

**Cont. PH-Rte. 299 Gateway District Rezoning, 6:45 p.m.
Joint Town & Village Meeting, 7 p.m.
Town Board Meeting
June 7, 2018**

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

At 6:49 p.m. a motion was made by Supervisor Bettez to open the public hearing. Seconded by Councilman Irwin, all aye votes cast, motion carried.

Public Input:

Charles Martabano, Attorney for the Ferris Woods Project, expressed concerns and objections to the proposed rezoning of the Gateway District as it affects his client's project. He asked that his letter to the Town Board and the memo from Morris Associates be entered into the record.

A motion was made by Supervisor Bettez to continue the public hearing on June 21st at 7 p.m. Seconded by Councilwoman Seyfert-Lillis, all aye votes cast, motion carried.

Joint Town & Village Board Meeting

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

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

Absent: Trustee Don Kerr.

At 7:08 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.

At 7:08 p.m. a motion was made by Mayor Rogers to open the joint meeting with the pledge. Seconded by Trustee Murray, all aye votes cast, motion carried.

Agenda: +Resolution to approve claims for Village Board, +Appointment to Village ZBA, +2015 Town/Village IMA for Mill Brook Preserve.

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

Public Comment: None

At 7:20 p.m. Councilman Torres left the meeting.

Workshop:

The Town Board, Village Board and Town Planning Board worked in small groups to review the alternate concept plan submitted by Trans-Hudson Management Corp. The groups offered further changes and revisions that will be brought back to the developer based on the proposed Gateway District Rezoning Amendments.

At 7:28 p.m. Trustee Don Kerr arrived.

At 8:09 p.m. Councilman Torres returned to the meeting.

Minutes:

A motion was made by Supervisor Bettez to approve the *Joint minutes of May 9, 2018*. Seconded by Councilman Irwin, all aye votes cast, motion carried.

Village Board- Budget Modification and Amendments:

A motion was made by Mayor Rogers to authorize and approve the 2017/2018 budget modifications and amendments as outlined in the memo dated June 7, 2018. Seconded by Trustee Tobin, all aye votes cast, motion carried.

Village Board- Resolution to approve claims

A motion was made by Mayor Rogers to adopt the Resolution of the Village Board of the Village of New Paltz Authorizing the Auditing and Payment of Claims. Seconded by Trustee Murray, all aye votes cast, motion carried.

Appointment to Village ZBA:

A motion was made by Mayor Rogers to appoint John Litton to the Village Zoning Board and as Chair. Seconded by Trustee Murray, all aye votes cast, motion carried.

DEC Urban Forestry Grant Round 14:

A motion was made by Supervisor Bettez to authorize the Supervisor to sign the application to jointly apply for the DEC Urban Forestry Grant Round 14. Seconded by Councilman Irwin, all aye votes cast, motion carried.

A motion was made by Mayor Rogers to authorize the Mayor to sign the application to jointly apply for the DEC Urban Forestry Grant Round 14. Seconded by Trustee Murray, all aye votes cast, motion carried.

Lead Agency Designation:

A motion was made by Supervisor Bettez and Trustee Kerr that the Town and Village Boards hereby consent to The Governor's Office of Storm Recovery serving as lead agency for the New Paltz Emergency Operations Center for the East of the Wallkill River Project. Seconded by Councilwoman Seyfert-Lillis and Mayor Rogers, all aye votes cast, motion carried.

Resolution- Pace Land Use Leadership Alliance Training:

A motion was made by Supervisor Bettez and Trustee Tobin and seconded by Councilman Brownstein and Trustee Kerr to adopt the following resolution. All aye votes cast, motion carried.

TOWN AND VILLAGE OF NEW PALTZ RESOLUTION IN SUPPORT OF PACE LAND USE LEADERSHIP ALLIANCE TRAINING

WHEREAS, comprehensive planning, land use regulation, and the review and approval of land development proposals are among the most important functions of local governments in the State of New York;

WHEREAS, members of local administrative boards such as the planning board, zoning board of appeals, and conservation/environmental advisory boards consider and dispose of many important applications for permits, variances, and interpretations of local land use regulations;

WHEREAS, local legislative bodies are authorized to use their delegated authority under state law to adopt a wide variety of land use regulations, controls, and incentives to provide for the balanced and harmonious development of the community;

WHEREAS, land owners, developers, and leaders of local civic organizations are regularly involved in testifying regarding matters pending before these legislative and administrative bodies;

WHEREAS, knowledge of the authority of local governments regarding land use control and responsible decision-making regarding these matters is important to the quality of life and future success of the communities; and

WHEREAS, the Land Use Law Center of Pace University School of Law has established an exemplary program of training and supporting local officials, private sector representatives, and civic leaders in land use decision-making;

NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATIVE BODY OF TOWN AND VILLAGE OF NEW PALTZ

THAT it supports the continuation and expansion of the Land Use Leadership Alliance Training Program of the Land Use Law Center,

THAT it offers its official sponsorship of the training sessions conducted under the Center's programs, and

THAT it encourages other cities, towns, and villages in the Hudson Valley Region to offer their support and sponsorship of these land use training programs and to nominate local leaders for participation in these programs.

Resolution-Marijuana Legislation:

A motion was made by Councilman Brownstein and Trustee Kerr and seconded by Councilman Irwin and Trustee Young to adopt the following resolution. All aye votes cast, motion carried.

A RESOLUTION OF THE TOWN AND VILLAGE BOARDS OF NEW PALTZ, NEW YORK SUPPORTING THE STATE AND FEDERAL LEGALIZATION OF RECREATIONAL MARIJUANA

WHEREAS, legalizing marijuana is a social justice issue; and

WHEREAS millions of peaceful Americans have been arrested, imprisoned, fined, or otherwise needlessly criminalized and stigmatized, potentially for life, because of their use of marijuana; and

WHEREAS according to the ACLU, marijuana arrests account for over half of all drug arrests in the United States, and the great majority of these arrests are for simple possession and despite roughly equal usage rates, Blacks are nearly four times more likely than whites to be arrested for marijuana, exacting a substantial toll on communities of color; and

WHEREAS Eight states and the District of Columbia have already legalized recreational marijuana and now regulate and tax marijuana like alcohol, and more states are likely to follow; and

WHEREAS Governor Cuomo has commissioned a New York State Department of Health study that will be soon realized and it is expected that this report will support the argument and provide a pathway towards legalizing recreational marijuana in our state; and

WHEREAS Americans' support of recreational marijuana legalization is at a record high, including New Yorkers who want marijuana legalized, as demonstrated by the April 2018 Siena Institute survey which found that a majority of registered voters support the legalization of marijuana including 68% of those age 18 to 34; and

WHEREAS marijuana is not a gateway drug, as documented in the SUNY New Paltz Benjamin Center paper *The Marijuana Gateway Fallacy*; and

WHEREAS time spent by police making marijuana arrests and in our courts processing these arrests is time not spent solving and addressing more serious crimes; and

WHEREAS marijuana criminalization draws away time and resources from law enforcement and substance abuse interventions that would be better spent elsewhere, in particular on the heroin and opioid epidemic; and

WHEREAS researchers have found a link between marijuana legalization and decreased opioid use; and

WHEREAS marijuana tax revenues have exceeded projections in states that have already legalized recreational marijuana and it is estimated that a legal marijuana industry would generate an estimated minimum of \$132 billion in tax revenue and more than a million new jobs across the United States in the next decade; and

WHEREAS marijuana for use by adults should never have been criminalized and we should act now to correct this wrong and all the many wrongs which have followed from it; and

NOW, THEREFORE, BE IT RESOLVED that we the Town and Village Boards of New Paltz support the legalization of marijuana which would include allowing adults 21 years of age and older to be able to engage in the personal use of marijuana, the regulation of commercial marijuana-related activities, and taxation on the sale of marijuana; and

BE IT FURTHER RESOLVED that the Town and Village Boards of New Paltz support and endorse the "Marijuana Regulation and Taxation Act," the New York State legislation sponsored by Assemblywoman Peoples-Stokes (A03506B) and State Senator Krueger (S03040B), as well as United State Senator Booker's Marijuana Justice Act, which our Senator Gillibrand has already endorsed, both of which, if enacted, would alleviate many of the problems described above; and

BE IT FURTHER RESOLVED, that the Town Clerk is directed to send a copy of this resolution to U.S. Senator Kirsten Gillibrand, U.S. Senator Charles Schumer, Congressman John Faso, Governor Andrew Cuomo, 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 Legislator Hector Rodriguez, and Ulster County Legislator James Delaune, Ulster County Sheriff Paul VanBlarcum, Ulster County District Attorney D. Holley Carnright.

Waste Hauling-Royal Carting's counsel letter:

Trustee Young indicated that the Village Attorney Will Frank has prepared a response to Royal Carting's letter regarding the Waste Hauler Franchise bid.

Natural Resource Inventory Grant Letters of Support:

A motion was made by Supervisor Bettez to authorize the Supervisor to sign and submit a letter of support for the NRI Grant. Seconded by Councilman Torres, all aye votes cast, motion carried.

A motion was made by Trustee Kerr to commit to collaborating with the Town in planning for the conservation of natural resources grant and in support of the grant commit to \$1,800 of matching goods and services. Seconded by Trustee Young, all aye votes cast, motion carried.

TAP Application:

A motion was made by Supervisor Bettez and Trustee Young, seconded by Councilwoman Seyfert-Lillis and Mayor Rogers to adopt the following resolution. All aye votes cast, motion carried.

Grant Application for the Transportation Alternatives Program (TAP) and the Congestion Mitigation and Air Quality Improvement Program (CMAQ)

WHEREAS, the State of New York has announced of \$100 million in funding through the Transportation Alternatives Program (TAP) and the Congestion Mitigation and Air Quality Improvement Program (CMAQ) and,

WHEREAS, the goal of these programs is to support innovative, transformative transportation improvements for communities, including bicycle, pedestrian, multi-use paths, and/or projects that will help meet the requirements of the Clean Air Act by reducing congestion and vehicle emissions, and

WHEREAS, the Town and Village desire to make improvements to Henry W Dubois Drive to accommodate safe multi-modal travel, within dedicated bicycle/pedestrian ways to meet the Town and Village's vision of increasing uptake and safety of alternative transportation options for residents, and to leverage benefits from its inclusion as part of the planned Empire State Trail and,

WHEREAS, the desired improvements would involve the widening of sections of Henry W. Dubois between North Putt Corners and Route 32 for the creation of a multi-use path along the entire length of this street for increased bicycle and pedestrian safety,

NOW, THEREFORE, BE IT RESOLVED that the Town and Village of New Paltz adopt a Resolution to authorize the Town of New Paltz to take the lead on this TAP/CMAQ grant application and to authorize the Supervisor as signatory on any associated documents.

Councilwoman Seyfert-Lillis left the room.

2015 IMA between Town and Village re: Mill Brook Preserve:

A motion was made by Mayor Rogers to annul the July 2015 IMA between the Town and Village regarding the Mill Brook Preserve. Seconded by Trustee Murray, all aye votes cast, motion carried.

A motion was made by Supervisor Bettez to annul the July 2015 IMA between the Town and Village for Mill Brook Preserve. Seconded by Councilman Brownstein. Following a discussion the following votes were taken: Supervisor Bettez, Councilman Torres and Councilman Brownstein voted aye. Councilman Irwin voted no. Motion carried.

At 8:48 p.m. Supervisor Bettez adjourned the joint meeting. Councilwoman Seyfert-Lillis returned to the table. Councilman Torres left the meeting.

Town Board Meeting

Discussion- Matt Eyler re: Municipal Offices:

Mr. Eyler provided the Town Board with an update on his progress investigating the possible purchase of 83 S. Putt Corners Road by the Town Board. He requested permission to release the appraisal done on the building to the owners of the property for review. He will report back to the Board with further updates.

A motion was made by Supervisor Bettez to allow Mr. Eyler to release the appraisal in full to the owners of the property for review. Seconded by Councilman Irwin, all aye votes cast, motion carried.

Discussion-Proposed Resort Overlay District:

Jane Samuelson, PE, of Engineering & Surveying Properties, PC and Scott Butler of Rocking Horse Ranch briefly discussed the next steps in the process of adoption and how it relates to the proposed zoning amendments.

Birches Subdivision:

A motion was made by Supervisor Bettez for the Town Board to accept the recommendation of the Planning Board to grant a restrictive covenant in lieu of a conservation easement for the Birches Subdivision to accomplish the purposes of section 121-25 pursuant to Section 247 of the General Municipal Law. Seconded by Councilman Irwin, all aye votes cast, motion carried.

Proposed Code Changes- Ch. 31 “Planning Board”:

A motion was made by Supervisor Bettez to set the public hearing on the proposed code changes for June 21st at 7:15 p.m. at the courthouse. Seconded by Councilwoman Seyfert-Lillis, all aye votes cast, motion carried.

Approval of MS4:

The Town Board has not received any comments on the draft report. Rebecca Minus from Barton & Loguidice indicated that there has been a lot of progress since 2013 but there is still work that needs to be done.

Parkland Purchase Request:

A motion was made by Supervisor Bettez to authorize spending up to \$10,000 in Parkland Funds to allow the Highway Department to rent equipment to work on the Soccer Field Project at the Field of Dreams. Seconded by Councilwoman Seyfert-Lillis, all aye votes cast, motion carried.

Consent Agenda:

A motion was made by Supervisor Bettez and seconded by Councilman Irwin to approve and/or authorize the following items as part of the consent agenda. All aye votes cast, motion carried.

1. Pool concession contract
2. Lieutenant contract
3. Acceptance of Minutes: Police Commission 5/17/18, Town Board, 5/17/18, Special Meeting 5/30/18
4. Request for Municipal Endorsement for NYS Grant Application: Mohonk Preserve, Replacing the Lenape Lane Bridge

WHEREAS, the Mohonk Preserve, Inc. is applying to the New York State Office of Parks, Recreation and Historic Preservation (OPRHP) for a grant under the Environmental Protection Fund to be located at the Lenape Lane Bridge over Buttersville Road, a site located within the territorial jurisdiction of this Town Board of New Paltz; and

WHEREAS, as a requirement under the rules of these programs, said not-for profit corporation must obtain the "approval/endorsement of the governing body of the municipality in which the project will be located";

NOW, THEREFORE, BE IT RESOLVED that the Town of New Paltz adopt a Resolution to approve and endorse the application of Mohonk Preserve, Inc. for a grant under the Environmental Protection Fund known as the Lenape Lane Bridge and located within this community.
5. Escrow Release-Gasland Holdings, in the amount of \$978.80
6. Prepay-NPPD vehicle, in the amount of \$12,710.58
7. Request for Planning Board Chair for a townofnewpaltz.org email

Consultant Services appropriation/budget modification:

A motion was made by Supervisor Bettez to charge \$3,100 for Consulting Services to the Residential Capital Building Renovations Fund. Seconded by Councilman Irwin, all aye votes cast, motion carried.

Additional Reserve Fund Appropriation:

A motion was made by Supervisor Bettez to approve the following modification to the 2018 budget:

Decrease: DB915	Assigned Unappropriated Fund Balance	\$20,792
Increase: DB889	Reserve- Equipment	\$20,792

Reason: To account for funds received from insurance company

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

At 9:28 p.m. a motion was made by Supervisor Bettez to adjourn the meeting. Seconded by Councilman Irwin, all aye votes cast, motion carried.

Respectfully Submitted,

Rosanna Mazzaccari
Town Clerk