

**Public Hearing-Gateway Moratorium Extension, 6:45 p.m.  
Joint Town & Village Board Meeting, 7 p.m.  
February 1, 2018**

**Present-Town:** Councilman Dan Torres, Councilwoman Julie Seyfert-Lillis, Councilman David Brownstein, Councilman Marty Irwin. **Absent:** Supervisor Neil Bettez.

At 6:45 p.m. the public hearing on the Moratorium Extension was opened.

At 6:47 p.m. Supervisor Bettez arrived.

**Public Comment:**

None

At 7 p.m. a motion was made by Supervisor Bettez to keep the public hearing open until March 1<sup>st</sup>. Seconded by Councilwoman Seyfert-Lillis, all aye votes cast, motion carried.

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**Joint Town & Village Board Meeting**

**Present:** Mayor Tim Rogers, Trustee Dennis Young, Trustee William Murray, Trustee KT Tobin.

**Absent:** Trustee Don Kerr

At 7:01 p.m. a motion was made by Supervisor Bettez to open the Joint meeting with the pledge. Seconded by Councilman Irwin, all aye votes cast, motion carried.

**Agenda:** +Letter of Support for Mountain View Nursing Home

A motion was made by Supervisor Bettez to amend the agenda. Seconded by Councilwoman Seyfert-Lillis, all aye votes cast, motion carried.

**Public Comment:**

Toni Hokanson, Recreation Committee, spoke about the Town's plans regarding Town parks. She also spoke in opposition of the Single Hauler Initiative.

Chris Marx, Town of New Paltz, indicated that the Town of New Paltz Highway Department will receive reimbursement in the amount of \$35,291.13 from FEMA for its response to snowstorm Stella on March 14, 2017. He thanked Highway Secretary Carol West and Highway Deputy William McGovern, along with the entire Highway crew for all the work that was done to secure these funds.

Leonard Loza, Village resident, also spoke in opposition of the Single Hauler Initiative because there hasn't been enough information provided to the community.

**Dr. Benjamin presentation:**

Dr. Benjamin gave some history on the County Legislature and spoke about Towns' expectations for County Legislature representation.

**Water exploration in Moriello Park:**

Russell Urban-Mead, Hydrogeologist from Chazen Engineering, briefly explained the approach taken to review possible water exploration at Moriello Park. He spoke about the advantages and possible challenges of drilling on this property.

**URGENT Contract Discussion:**

Ulster County Sheriff Paul Van Blarcum, Bill Weishaupt, Chief Investigator at the DA's Office and Boss of URGENT, and Town of New Paltz Police Chief Joe Snyder were present to address the Town Board's concerns regarding the terms of the URGENT contract.

**Village Appointment:**

A motion was made by Mayor Rogers to appoint Alana Sawchuk as the Planning & Zoning Board Secretary for 18.5 hours per week at \$18/hr. and Nicole Manko as Deputy Clerk for 12 hours per week at \$18/hr. Seconded by Trustee Young, all aye votes cast, motion carried.

**REDC Application to State Parks and next steps:**

Mayor Rogers indicated that the Town and Village were not awarded the CFA Grant that was applied for in 2017 but that the Boards should keep reapplying. Bonne Masseo of the Recreation Committee indicated that the Committee would like to be involved in the process.

**Single-Hauler Initiative:**

Trustee Young went over a series of frequently asked questions relative to the single garbage hauler proposal. The Boards discussed the environmental and financial advantages to the community as a whole.

**Affordable Housing Law:**

Supervisor Bettez indicated that he will attend the March meeting. Trustee Tobin indicated that one affordable housing placement was made at The Ridge complex.

**Joint Master Plan discussion:**

Tabled.

**Resolutions-Sales Tax:**

A motion was made by Supervisor Bettez and Mayor Rogers to adopt the following Sales Tax Resolution. Seconded by Councilman Irwin and Trustee Young, all aye votes cast, motion carried.

**RESOLUTION TO MEMORIALIZE THE VILLAGE OF NEW PALTZ AND TOWN OF NEW PALTZ'S ALLOCATION OF PROCEEDS FROM THE SALES TAX AGREEMENT BETWEEN THE COUNTY OF ULSTER AND CITY OF KINGSTON**

**WHEREAS**, As in 42 of the state's 58 counties outside of New York City, New York State (4%) and Ulster County (4%) sales tax rates combine to produce a total rate of eight percent (8%) rate in our county; and

**WHEREAS**, total sales tax revenue within Ulster County for 2018 is projected to be \$235,263,136, of which \$117,631,568<sup>1</sup> is projected to be the local government share; and

**WHEREAS**, \$2.7 billion<sup>2</sup> worth of taxable goods, services, motor fuel, clothing, and footwear was sold in Ulster County from March 1, 2016 through February 28, 2017 and New Paltz's contribution (sales in the 12561 zip code) was \$141 million<sup>3</sup>; and

**WHEREAS**, Ulster County and the City of Kingston have historically entered into sales tax revenue sharing agreements and have entered into their most recent five-year Sales Tax Agreement on June 13, 2016 (the "Agreement"); and

**WHEREAS**, pursuant to said Agreement, the 4% local share is split so that the City of Kingston receives eleven and one-half percent (11.5%), the twenty Ulster County towns and three villages share three percent (3%), the school districts receive no sales tax revenue, and the County retains the remaining eighty five and one-half percent (85.5%); and

**WHEREAS**, for the 12-month period through February 2017, \$218 million in sales tax revenues were generated in Ulster County including \$11.3 million in New Paltz, based on the 8% sales tax rate; and

**WHEREAS**, New Paltz's contribution of \$11.3 million would represent 5.2% of countywide sales tax revenues of \$218 million yet New Paltz would only receive approximately 0.1% or \$225,000 based on the Agreement; and

**WHEREAS**, according to the 2015 US Census County Business Patterns, New Paltz is home to an estimated eleven and three-tenths percent (11.3%) of the businesses in Ulster County; and

**WHEREAS**, among local governments, New York State law entitles counties and cities to sales tax revenues, with shares for other local governments and school districts determined at county discretion via Sales Tax Agreements or for specific counties, in some measure, by state law; and

**WHEREAS**, the distribution of these revenues via Sales Tax Agreements varies widely across the state. For example, in 2015, 18 of the 58 counties outside of New York City retained 50%, 11 counties retained 100%, and the lowest rate was 35%; and

**WHEREAS**, the Town of New Paltz – which includes the Village of New Paltz – represents approximately six and nine-tenths percent (6.9%) of equalized property values for the Ulster County towns and villages; and

**WHEREAS**, the Village of Saugerties and Village of Ellenville have elected to receive sales tax revenue directly so their respective town governments only receive the portion for property values outside their villages; and

**WHEREAS**, in comparison, New Paltz's share of funds from the Agreement have historically been distributed exclusively to the Town of New Paltz and used in its A-fund for Town and Village-wide expenses; and

**WHEREAS**, if the Village of New Paltz receives its share directly instead of via the Town – using recent property values and \$225,000 in proceeds – the Village would collect \$58,871 (26%) and the Town's share would be reduced to \$166,129 (74%); and

**WHEREAS**, the Village and Town of New Paltz wish to continue with the current arrangement, subject to future re-evaluation,

**NOW THEREFORE, IT IS HEREBY RESOLVED**, the Village of New Paltz and the Town of New Paltz agree to continue at this time to having funds from the Sales Tax Agreement paid directly to the Town of New Paltz, and it is further **RESOLVED**, that this resolution shall be effective up to and including December 31, 2018 and shall be re-evaluated prior to the 2019 calendar year to determine whether or not it is beneficial for the residents of the Town and Village of New Paltz to continue such arrangement, and it is further

**RESOLVED**, that in the event that no subsequent action is taken with respect to this Resolution, same shall continue until such time as an alternate tax revenue sharing policy is adopted.

**BE IT FURTHER RESOLVED**, that the Village Clerk is directed to send a copy of this resolution to the State Senator John Bonacic, State Assemblyman Kevin Cahill, County Executive Michael Hein, City of Kingston Mayor Steve Noble, Ulster County Legislative Chair Kenneth Ronk, Ulster County Legislators Hector Rodriguez and James Delaune, and Town of Ulster Supervisor James Quigley (President of the Ulster County Association of Town Supervisors and Mayors).

**NY Rising and fire stations:**

Mayor Rogers indicated that the Village Board has been discussing using the NY Rising funds to focus exclusively on the property at Henry W. Dubois and N. Putt Corners.

**Executive Session:**

At 10:30 p.m. a motion was made by Supervisor Bettez to go into Executive Session for the purposes of discussing personnel and to invite Chief Snyder to join the Board. Seconded by Councilman Irwin, all aye votes cast, motion carried.

At 11:20 p.m. a motion was made by Supervisor Bettez to come out of Executive Session. Seconded by Councilman Irwin, all aye votes cast, motion carried.

A motion was made by Supervisor Bettez to negotiate with the Chief on the Chief's contract and to authorize the Supervisor to sign the contract extending his contract 3 years to 12/31/2020. Seconded by Councilman Irwin, all aye votes cast, motion carried.

A motion was made by Supervisor Bettez to authorize the Supervisor to work with the Highway Union to write an MOA for a full-time HEO position. Seconded by Councilman Brownstein, all aye votes cast, motion carried.

**Consent Agenda:**

A motion was made by Supervisor Bettez to approve the following items on the consent agenda:

1. Town Board and Police Commission minutes of January 10, 2018 and January 18, 2018.
2. Town Historian Contracts
3. Youth Sports Recreation Agreements-Baseball, Basketball, BMX, Football, Soccer
4. Alter Enterprise contract for Justice Court backups
5. Conference attendance for Finance Department

Seconded by Councilwoman Seyfert-Lillis, all aye votes cast, motion carried.

**URGENT Contract:**

Tabled.

**Resolution- Cedar lane speed limit:**

A motion was made by Supervisor Bettez to adopt the following resolution:

**URGING** the Ulster County Public Works Department to establish a 30 mph speed limit on Cedar Lane, a road between Route 208 and Plains Road in the Town of New Paltz

**WHEREAS**, the New York State Department of Transportation (NYSDOT) has the authority to establish speed limits on state highways, county, and town roads, and

**WHEREAS**, Cedar Lane, a residential street between Route 208 and Plains Road is a popular route for bicyclists and other Rail Trail visitors, and

**WHEREAS**, the area speed limit on Plains Road is marked as 30 mph but Cedar Lane is unmarked,

**NOW THEREFORE BE IT RESOLVED**, that the Town Clerk is authorized to transmit this resolution to the County Commissioner of Public Works of the County of Ulster, asking the Department of Transportation to establish a maximum speed of 30 mph on Cedar Lane, a Town road pursuant to Section 1622.1 of the Vehicle and Traffic Law, and 2) complete a TE9a form with the NYSDOT.

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

**Resolution- E-Commerce Sales Tax:**

A motion was made by Supervisor Bettez to adopt the following resolution:

**RESOLUTION OF THE TOWN OF NEW PALTZ TOWN BOARD AND VILLAGE BOARD OF THE VILLAGE OF NEW PALTZ  
SUPPORTING NEW YORK STATE GOVERNOR ANDREW CUOMO'S BUDGET PROPOSAL REQUIRING INTERNET  
MARKETPLACE PROVIDERS TO COLLECT SALES TAX**

**WHEREAS**, Governor Cuomo has proposed requiring the collection of sales tax on items sold online and shipped into New York State by large marketplace companies, regardless of where the seller is based; and

**WHEREAS**, such an initiative aligns with current tax law and gives our local merchants a chance to compete fairly with out-of-state rivals; and

**WHEREAS**, such a measure would not only help protect our local businesses and property values, but could result in a material increase of sales tax revenue for Ulster County and area municipalities. Governor Cuomo's office anticipates his proposed change would boost tax revenues by \$89 million in 2018-19 and \$159 million annually in future years; and

**WHEREAS**, Sales Tax revenue is important to both Ulster County and communities throughout the County such as New Paltz; and

**WHEREAS**, New Paltz and NYS residents already pay state sales tax on transactions with NYS-based online vendors; and

**WHEREAS**, NYS residents do not currently pay sales tax for online transactions when the seller is from outside the state; and

**WHEREAS**, the existing internet sales tax policy -- advocated for by Internet Association, the private interest lobbying group formed by Amazon, eBay, Facebook, and Google -- creates an uneven playing field that benefits out-of-state sellers over those based in NY; and

**THEREFORE, BE IT RESOLVED**, that the Town of New Paltz Town Board and Village of New Paltz Village Board urges Albany lawmakers pass legislation requiring the collection of sales tax on items sold on the Internet to New Yorkers; and **BE IT FURTHER RESOLVED**, that the Town of New Paltz Town Board Village of New Paltz Village Board urges the Ulster County Legislature and County Executive Michael Hein to advocate for this change; and

**BE IT FURTHER RESOLVED**, that the Town Clerk is directed to send a copy of this resolution to the State Senator John Bonacic, State Assemblyman Kevin Cahill, County Executive Michael Hein, City of Kingston Mayor Steve Noble, Ulster County Legislative Chair Kenneth Ronk, Ulster County Legislators Hector Rodriguez and James Delaune, and Town of Ulster Supervisor James Quigley (President of the Ulster County Association of Town Supervisors and Mayors).

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

**Shared Services Contract-Town of Rosendale:**

A motion was made by Supervisor Bettez to approve and authorize the Supervisor to sign the Shared Services contract with the Town of Rosendale, after the Highway Superintendent has reviewed and approved it. Seconded by Councilwoman Seyfert-Lillis, all aye votes cast, motion carried.

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

A motion was made by Supervisor Bettez to authorize the Supervisor to sign the letter of support for a grant to improve the facility. Seconded by Councilman Irwin, all aye votes cast, motion carried.

**Resolution-Sojourner Truth Statue:**

A motion was made by Councilman Torres to adopt the following resolution:

**WHEREAS**, Governor Andrew Cuomo and Lieutenant Governor Kathy Hochul announced in November 2017 that, in honor of the 100th anniversary of women's suffrage in New York, the State of New York will dedicate and build a statue commemorating Sojourner Truth, and

**WHEREAS**, the statue of Truth will be sited on the Empire State Trail, which runs through the Town of New Paltz and

**WHEREAS**, Truth detailed in the "Narrative of Sojourner Truth" that she resided in the Town of New Paltz from 1810 to 1828, and

**WHEREAS**, Truth was born into slavery circa 1797, sold three times, and ultimately escaped to freedom in 1826, and

**WHEREAS**, in Ulster County Court in 1828, Truth successfully won back her son who was illegally sold into slavery, becoming the first black woman to win such a case against a white man, and

**WHEREAS**, in 1851, at the Ohio Women's Rights Convention in Akron, Ohio, Truth delivered her most famous speech titled "Ain't I A Woman?" which advocated for equal rights for all women, and

**WHEREAS**, Truth lectured around the nation about women's rights, voting rights, prison reform, and against capital punishment until her death in 1883,

**NOW, THEREFORE, BE IT RESOLVED**, that the New Paltz Town Board believes that Truth's lifelong commitment to social justice, empowering underrepresented groups, and willingness to speak truth to power fits in with the long-held ideals of the New Paltz community, and

**BE IT FURTHER RESOLVED**, that the New Paltz Town Board formally requests that the Sojourner Truth statue be placed on the Empire State Trail within the Town of New Paltz and that a copy of this resolution be sent to the offices of Governor Andrew Cuomo, Lieutenant Governor Kathy Hochul, Senator John Bonacic, Assemblymember Kevin Cahill and Empire State Trail Director Andy Beers.

Seconded by Councilwoman Seyfert-Lillis, all aye votes cast, motion carried.

At 11:30 p.m. a motion was made by Supervisor Bettez to adjourn the meeting. Seconded by Councilman Torres, all aye votes cast, motion carried.

Respectfully Submitted,

Rosanna Mazzaccari  
Town Clerk