

Cont. Public Hearing: Ch. 82 "Flood Damage Prevention", 7 p.m.
Cont. Public Hearing: Ch. 140-19 "Floodplain District" 7:15 p.m.
Cont. Public Hearing: Ch. 121 "Subdivision of Land", 7:25 p.m.
Town Board Meeting, 7:30 p.m.
November 19, 2015

Present: Supervisor Susan Zimet, Councilman Jeff Logan, Councilman Kevin Barry, Councilman Marty Irwin, Councilman Dan Torres.

Cont. Public Hearing: Ch. 82 "Flood Damage Prevention":

Councilman Barry indicated that the Town received advisory comments from the Ulster County Planning Board, and suggested the Town Board take a week or so to review them. The most critical comment is in reference to the elimination of AO Zones.

Town Engineer Dave Clouser indicated that AO Zones are located in the Floodplain and have flood depths of 1-3 feet and on sloping land. DEC suggested to the Building Inspector that those be removed. He indicated that the comments from the County are good to consider in the future.

Michael Edison spoke in favor of the proposed changes.

Caroline Paulson spoke specifically about an abandoned house across the street from her home. The situation has negatively affected a few elderly women that live near by, due to the vandalism and burglary.

The Town Board agreed to keep the public hearing open for the purposes of waiting to receive comments from Services Providers.

Cont. Public Hearing: Ch. 140-19 "Flood Plain District":

The Town Board agreed to keep the public hearing open.

Cont. Public Hearing: Ch. 121 "Subdivision of Land":

The Town Board agreed to keep the public hearing open.

The Town Board scheduled a Special Meeting for Tuesday, December 8th in place of the meeting on December 17th, to continue the public hearings on the Flood Plain Laws.

-5 minute break-

Town Board Meeting:

At 7:49 p.m. a motion was made by Councilman Logan to open the meeting with the pledge. Seconded by Councilman Barry, all aye votes cast, motion carried.

Agenda: +Pilgrim Pipeline, +Architect Contract, +Muni Center, +Youth Building, +Executive Session, +Purchase of Tub Grinder, Building Department request for Funds, Request for funds by Town Clerk for Attorney. A motion was made by Councilman Barry to adopt the agenda as amended. Seconded by Councilman Logan, all aye votes cast, motion carried.

Public Input:

Jess Mullen, Coalition Against Pilgrim Pipelines, urged the Town Board to say no to the Thruway Authority regarding their Lead Agency status.

Josh Honig, Building Committee, indicated that the Municipal Building should be a Town project and that the Village should just rent the space.

Carol Cryer, Plains Road, had questions regarding milestone dates in the IGA, and the easement.

Susan Weber, Plains Road, had questions regarding the Petition Drive and the status of the sale of 101 Plains Road.

Dale Montelione, Plains Road, requested permission to continue trimming the Pine trees at 101 Plains Road, after the Town purchases.

Ted Cryer, Plains Road, commented on the speeding problem on Plains Road. The Town Board agreed to refer this to the Police Chief.

Chris Harp, Plains Road, asked why do we need this permanent solution for a 30-week problem?

Mike Merriman, Woodland Drive, indicated that the DEP has mandated that all of the municipalities on the aquifer must have a back-up source of water in perpetuity because the scheduled shut downs are not the only things they are planning for, because of unforeseen and unplanned issues with the aquifer.

Proposed Water District #5:

Attorney Joe Moriello presented the Town Board and Town Clerk with a petition of property owners for the establishment of Water District #5, with 48 signatures. The Town Board shall pass a resolution and Order calling a Public Hearing, which must occur between 12/7 and 12/17.

A motion was made by Councilman Logan to adopt the following Resolution and Order Calling a Public Hearing to be held on December 8th at 7:30 p.m. Seconded by Councilman Torres, all aye votes cast, motion carried.

Resolution Calling Public Hearing the Petition of Plains Road Area Residents for The Establishment of Water District No. 5

WHEREAS, a written petition dated as of November 18, 2015, has been submitted in due form by 48 property owners in the Plains Road area of New Paltz, pursuant to Article 12 of the New York Town Law, which has been presented and filed with the Town Board of the Town of New Paltz, County of Ulster, New York, for the establishment of a Town Water District, to be known as Water District No. 5, which is bounded and described on Exhibit A attached thereto, and

NOW, THEREFORE, BE IT RESOLVED, by the Town Board of the Town of New Paltz:

(a) A public hearing be and the same hereby is called by adoption of the Order for Public Hearing bearing even date herewith, to consider the proposed Water District No. 5 of the Town of New Paltz, pursuant to section 193 of the Town Law of the State of New York.

(b) The Town Clerk shall give notice of said hearing by publication of said Order, certified by the Town Clerk, in the New Paltz Times, the official newspaper of the Town, at least ten (10) days and not more than twenty (20) days before the date set therein for the hearing as aforesaid, and shall also post a copy of said Order on the signboard of the Town maintained pursuant to section 30 of the Town Law, at least ten (10) days and not more than twenty (20) days before the date designated for the hearing as aforesaid.

(c) Prior to such publication, there shall be on file for public inspection with the Town Clerk, a detailed explanation of how the estimated cost of hook-up fees, if any, to, and the cost of the district or extension to, the typical property and, if different, how the typical one or two family home was computed, which costs pursuant to Town Law section 193(2)(c) shall include operation, maintenance, user charges and other charges, related to the improvements in the first year following formation of the district.

Order Calling Public Hearing

WHEREAS, a written petition dated as of November 18, 2015 has been submitted in due form by 48 property owners in the Plains Road area of New Paltz, containing the required signatures, which has been presented and filed with the Town Board of the Town of New Paltz, County of Ulster, New York, for the establishment of a Town Water District, to be known as Water District No. 5, which is bounded and described on Exhibit A attached thereto; and

WHEREAS, the improvements proposed consist of the construction and maintenance of a water system to serve said extension in the District in accordance with a certain map and plan description prepared by David Clouser & Associates, made a part of such petition and on file in the office of the Town Clerk of said Town; and

WHEREAS, it is the understanding and intention of the petitioners that the Town will construct the system initially at its own expense, which will be reimbursed by the City of New York Department of Environmental Protection ("DEP") pursuant to a separate intergovernmental agreement heretofore adopted by this Town Board, so that no expenses occasioned by the creation of said District herein petitioned shall be levied and collected from the several lots and parcels of land within the said District by assessment or otherwise and any and all of such work will be done and completed by said DEP in accordance with the map and plan described in the petition; and that the Town will accept title thereto by itself or by the government agent for said District, free and clear of encumbrances except right of access to said improvements by adjoining landowners, when completed, pursuant to said agreement with DEP, and

WHEREAS, the maximum amount proposed to be expended for the construction of the proposed water system is estimated to be \$2,375,000.00, and after reimbursement of all eligible expenses from DEP, is \$0.00 dollars; the future expense of hook-up fees for users of the proposed water system shall additionally be paid by the DEP at no cost to the town or to the users within the district; that the DEP shall additionally provide the sum of \$125,000.00 to cover the costs of maintenance and operation following the formation of the district; and thereafter, the estimated cost to the average user is estimated to be approximately \$18.00 per month (\$216.00 per year) based upon a three (3) bedroom home with average usage of 200 gallons per day based upon industry standard costs for the type of groundwater source and supply public water system to be constructed;

NOW, THEREFORE, be it ORDERED, that a meeting of the Town Board of the Town of New Paltz will be held at the Town Hall of the Town of New Paltz, on December 8, 2015, at 7:30 p.m. on said day, to consider said petition and to hear all persons interested in the subject thereof, concerning the same, and for such other and further action on the part of said Town Board, with relation to the premises.

The Board will determine the sufficiency of the signatures as part of the public hearing process.

Executive Session:

At 8:49 p.m. a motion was made by Supervisor Zimet to go into Executive Session for the purposes of discussing personnel about a particular Town employee with the Town Attorney. Seconded by Councilman Irwin, all aye votes cast, motion carried.

At 9:59 p.m. a motion was made by Councilman Logan to come out of Executive Session. Seconded by Councilman Barry, all aye votes cast, motion carried.

Councilman Barry recused himself from the discussion and left the room.

A motion was made by Councilman Logan to adopt the advisory opinion from the Ethics Board dated November 18, 2015 that states; "It is the opinion of this Board Councilman Kevin Barry is not required to recuse himself from discussions of changes to Town Floodplain Law." Seconded by Councilman Torres, all aye votes cast, motion carried.

Councilman Barry returned.

A special meeting was scheduled for Monday, November 23rd at 7:30 p.m. in the small conference room, to discuss an ethics complaint.

Pilgrim Pipeline:

Supervisor Zimet indicated that the Town received a letter from the Thruway Authority requesting comments regarding SEQR Lead Agency Coordination.

A motion was made by Supervisor Zimet that the Town of New Paltz does not support Lead Agency Status by the Thruway Authority and requests the Town of New Paltz be granted Lead Agency status. Seconded by Councilman Torres, all aye votes cast, motion carried.

At 10:11 Supervisor Zimet left the meeting.

Youth Center Building:

Dan Guenther suggested that the Town send a condolence card to Julien Studley's family. He owned the property that is now the Youth Center. Mr. Guenther proposed to the Town Board, the idea of constructing a sun-spot enclosure on the back porch of the Youth Center, "by adding two tempered glass windows where the old ones used to be, and a new door. The door would need to have a panic bar, as is code, and an additional platform would be built." Mr. Guenther has offered to spearhead this project in an effort to help with the heating problem, save the Town money, and create additional space for the Center, it really needs it. The sun-spot would continuously get bright sunshine though the daylight hours across winter months. Once enclosed, that heat can be utilized by blowing it into the first floor of the house, heating it without cost.

The Youth Center has some remaining money due to the departure of an employee. This would help offset the cost of materials. Mr. Guenther has offered his time and knowledge to help with this project that is estimated to cost around \$3,500.

A motion was made by Councilman Logan to approve up to \$3,500 for the creation of a passage solar room and larger seating deck at the New Paltz Youth Center. Seconded by Councilman Torres, all aye votes cast, motion carried.

Architect's Contract/Municipal Center:

A motion was made by Councilman Irwin to adopt the Resolution and Notice of Determination of Non Significance. Seconded by Councilman Torres, all aye votes cast, Supervisor Zimet was absent, motion carried.

Resolution and Notice of Determination of Non Significance

RESOLVED that the Town Board of the Town of New Paltz has compared the proposed action as described in the Environmental Assessment Form Parts One and Two with the list of

criteria set forth in 6 NYCRR 617.5 (the “Act”) and determined that the proposed action is a Type II action and therefore the Town has no further responsibilities under the Act.

A motion was made by Councilman Irwin to adopt the Resolution Authorizing the Architect’s Contract. Seconded by Councilman Torres, all aye votes cast, Supervisor Zimet was absent, motion carried.

Resolution Authorizing the Architect’s Contract

RESOLVED, that the Town Board of the Town of New Paltz hereby authorizes the Supervisor of the Town, or the Deputy Supervisor, as the case may be, to sign and “Agreement between the Town of New Paltz, Owner, and Joseph Hurwitz & Associates, Architects” in the form attached, and to sign such other and further documents as are necessary to give full force and effect to the purpose and intents of this resolution.

Youth Center Security System:

A motion was made by Councilman Barry to adopt a resolution authorizing the expenditure of \$800 for the purchase and installation of a security system at the Youth Center. Seconded by Councilman Logan, all aye votes cast, motion carried.

Resignations:

A motion was made by Councilman Barry to accept, with regret, Lynn Bowdery’s resignation from the Planning Board. Seconded by Councilman Torres, all aye votes cast, motion carried. The Board thanked Lynn for her many years of dedicated service.

A motion was made by Councilman Logan to accept, with regret, Pat Schwartz’s resignation from the Zoning Board, effective 1/1/2016. Seconded by Councilman Irwin, all aye votes cast, motion carried. The Board thanked Pat for her many years of dedicated service.

Zoning Board Appointment:

A motion was made by Councilman Logan to appoint *Caroline Paulson to the ZBA* to fill the vacancy left by Pat Schwartz, *effective 1/1/2016 for the remaining 1-year term to expire 12/31/2016*. Seconded by Councilman Barry, all aye votes cast, motion carried.

Municipal Insurance Proposal:

A motion was made by Councilman Barry to authorize the payment of \$110,404.90 to Marshall & Sterling, in connection with the Town of New Paltz insurance coverage for next year, starting November 30, 2015 to November 30, 2016. Seconded by Councilman Logan, all aye votes cast, motion carried.

Cyber Security:

A motion was made by Councilman Barry to approve the payment of \$627 to Marshall & Sterling, as the premium coverage for network security for the Town system. Seconded by Councilman Logan, all aye votes cast, motion carried.

Library Proposition Funding:

A motion was made by Councilman Irwin to approve \$466,000 as part of the 2016 Final Budget Levy, as per referendum. Seconded by Councilman Barry, all aye votes cast, motion carried.

Purchase of Tub Grinder:

A motion was made by Councilman Barry to authorize the expenditure of \$320,000 to purchase the Horizontal Grinder in 2015, subject to the signing of a retail installment agreement for financing, and subject to Capital Innovations Financing the complete purchase. Seconded by Councilman Logan, all aye votes cast, motion carried.

Bike-Ped:

A motion was made by Councilman Barry to appoint Peter Kaufman as Chair of the Bike-Ped Committee to succeed Bill Weinstein. Seconded by Councilman Logan, all aye votes cast, motion carried.

Environmental Conservation Board Appointment:

A motion was made by Councilman Torres to appoint Ingrid Haeckel to the EnCB to fill a vacancy left by Perry Goldschein, for a 1-year term to expire 12/31/2016. Seconded by Councilman Logan, all aye votes cast, motion carried.

Comptroller Review and Recommendations:

A motion was made by Councilman Logan to approve full boot allowances for Buildings & Grounds, Highway and Recycling, be given through payroll. Seconded by Councilman Barry, all aye votes cast, motion carried.

A motion was made by Councilman Logan to process uniform cleaning allowances through payroll, twice a year at the stated contract value. Seconded by Councilman Barry, all aye votes cast, motion carried.

A motion was made by Councilman Logan to approve that overtime meal reimbursements submitted for payment are processed through payroll as income with timesheets attached as proof of overtime activity and meeting the contract guidelines. Seconded by Councilman Barry, all aye votes cast, motion carried.

A motion was made by Councilman Logan to choose the Liberty HDHP Silver 8 Health Insurance Plan with MVP for 2016, with the Town funding the first 75% of the deductible. Seconded by Councilman Barry, all aye votes cast, motion carried.

A motion was made by Councilman Logan to decline the Essential Pediatric Dental coverage. Seconded by Councilman Barry, all aye votes cast, motion carried.

A motion was made by Councilman Logan to approve the HRA Fee Proposal for 2016 of \$4.50/participant/month. Seconded by Councilman Irwin, all aye votes cast, motion carried.

A motion was made by Councilman Barry to terminate insurance benefits, that are paid quarterly, (for eye & dental, and not subject to union contract) for retired employees for non-payment, and sending a 30-late notice, then a 60 day arrears notice with a termination date followed by termination. Seconded by Councilman Torres, all aye votes cast, motion carried.

A motion was made by Councilman Logan to approve 16 hours (2 days)/week for Diann Lee to work in the Finance Department temporarily. Seconded by Councilman Irwin, all aye votes cast, motion carried.

A motion was made by Councilman Logan for the Town to **only** purchase bottled water, any rental fees associates with the machines for the bottled water, and cups. Seconded by Councilman Barry, all aye votes cast, motion carried.

Prepays:

A motion was made by Councilman Irwin to approve the prepayment of \$20,000 as a down payment to J. Hurwitz & Associates, architect for the Municipal Center. Seconded by Councilman Barry, all aye votes cast, motion carried.

Budget Modifications:

A motion was made by Councilman Logan to approve the following modification to 2015 budget:

Increase: A980.2680.0	Insurance Recoveries	\$925.12
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Increase: A522-3120.4	P.D Contractual Expenses	\$925.12
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Reason: To allocate insurance recovery check for \$925.12 and increase contractual line where expense will be allocated. Seconded by Councilman Barry, all aye votes cast, motion carried.

A motion was made by Councilman Logan to approve the following modification to 2015 budget:

Increase: A522-8189.2	Recycling Equipment	\$282.00
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Increase: A522-1345.560	Purchasing-Recycling	\$294.00
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Increase: A980-2130.010	Sponsorship	\$576.00
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Reason: To cover equipment purchase of hydraulic pump and office supply overages from receipts and decals. Seconded by Councilman Barry, all aye votes cast, motion carried.

Acceptance of Minutes:

A motion was made by Councilman Torres to accept the ***Police Commission minutes of October 15, 2015***. Seconded by Councilman Barry, all aye votes cast, motion carried.

A motion was made by Councilman Barry to accept the ***Town Board minutes of October 15, 2015***. Seconded by Councilman Logan, all aye votes cast, motion carried.

A motion was made by Councilman Barry to accept the minutes of ***October 22, 2015***. Seconded by Councilman Logan, all aye votes cast, motion carried.

A motion was made by Councilman Barry to accept the minutes of ***October 29, 2015***. Seconded by Councilman Torres, all aye votes cast, motion carried.

Building Inspector Request for Funds for Ags. & Markets research:

A motion was made by Councilman Logan to approve up to \$1,000 for the Building Inspector to obtain legal and engineering advice to review changes in definitions. Seconded by Councilman Irwin, all aye votes cast, motion carried.

Warrant:

A motion was made by Councilman Irwin to approve the November Warrant in the amount of \$1,102,152.35. Seconded by Councilman Torres, all aye votes cast, motion carried.

Town Clerk Request for Funds:

A motion was made by Councilman Torres to approve up to \$1,500 for the Town Clerk to work with the attorney on the Historic Huguenot Street Agreement for Town records. Seconded by Councilman Irwin, all aye votes cast, motion carried.

At 11:32 p.m. a motion was made by Councilman Torres to adjourn. Seconded by Councilman Logan, all aye votes cast, motion carried.

Respectfully Submitted,

Rosanna Mazzaccari
Town Clerk