

## **Agenda**

Joint Meeting: New Paltz Village Board and New Paltz Town Board  
7:30pm, 12/01/15, Village Hall

### **Pledge of Allegiance**

### **Administrative Business**

- **Approval of the Agenda**
- **Announcements**
- **Public Comment**

### **Joint Business Agenda**

1. **Joint Town/ Village letter commending Dr. Douglas McBride for his volunteer service on behalf of our community, particularly, as he helped with the formation of the Mill Brook Preserve**
2. **Municipal Center**
  - a. **Executive Committee recommendations to Town & Village Boards**
  - b. **Review of proposed floor plan and site plan from Architect Joe Hurwitz**
  - c. **Review of draft – Local Development Corp: by-laws and certificate of incorporation and resolutions**
  - d. **Review of draft – Inter-Municipal Agreement (IMA)**
3. **Presentation- by the Town Historian, Susan Stessin-Cohn: “Poverty in Early New Paltz” – a history of poverty and social welfare in New Paltz during the early 1800’s.**
4. **Resolution – Joint Master Plan**

### **Village Consent Agenda**

5. **Approval - of a memo from Bleu Terwilliger, Superintendent of the Department of Public Works, regarding sanitary sewer connection quotes**

### **Village Business Agenda**

6. **Two DRAFT Resolutions - Allow for 10 Permitted Parking Spaces behind 15 Plattekill Avenue at the cost of \$10.00 per month and a raise in the cost of the municipal lot behind Village Hall to \$12.00 per month**
7. **Discussion - for Elizabeth Harschow to help with work in the in the Building Department to aid the Building Inspectors as well as the Planning and Zoning Board Secretary**
8. **Discussion - Joint letter from Ulster County Association of Town Supervisors & Mayors Pilgrim asking that the DEC be lead agency instead of the NY Thruway Authority in the Pilgrim Pipeline SEQRA**

### **Executive Session**

*Joint statement by the Boards of the Village of New Paltz and the Town of New Paltz commending Dr. Douglas McBride for his volunteer service on behalf of our community:*

The Town and Village of New Paltz Boards would like to commend Dr. Douglas McBride for his volunteer service on behalf of our community as a member of the Clean Water and Open Space Preservation Commission (CWOSP).

Dr. McBride has been a tireless advocate who generously devoted his time and efforts to protecting New Paltz' cherished open spaces. His personal commitment has inspired countless others in ensuring that our community is a wonderful place to live, work, and play.

Dr. McBride's commitment to open space can best be summed up by his reflection on one of the many important projects he spearheaded – development and construction of the viewing platform at Woodland Pond. He explained “I really enjoy spending time outdoors, and feel it is important to explore the world around us. I like to go down by the pond and observe the wildlife, insects, birds, butterflies, dragonflies, migrating water fowl and beavers that call the pond home. I initiated the project, as I wanted to share my experiences with others so they too could enjoy what I have come to love.” The platform overlooks an area, known as Mill Brook Preserve, which will now be forever protected, thanks to the efforts of Dr. McBride and others.

Dr. McBride's commitment to improve our community goes far beyond his time with CWOSP. Dr. McBride has also been a generous supporter of the New Paltz Community Foundation, the Wallkill Valley Land Trust, and the Woodland Pond Foundation Committee. Dr. McBride also served as president of the Orange County Land Trust.

*“Doug has spent his life caring for the environment, and for all creatures large and small. Doug is an integral member of the CWOSP Team creating the Mill Brook Preserve, and has been a leader in conserving Open Space both here in New Paltz and in Orange County.” Town Council Person Marty Irwin, Friend and Past Chair of CWOSP*

The Village and Town Boards would like to express their deepest gratitude to Dr. McBride for his energetic and selfless service.

**Municipal Building Executive Committee  
November 21st, Village Hall 12:45 p.m.**

**Present:** Mayor Tim Rogers, Trustee Don Kerr, Councilman Marty Irwin, Councilman Daniel Torres, Supervisor-elect Neil Bettez, Randolph Horner

Meeting called to order by Councilman Torres at 12:47 p.m.

**Randolph Horner (Architect Joe Hurwitz team member) Presentation on LDC's:**

Discussed using Local Development Corporation (LDC) for a Community Distributed Solar Generation model that is being utilized by the Town of Highland Falls, Village of Highland Falls and West Point.

Randolph feels a similar approach could be used to form an LDC with municipal solar generation along with a net zero municipal building and would not add to the timeline building just a municipal center.

Randolph expressed his support of utilizing an LDC for the joint municipal center. He stated that union contracts and non-union contracts have no advantage because prevailing wage must be paid. Additionally, he cited his relationship with labor leaders at the local and national levels.

**Discussion on Proposed Agenda:**

Trustee Kerr expressed concern about moving forward on this project prior to the new town council taking office on January 1st.

Supervisor-elect Bettez expressed his support for the project and the LDC structure. Bettez spoke about his experience as a labor organizer and the history of the Wicks Law. He stated that Councilperson-elect Lillis also expressed support for the project.

**Move Forward with LDC Recommendation:**

Motion made by Councilman Torres to recommend to the Town/Village Boards to establish an LDC for the joint municipal project. All aye votes cast, motion carried.

**Minority Stake for Village of New Paltz (25%):**

Motion made by Councilman Torres to recommend to the Town/Village Boards that the Village of New Paltz take a 25% financial stake in the joint municipal center. All aye votes cast, motion carried.

**50/50 Village/Town Management and Decision Making Representation on the LDC:**

Motion made by Councilman Torres to recommend to the Town/Village Boards that the LDC consist of five members: two elected officials (one each from the town and village boards), one community member appointed by each board, and one at-large member agreed upon jointly and appointed by the town and village boards. All aye votes cast, motion carried.

**Discussion on Potential LDC Members:**

Mayor Rogers recommended he serve on the LDC board along with Councilman Irwin. Rogers expressed the importance of having a diverse group of people. Councilman Torres recommended that both boards think of some names prior to our meetings in order to ensure a smooth process.

**Discussion on Town/Village MOU:**

Councilman Irwin urged the committee to immediately commence conversations on a Memorandum of Understanding (MOU) and have a draft ready by the December 1st joint meeting. Mayor Rogers and Councilman Irwin volunteered to work over the holiday in hopes of having a draft MOU.

Meeting adjourned at 2:02 p.m.

**BY-LAWS**

**OF**

**TOWN AND VILLAGE OF NEW PALTZ LOCAL DEVELOPMENT CORPORATION**

Adopted \_\_\_\_\_, 20\_\_

**BY-LAWS**  
**OF**  
**TOWN AND VILLAGE OF NEW PALTZ LOCAL DEVELOPMENT CORPORATION**

**ARTICLE I - THE CORPORATION**

**SECTION 1. - NAME.**

The Corporation shall be known as the "TOWN AND VILLAGE OF NEW PALTZ LOCAL DEVELOPMENT CORPORATION."

**SECTION 2. - OFFICES.**

The principal office of the Corporation shall be located in the Town of New Paltz and the Village of New Paltz, Ulster County, New York. The Corporation may also have offices at such other places within the State of New York as the Board of Directors may from time to time determine or the activities of the Corporation may require.

**SECTION 3. - PURPOSES.**

The Corporation shall have such purposes as are now or hereafter set forth in its Certificate of Incorporation.

**ARTICLE II - MEMBERSHIP**

**SECTION 1. - COMPOSITION OF MEMBERSHIP.**

The Members of the Corporation shall be the Town of Tuxedo (the "Town") and the Village of New Paltz (the "Village") acting by and through their respective chief executive officers, the Supervisor of the Town and the Mayor of the Village, ex officio. The Corporation shall be managed by its Board of Directors in accordance with the provisions contained herein.

**SECTION 2. - RIGHTS AND POWERS OF THE MEMBERS.**

The Members shall have and exercise all the rights and powers of corporate Membership created by the laws of the State of New York, the Certificate of Incorporation and the By-Laws of the Corporation.

SECTION 3. - ANNUAL MEETING OF THE MEMBERS

The Members shall hold an annual meeting of the Members within six (6) months after the end of each fiscal year at a convenient time and place designated by the Members. At the annual meeting, the Members shall appoint Directors pursuant to Article III hereof for positions where a new directorship is created or the term of a Director has expired, receive the annual report and transact such other business as may properly come before the meeting.

SECTION 4. - ANNUAL REPORT TO THE MEMBERS.

At the annual meeting of the Members, the Directors or designated officer of the Corporation shall present an annual report showing in appropriate detail the following information:

(a) A complete verified or audited financial statement of the Corporation for the fiscal year immediately preceding the date of the report showing the assets and liabilities, principal changes in assets and liabilities, revenue, receipts, expenses and disbursements of the Corporation; and

(b) A summary of the activities of the Corporation during the preceding year.

The annual report shall be filed with the minutes of the annual meeting.

SECTION 5. - SPECIAL MEETINGS OF THE MEMBERS.

Special meetings of the Members may be called at any time by either Member and shall be called by the Secretary within fourteen (14) days of receipt of a written request from either Member. Such request shall state the purpose or purposes for the proposed meeting. Business transacted at a special meeting shall be confined to the purposes stated in the notice of such special meeting; provided, however, if by unanimous consent the Members present at such meeting elect to transact business not previously described in the aforementioned notice, then the Corporation may transact such other business.

SECTION 6. - PLACE OF MEETINGS; ORGANIZATION

All Membership meetings shall be held at the principal office of the Corporation or at such other convenient location as may be determined by the Members. At each Membership meeting, either Member shall preside. The Secretary, or, in his or her absence, a person chosen by the Members, shall keep complete and accurate minutes of the meeting.

SECTION 7. - NOTICE OF MEMBERSHIP MEETINGS; WAIVERS

(a) Notice of each Membership meeting shall state the purpose or purposes for which the meeting is called, the place, date and time of the meeting and, unless it is the annual meeting, shall indicate that it is being issued by or at the direction of the person or

persons calling the meeting. Such notice shall be given either personally or by mail to each Member not less than ten (10) nor more than fifty (50) days before the date of the meeting. If mailed, the notice is given when deposited in the United States mail, with postage thereon prepaid, directed to a Member at its address as it appears in the records of the Corporation or, if it shall have filed with the Secretary a written request that notices be mailed to some other address, then directed to such other address.

(b) Formal notice of meeting need not be given to a Member if it, through its chief executive officer, executes a waiver of notice, either before or after the meeting. The attendance of a Member at a meeting, without protesting prior to the conclusion of the meeting the lack of notice of such meeting, shall constitute a waiver of notice.

#### SECTION 8. - QUORUM OF MEMBERS

(a) The presence of both Members shall constitute a quorum for the transaction of business at any annual or special Membership meeting.

(b) A Member present at a meeting, whether or not a quorum is present, may adjourn any Membership meeting to another time and place. Notice of the time and place of holding an adjourned meeting need not be given to an absent Member if the time and place is announced at the meeting adjourned.

#### SECTION 9. - ACTION BY MEMBERS

(a) Each Member shall be entitled to one vote on each matter properly submitted to the Member for action at any meeting of the Member. Unless otherwise required by law or these By-Laws, the vote of a Members present at the time of a vote at a duly convened meeting, provided a quorum is then present, shall be the act of the Member.

(b) Every Member entitled to vote at a meeting of Members may authorize another person or persons to act for him or her by proxy. Every proxy must be signed by the Member or the Member's attorney-in-fact. No proxy shall be valid after the expiration of eleven (11) months from the date thereof unless otherwise provided in the proxy. Every proxy shall be revocable at the pleasure of the Member executing it, except as otherwise provided by law.

#### SECTION 10. - PROPERTY RIGHTS OF MEMBERS

Neither Member shall have any rights or interests in or to the property or assets of the Corporation.



**ARTICLE III - BOARD OF DIRECTORS**

**SECTION 1. - POWER OF BOARD OF DIRECTORS.**

The Corporation shall be managed by its Board of Directors, which shall establish all general policies governing its operations.

**SECTION 2. - NUMBER, ELECTION AND TERM OF DIRECTORS.**

(a) The number of Directors shall be no less than three (3) but no more than nine (9), with the exact number of Directors to be established by a resolution adopted by the Member. All Directors shall be appointed by the Town Supervisor of the Town and the Mayor of the Village; provided that the Town Supervisor shall appoint one more Director than the Mayor with the consent of the Town Board of the Town and the Board of Trustees of the Village. The Directors shall exercise all rights of Directors as described herein and in the Certificate of Incorporation. Any subsequent increase or decrease in the size of the Board of Directors will require the approval of the Members. As used in these By-Laws, "the entire Board of Directors" means the total number of Directors that the Corporation would have if there were no vacancies on the Board.

(b) All Directors shall serve at the pleasure of the Member.

(c) All Directors of the Board shall participate in training approved by the State of New York regarding their legal, fiduciary, financial and ethical responsibilities as Directors within one (1) year of appointment to the Board. Thereafter, the Directors shall participate in such continuing training as may be required to remain informed of best practices, regulatory and statutory changes relating to the effective oversight of the management and financial activities of the Corporation and the adhere to the highest standards of responsible governance.

(d) Pursuant to Section 2825 of the Public Authorities Law, the majority of the Directors shall be Independent Directors, as such term is defined in paragraph (e) below.

(e) Independence. For the purposes of these By-Laws, an Independent Director means any person who:

(i) is not, and in the past two (2) years has not been, employed by the Corporation or another corporate body having the same ownership and control of the Corporation in an executive capacity;

(ii) is not, and in the past two (2) years has not been, employed by an entity that received remuneration valued at more than fifteen thousand dollars (\$15,000.00) for goods and services provided to the Corporation or received any other form of financial assistance valued at more than fifteen thousand dollars (\$15,000.00) from the Corporation;

(iii) is not a relative of an executive officer or employee in an executive position of the Corporation or another corporate body having the same ownership and control of the Corporation; and

(iv) is not, and in the past two (2) years has not been, a lobbyist registered under a state or local law and paid by a client to influence the management decisions, contract awards, rate determinations or any other similar actions of the Corporation or another corporate body having the same ownership and control of the Corporation.

(f) A Chairperson and Vice-Chairperson shall be elected from among the Directors of the Board at the annual meeting of the Board of Directors. The term of office for the Chairperson and Vice-Chairperson shall extend for one year after his or her election and until a successor is elected. The Chairperson and Vice-Chairperson shall be eligible to serve an unlimited number of consecutive terms.

#### SECTION 3. - RESIGNATIONS AND REMOVAL OF DIRECTORS.

(a) Any Director of the Corporation may resign at any time by giving written notice to the other Directors or to the Chairperson or the Secretary. Such resignation shall take effect at the time specified therein or, if no time is specified, then on delivery. Acceptance of the resignation shall not be necessary to make it effective.

(b) Any Director may be removed from the Board with or without cause by the Members or for cause by vote of a majority of the Directors provided there is a quorum of not less than a majority of the entire Board present.

#### SECTION 4. - NEWLY CREATED DIRECTORSHIPS AND VACANCIES.

Newly created directorships resulting from an increase in the number of Directors, and vacancies occurring for any reason, shall be filled by the Members pursuant to Article III hereof as soon as practicable but in no event later than sixty (60) days after the increase or vacancy occurs. A Director appointed to fill a vacancy caused by resignation, death, disability or removal shall hold office for the unexpired term of his or her predecessor in office and until a successor is appointed and takes office.

#### SECTION 5. - ANNUAL MEETING.

The annual meeting of the Board of Directors shall be held after the annual meeting of the Members of the Corporation described in Article II, Section 3 above at a convenient time and location designated by the Board. Written notice of the annual meeting shall be mailed or delivered to each Director of the Corporation prior to the meeting.

#### SECTION 6. - ANNUAL REPORT.

A Director designated by the Member or the President/Chief Executive Officer and the Treasurer shall present at the annual meeting of the Board of Directors a copy of the annual report described in Article II, Section 4 above.

#### SECTION 7. - SPECIAL MEETINGS AND NOTICE.

Special meetings of the Board of Directors may be called at any time by a majority of Directors or by the President/Chief Executive Officer or any other officer of the Corporation. Written notice shall be mailed or delivered to each Director of the Corporation prior to the meeting. Said notice shall state the purposes, time and place of the special meeting and that no business other than that specified in the notice may be transacted; provided, however, if by unanimous consent all of the Directors present at such meeting elect to transact business not previously described in the aforementioned notice, then the Directors may transact such other business.

#### SECTION 8. - WAIVERS OF NOTICE.

Notice of a meeting need not be given to any Director who submits a signed waiver of notice whether before or after the meeting, or who attends the meeting without protesting, prior thereto or at its commencement, the lack of notice to him or her.

#### SECTION 9. - PLACE OF MEETINGS.

The Board of Directors may hold its meetings at such place or places within the Town and the Village as the Directors may from time to time by resolution determine.

#### SECTION 10. – OPEN MEETINGS

The Corporation is subject to Open Meetings Law, the Corporation shall comply with the Open Meetings Law of the State of New York, as set forth within Article 7 of the Public Officers Law.

#### SECTION 11. – FREEDOM OF INFORMATION

The Corporation is subject to Freedom of Information Law, the Corporation shall comply with the Freedom of Information Law of the State of New York, as set forth within Article 6 of the Public Officers Law.

#### SECTION 12. – PUBLIC AUTHORITIES ACCOUNTABILITY ACT

The Corporation is subject to the Public Authorities Accountability Act of 2005 as amended by Chapter 506 of the Laws of 2009 of New York State (collectively, the “PAAA”) and shall comply with the PAAA, as set forth within the New York State Public Authorities Law.

### SECTION 13. – STATE ENVIRONMENTAL QUALITY REVIEW ACT

Upon the determination of the Board of Directors to do business with the State of New York, the Corporation shall comply with the State Environmental Quality Review Act, as set forth within Article 8 of the New York Environmental Conservation Law.

### SECTION 14. - QUORUM AND ADJOURNED MEETINGS.

(a) A majority of the entire Board of Directors shall constitute a quorum for the transaction of business at meetings of the Board. When a quorum is once present to organize a meeting, it shall not be broken by the subsequent withdrawal of any Director(s).

(b) A majority of the Directors present, whether or not a quorum is present, may adjourn any Board meeting to another time and place. If a quorum is present at the adjourned meeting, any business may be transacted that might have been transacted on the original date of the meeting. Notice of the adjourned meeting shall be given to all Directors.

### SECTION 15. - ACTION BY THE BOARD OF DIRECTORS.

Any corporate action to be taken by the Board of Directors means action at a meeting of the Board. Each Director shall have one vote regarding any corporate action to be taken by the Board. Except as otherwise provided by law or these By-Laws, the vote of a majority of the Directors present at the time of the vote at a duly convened meeting at which a quorum is present shall be the act of the Board of Directors. All references to actions of the Board of Directors herein and in the Certificate of Incorporation shall mean the affirmative vote of a majority of the Directors present at the time of the vote at a duly convened meeting at which a quorum is present.

### SECTION 16. - ORGANIZATION.

At each meeting of the Board of Directors, the Chairperson, or, in his or her absence, the Vice-Chairperson shall preside. The Secretary, or, in his or her absence, a person chosen by a majority of the Directors present, shall keep complete and accurate minutes of the meeting.

### SECTION 17. - ATTENDANCE AT MEETINGS.

Attendance at each meeting of the Board shall be recorded by the Secretary or the designated Director in the minutes thereof.

## SECTION 18. - COMPENSATION.

The Directors shall serve in their capacity as Directors of the Corporation without compensation. All Directors may be reimbursed for reasonable expenses incurred in the performance of corporate duties.

## SECTION 19. - ANNUAL INDEPENDENT AUDIT.

The Audit Committee shall present to the Board upon its completion, the annual independent audit report performed in accordance with the requirements of the PAAA and generally accepted government auditing standards certified by a firm of independent public accountants. The certified independent public accounting firm that performs the annual independent audit shall timely report to the Audit Committee the following:

- (i) the assets and liabilities, including the status of reserve, depreciation, special or other funds including the receipts and payments of such funds, of the Corporation as of the end of the fiscal year;
- (ii) the principal changes in assets and liabilities, including trust funds, during said fiscal period;
- (iii) the revenue or receipts of the Corporation, both unrestricted and restricted, to particular purposes during said fiscal period;
- (iv) the expenses or disbursements of the Corporation for both general and restricted purposes, during said fiscal period; and
- (v) a schedule of the bonds and notes of the Corporation outstanding during said fiscal period, including all refinancings, calls, refundings, defeasements, and interest rate exchange or other such agreements, and for any debt issued during the fiscal period, together with a statement of the amounts redeemed and incurred during such fiscal period as a part of a schedule of debt issuance that include the date of issuance, term, amount, interest rate, means of repayment and cost of issuance.

Furthermore, the certified independent public accounting firm that performs the annual independent audit shall timely report to the Audit Committee the following:

- (i) all critical accounting policies and practices to be used;
- (ii) all alternative treatments of financial information within generally accepted accounting principles that have been discussed with the management of the Corporation, ramifications of the use of such alternative disclosures and treatments, and the treatment preferred by the certified independent public accounting firm;
- (iii) other material written communications between the certified independent public accounting firm and the management of the Corporation, such as the management

letter along with management's response or plan of corrective action, material corrections identified or schedule of unadjusted differences, where applicable.

#### SECTION 20. - PROPERTY RIGHTS.

No Director of the Corporation shall, by reason of that position, have any rights to or interest in the property or assets of the Corporation.

### ARTICLE IV - COMMITTEES

#### SECTION 1. - STANDING COMMITTEES.

(a) The Standing Committees of the Board shall be as described in subparagraph (b) below. Except as otherwise provided by these By-Laws, each Standing Committee shall consist of at least three (3) Directors. No Standing Committee shall have authority as to the following matters:

- (i) The submission to the Members of any action requiring their approval;
- (ii) The filling of vacancies on the Board of Directors or any committee;
- (iii) The amendment or repeal of these By-Laws or the adoption of new By-Laws; or
- (iv) The amendment or repeal of any resolution of the Board.

(b) Until changed by amendment of these By-Laws, the Corporation shall have the following Committees:

Audit Committee. There shall be an Audit Committee consisting entirely of Independent Directors, who shall be elected by a plurality of the votes cast by the Directors of the Corporation at each annual meeting of the Board and shall serve until the next annual meeting. To the extent practicable, the Directors serving on the Audit Committee should be familiar with corporate financial and accounting practices. The Audit Committee shall recommend to the Board the hiring of a certified independent accounting firm in compliance with the PAAA to conduct the annual independent audit, establish the compensation to be paid to the accounting firm and provide direct oversight of the performance of the annual independent audit.

Governance Committee. There shall be a Governance Committee consisting entirely of Independent Directors, who shall be elected by a plurality of the votes cast by the Directors of the Corporation at each annual meeting of the Directors and shall serve until the next annual meeting. The Governance Committee shall keep the Board informed of current best governance practices, review corporate governance trends, update the

Corporation's corporate governance principles, and advise the Member and Directors on the skills and experience required of potential Directors.

Finance Committee. There shall be a Finance Committee consisting entirely of Independent Directors, who shall be elected by a plurality of the votes cast by the Directors of the Corporation at each annual meeting of the Board and shall serve until the next annual meeting. The Directors serving on the Finance Committee shall possess the necessary skills to understand the duties and functions of the committee. The Finance Committee shall have the responsibility to review proposals for the issuance of debt by the Corporation and its subsidiaries and make recommendations.

SECTION 2. - SPECIAL COMMITTEES.

The Board of Directors, by resolution adopted by a majority of the entire Board of Directors, may create Special Committees, which shall have only the powers specifically delegated to them and shall in no case have powers which are not authorized for Standing Committees. The Directors serving on Special Committees shall be appointed by a plurality of the votes cast by the Directors of the Corporation.

SECTION 3. - MEETINGS.

Meetings of committees shall be held at such times and places as shall be fixed by the respective committee chairpersons, or by vote of a majority of all of the Directors serving on the committee. Written notice shall be mailed (via regular mail or electronic mail) or delivered to all Directors serving on the committee prior to each meeting. Written minutes of the proceedings shall be kept at all committee meetings and shall be submitted at the next meeting of the Board. The President/Chief Executive Officer, or his or her designee, may attend all committee meetings, but does not possess any voting rights.

SECTION 4. - QUORUM.

Unless otherwise provided by resolution of the Board of Directors, a majority of all of the Directors serving on a committee shall constitute a quorum for the transaction of business.

SECTION 5. - MANNER OF ACTING.

Any corporate action to be taken by a committee shall mean such action to be taken at a meeting of the committee. Action by a committee shall be taken by majority vote at a meeting.

## ARTICLE V - OFFICERS

### SECTION 1. - PRESIDENT; VICE PRESIDENT; OTHER OFFICERS.

The officers of the Corporation shall be (i) President/Chief Executive Officer, (ii) Vice-President, (iii) Treasurer/Chief Financial Officer, and (iv) Secretary and other officers and assistant officers as the Board of Directors may determine. The offices of President/Chief Executive Officer and Secretary shall not be held by the same person. The officers shall have such duties as may be prescribed by these By-Laws and the Board of Directors.

### SECTION 2. - TERMS OF OFFICERS.

The officers shall be appointed by the Directors at its annual meeting. Unless a shorter term is provided in the resolution of the Board appointing such officer, the term of office of each officer shall extend for one year after his or her appointment and until a successor is appointed and qualified. Officers shall be eligible to serve an unlimited number of consecutive terms.

### SECTION 3. - ADDITIONAL OFFICERS.

Additional officers may be appointed for such period, have such authority and perform such duties, either in an administrative or subordinate capacity, as the Board of Directors may from time to time determine. Such positions may include an Acting Chief Financial Officer and Acting Secretary, and any other position established by the Board of Directors from time to time.

### SECTION 4. - REMOVAL OF OFFICERS.

Any officer may be removed by majority vote of the Directors, with or without cause, at any time, provided there is a quorum of not less than a majority of the entire Board of Directors present at the meeting at which such action is taken.

### SECTION 5. - RESIGNATION.

Any officer may resign at any time by giving written notice to the Board of Directors, the President/Chief Executive Officer or the Secretary; provided, however, the President/Chief Executive Officer must provide written notice of his or her intent to resign to the Board of Directors and the Secretary must provide written notice of his or her intent to resign to the President/Chief Executive Officer or the Board of Directors. Any such resignation shall take effect at the time specified therein, or, if no time is specified, then on delivery. Acceptance of the resignation shall not be necessary to make it effective.

### SECTION 6. - VACANCIES.



A vacancy in any office of the Corporation shall be filled by the majority vote of the entire Board of Directors.

SECTION 7. – PRESIDENT/CHIEF EXECUTIVE OFFICER.

The Board of Directors shall appoint the President/Chief Executive Officer by resolution, who shall serve the Corporation without compensation. The President shall be the Chief Executive Officer of the Corporation and shall generally supervise all its affairs. The President shall preseide over meetings of Members. The President/Chief Executive Officer shall perform such other duties as may be assigned to him or her from time to time by the Board of Directors.

SECTION 8. – VICE-PRESIDENT.

The Board of Directors shall appoint a Director as Vice-President to serve and perform the duties of the President/Chief Executive Officer upon the death, disability or permanent absence from the Town and Village of the President. The Board of Directors shall determine by resolution adopted by the majority vote of the entire Board of Directors when the Vice-President shall assume the duties of the President.

SECTION 9. - SECRETARY.

The Board of Directors shall appoint the Secretary by resolution, which resolution shall set the Secretary’s annual compensation. It shall be the duty of the Secretary to supervise the preparation of minutes of all meetings of the Member and the Board of Directors and its committees, the giving of all notices required to be given by the Corporation, and the keeping of a current list of the Member of the Corporation, Directors and officers and their residence addresses. The Secretary shall be responsible for supervising the preparation and maintenance of the books and records of the Corporation. The Secretary shall attend to such correspondence as may be assigned to him or her and perform all the duties customarily incidental to that office and such other duties as may be assigned to him or her by the Board of Directors or the President/Chief Executive Officer. From time to time, the Board of Directors may employ or contract with an appointed Acting Secretary to whom the Board of Directors may designate certain duties of the Secretary and other such duties as may be assigned to him or her.

SECTION 10. – TREASURER/CHIEF FINANCIAL OFFICER.

The Board of Directors shall appoint the Treasurer/ Chief Financial Officer by resolution, which resolution shall set the Treasurer/Chief Financial Officer’s annual compensation. It shall be the duty of the Treasurer, as Chief Financial Officer of the Corporation, to oversee the financial affairs of the Corporation, report at each regular meeting of the Board of Directors, and participate in preparing the annual report of the Corporation and the filing of all required tax returns and other regulatory reports. The Treasurer shall be the Contracting Officer of the Agency for the disposition of real and personal property in accordance with the provisions of the PAAA. The Treasurer shall be

the Freedom of Information Officer of the Corporation in accordance with the provisions of the New York State Freedom of Information Law. The Treasurer shall perform such other duties as may be assigned to him or her by the Board of Directors or the President/Chief Executive Officer. From time to time, the Board of Directors may employ or contract with an appointed Acting Treasurer to whom the Board of Directors may designate certain duties of the Treasurer and other such duties as may be assigned to him or her.

#### SECTION 10. TOWN AND VILLAGE PERSONNEL; INDEPENDENT CONSULTANTS.

The Corporation may use the agents, employees and facilities of the Town OR THE Village or Independent Consultants. In such event, the Corporation will, by resolution, enter into a contract with the Town or the Village or the Independent Consultant, as the case may be, providing the terms upon which the Town or the Village or Independent Consultant will provide the use of its agents, employees and facilities to the Corporation and the compensation, if any, that the Corporation shall pay to the Town or to the Village or the Independent Consultant for the use by the Corporation of the Town's or Village's or Independent Consultant's agents, employees and facilities.

### **ARTICLE VI - CONTRACTS, CHECKS, DRAFTS AND BANK ACCOUNTS**

#### SECTION 1. - EXECUTION OF CONTRACTS.

The Board of Directors may on its own, except as these By-Laws otherwise provide, or may authorize any officer or officers, agent or agents, employee or employees, in the name of and on behalf of the Corporation, to enter into any contract or execute and deliver any instrument, and such authority may be general or confined to specific instances; but, unless so authorized by the Board of Directors, or expressly authorized by these By-Laws, no officer, agent or employee shall have any power or authority to bind the Corporation by any contract or engagement or to pledge its credit or to render it liable for a pecuniary obligation in any amount for any purpose or at any time.

#### SECTION 2. - LOANS.

No loans shall be contracted on behalf of the Corporation unless specifically authorized by the Board of Directors.

#### SECTION 3. - CHECKS, DRAFTS, ETC.

All checks, drafts and other orders for the payment of money out of the funds of the Corporation, and all notes or other evidences of indebtedness of the Corporation, must be signed on behalf of the Corporation by two of following persons: the President/Chief Executive Officer, the Treasurer/Chief Financial Officer or the Chairman of the Board.

#### SECTION 4. - DEPOSITS.

All funds of the Corporation not otherwise employed shall be deposited from time to time to the credit of the Corporation in such banks, trust companies or other depositories authorized and located in the State of New York to do business as the Treasurer may recommend and the Board of Directors approves.

#### SECTION 5. - INVESTMENTS.

The Board of Directors may authorize the Corporation to contract with an investment advisor and custodian to manage its investments in accordance with an investment policy established by the Board.

### ARTICLE VII - GENERAL

#### SECTION 1. - SEAL.

The corporate seal shall have inscribed thereon the name of the Corporation, the year of its organization, and the words "Corporate Seal, New York." The seal may be used by causing it or a facsimile thereof to be impressed or affixed or otherwise reproduced.

#### SECTION 2. - BOOKS AND RECORDS.

There shall be kept by the Corporation (1) correct and complete books and records of account, (2) minutes and statements of written action by the Members, (3) minutes of the proceedings of the Board of Directors and its committees, (4) a current list of the Members, Directors and officers of the Corporation and their residence addresses, (5) a copy of the Certificate of Incorporation, and (6) a copy of these By-Laws. The foregoing items shall be subject to inspection and/or audit at any time by or at the direction of the Board of Directors.

#### SECTION 3. - INDEMNIFICATION.

The Corporation shall indemnify each Member, each Director, each officer, and, to the extent authorized by the Board of Directors, each other person authorized to act for the Corporation or on its behalf, to the full extent to which indemnification is permitted under the Not-For-Profit Corporation Law.

**SECTION 4. - INTERESTED DIRECTORS AND OFFICERS.**

The Board of Directors may adopt a policy regarding conflicts of interest and whistle blowing which shall apply to all directors and officers.

**SECTION 5. - LOANS TO MEMBER AND OFFICERS.**

The Corporation, either directly or indirectly, including through any subsidiary, is prohibited from extending or maintaining credit, arranging for the extension of credit or renewing any extension of credit, in the form of a personal loan to or for any Member, Director, or Officer, or to any company, corporation, firm, association or other entity in which one or more of the Members, Directors or Officers of the Corporation own a material interest.

**ARTICLE VIII - FISCAL YEAR**

The fiscal year of the Corporation shall commence on the first day of January of each calendar year and end on the last day of December.

**ARTICLE IX - RULES OF ORDER AND BYLAW CHANGES****SECTION 1. - RULES OF ORDER.**

Meetings of the Member and the Board of Directors and its committees shall be governed by Robert's Rules of Order, except in cases otherwise provided for by these By-Laws.

**SECTION 2. - BY-LAW CHANGES.**

These By-Laws may be amended, repealed or adopted by the Members or by a majority of the Directors of the Corporation.

**Ryan Birney**

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**From:** Mayor Tim Rogers  
**Sent:** Friday, November 20, 2015 6:25 PM  
**To:** Village Clerk; Ryan Birney  
**Subject:** Fwd: Poverty in Early New Paltz

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

**Categories:** MAYOR

Please add this presentation to the joint meeting agenda but it should be positioned so it starts sometime after 8:30pm.

-----  
 Village of New Paltz  
 25 Plattekill Ave - New Paltz, NY 12561  
 T: 845-255-1413  
[mayor@VillageofNewPaltz.org](mailto:mayor@VillageofNewPaltz.org)

----- Original message -----

**From:** susan stessin <sstessin@gmail.com>  
**Date:** 11/20/2015 3:26 PM (GMT-05:00)  
**To:** Mayor Tim Rogers <Mayor@villageofnewpaltz.org>  
**Subject:** Poverty in Early New Paltz

**Below is the introduction to the exhibit - please take out what you need.  
 I'm looking forward to sharing this with both Boards  
 My best,  
 Susan**

On March 31st, 1817, Josiah R. Elting, an Overseer of the Poor for the town of New Paltz, compiled a ledger filled with the town's relief records as well as other documentation beginning in the year 1805. This ledger included the name, condition, location, and relief given to individuals needing assistance ordered by the local Justice of the Peace. Often, the physical condition was listed as well as the amount of money allotted to each person or family per week. Mothers and their children, former slaves, illegitimate infants, the sick, the maimed, and the elderly often fell victim to economic distress and found themselves without financial security. Through a system of required taxation in both the county and the town, Overseers of the Poor along with town Justices of the Peace would decide upon the relief and distribute it accordingly.

This exhibit initially began as a transcription project of the Overseer of the Poor Ledger and eventually expanded into a study of the history of poverty and social welfare in the town of New Paltz during the early nineteenth century. Common history curricula often neglects the study of poverty and its impact on the United States' current social welfare system. Hoping to shed light on this overlooked subject, "Poverty in Early New Paltz," seeks to bring attention and evoke thoughtful discussion on such a prevalent topic.

Susan Stessin-Cohn  
New Paltz Town Historian  
New Paltz, N.Y.  
12561

3-2

**A Resolution by the Boards of the Village of New Paltz and the Town of New Paltz, meeting jointly, to commence at the earliest opportunity Joint Comprehensive Planning:**

**Whereas** the current comprehensive plan of the Village of New Paltz is now almost 20 years old and it is strongly recommended that a New York State municipality's comprehensive plan be revised and updated every five to ten years; and

**Whereas** the current comprehensive plan of the Village of New Paltz was found to be in need of significant revision by the Master Plan Review Task Force in 2011 (commissioned by the Village Board); and

**Whereas** the Master Plan Review Task Force also strongly recommended coordinated comprehensive planning by the Village and Town of New Paltz; and

**Whereas** the current comprehensive plan of the Town of New Paltz has already been found by the Town Board to be in serious need of revision and the process of revision had already commenced in 2012 but has since been delayed; and

**Whereas** both New York State Village Law and New York State Town Law expressly provide for and even encourage joint comprehensive planning (see note below); and

**Whereas** the Village Board and the Town Board of New Paltz, meeting jointly on August 15, 2013, determined that joint comprehensive planning is in the best interests of both of these governmental entities;

**Therefore**, be it resolved that the Village and the Town of New Paltz execute this joint resolution to effect coordinated comprehensive planning beginning in December 2015, and

**Be it further resolved** that costs incurred to do joint comprehensive planning be equally shared by the Town and the Village of New Paltz, up to a maximum of \$25,000 for each governmental entity to be expended at a rate of \$1000 per week in total during a period of 52 weeks starting when a consulting planner is appointed.


Note: 1998, Office of the Attorney General of the State of New York: General Municipal Law Article 5-G authorizes municipalities to agree to perform any of their existing functions or duties jointly or one for another. General Municipal Law §§119-n(c) and 119-o(1). The Village Law and the Town Law expressly apply the municipal cooperation provisions of Article 5-G to land use planning and authorize municipalities to undertake comprehensive planning and land use regulation jointly or one for the other. Village Law #7-741 (1); Town Law #284 (1).

Village of New Paltz  
Department of Public Works  
INTEROFFICE MEMORANDUM

**To:** Mayor Rogers and Board of Trustees  
**From:** Gene B. Terwilliger, Superintendent  
**Date:** November 20, 2015  
**Subject:** sanitary sewer connection quotes

---

Attached are price quotes received from homeowners with regard to connection of the sanitary sewer lines. Please advise if the homeowner may accept the lowest quote and get the required connection performed.

Thank you.  
  
5 North Oakwood Terrace  
16 North Oakwood Terrace  
18 North Oakwood Terrace



5-2

**Lance's Plumbing Service, Inc.**  
 Reliable Service Since 1985  
 P.O. Box 1240  
 New Paltz, New York 12561  
 (845) 255-0028

CUSTOMER'S ORDER NO.		PHONE		DATE	
NAME S. N. Oakwood		PHONE 10/7/05		DATE	
ADDRESS		CASH		PAID OUT	
C.O.D.		CHARGE		ON ACCT.	
M.D.S.E. RET'D.		M.D.S.E. RET'D.		M.D.S.E. RET'D.	
QTY.	DESCRIPTION	PRICE	AMOUNT		
	1) front sewer line at basement front, rear, north corner to front south corner to next owner sewer line - Payment due upon completion of work				
RECEIVED BY			TOTAL	TAX	
			\$ 3060		

C - PRODUCT 610 All claims and returned goods must be accompanied by this bill.

2179R

Thank You

**LANCE'S PLUMBING SERVICE**  
 257 Route 52 South  
 NEW PALTZ, NY 12561  
 (845) 255-0028

CUSTOMER'S ORDER NO.		PHONE		DATE	
NAME Kate Flurigan		PHONE 11/1/15		DATE	
ADDRESS 57 N. Oakwood Terrace		CASH		PAID OUT	
C.O.D.		CHARGE		ON ACCT.	
M.D.S.E. RET'D.		M.D.S.E. RET'D.		M.D.S.E. RET'D.	
QTY.	DESCRIPTION	PRICE	AMOUNT		
	Work by new contractor (1/15/15) 1) 1/2" pipe from kitchen to bath room. 2) 1/2" pipe from bath room to kitchen. 3) 1/2" pipe from kitchen to bathroom. 4) 1/2" pipe from kitchen to bathroom. 5) 1/2" pipe from bathroom to kitchen. 6) 1/2" pipe from kitchen to bathroom. 7) 1/2" pipe from bathroom to kitchen. 8) 1/2" pipe from kitchen to bathroom. 9) 1/2" pipe from bathroom to kitchen. 10) 1/2" pipe from kitchen to bathroom. 11) 1/2" pipe from bathroom to kitchen.				
RECEIVED BY			TOTAL	TAX	
			\$ 3,000.00		

C - PRODUCT 610 All claims and returned goods must be accompanied by this bill.

Thank You

# LARRY JANSEN PLUMBING & HEATING, INC.

357 Route 32 South  
NEW PALTZ, NY 12561  
(845) 255-1011

CUSTOMER'S ORDER NO.		PHONE		DATE		
				5/8/15		
NAME Leonard Lozo						
ADDRESS 16 N. Oakwood						
SOLD BY	CASH	C.O.D.	CHARGE	ON ACCT.	MDSE. RET'D.	PAID OUT
QTY.	DESCRIPTION				PRICE	AMOUNT
	Hook up new Sewer line at the curb. Raise pipe in basement. Hook up Sewer line in front & back side of basement					
	All Excavation & Clean up materials & Labor					
	Any Skale - Extra \$150.00 per hr					
	Replace black Top - Extra					
	Payment Due at completion except for black Top					
RECEIVED BY					TAX	
					TOTAL	\$2,600.00

C. PRODUCT CO. All claims and returned goods must be accompanied by this bill.

*Thank You*

**LARRY JANSEN  
PLUMBING & HEATING, INC.**  
357 Route 32 South  
NEW PALTZ, NY 12561  
(845) 255-1011

CUSTOMER'S ORDER NO.		PHONE		DATE		
				3/8/15		
NAME Leonard Lozo						
ADDRESS 18 N. Oakwood						
SOLD BY	CASH	C.O.D.	CHARGE	ON ACCT.	MOSE. RET'D.	PAID OUT
QTY.	DESCRIPTION				PRICE	AMOUNT
	Hook up new sewer line at the curb. Raise pipe in basement. Hook up sewer line in front & back side of basement					
	All Excavation & Clean up materials & Labor					
	Any Shale - Extra \$150.00 per hr					
	Replace black Top - Extra					
	Payment Due at Completion Except for black Top					
RECEIVED BY					TAX	
					TOTAL	\$2,600.00

C PRODUCT 616 All claims and returned goods must be accompanied by this bill.

*Thank You*



# INGRAHAM SHOVEL COMPANY

residential and commercial

BACKHOE • BULLDOZER • TRUCKING 5/2015

Est for: Leonard Loza

#18 N. Oakwood Terr, New Patz, N.Y. Waste line hook up from New waste line at curb to house at best location. Includes all plumbing using 4" sch 40 pipe & fittings. Includes all excavation & clean up. Any Blacktop NOT included, amount unknown. Any bedrock removed to meet grades will be extra. (150.00/hr) When job is complete we expect to be paid in full.

Total Cost : 2675.00

Thank you.

NO.

514 Plutarch Road, Highland, New York 12528 • 845-255-7778



# INGRAHAM SHOVEL COMPANY

residential and commercial

BACKHOE • BULLDOZER • TRUCKING 5/2015

Est. for : Leonard Loza

#16 N. Oakwood Terr, New Patz N.Y. Waste line hook up from New waste line at curb to house at best location. Includes all plumbing using 4" sch 40 pipe & fitting. Includes all excavation & clean up. Any Black Top NOT included, amount unknown. Any bedrock removed to meet grades will be extra. (150.00/hr) When job is complete we expect to be paid in full.

Total Cost : 2675.00

Thank you,

NO.

514 Plutarch Road, Highland, New York 12528 • 845-255-7778

Resolution No. : \_ of 2015

# Draft

## THE VILLAGE OF NEW PALTZ VILLAGE BOARD

### ROLL CALL VOTE

Names	Ayes	Noes	Abstain	Absent
<i>Mayor</i> <b>Mr. Rogers</b>				
<i>Trustee</i> <b>Ms. Rotzler</b>				
<i>Trustee</i> <b>Mr. Rocco</b>				
<i>Trustee</i> <b>Mr. Kerr</b>				
<i>Trustee</i> <b>Mr. Young</b>				
<b>TOTAL</b>				

The following was presented

By \_\_\_\_\_

Sec'd by \_\_\_\_\_

Date of Adoption \_\_\_\_\_

### **RESOLUTION OF THE BOARD OF TRUSTEES OF THE VILLAGE OF NEW PALTZ AUTHORIZING THE INCREASE OF THE MONTHLY PRICE OF THE LONG TERM PARKING PERMITS FOR THE VILLAGE HALL MUNICIPAL LOT FROM \$10.00 TO \$12.00 PER MONTH**

**WHEREAS**, pursuant with section 198-21.C. of the Village Code, the Village of New Paltz Board allows for long term parking in the municipal lot attached to the Village Hall property located at 25 Plattekill Avenue:

*Village Code Section 198-21.C:* "Long-term parking lot. The lot behind DPW and along the west side of Village Hall (described in a map entitled "Long-Term Parking" available in the Village Clerk's office) shall be designated with 30 spaces available for lease to employees of core businesses and tenants in Main Street apartments. Permits to park there would be processed by the Village Clerk upon proof of address (by deed or current signed lease), in an amount to be fixed by the Village Board annually, on a first-come first-served basis (provided the applicants so ordered have each complied with the proof of address requirement and completed such forms as shall be developed by the Village Clerk for such purposes). Permits must be applied for and received annually. Permit applications will be accepted beginning on the first business day in November each year. Any vehicle in the long-term parking lot without a valid decal evidencing a valid permit will be ticketed first offense, towed second offense. Appropriate signage shall be placed at entrances to the parking lot."

**WHEREAS**, the current rate for the long term parking spaces located at Village Hall is \$10.00 per month. These that can be purchased as a yearlong pass or increments of six months from January 1 to May 31<sup>st</sup> of any year and from June 1 to December 31<sup>st</sup> of any given year. The Board feels it necessary to raise the rate from \$10.00 per month (\$120.00 per year) to \$12.00 per month (\$144.00 per year) starting with permits for January 1, 2016.

Resolution No. :\_of 2015

**RESOLVED**, that the Village Board will allow for the increase in the monthly price of the long term parking permits for the Village Hall Municipal Lot from \$10.00 per month (\$120.00 per year) to \$12.00 per month (\$144.00 per year) starting with permits for January 1, 2016.

Resolution No. : \_of 2015

# Draft

## THE VILLAGE OF NEW PALTZ VILLAGE BOARD

### ROLL CALL VOTE

The following was presented

By \_\_\_\_\_

Sec'd by \_\_\_\_\_

Date of Adoption \_\_\_\_\_

Names	Ayes	Noes	Abstain	Absent
<i>Mayor</i> <b>Mr. Rogers</b>				
<i>Trustee</i> <b>Ms. Rotzler</b>				
<i>Trustee</i> <b>Mr. Rocco</b>				
<i>Trustee</i> <b>Mr. Kerr</b>				
<i>Trustee</i> <b>Mr. Young</b>				
<b>TOTAL</b>				

### RESOLUTION OF THE BOARD OF TRUSTEES OF THE VILLAGE OF NEW PALTZ AUTHORIZING THE CREATION OF 10 LONG TERM PARKING SPACES, BY PERMIT, BEHIND 15 PLATTEKILL AVE

**WHEREAS**, the Village of New Paltz Board of Trustees has expressed an interest in creating long term parking in the form of 10 permitted parking spaces for use Monday through Friday, 8:00am to 6:00pm. These long term permits will be designated for spaces between meter numbers 67 through 76 of the Plattekill Municipal Lot, which is the parking lot maintained by the Village with an entrance on the southwesterly side of Plattekill Avenue near the intersections of Main Street and Plattekill Avenue. Permits for these space will cost \$10.00 per month (\$120.00 for the year). These that can be purchased as a yearlong pass or increments of six months from January 1 to May 31<sup>st</sup> of any year and/or from June 1 to December 31<sup>st</sup> of any given year. These 10 spaces will be located on the southern edge of this municipal lot maintained by the Village Department of Public Works according to section 198-19.D (3) of the Village Code.

**RESOLVED**, that the Village Board will allow for the creation of 10 long term parking spaces, by permit, in the Plattekill Municipal Lot, which is the parking lot maintained by the Village with an entrance on the southwesterly side of Plattekill Avenue near the intersections of Main Street and Plattekill Avenue.

**Ryan Birney**

---

**From:** Mayor Tim Rogers  
**Sent:** Monday, November 23, 2015 12:20 PM  
**To:** Dennis Young; Rebecca Rotzler; Don Kerr; Thomas Rocco; Ryan Birney; Village Clerk  
**Cc:** Nancy Branco; Bryant Arms; Planning Department; Michael Zierler Personal  
**Subject:** Fwd: volunteering  
  
**Categories:** BUILDING, Agenda Items

Please add Liz' offer help the building detpt to the next agenda as it requires bd approval.  
--Tim

-----  
Village of New Paltz  
25 Plattekill Ave - New Paltz, NY 12561  
T: 845-255-1413  
[mayor@VillageofNewPaltz.org](mailto:mayor@VillageofNewPaltz.org)

----- Original message -----  
**From:** harschow@aol.com  
**Date:** 11/23/2015 11:14 AM (GMT-05:00)  
**To:** Mayor Tim Rogers <Mayor@villageofnewpaltz.org>  
**Subject:** volunteering

Hello Mr Mayor-  
As per our conversation a few days ago, I am emailing to ask if I can volunteer in the Building Department to do anything that might relieve the Building Inspectors and PB/ZBA secretary from the more mundane tasks such as filing, copying, data entry or with whatever they might need an extra hand or assistance.  
Sincerely,  
Liz Harschow



# Ulster County Association of Town Supervisors & Mayors



## OFFICERS:

Carl Chipman, President  
 Joseph Croce, Vice President  
 Michael Warren, Vice President  
 James Quigley 3<sup>rd</sup>, Treasurer  
 Jeanne Walsh, Secretary

November 24, 2015

The Hon. Basil Seggos  
 Acting Commissioner, NYS Department of Environmental Commission  
 625 Broadway  
 Albany, New York 12233-1010

Cc: Marc Gertsman, Executive Deputy Commissioner; Governor Andrew M. Cuomo;  
 Robert Megna, Executive Director of the New York Thruway Authority

Dear Commissioner Seggos:

As Town Supervisors and Village Mayors in Ulster County representing both involved and interested agencies in the State Environmental Quality Review process for the Pilgrim Pipeline Project, we request that the NYS Department of Environmental Conservation (DEC) assume lead agency in the environmental review of this project and deny consent to the New York Thruway Authority to serve in this capacity. It is our strong belief that your Department has a responsibility to our communities and to all New Yorkers to lead this environmental review for the following reasons:

Townships of: Denning•Esopus• Gardiner •Hardenburgh• Hurley • Kingston • Lloyd •Marbletown•Marlborough  
 New Paltz•Olive•Plattekill• Rochester • Rosendale • Saugerties •Shandaken•Shawangunk• Ulster •Wawarsing• Woodstock  
 Villages of: Ellenville• New Paltz• Saugerties  
 City of Kingston

- The proposed pipeline threatens important resources of state-wide concern within the Department’s jurisdiction, including the Hudson River and such important tributaries as the Rondout, Esopus, and Catskill Creeks and Wallkill River, State-regulated wetlands, the Karst Aquifer Region (a priority project designated in the NYS Open Space Conservation Plan), and other resources that the DEC is responsible for protecting.
- NYS DEC, as the state environmental agency, is best suited to guide the environmental review of this large, multi jurisdictional project that has the potential to impact environmental resources in six New York counties and 29 towns, and is the agency with the power and the expertise to ensure a comprehensive and coordinated review.
- NYS DEC has statewide responsibility for mitigating climate change and helping to ensure that New York will meet the targets set in the 2015 New York State Energy Plan to reduce greenhouse gas emissions by 40% by 2030 and 80% by 2050 below 1990 emissions levels. The Commissioner’s Policy mandates that DEC must consider climate change in all its actions, including permitting. This proposed project to construct the first crude oil pipeline in New York must be evaluated within the context of the Energy Plan and state energy objectives, and the DEC is best positioned to ensure the comprehensive evaluation that is needed.
- The pipeline will traverse and impact private lands and resources outside of the New York Thruway right-of-way, and the evaluation of those impacts should therefore be led by an agency independent of the Thruway Authority, particularly given that the Thruway Authority has a potential financial interest in this project owing to any revenues that could be collected for use of the right-of-way.

Many municipalities have in the last year passed resolutions of opposition to this project, believing that the risks and costs to New York’s residents far outweigh any potential benefits to the public, and that the project is out of alignment with local, regional, and state energy goals. The NYS DEC’s mission is “to conserve, improve, and protect New York’s natural resources and environment, and control water, land and air pollution, in order to enhance the health, safety and welfare of the people of the state and their overall economic and social well being.” Since this project has the potential to result in significant adverse impacts of regional and statewide significance and has major implications for the state’s near-term and long-term energy and climate goals, we believe it both appropriate and necessary that the Department serve as lead agency in the review of the Pilgrim Pipeline Project.

Townships of: Denning•Esopus• Gardiner •Hardenburgh• Hurley • Kingston • Lloyd •Marbletown•Marlborough  
 New Paltz•Olive •Plattekill• Rochester • Rosendale • Saugerties •Shandaken•Shawangunk• Ulster •Wawarsing• Woodstock  
 Villages of: Ellenville• New Paltz• Saugerties  
 City of Kingston

Sincerely,

Jeanne Walsh  
Supervisor, Town of Rosendale

Susan Zimet  
Supervisor, Town of New Paltz

Carl Chipman  
Supervisor, Town of Rochester