

Joint Town & Village Meeting
Public Hearing- 2014 Town Budget
Public Hearing- Weight Limits on Old Mill, Lent Dr., Waring Lane
November 6, 2013
6:30 p.m.

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

Present: Mayor Jason West, Trustee Tom Rocco, Trustee Sally Rhoads, Trustee Ariana Basco.

Absent: Trustee Rebecca Rotzler.

At 6:32 p.m. a motion was made by Councilwoman Brown to open the joint meeting with the Pledge. Seconded by Councilwoman Gallucci, all aye votes cast, motion carried.

At 6:32 p.m. a motion was made by Trustee Rhoads to open the meeting with the Pledge. Seconded by Trustee Basco, all aye votes cast, motion carried.

Agenda: + Village Appointment to Planning/Zoning, Village Bond Resolution for Dump Truck. A motion was made by Councilwoman Gallucci to adopt the amended joint agenda. Seconded by Councilman Barry, all aye votes cast, motion carried.

At 6:36 p.m. Councilman Logan arrived.

Rescue Squad Budget Presentation:

The Rescue Squad presented their proposed budget to the Town Board on October 24th. They are asking the Town and Village for an increase of \$50,000 for one additional full-time paramedic, which would bring the total amount to \$195,957. They have not had an increase since 2007.

Mayor West asked about the spike in expenses between 2009-2010. Chief Gina Bassinette indicated that that was the first time the Rescue Squad had a paid staff, and this will be an expense going into the future.

Chief Bassinette explained that they are experiencing not only an increase in call volume, but also an increase in the number of calls coming in simultaneously. While one call is being answered, there is no one to cover the calls coming in during the same time. In cases like that, Mobile Life is dispatched, which results in longer wait times. When Mobile Life is dispatched to New Paltz, the Rescue Squad has to pay them \$365 per call, and therefore the Rescue Squad is not able bill for these calls.

Councilman Barry suggested forming a sub-committee to work with the Rescue Squad, SUNY and Woodland Pond to work out the issue of the Town and Village absorbing the costs associated with the high volume of calls to these places. He, along with Councilman Logan and Trustee Rhoads and Basco volunteered to be on the committee.

Trustee Rhoads asked if the Town could include the \$50,000 that is being requested by the Rescue Squad, in the Town's 2014 budget so as to assure them that they will be able to provide the coverage needed. At which point the Village will work on finding the money to pay the Town back for its portion. Mayor West indicated that the Village is already down quite a bit of money in its current budget. He would prefer to continue this discussion after the Town Attorney drafts an IMA. Trustee Rhoads clarified by indicating that the Town leaves this item in the A-Fund for now, which can be switched over later, until the Village can come up with a way to get extra money that will paid to the Town as revenue to offset the expense.

Supervisor Zimet indicated that the Town Board will discuss this issue during its budget conversation later in the meeting.

Public Hearing-2014 Town Budget:

At 7:10 p.m. a motion was made by Councilman Barry to open the Public Hearing on the 2014 Town Budget. Seconded by Councilwoman Gallucci, all aye votes cast, motion carried.

Public Comment:

Dave Lent submitted and read aloud to the Board a statement and list of questions regarding certain items in the budget.

Mayor West indicated that he is perplexed as to how some of these numbers were created because they seem to be strangely precise. He will be sending a more detailed letter to the Board.

Mike Russo indicated that in general, the budget seems like it looks at past budgets, rather than actuals. He would like to see a move to a similar structure from the Town of Ulster and Saugerties with actuals. He would also like to see a move toward a structure with more detailed line items to show where these numbers come from.

A motion was made by Councilman Barry to keep the Public Hearing on the Budget open until a later date. Seconded by Councilman Logan, all aye votes cast, motion carried.

Public Hearing-Weight Limits on Old Mill, Waring and Lent:

At 7:32 p.m. a motion was made by Councilman Barry to open the Public Hearing on the Weight Limits. Seconded by Councilwoman Gallucci, all aye votes cast, motion carried. Councilwoman Brown read aloud the draft local law.

Public Comment:

Bill Schnitzer, Woodland Pond, spoke in favor of the weight limit restrictions. He believes it will have a minimum impact on Woodland Pond. He expressed his appreciation to the Town Board for the efforts it has been making to accommodate the concerns of the residents.

Mike Zierler indicated that 5,000 lbs. is too low.

Mayor West indicated that there is no reason not to have a weight limit, however it is too low. It should be raised above what a residential vehicle weighs and below what a commercial vehicle weighs.

Mike Zierler indicated that no where in the law does it specifically say that it prevents "No Thru Truck Traffic" or doesn't prevent commerce.

Highway Superintendent Chris Marx indicated that by default, Vehicle & Traffic and Highway Law cannot exclude commerce.

A motion was made by Trustee Rhoads for the Town to borrow the Village Attorney Joe Eriole for a discussion and amendment to the weight limit law. Seconded by Trustee Basco, all aye votes cast, motion carried.

Attorney Eriole indicated that the language should be amended to reflect that the weight limit does not apply to the residents.

Councilman Barry suggested tabling this in order to make sure it is done properly. We should make this law more clear to the extent that it does not violate other laws and that it is enforceable.

Trina, Woodland Pond, indicated that they are concerned with maintaining a safe neighborhood. Limiting truck traffic is a very good idea.

Supt. Marx indicated that in order for the "No Thru Truck Traffic" signs to go up and be enforceable, they have to go through this process.

Attorney Eriole proposed the following amended language relative to the law's exemptions: "The above exclusions shall not be construed to prevent the delivery or pick-up of merchandise or other property along the highways from which such vehicles are excluded; or to prevent residents of the highways from which such vehicles are excluded from operating vehicles in excess of such weight limits which are registered to them or to entities in which they have an ownership interest which exceed the weight limits hereof."

A motion was made by Councilwoman Gallucci to accept the proposed language amendment. Seconded by Supervisor Zimet, all aye votes cast, Councilman Barry voted no. Motion carried.

At 8:08 p.m. a motion was made by Councilman Logan to close the Public Hearing. Seconded by Councilwoman Gallucci, all aye votes cast, Councilman Barry voted no. Motion carried.

IMA /Contract for Joint Comprehensive Plan:

At a previous Joint Meeting, the Boards passed a resolution that authorized the IMA. Attorney Eriole worked with Councilman Barry to come up with a draft IMA. The Boards currently have a one-page document that mirrors the resolution with the necessary legalese that makes it an IMA.

A motion was made by Trustee Rhoads to adopt the IMA and direct and authorize the Mayor to sign it on behalf of the Village. Seconded by Mayor West, all aye votes cast, motion carried.

A motion was made by Councilman Barry to approve the execution of an IMA and authorize the Supervisor to sign it on behalf of the Town. Seconded by Councilwoman Gallucci, all aye votes cast, motion carried.

The Boards also have a Draft Consulting Agreement, which is the actual contract with the actual consultant. A discussion began on the different aspects of the agreement.

Attorney Eriole began with how payment will take place, **Item #2, Compensation.** The term “Not to Exceed” implies that the contract is terminable or that the deliverable may be delivered early. This section should be re-written to reflect the concept that while this consultant is engaged, he will be paid a fixed amount per period.

Item #3, Payment- The question is how do the Boards want to be invoiced and how will it be paid? It was decided that the Consultant will submit simple bi-weekly invoices to the Town, to be paid bi-weekly in conjunction with payroll, at the weekly rate of \$1,000. The Town will then bill the Village. It was decided that the contract did not have to include what fund the payments from the Town will be coming from.

Item #4 (should be #5), Term and early termination- Trustee Rhoads indicated that she would like the second sentence relative to the extension of the agreement to say, “The agreement may be extended only by a majority affirmative vote by both boards.” Councilman Barry suggested the “termination” language should be the same as well. The expiration date might change depending on when the agreement begins.

WHEREAS #4- Councilwoman Brown would like it to read, “...Curt La Valla is willing to provide such services...”

Scope of Work Section V, Draft Future Land Use Plan- Councilwoman Brown requested that this section make reference to previously adopted land use policies like the Town’s Agriculture and Farmland Protection Plan, Wetlands Law, Steep Slopes, Shade Tree, etc. Trustee Basco suggested incorporating sustainability all throughout this project. Attorney Eriole will list the specific policies and plans. Councilwoman Brown also requested the inclusion of the challenges of the significant amount of tax-exempt properties in the Town and Village, which was not part of the Town’s last Master Plan.

Mayor West suggested that the Board members email Attorney Eriole with any further language/concept changes. However, Trustee Rhoads indicated that on an important document such as this, everyone should hear each other’s ideas and suggestions because everyone might not agree.

Section II, Community Access- Trustee Rhoads requested the following be stricken, “The Consultant will be expected to maintain a minimum of ___ office hours per week, split evenly between Town and Village Hall”.

Item #6, Insurance- Councilman Barry explained that representatives from the same Insurance Company are giving different advice. One says that the Town and Village should maintain professional liability insurance, the other says it is not necessary. The Boards will request further clarification from the Insurance Agents.

Attorney Eriole will prepare another draft of the agreement that will incorporate the revisions as discussed.

A motion was made by Trustee Rhoads to approve the concept pending the changes that are to be made by Attorney Eriole and the acceptance by Curt La Valla of the contract. Seconded by Trustee Rocco, all aye votes cast, Mayor West voted no. Motion carried.

Trustee Rhoads invited the Town Board to the Village meeting next Wednesday, the 13th to further discuss the contract and the Village Board agreed.

A motion was made by Councilman Barry to approve the concept pending the changes that are to be made by Attorney Eriole and the acceptance by Curt La Valla of the contract. Seconded by Councilman Logan, all aye votes cast, motion carried.

Village Business:

Bond Resolution:

A motion was made by Mayor West authorizing the Bond Resolution, authorizing the issuance of up to \$55,000 aggregate principal amount serial bonds of the Village of New Paltz, County of Ulster, New York, pursuant to the local Finance Law, to finance the cost of the acquisition of a dump truck for the Village. Seconded by Trustee Rocco, all aye votes cast, motion carried.

PB/ZBA Appointment:

A motion was made by Mayor West to appoint Carina Fabiano as the Planning Board & Zoning Board secretary at a rate of \$15/hr. for 15 scheduled hours per week. Seconded by Trustee Rocco. A friendly amendment was offered by Trustee Rhoads that the hours not spent with the Planning or Zoning Board be spent in the Building Department organizing files and answering the phone. The friendly amendment was accepted by Mayor West. All aye votes cast, Trustee Rhoads voted no. Motion carried.

A motion was made by Trustee Rhoads that the hours not spent with the Planning or Zoning Board be spent in the Building Department. Seconded by Trustee Basco. Trustees Rhoads and Basco voted yes. Mayor West and Trustee Rocco voted no. Motion failed.

At 9:19 p.m. a motion was made by Mayor West to adjourn the meeting of the Village Board. Seconded by Trustee Rocco, all aye votes cast, motion carried.

Town Business:

Acceptance of Minutes:

A motion was made by Councilwoman Gallucci to accept the minutes of ***September 19, 2013, October 17, 2013*** and ***October 24, 2013***. Seconded by Councilman Barry, all aye votes cast, motion carried.

A motion was made by Councilwoman Brown to accept the minutes of ***October 1, 2013***. Seconded by Councilman Logan, all aye votes cast. Councilwoman Gallucci and Councilman Barry abstained due to their absence from the meeting. Motion carried.

Budget Discussion Continued:

The Town Board discussed some of the comments made during public comment relative to the budget. Councilwoman Gallucci indicated that the current budget format is in full compliance with the NYS Comptroller's Office.

Supervisor Zimet indicated that money was added into contingency to deal with the problems associated with the Court and Town Hall Buildings. The money can't be moved until there's a plan. Money has also been included to cover back pay for expired contracts.

Councilwoman Gallucci addressed the point that was brought up relative to why there has only been \$81,000 paid out of the State Retirement as of October. The reason is because the really big payment is due in December. The smaller payment was made in February.

Councilman Barry addressed a point that was made by a member of the public who indicated that the Board would respond to questions in a defensive way. He feels as though the public seeks information in a public forum in a manner designed to embarrass or attempt to undermine the credibility of the Supervisor and other elected officials. The public has other opportunities and ways in which to get answers to their questions, which include a FOIL or meetings with their local representatives.

As per a referendum by the voters of New Paltz, the budget line for the Library will be increased by \$75,000, which will be paid through by taxes, which brings it from \$321,000 to \$396,000.

Rescue Squad:

The requested increase of \$50,000 will be split by the Town and Village. The Town will pay \$145,000 out of the A-Fund, \$25,000 out of the fund balance of the B-Fund and ask the Village to pay their share of \$25,000 directly to the Rescue Squad.

The budget line for the Rail Trail, A7110 will be increased by \$1,000.

Weight Limits on Old Mill, Waring and Lent Cont.:

A motion was made by Councilwoman Gallucci to adopt the Resolution and Notice of Determination of Non Significance-Negative Declaration Amendment to Town of New Paltz Town Code to add a new Chapter 132, "Weight Limits" to the Code of the Town of New Paltz. Seconded by Supervisor Zimet, all aye votes cast, Councilman Barry voted no. Motion carried.

A motion was made by Councilwoman Brown to rescind the motion to close the Public Hearing and to now keep it open. Seconded by Councilman Barry, all aye votes cast, motion carried.

A motion was made by Councilwoman Brown to continue the Public Hearing on Wednesday, November 13th at 7:15 p.m. at Village Hall. Seconded by Supervisor Zimet, all aye votes cast, motion carried.

At 10:40 p.m. a motion was made by Councilwoman Gallucci to go into Executive Session for the purposes of discussing the hiring and firing of an individual relative to Buildings & Grounds. Seconded by Councilwoman Brown, all aye votes cast, motion carried.

At 12:05 a.m. a motion was made by Councilman Barry to come out of Executive Session with no action taken. Seconded by Councilman Logan, all aye votes cast, motion carried.

At 12:06 a.m. a motion was made by Councilman Logan to adjourn the meeting. Seconded by Councilman Barry, all aye votes cast, motion carried.

Respectfully Submitted,

Rosanna Mazzaccari
Town Clerk

Addendum

Response to Questions asked by Dave Lent during Public Comment:

#1. The salary for both the Highway Superintendent and his secretary are included in line DAA5010.1 This is where they belong because they work for the Town, *Townwide*, not Town outside of Village. Also, the Highway Superintendent is elected by everyone, all residents vote on this position by law. This expense and Bridges are the only allowable items.

#2. The salary line for the Supervisor includes the Supervisor and her secretary/assistant, not the Town Board members. The Social Services stipend is split between the Supervisor and her assistant. The money in the Budget Officer line is relative to a grant for Community Partnership.

#3. Stormwater is in compliance. There are no administrative costs associated with these districts.

#4. The money in Water District #1 (\$8,316) is for administrative contractual expenses for Environmental Consultants, not administrative personnel services. These funds should be moved to the Transmission and Distribution Lines for Water Districts #2,3 & 4.

#5. Purchasing refers to office supplies for various departments, not services. This amount will be broken out into each department's line. This line will be reduced to \$0.

#6. The Town had money in the budget for the engineer to explore other water sources. Since the DEP is now paying the engineer, the Town will be able to reduce expenses associated with this project.

#7. Over \$1.5 million has already been appropriated and will be spent before the end of the year.