the committee.

Andy Loyer, Lent Dr., read aloud a letter submitted from Susan Blickstein on Old Mill Road. She outlines possible Long and Short Term Actions.

Marianne Winfield, Lent Dr., encouraged working together to brainstorm solutions. For example, having Management ask Woodland Ponds employees not to drive on George Danskin Way, since it does belong to Woodland Ponds.

Dorothy Jessup, Woodland Ponds, indicated that Management cannot restrict employees from driving on Danskin Way. They can ask them to be courteous and considerate. It is a private road in the Village.

Albert Hoffman, Woodland Ponds, indicated that maybe more consideration should be given to how the school buses and garbage trucks will be affected by weight limit restrictions.

Bill Schnitzer, Woodland Ponds, thinks it is time to have closure and dedicate Lent Drive but continue to have conversations and be good neighbors.

Dedication of Lent Drive/Waring Lane:

Stanley Schutzman, Attorney for New Paltz Views, indicated that his client has met all of the requirements in terms of cost, expense and improvements of the roadway.

Supervisor Zimet indicated that the Weight Limit will not prohibit or restrict commerce or school buses. She also suggested having the Town Attorney at the November 6th meeting when the Town Board dedicates the road after the Public Hearing on Weight Limits.

There was a lengthy discussion between the Town Board members and residents of Woodland Ponds and Lent/Waring and Old Mill.

Highway Superintendent Chris Marx indicated that the traffic counter on Waring will be moved to Lent tomorrow. If the gate is opened tomorrow, the Town Board will have a more accurate traffic count for the Public Hearing on 11/6.

From a financial perspective, it was determined that \$10,000 will be kept in escrow from New Paltz Views to resolve the issue where one homeowner built on the Town's Easement. The rest of the money being held will be returned.

A motion was made by Supervisor Zimet to dedicate the road tonight but keep the gate up until the vote on Weight Limits and No Thru Truck Traffic on November 6th. When the law passes, the gate will be taken down. Seconded by Councilwoman Brown for discussion.

Councilman Barry offered a friendly amendment of setting a defined date of November 7th to have the gate come down. Supervisor Zimet and Councilwoman Brown accepted the friendly amendment, all aye votes cast. Councilwoman Gallucci voted no. Motion carried.

Councilman Barry stated that he will be working toward developing a future solution to this problem.

Highway Superintendent accepted and signed the "Order" in the matter of laying out Waring Lane and Lent Drive as Public Highways in the Town of New Paltz. Each member of the Town Board then signed the Town Board Consent. Starting tomorrow, the Town Police can now begin enforcing the speed limit and issuing tickets on Lent Drive and Waring Lane.

Turkey Trot:

A motion was made by Councilman Logan to approve the Turkey Trot Event for FAMILY on Thanksgiving. Seconded by Councilman Barry, all aye votes cast, motion carried.

Prepay:

A motion was made by Councilwoman Gallucci to approve the prepayment of \$50 for training for Jim Littlefoot. Seconded by Councilman Barry, all aye votes cast, motion carried.

ZBA Training:

A motion was made by Councilwoman Gallucci to approve the request for ZBA members to attend training. Seconded by Councilman Barry, all aye votes cast, motion carried.

GCP Consultants:

A motion was made by Councilwoman Gallucci to approve the request to pay GCP Consultants two times a month in accordance with the contractual agreement, Section 3, for their work with Community Partnership. Seconded by Councilman Barry, all aye votes cast, motion carried.

Food for Election Day:

Josh Honig requested the Town Board extend the courtesy and provide \$500 to pay for meals for election inspectors.

A motion was made by Supervisor Zimet to pay up to \$500 for food for election inspectors on Election Day. Seconded by Councilman Barry. Councilwoman Brown requested that someone verify that the Town is legally allowed to do this. Supervisor Zimet amended her motion pending checking Election and Comptroller Law. Councilman Barry accepted the amendment. All aye votes cast, Councilman Logan and Councilwoman Brown voted no. Motion carried.

Electric Car Charging Stations:

A motion was made by Councilman Logan to adopt the resolution of the introduction of a Local Law entitled "Amending the Zoning Code to Provide Definitions Related to Electric Vehicle Charging Stations, Amending the Criteria for Simplified Site Plan Review for EV Charging Stations and Certain Minor Wireless Communication Facilities, and Establishing Certain Site Plan Regulations Related Thereto". Seconded by Councilman Barry, all aye votes cast, motion carried.

A motion was made by Councilman Barry to set the Public Hearing for November 21st at 7:15 p.m. Seconded by Councilman Logan, all aye votes cast, motion carried.

Budget: A-Fund:

Recycling A8189 -Increased to \$182,193. The Zero Waste Action Plan will be put on the agenda for adoption for the November 21st meeting.

Refuse & Garbage A8160-Decreased to \$48,000.

Rescue Squad/Ambulance A4540-Requesting an increase of about \$50,000 in order to add one full-time paramedic. The increase in revenue will offset the increase in personnel services.

Moriello Pool A7150.130- Increased to 126,316. This does not include Capital Improvements such as the replacement of 2 slides which cost \$11,500-\$13,000 each, and other items for an additional \$20,000. Councilwoman Brown expressed her desire to turn over operation and management of the pool to the Village and budget a specified amount in the Town budget to help offset the costs. Councilman Logan requested taking the \$20,000 from Recreation Fees.

Police A3120-Increased to \$2,296,625 due to the personnel costs for longevity and step increases. Building costs moved from Buildings & Grounds to Police Line.

Town Board A1010- A motion was made by Councilwoman Brown for Town Board members to receive a 3% raise. Seconded by Supervisor Zimet for discussion. After a brief discussion Councilwoman Brown withdrew her motion.

Justice Court A1110.4- Decreased to \$216,264, due to personnel changes. Electric and Gas costs are now included.

Special Prosecutor A1110.420- Decreased to \$45,000. Now independent of Justice Budgets.

Supervisor A1220- Decreased to \$106,349.

A motion was made by Councilwoman Gallucci to move Tentative Budget to Preliminary. Seconded by Councilman Barry, all aye votes cast, motion carried.

Brook Farm Discussion:

Councilman Barry indicated that on December 29, 2011, the Town Board adopted the New Paltz Agriculture and Farmland Preservation Plan. The premise of the plan is to protect the Town's agricultural resources and promote farming. The plan also indicates that agriculture is vital to the culture and identity of the Town as a keystone of the Town's high quality of life, far beyond its contributions to scenic vistas and rural living. He is asking the Town Board to consider sending a letter to OSI asking them why they are deciding to evict and discontinue the operation of a farm that has been in existence for a long time, since the Town has this farmland protection plan. Councilwoman Brown indicated that the plan also recommends incubators as a viable preservation of agricultural use. She also stated that a person can change the type of farming that is done and still preserve farmland.

Tax Assessment Practices:

As liaison to the Assessor's Office, Councilman Barry indicated that he and Supervisor Zimet have been working on figuring out the best way to offset the burden that exists on the taxpayers. They have been looking at different ways to spread Fire, Ambulance and Police across a broader base of payers. A lot of time has been spent on looking at special districts to pass on the costs of Ambulance, Fire and Water & Sewer, but not Police. Councilman Barry found a local law in the Town's code that was adopted in 1982. The Real Property Tax Law in NYS is broken down into various subsections. One section deals with exempt properties, both public and private. There is a permissive class of not-for-profits that are exempt unless the municipality passes a local law taking away that exemption. Our Town did that in 1982. There is specific language in the Town law that gives us the right to tax not-for-profits that haven't been paying for years. There are also examples of exemptions being given to for-profit and not-for profit entities and are not paying what they should be paying. One in particular, not a 501(c)(3), is not eligible for the exemption that it has been getting since 1990. Resulting in a loss of about \$54,000 a year. Councilman Barry has directed the Town Assessor to conduct a complete audit so she can report to the Town Board in an attempt to correct this problem.

At 11:46 p.m. a motion was made by Councilwoman Gallucci to adjourn the meeting. Seconded by Councilwoman Brown, all aye votes cast, motion carried.

Respectfully Submitted,

Rosanna Mazzaccari
Town Clerk