



VILLAGE & TOWN OF NEW PALTZ
Regular Joint Meeting of Wednesday, July 11th, 2018
Village Hall -- 19:00
MINUTES

Present: Mayor Rogers, Deputy Mayor Tobin, Trustee Kerr, Trustee Young, Trustee Wheeler Murray; Supervisor Bettez, Deputy Supervisor Torres, Councilperson Irwin, Councilperson Brownstein

Also Present: Ariana Basco, Assistant to the Mayor;

Absent: Councilperson Seyfert-Lillis

Call to Order: Mayor Rogers called the Wednesday, July 11th, 2018 regular joint meeting of the Village of Board of Trustees and Town Council to order at 19:00.

Pledge of Allegiance

Administrative Business

1. Approval of Agenda

- a. The following items were added to the Joint Business Agenda:
 - i. Street Lighting Resolution: (NYPA LED street lighting project)
 - ii. SOS Kids Parade Permit
- b. The following items were added to the Village Business Agenda:
 - i. Rail Trail Signs
 - ii. Appoint Holly Esposito to the Custodial Position
- c. The following items were removed from the Joint Business Agenda:
 - i. Discussion about the assessment process and options:
 1. w Tricia, Nancy, and T/V boards

Mayor Rogers motioned to approve the agenda as amended; Trustee Wheeler Murray seconded; all in favor **(Passed 5-0)**

Supervisor Bettez motioned to approve the agenda as amended; Councilperson Torres seconded; all in favor **(Passed 4-0)**

2. Announcements

- a. Trustee Young made an announcement regarding Waste Hauling
 - i. The grace period for non-contracted haulers ended on June 30th
- b. Trustee Kerr made an announcement sending warm wishes to Butch Denner. He noted that Public Access will be playing the last two bands from Flood Aid in his honor.

Public Hearings

1. Amend Chapter 198 - Sunday Parking Meters - Hearing held open from 6-27-18

Public Comment --

1. Mark Sherman, Town of New Paltz - He takes no stance on Sunday metered parking, but requests that we improve the parking machine at the Plattekill Ave parking lot.
2. Joshua Stewart, Pastor at the Goodwill Church in New Paltz - There are two services on Sunday with a collective 300 people in attendance. He gave alternate options to Sunday metered parking that is outlined in a letter he submitted.

Mayor Rogers motioned to close the public hearing on Amending Chapter 198 of the Village Code to include Sunday in Metered Parking. Deputy Mayor Tobin seconded. All in favor. **(Passed 5-0)**

2. Law to reduce the exemption to 0% for Real Property Tax Law §485-b

Mayor Rogers motioned to open the public hearing on the local law to reduce the exemption to 0% for Real Property Tax Law §485-b. Trustee Young seconded. All in favor. **(Passed 5-0)**

Mayor Rogers motioned to close the public hearing on the local law to reduce the exemption to 0% for Real Property Tax Law §485-b. Trustee Wheeler Murray seconded. All in favor. **(Passed 5-0)**

3. Chapter 63 of the Village Code regarding False Alarms

Mayor Rogers motioned to open the public hearing on Amending Chapter 63 of the Village Code regarding False Alarms. Trustee Wheeler Murray seconded. All in favor. **(Passed 5-0)**

Mayor Rogers motioned to close the public hearing on Amending Chapter 63 of the Village Code regarding False Alarms. Trustee Wheeler Murray seconded. All in favor. **(Passed 5-0)**

4. Amending Section 198-23 fines to be paid for expired parking meters

Mayor Rogers motioned to open the public hearing on Amending Section 198-23 of the Village Code regarding fines to be paid for expired parking meters. Trustee Young seconded. All in favor. **(Passed 5-0)**

Mayor Rogers motioned to close the public hearing on Amending Section 198-23 of the Village Code regarding fines to be paid for expired parking meters. Deputy Mayor Tobin seconded. All in favor. **(Passed 5-0)**

Public Comment

1. Patty Kane Horrigan - Request that the Village and Town invest in composting toilets for our parks as opposed to porta potties
2. Celeste Tesoriero, New Paltz resident - Here to discuss arrest statistics in New Paltz. She spoke with NORML Attorney, David Holland and District Attorney, Holly Carnwright. She spoke about the statistics of marijuana arrests in the region and highlighted that marijuana arrests are actually quite low and the New Paltz Police Department has higher priorities than UPM arrests.
3. Kevin Kelley, New Paltz resident - He believes that 200+ people is a significant number of arrests for marijuana, alcohol and noise, but that if it were only 1 person, it would still be worth looking into. He stated that he would like the boards to find a way to get New Paltz out ahead of the country on this issue, especially since the boards have already agreed that they don't believe it should be illegal.

Joint Business Agenda

1. Discussion regarding Public Access TV

- a. Trustee Kerr gave an overview: We have a joint Town/Village Public Access Committee. He noted that the Town has a camera crew that manages their recording and live streaming and the Village has a security camera that is hooked up to a system for recording and live streaming. Supervisor Bettez spoke about moving the jointly owned Nexus to the Village Hall A/V closet in the Large Conference Room. Mayor Rogers publicly thanked the volunteers who cleaned up and made improvements to the A/V closet at Village Hall.

Councilperson Brownstein motioned to move the Nexus to Village Hall. Councilperson Irwin seconded. All in favor. **(Passed 4-0)**

Trustee Kerr motioned to move the Nexus to Village Hall. Trustee Young seconded. All in favor. **(Passed 5-0)**

2. Marijuana policing

- a. Deputy Mayor Tobin gave an overview. New Paltz Chief of Police, Joe Snyder and NORML Attorney, David Holland joined the boards at the table.
 - i. **UPM** - Unlawful Possession of Marijuana; possession of up to 25 grams..
 - ii. **ACD** - Adjournment in Contemplation of Dismissal; if the person does not get in trouble for another 6 months, then the case is dismissed.
- b. Chief Snyder:
 - i. Chief Snyder told us that there were 35 total UPM arrests in 2016 (23 white, 4 black, 8 hispanic). He also stated that it is difficult to separate people who were only arrested for marijuana as opposed to having additional charges as well without opening every single UPM arrest. These numbers are not inclusive of any cases that are sealed because they received an ACD in court. Sealed cases cannot be unsealed without a court order.
 - ii. Chief Snyder posed the question - what happens if we are known as a community that does not make arrests for possession of marijuana? Where do the drugs come

- from? Essentially, someone is breaking a law somewhere up the line if they are in possession of marijuana.
- iii. Chief Snyder stated that this lobby should be addressing law makers that are higher up than the Town and Village boards, such as in Albany.
 - iv. Chief Snyder stated that the NPPD does not charge criminal possession of marijuana unless there is a large quantity. He believes there is an ethical issue with the Town or Village boards requesting that the police not enforce a law that is on the books.
- c. David Holland:
- i. The Town Village Joint Resolution on marijuana is very important.
 - ii. Clarification on the escalation of UPM summons - fines are often imposed with appearance tickets; Over 25 grams is a misdemeanor.
 - iii. District Attorneys in two boroughs in New York City have stated that they will not prosecute any marijuana cases. The DA's office is responsible for guiding the police departments in addressing concerns about marijuana and the enforcement of the penal law.
 - iv. Students who are convicted of possession of marijuana will lose their federally funded financial aid for school. Low income housing, Section 8, residents who are convicted of possession of marijuana will lose their housing arrangement. The consequences of being convicted with possession of marijuana are much greater than many other convictions, such as speeding, which is allowed for with 11 points on ones license prior to license revocation.
 - v. David Holland asked how much time is spent on each marijuana arrest - from the interaction between the officer and the arrestee to the paperwork, to the time in court and so on - how much person power and municipal funding is spent? All for a case that we all know from the beginning is going to be dismissed and not generating any revenue.
 - vi. Question about an ordinance that changes the UPM infraction to a quality of life infraction - what does that do? - This would allow us to collect the money locally as opposed to any fines for UPMs going to the state since this is a state law. Have other municipalities in New York State passed ordinances like this?
- d. The Village and Town boards are in favor of a solution that does not expend any municipal funds and does not require additional staff time.
- e. Joey Drillings, Ulster County DA's Office, New Paltz resident
- i. An officer cannot legally write a ticket for something that didn't happen - you can't catch someone smoking marijuana and write a ticket for loitering
 - ii. They first ask questions like Are you a student? Are you on food stamps? Are you a veteran? - the DA's office does not want students to lose their financial aid or people in poverty to lose their housing or food stamps. They deal with cases on an individual basis.
 - iii. The change generally would take place at the NYS level, but municipalities do have local parking violations that moving violations are often reduced to by local judges and the revenue is kept locally.
- f. Conclusion: Trustee Kerr volunteered to be the point person on this and work with Attorney David Holland to come up with a proposal to discuss at the next Joint Board Meeting.

3. State Parks has determined that the drilling of Test Wells can proceed as a "Temporary Non-Conforming Use" in the Land and Water Conservation Fund (LWCF) protected Moriello Park

Mayor Rogers motioned to proceed with hiring Jim Wild to drill test wells according to the letter received from Parks, Recreation, and Historic Preservation on July 5th, 2018. Trustee Young seconded. All in favor. **(Passed 5-0)**

Supervisor Bettez motioned to authorize the Village to proceed according to the letter received from Parks, Recreation, and Historic Preservation on July 5th, 2018. Councilperson Irwin seconded. All in favor. **(Passed 4-0)**

4. Resolution #41 of 2018: Joint Resolution regarding NYSDEC Air Emissions Regulations

Mayor Rogers motioned to pass a Joint Resolution regarding NYSDEC Air Emissions Regulations.

Deputy Mayor Tobin seconded. All in favor. **(Passed 5-0)**

Supervisor Bettez motioned to pass a Joint Resolution Regarding NYSDEC Air Emissions Regulations.

Councilperson Brownstein seconded. All in favor. **(Passed 4-0)**

5. Street Lighting Resolution: (New York Power Authority LED street lighting project)

a. Resolution Authorizing the Supervisor to Sign Street Lighting Contracts

b. Resolution #42 of 2018 Authorizing the Mayor to Sign Street Lighting Contracts

Mayor Rogers motioned to pass a Resolution Authorizing the Mayor to Sign Street Lighting Contracts for LED Street Lighting within the Village of New Paltz. Trustee Kerr seconded. All in favor. **(Passed 5-0)**

Councilperson Irwin motioned to pass a Resolution Authorizing the Supervisor to Sign Street Lighting Contracts for LED Street Lighting within the Town of New Paltz. Councilperson Brownstein seconded.

All in favor. **(Passed 4-0)**

6. SOS Kids Parade Permit

Mayor Rogers motioned to approve the parade permit for SOS Kids. Trustee Wheeler Murray seconded.

All in favor. **(Passed 5-0)**

Deputy Supervisor Torres motioned to approve the parade permit for SOS Kids. Supervisor Bettez

seconded. All in favor. **(Passed 4-0)**

Adjournment

Supervisor Bettez motioned to adjourn the Town portion of the regular Wednesday, July 11th, 2018 Joint meeting at 21:22; Councilperson Irwin seconded. All in favor. **(Passed 4-0)**

Village Consent Agenda

1. 2018-06-27 Draft VB Meeting Minutes

2. Approval of St Joseph's Street closure request

Mayor Rogers motioned to approve the consent agenda. Trustee Kerr seconded. All in favor. **(Passed 5-0)**

Village Business Agenda

1. Amend Chapter 198 - Sunday Parking Meters

a. Discussions on this will continue and there will likely be changes that will lead to a new public hearing.

2. Law to reduce the exemption to 0% for Real Property Tax Law §485-b

Mayor Rogers motioned to approve the local law to reduce the exemption to 0% for Real Property Tax Law §485-b. Trustee Young seconded. 4 Ayes, 1 Nay. **(Passed 4-0)**

3. Chapter 63 of the Village Code regarding False Alarms

Trustee Wheeler Murray motioned to amend Chapter 63 of the Village Code regarding False Alarms.

Deputy Mayor Tobin seconded. All in favor. **(Passed 5-0)**

4. Local Law Amending Section 198-23 fines to be paid for expired parking meters

Mayor Rogers motioned to amend Section 198-23 fines to be paid for expired parking meters. Deputy

Mayor Tobin seconded. 4 Ayes, 1 Nay. **(Passed 4-0)**

5. 51 Main Street - request from property owner for right of way request

a. The Village Board is on record stating that they want the building to be completed. They would like all options to be explored - provide in writing the cost of a natural gas connection, talk to neighbors about sharing the costs, look into the building being all electric.

b. The Planning Board did not have an easement in writing from the neighboring property, which they need to have from developers moving forward as opposed to approving projects based on a verbal agreement.

6. NBR rezoning

- a.** Mayor Rogers rewrote the section on parking requirements.
- b.** The section on Design Standards still needs work - Mayor Rogers will take this on and work with Attorney Will Frank on it.

7. Bids for the W. Center St stormwater project

Mayor Rogers motioned to authorize Brinnier and Larios, P.C. to advertise for public bid Contract VNP-183 West Center Street Drainage Phase 1.. Trustee Young seconded. All in favor. **(Passed 5-0)**

8. To appoint Holly Esposito to the Custodial position at a rate of \$15.00ph, 10 hrs. per week, this position will report directly to the DPW Superintendent.

Trustee Kerr motioned to appoint Holly Esposito to the Custodial position at a rate of \$15.00 per hour, 10 hours per week, this position will report directly to the DPW Superintendent. Trustee Young seconded. All in favor. **(Passed 5-0)**

9. Rail Trail Signs

Trustee Kerr motioned to approve the installation of the proposed Rail Trail Signs. Trustee Young seconded. All in favor. **(Passed 5-0)**

10. Resolution #43 of 2018: Bills & Claims

Mayor Rogers motioned to approve Bills & Claims. Trustee Wheeler Murray seconded. All in favor. **(Passed 5-0)**

Adjournment

Trustee Kerr motioned to adjourn the July 11th, 2018 Joint Meeting of the Village Board of Trustees at 22:10. Trustee Young seconded. All in favor. **(Passed 5-0)**