

**Public Hearing-RV Zoning Amendment/Municipal Water Supply Definitions  
Town Board Meeting  
December 19, 2013  
7:15 p.m.**

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

At 7:25 p.m. a motion was made by Councilman Logan to open the Public Hearing on the RV Zoning Amendment/Municipal Water Supply Definitions, with the pledge and in honor of Councilwoman Kitty Brown, as suggested by Supervisor Zimet. Seconded by Councilwoman Brown, all aye votes cast, motion carried.

Supervisor Zimet read aloud the following statement:

“There has been concern expressed that the Town Board is considering this action specifically to further the Park Point Project. The action was precipitated by a request by Park Point for a determination on the definition of what would constitute a municipal water supply. Our Building Inspector has made a determination. A recommendation by legal counsel to the Town Board was made to codify the determination as a definition for future RV applications. There are three property owners in addition to Park Point who have expressed interest in having the RV district applied to their property. The action considered tonight by the Town Board take the Building Inspector’s determination and makes it part of the Town Code. This action, if taken, actually creates more control for the Town Board as we will have to approve the district and takeover plan. The action does not change any action relative to Park Point, as a determination has already been made by the Building Inspector. This action impacts future projects. “

**Public Input:**

Ira Margolis- There should be some delineation of what is supposedly in the public good of the Town taking over a municipal water supply should there problems with it.

Councilman Barry felt that it is premature for the Town Board to take action on this law at this time. The Board should take a second look at it and revisit it later.

Councilwoman Brown indicated that the Town received a letter from an adjacent homeowner who had concerns with project. Councilwoman Brown feels as though the Town Board should not take action on this until this homeowner’s concerns can be addressed.

Attorney Lithco indicated that this draft law had been referred to the Town Planning Board and the County in July. The reintroduced local law incorporates the County’s comments. There was no objection from the Town Planning Board.

Councilwoman Brown would like to see language included in the Town’s RV Zoning that any projects seeking tax abatements through the UCIDA or the local 485(B) would not be eligible for this kind of municipal water supply.

Attorney Lithco indicated that the Town Board makes the determination whether any new RV District will be created.

Dave Lent asked about the problem with a dry season in the future and who gets the responsibility of addressing it. The Water District should be able to restrict usage by the users.

Ron Turner asked Attorney George Lithco to define “RV” Attorney Lithco indicated it stood for “Residential Variable”.

A motion was made by Councilman Barry to adjourn the Public Hearing until January 23, 2014 at 7:15 p.m., with an invitation to Town Engineer Dave Clouser. Seconded by Councilman Logan, all aye votes cast, motion carried.

**Agenda:** +Dedication of Evergreen Lane/Black Creek, +Mountain View Nursing Home Letter of Support to NYSDOH, +Invitation to Village Board for 1/16/14 meeting, +LL to Repeal Chapter 34, +Award Highway Surplus Equipment Bid.

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

**Announcements:**

UCIDA is holding a Public Hearing on Park Point on 1/28/14 at 7 p.m. at the New Paltz High School Auditorium.

The Swearing In Ceremony is tentatively scheduled for Sunday, January 12, 2014 at 1 p.m. at the Community Center.

**Public Input:**

Dave Lent indicated that the Building Inspector fees should reflect the appropriate costs involved with any large construction projects that require the Building Inspector's services.

Al & Christina White, 15 Evergreen Lane are urging the Town Board to dedicate Evergreen Lane in order to get services like mail delivery and school bus pick-up.

**Dedication of Evergreen Lane/Black Creek Subdivision:**

Supervisor Zimet indicated that Highway Superintendent Chris Marx feels that this is one of the most well built roads in the Town.

A motion was made by Councilman Barry for the Town Board to consent to the dedication of Evergreen Lane as a Town Road and for the Highway Superintendent to sign the "Order".

Seconded by Councilwoman Brown, all aye votes cast, motion carried.

**Grants Update by Victor Cornelius:**

Currently in the last stage of the FEMA submission process. HUD Disaster Relief Funding opens up the first week of January. It is a 100% grant and will pick up everything FEMA doesn't if you are eligible. The HUD Letter of Intent is due February 1<sup>st</sup>. Mr. Cornelius indicated that he will go to Washington to lobby for the Town and recommended creating visibility around the need for the projects. He also recommended inviting Congressman Gibson and people from the Governor's office for a tour of Sewer 6.

**Presentation by Wallkill Valley Land Trust and Easement Monitoring:**

The Town and WVLT entered into an agreement to hire the WVLT to create a baseline and start monitoring of the Town's easements. Lynn Bowdery and Marty Irwin, both members of the Town's CWOSP Committee were present to explain to the Board the importance and the process of monitoring the easements in order to identify violations.

Councilman Barry expressed his concern regarding how much money the Town is spending on the monitoring of these easements. He asked that Mrs. Bowdery be more conservative with the amount of time she spends on this going forward.

At 9:29 p.m. Councilman Barry was not feeling well and left the meeting.

**Zero Waste Action Plan:**

A motion was made by Councilwoman Brown to present a resolution to adopt the Zero Waste Initiative crafted by the Recycling Coordinator, Laura Petite and her interns. Seconded by Councilman Logan, all aye votes cast, motion carried.

**Local Law to Repeal Chapter 34, "Police Commissioners, Board of" of the Town Code:**

Councilman Logan introduced this draft law back in 2011. Since the Police Department's budget makes up 40% of the Town's overall budget, he feels as though the Town Board should oversee it. Without a Police Commission, by default, the Town Board becomes the Police Commission. He is suggesting scheduling a Public Hearing to reintroduce the draft law.

A motion was made by Councilman Logan to set the Public Hearing on a Local Law to Repeal Ch. 34 "Police Commissioners, Board of" of the Code of New Paltz for January 16, 2014 at 7:15 p.m. Seconded by Councilwoman Brown, all aye votes cast, motion carried.

A motion was made by Councilman Logan for the Town Board to constitute the Police Commission as of January 31, 2014. Seconded by Councilwoman Brown, all aye votes cast, motion carried.

**Accessory Apartment Law:**

A motion was made by Councilwoman Brown to adopt SEQRA, as this action will not have a significant impact, Negative Declaration. Seconded by Councilman Logan, all aye votes cast, motion carried.

A motion was made by Councilwoman Brown to adopt the Accessory Apartment Law Code Amendment. Seconded by Councilman Logan, all aye votes cast, motion carried.

**Mountain View Nursing Home-Letter of Support:**

Looking for a Letter of Support for additional beds to be sent to the NYSDOH as part of their relocation project. The County has already sent its letter to the State. Supervisor Zimet read aloud the draft letter from the Town.

A motion was made by Councilwoman Brown to authorize the Supervisor to send the letter of Support on behalf of the Town Board. Seconded by Councilman Logan, all aye votes cast, motion carried.

**Loop Bus Contract for fuel with SUNY:**

A motion was made by Councilwoman Brown to authorize the Supervisor to sign the fuel contract with SUNY from 2013 that was never brought before the Board. Seconded by Councilman Logan, all aye votes cast, motion carried.

**Surplus Highway Equipment Bid:**

A motion was made by Councilman Logan to award the bid for the Airflow gas sander, Tarco gas sander, Smith hydro-sander and 1989 Great Dane trailer to the highest bidder, Gary Kaszowski. Seconded by Councilwoman Brown, all aye votes cast, motion carried.

A motion was made by Councilman Logan to award the bid for the 1996 Chevy Dump Truck, 2006 Crown Victoria and 1994 Chevy Flat Bed Truck to the highest bidder, Liberty Motors. Seconded by Councilwoman Brown, all aye votes cast, motion carried.

A motion was made by Council Logan to award the bid for the 1991 Ford Backhoe to the highest bidder, Roger Davis. Seconded by Councilwoman Brown, all aye votes cast, motion carried.

A motion was made by Councilwoman Brown to award the bid for the 1990 Chevy Dump Truck to the highest bidder, Stephen Smith. Seconded by Councilman Logan, all aye votes cast, motion carried.

**Fracking Resolution:**

A motion was made by Councilwoman Brown to adopt the following resolution:

**Resolution to Continue the Moratorium on High-Volume Hydraulic Fracturing and to Advance a Renewable Energy Economy in New York State**

Whereas, New York State has historically led the nation in matters of advancing social progress, including the abolition of slavery, women's suffrage, civil rights and environmental stewardship; and

Whereas, scientific evidence shows that the heavy industrial process of unconventional gas extraction by hydraulic fracturing poses serious risk of water contamination, air pollution, and health impacts; and

Whereas, the New York State Medical Society, representing 30,000 medical experts, the American Academy of Pediatrics of New York, the American Lung Association of New York and many independent medical experts and scientists have called on Governor Andrew Cuomo and the New York State legislature to continue New York's moratorium on hydraulic fracturing and to conduct further health studies including a comprehensive health impact assessment; and

Whereas, data from Pennsylvania and the gas industry on well casing integrity show an immediate 5% or higher failure rate and as much as 50% or more over 30 years raises serious concerns of water contamination; and

Whereas, high-volume hydraulic fracturing threatens to negatively impact property values, disrupt municipal tax-bases and could effectively create an additional unfunded state mandate – as has been raised by the New York State Association of Counties - by imposing costs and strains on municipalities such as road damage and increased demands on municipal services, etc; and

Whereas, research on the economic and social impacts of hydraulic fracturing raises concerns regarding increased crime rates and hazards for first responders, as well as an influx of workers who send their paychecks out-of-state while raising local rental housing prices and disrupting existing businesses and economies; and

Whereas, in addition to emissions of carbon dioxide and other heat-trapping gases associated with gas development activities, hydraulic fracturing gas development releases methane in the atmosphere, which is at least 72 times more potent in the atmosphere than carbon dioxide on a 20-year timescale and 25 times on a 100-year timescale, thereby making the process potentially disastrous for climate change; and

Whereas, New York communities have been significantly affected by the impacts of Hurricanes Irene and Sandy as well as lesser storms including Tropical Storm Lee, extreme weather events that are connected to/exacerbated by climate change due to increases in heat-trapping gases in the atmosphere, costing New Yorkers tens of billions of dollars in damages and lost business opportunities; and

Whereas, significant action is necessary to address climate change, action which the federal government has to date failed to take, including energy conservation and advancing a clean energy infrastructure and making a significant economic transition to renewable sources; and

Whereas, we need to expand local employment opportunities in our communities and for our young people in sustainable, safe long-term jobs and careers, and invest in industries that will create jobs for decades to come - in contrast to reliance on the "boom to bust" economic cycle associated with extraction of non-renewable resources; and

Whereas, expansion of renewable energy and energy efficiency presents the opportunity to create a significant number of jobs for New Yorkers and for New York State to lead the nation on a visionary energy policy that will protect our water, air, land and public health while developing climate solutions; and

Whereas, Governor Cuomo's Administration has already demonstrated significant leadership on innovative clean energy programs including the investment of \$1.5 billion in New York Sun, opening 360 electric vehicle charging stations that will be available for both public and county fleet vehicles, establishing the successful Regional Economic Development Councils, and creating the innovative Start-Up NY; and

Whereas, the Town of New Paltz will work with Governor Cuomo and New York State Agencies as is most effective to implement existing renewable energy and efficiency programs as well as to partner on economic development initiatives including the New York State Regional Economic Development Councils and the Start-Up NY as vehicles to catalyze investment and jobs programs;

Now Therefore Be it Resolved, that the Town of New Paltz urges Governor Cuomo and the New York State agencies which he leads to take swift action in developing and adopting an economic development plan that will significantly reduce the state's greenhouse gas emissions as well as rapidly create and deploy renewable energy and energy efficiency programs throughout municipalities in New York State;

And that the Town of New Paltz stands ready to work with the Governor to achieve these goals that will in the process create safe, sustainable jobs for New Yorkers and pioneer the path forward for the nation to solve the climate crisis and provide real, clean solutions for generations to come.

Seconded by Councilman Logan, all aye votes cast, motion carried.

**Appointments:**

A motion was made by Councilwoman Brown to make the following board/commission reappointments:

Jim Littlefoot to the EnCB for a 2-year term to expire 12/31/15.

Tom O'Dowd to CWOSP for a 5-year term to expire 12/31/15 -confirmed at 11/15/12 meeting.

Norman Turner to the EnCB for a 2-year term to expire 12/31/15.

John House Wilson to the EnCB for a 2-year term to expire 12/31/15.

Adele Ruger to the BAR for a 5-year term to expire 12/31/18.

Linda Donovan to the ZBA for a 5-year term to expire 12/31/18.

Lagusta Yearwood to the Planning Board for a 7-year term to expire 12/31/20.

Mary Woodburn to Ethics for a 5-year term to expire 12/31/18.

Michael Domitrovits to the EnCB for a 2-year term to expire 12/31/15.

Rhett Weires to the EnCB for a 2-year term to expire 12/31/15.

Elizabeth (Libby) Murphy to the EnCB for a 2-year term to expire 12/31/15.

Jim DeLaune to CWOSP for a 5-year term to expire 12/31/18.

Seth McKee to CWOSP for a 5-year term to expire 12/31/18.

Cara Lee to CWOSP for a 5-year term to expire 12/31/18.

Seconded by Councilman Logan, all aye votes cast, motion carried.

**January 23, 2014 Town Board Meeting:**

Supervisor Zimet indicated that she will invite the Village Board to the Town's 1/23/14 meeting.

**January 1, 2014 Holiday:**

A motion was made by Councilman Logan to designate 1/1/14 as a Town Holiday. Seconded by Councilwoman Brown, all aye votes cast, motion carried.

**Warrant:**

A motion was made by Councilwoman Brown to approve the December Warrant in the amount of \$460,178.87. Seconded by Councilman Logan, all aye votes cast, motion carried.

**Acceptance of Minutes:**

A motion was made by Councilwoman Brown to accept the minutes of ***November 6, 2013.***

Seconded by Councilman Logan, all aye votes cast, motion carried.

A motion was made by Councilwoman Brown to accept the minutes of ***November 15, 2013.***

Seconded by Councilman Logan, all aye votes cast, motion carried.

A motion was made by Councilman Logan to accept the minutes of ***November 18, 2013.***

Seconded by Councilwoman Brown, all aye votes cast, motion carried.

A motion was made by Councilwoman Brown to accept the minutes of ***November 21, 2013.***

Seconded by Councilman Logan, all aye votes cast, motion carried.

A motion was made by Councilwoman Brown to accept the minutes of ***December 5, 2013*** with the following correction, "**Dental & Health Insurance:** At 7:30 p.m. Councilman Barry left the meeting after a discussion by the Board." Seconded by Councilman Logan, all aye votes cast, motion carried.

At 10:54 p.m. a motion was made by Councilwoman Brown to go into Executive Session for the purposes of discussing the hiring of an individual at the Recycling Center. Seconded by Councilman Logan, all aye votes cast, motion carried.

At 11:05 p.m. a motion was made by Councilman Logan to come out of Executive Session. Seconded by Councilwoman Brown, all aye votes cast, motion carried.

A motion was made by Councilman Logan to hire Adrian Jacob at the Recycling Center, part-time at a rate of \$15.61/hr for a one-month trial, at which time he will be offered full-time. Seconded by Councilwoman Brown, all aye votes cast, motion carried.

At 11:10 p.m. a motion was made by Councilwoman Brown to adjourn the meeting. Seconded by Councilman Logan, all aye votes cast, motion carried.

Respectfully Submitted,

Rosanna Mazzaccari  
Town Clerk