

Local Law Filing

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

County City Town Village
(select one:)

of New Paltz

Introductory Local Law No. 3 of the year 2023

**A LOCAL LAW AMENDING CHAPTER 171 OF THE CODE OF THE VILLAGE OF
NEW PALTZ RELATING TO THE COLLECTION OF SOLID WASTE**

Be it enacted by the Board of Trustees of the Village of New Paltz as follows:

See attached.

(If additional space is needed, attach pages the same size as this sheet, and number each.)

VILLAGE OF NEW PALTZ

INTRODUCTORY LOCAL LAW NO. 3 OF 2023

A LOCAL LAW AMENDING CHAPTER 171 OF THE CODE OF THE VILLAGE OF NEW PALTZ RELATING TO THE COLLECTION OF SOLID WASTE

Be it enacted by the Board of Trustees of the Village of New Paltz, County of Ulster, State of New York as follows:

Section 1. Statement of Intent

This Local Law is enacted to amend New Paltz Village Code Chapter 171 in order to improve the current residential solid waste collection system within the Village by adding additional regulations governing the collection system, which is presently operated by an independent contractor following a public bidding process.

Section 2. Section 171-3 Amended

The Village of New Paltz Code, Section 171-3 entitled “License Required” is hereby amended as follows:

Add the following sentence to the end of the section:

“No individual business entity who owns or leases residential property within the Village of New Paltz shall enter into an oral or written agreement with any waste hauling individual or business to remove solid waste from a residence within the Village of New Paltz that has not procured the license required by this Chapter. Nothing contained herein shall prevent a resident or property owner from personally taking solid waste and/or recyclables directly to a solid waste transfer station without engaging the residential solid waste licensee approved by the Village of New Paltz.

Section 3. Section 171-6 Amended

The Village of New Paltz Code, Section 171-6 entitled “Operating Regulations” is hereby amended as follows:

Add the following new subsections:

D. Residential License. It is the intention of the Village to award only one residential waste hauling license pursuant to this Chapter for refuse collection and disposal, and collection of recyclables from all single-family and multi-family dwelling units with individualized refuse collection located in Village. Multi-family dwelling units shall be

those with ten (10) or less separate units. All multi-family dwelling units with eleven (11) or more separate units shall be considered commercial for the purposes of this Chapter.

E. Commercial License. There is no restriction on the number of commercial solid waste hauling licenses that may be issued for non-residential properties. However, any commercial waste hauling licensee which does not possess a residential waste hauling license and engages in unauthorized residential solid waste pickup within the Village of New Paltz shall be subject to the suspension and/or revocation of its commercial license in accordance with Section 171-7 of this Chapter.

F. Incomplete Disposal. All licensees shall utilize their best efforts to pick up any refuse left behind on Village streets or residential premises as a result of incomplete disposal from approved containers into the waste hauling vehicles.

Section 4. Severability.

The provisions of this local law are declared severable, and if any section or subsection of this local law is held to be invalid, such invalidity shall not affect the other provisions of this local law that can be given effect without the invalidated provision.

Section 5. Repeal.

All ordinances, local laws and parts thereof inconsistent with this Local Law are hereby repealed.

Section 6. Effective Date.

This Local Law shall take effect immediately upon filing in the office of the New York State Secretary of State in accordance with section 27 of the Municipal Home Rule Law.

(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)

1. (Final adoption by local legislative body only.)

I hereby certify that the local law annexed hereto, designated as Introductory Local Law No. 3 of 2023 of the (County)(City)(Town)(Village) of New Paltz was duly passed by the Board of Trustees of the Village of New Paltz on _____, 2023, in accordance with the applicable provisions of law.

~~**2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer*.)**~~

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved) (repassed after disapproval) by the _____ and was deemed duly adopted on _____ 20____ in accordance with the applicable provisions of law.

~~**3. (Final adoption by referendum.)**~~

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved) (repassed after disapproval) by the _____ on _____ 20____. Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on _____ 20____, in accordance with the applicable provisions of law.

~~**4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)**~~

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved) (repassed after disapproval) by the _____ on _____ 20____. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of _____ 20____, in accordance with the applicable provisions of law.

* Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

5. (City local law concerning Charter revision proposed by petition.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the City of _____ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on _____ 20____, became operative.

6. (County local law concerning adoption of Charter.)

I hereby certify that the local law annexed hereto, designated as local law No. ____ of 20____ of the County of _____, State of New York, having been submitted to the electors at the General Election of _____ 20____, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph 1, above.

_____,
Village of New Paltz Village Clerk

(Seal)

Date: _____

**TOWN OF NEW PALTZ
NOTICE OF ADOPTION**

(Chapter 114 – Solid Waste)

NOTICE IS HEREBY GIVEN that at a duly convened meeting of the Town Board of the Town of New Paltz held at the Courthouse thereof located at 59 North Putt Corners Road, New Paltz, Ulster County, New York on the _____ day of _____, 2023, at _____ o'clock P.M. the Town Board of the Town of New Paltz enacted Local Law No. _____ for the year 2023 in order to improve the current residential solid waste collection system within the Town by adding additional regulations governing the collection system presently operated by an independent contractor following a public bidding process.

A copy of the local law is on file in the Office of the Town Clerk, Town of New Paltz located at 52 Clearwater Road, New Paltz, New York 12561 and is available for inspection during regular office hours.

Dated: New Paltz, New York
_____, 2023

**BY THE ORDER OF THE TOWN BOARD
OF THE TOWN OF NEW PALTZ**

ROSANNA ROSENKRANSE,
TOWN CLERK

TOWN OF NEW PALTZ
NOTICE OF PUBLIC HEARING
(Chapter 114 – Solid Waste)

PUBLIC NOTICE is hereby given that there has been introduced before the Town Board of the Town of New Paltz, New York a local law to amend Chapter 114, “Solid Waste” of the Code of the Town of New Paltz

Among the purposes and intent of the proposed local law is to amend Article I, “Residential Collection” of Chapter 114, “Solid Waste” in order to improve the current residential solid waste collection system within the Town by adding additional regulations governing the collection system presently operated by an independent contractor following a public bidding process.

A complete copy of the introductory Local Law is available for inspection at the Town Clerk's Office during normal business hours.

NOW, THEREFORE, PLEASE TAKE NOTICE that a Public Hearing will be held on the ___ day of _____, 2023, at _____ o'clock p.m. to consider “A LOCAL LAW Amending Chapter 114, “Solid Waste” of the Code of the Town of New Paltz relating to the collection of solid waste, same to be held in person at the Courthouse located at 59 North Putt Corners Road in the Town of New Paltz, Ulster County, New York and virtually by phone (dial in +1 929 205 6099, Meeting ID: 836 6723 4905, Passcode: 883506) and online <https://us02web.zoom.us/j/83667234905?pwd=MVRkSDJPCzREN0ZRblMxRIJ0ZldVQT09>

at _____ P.M. at which time, or as soon thereafter as practicable, all persons interested therein shall be heard. The hearing may be closed on that date or adjourned to another date, as the Town Board deems appropriate.

The Town of New Paltz will make every effort to assure that the hearing is accessible to persons with disabilities. Anyone requiring special assistance and/or reasonable accommodation should contact the Town Clerk.

Dated: _____, 2023

BY ORDER OF THE TOWN BOARD OF THE
TOWN OF TOWN OF NEW PALTZ

ROSANNA ROSENKRANSE,
TOWN CLERK

Local Law Filing

www.dos.ny.gov

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

County City Town Village
(select one:)

of New Paltz

Introductory Local Law No. ____ of the year 2023

A LOCAL LAW AMENDING CHAPTER 114, “SOLID WASTE” OF THE CODE OF THE TOWN OF NEW PALTZ RELATING TO THE COLLECTION OF SOLID WASTE

Be it enacted by the Town Board of the Town of New Paltz, County of Ulster, State of New York as follows:

Section 1. STATEMENT OF INTENT.

This Local Law is enacted to amend Article I, “Residential Collection” of Chapter 114, “Solid Waste” in order to improve the current residential solid waste collection system within the Town by adding additional regulations governing the collection system presently operated by an independent contractor following a public bidding process.

Section 2. AMENDMENT.

Section 114-3, “License Required” of Article I, “Residential Collection” of Chapter 114, “Solid Waste” of the Code of the Town of New Paltz is hereby amended to add the following sentence to the end of the section:

No individual or business entity that owns or leases residential property within the Town of New Paltz shall enter into an oral or written agreement with any waste hauling individual or business to remove solid waste from a residence within the Town of New Paltz that has not procured the license required by this Chapter. Nothing contained herein shall prevent a resident or property owner from personally taking solid waste and/or recyclables directly to a

solid waste transfer station without engaging the residential solid waste licensee approved by the Town of New Paltz.

Section 3. AMENDMENT.

Section 114-6, "Operating Regulations" of Article I, "Residential Collection" of Chapter 114, "Solid Waste" of the Code of the Town of New Paltz is hereby amended to add the following new subdivisions:

D. Residential License. It is the intention of the Town to award only one residential waste hauling license pursuant to this Chapter for refuse collection and disposal, and for collection of recyclables from all single-family and multi-family dwelling units with individualized refuse collection located in the Town. Multi-family dwelling units shall be those with ten (10) or less separate units. All multi-family dwelling units with more than ten (10) separate units shall be considered commercial for the purposes of this Chapter.

E. Commercial License. There is no restriction on the number of commercial solid waste hauling licenses that may be issued for non-residential properties. However, any commercial waste hauling licensee which does not possess a residential waste hauling license and engages in unauthorized residential solid waste pickup within the Town of New Paltz shall be subject to the suspension and/or revocation of its commercial license in accordance with Section 114-7 of this Chapter.

F. Incomplete Disposal. All licensees shall utilize their best efforts to pick up any refuse left behind on streets, highways or residential premises within the town as a result of incomplete disposal from approved containers into the waste hauling vehicles.

Section 4. SEVERABILITY.

If any clause, sentence, paragraph, subdivision, section, or part of this law or the application thereof to any person, individual, corporation, firm, partnership, entity or circumstance shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, effect or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or part of this law or in its application to the person, individual, corporation, firm, partnership, entity or circumstance directly involved in the controversy in which such order or judgment shall be rendered.

Section 5. VALIDITY.

If any part or provision of this Local Law or the application thereof to any person or circumstance be adjudicated invalid by a court of competent jurisdiction, such judgment shall be confined in its operation to the part or provision or application directly involved in the controversy in which such judgment shall have been rendered and shall not affect or impair the validity of the remainder of this Local Law or the application thereof to other persons or circumstances, and the Town Board of the Town of New Paltz hereby declares that it would have passed this Local Law or the remainder thereof had such invalid application or invalid provision been apparent.

Section 6. REPEAL.

All ordinances, local laws and parts thereof that are inconsistent with this Local Law are hereby repealed.

Section 7. EFFECTIVE DATE.

This Local Law shall take effect immediately upon the filing in the office of the New York State Secretary of State.

(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)

1. (Final adoption by local legislative body only.)

I hereby certify that the local law annexed hereto, designated as Introductory Local Law No. 3 of 2023 of the (County)(City)(Town)(Village) of New Paltz was duly passed by the Board of Trustees of the Village of New Paltz on _____, 2023, in accordance with the applicable provisions of law.

~~2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer*.)~~

~~I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved) (repassed after disapproval) by the _____ and was deemed duly adopted _____ (Elective Chief Executive Officer*) on _____ 20____ in accordance with the applicable provisions of law.~~

~~3. (Final adoption by referendum.)~~

~~I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved) (repassed after disapproval) by the _____ on _____ 20____. _____ (Elective Chief Executive Officer*)~~

~~Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on _____ 20____, in accordance with the applicable provisions of law.~~

~~4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)~~

~~I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the~~

(County)(City)(Town)(Village) of _____ was duly passed by the
_____ on _____ 20_____, and was (approved)(not

(Name of Legislative body) approved) (repassed after disapproval) by the
_____ on _____ 20_____.

(Elective Chief Executive Officer*)

Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of _____ 20_____, in accordance with the applicable provisions of law.

* Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

5. (City local law concerning Charter revision proposed by petition.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the City of _____ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on _____ 20____, became operative.

6. (County local law concerning adoption of Charter.)

I hereby certify that the local law annexed hereto, designated as local law No. ____ of 20____ of the County of _____, State of New York, having been submitted to the electors at the General Election of _____ 20____, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph 1, above.

ROSANNA ROSENKRANSE, Town Clerk

(Seal)

Date: _____ 2023

RESOLUTION

(ADOPT A NEW CHAPTER 114, “SOLID WASTE” OF THE CODE OF THE TOWN OF NEW PALTZ)

At a regular meeting of the Town Board of the Town of New Paltz, Ulster County, New York, held in New Paltz, New York, in said Town on the _____ day of _____, 2023, at _____ o'clock P.M., Prevailing time.

The meeting was called to order by Council Member _____, and upon roll being called, the following roll was taken:

	<u>PRESENT</u>	<u>ABSENT</u>
Supervisor Neil Bettez	_____	_____
Council Member Daniel Torres	_____	_____
Council Member Alex Baer	_____	_____
Council Member Julie Seyfert Lillis	_____	_____
Council Member Esi Lewis	_____	_____

The following resolution was offered by Council Member _____, who moved its adoption, seconded by Council Member _____, to wit:

WHEREAS, a local law to amend Article I, “Residential Collection” of Chapter 114, “Solid Waste” in order to improve the current residential solid waste collection system within the Town by adding additional regulations governing the collection system presently operated by an independent contractor following a public bidding process proposed as Local Law No. ____ for the year 2023 was introduced at this meeting; and

WHEREAS, the Town Board of the Town of New Paltz has been designated lead agency to make all determinations pursuant to the State Environmental Quality Review Act (SEQRA); and

WHEREAS, the Town Board desires to hold a public hearing with respect to the adoption of the aforesaid local law.

NOW, THEREFORE, BE IT RESOLVED, that a public hearing will be held by the Town Board with respect to the adoption of the aforesaid local law, at the New Paltz Town Court House, 59 North Putt Corners Road in the Town of New Paltz, Ulster County, New York in person and virtually by phone (dial in +1 929 205 6099, Meeting ID: 836 6723 4905, Passcode: 883506) and

online <https://us02web.zoom.us/j/83667234905?pwd=MVRkSDJPczREN0ZRblMxRIJ0ZldVQT>
09 on the _____ day of _____, 2023 at _____ P.M.; and it is further

RESOLVED, that the Town Clerk is hereby directed and authorized to cause public notice of said hearing to be given as provided by law.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

<u>VOTE</u>	<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>
Supervisor Neil Bettez	_____	_____	_____
Council Member Daniel Torres	_____	_____	_____
Council Member Alex Baer	_____	_____	_____
Council Member Julie Seyfert Lillis	_____	_____	_____
Council Member Esi Lewis	_____	_____	_____

The resolution was thereupon duly adopted.

RESOLUTION
**REVIEW ENVIRONMENTAL IMPACTS OF PROPOSED CHANGES TO AMEND
 CHAPTER 114, "SOLID WASTE" OF THE CODE OF THE TOWN OF NEW PALTZ**

At a regular meeting of the Town Board of the Town of New Paltz, Ulster County, New York, held at the Town Hall, in New Paltz, New York, in said Town on the _____ day of _____, 2023, at _____ o'clock P.M., Prevailing time.

The meeting was called to order by Council Member _____, and upon roll being called, the following roll was taken:

	<u>PRESENT</u>	<u>ABSENT</u>
Supervisor Neil Bettez	_____	_____
Council Member Daniel Torres	_____	_____
Council Member Alex Baer	_____	_____
Council Member Julie Seyfert-Lillis	_____	_____
Council Member Esi Lewis	_____	_____

The following resolution was offered by Council Member _____, who moved its adoption, seconded by Council Member _____, to wit:

WHEREAS, a local law to amend Article I, "Residential Collection" of Chapter 114, "Solid Waste" in order to improve the current residential solid waste collection system within the Town by adding additional regulations governing the collection system presently operated by an independent contractor following a public bidding process in the Town proposed as Local Law No. ____ for the year 2023 was introduced at this meeting; and

WHEREAS, any project having a potential impact on the environment must have such impact determined by a lead agency pursuant to the State Act and Town Code; and

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of New Paltz designates the Town Board as the Lead Agency to determine all environmental matters and it is further

RESOLVED, that the Town Board of the Town of New Paltz has compared the proposed action as described in the Environmental Assessment Form Parts One and Two with the list of criteria set forth in 6 NYCRR 617.12 and determined that the application proposed is a Type II Action and that no further action is required to be taken under the Act.

<u>VOTE</u>	<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>
Supervisor Neil Bettez	_____	_____	_____
Council Member Daniel Torres	_____	_____	_____
Council Member Alex Baer	_____	_____	_____
Council Member Julie Seyfert-Lillis	_____	_____	_____
Council Member Esi Lewis	_____	_____	_____

The resolution was thereupon duly adopted.

RESOLUTION

(ADOPT A NEW CHAPTER 114, "SOLID WASTE" OF THE CODE OF THE TOWN OF NEW PALTZ)

At a regular meeting of the Town Board of the Town of New Paltz, Ulster County, New York, held at the New Paltz Court House in New Paltz, New York, in said Town on the _____ day of _____, 2023, at _____ o'clock P.M.,
Prevailing time.

The meeting was called to order by Council Member _____, and upon roll being called, the following roll was taken:

	<u>PRESENT</u>	<u>ABSENT</u>
Supervisor Neil Bettez	_____	_____
Council Member Daniel Torres	_____	_____
Council Member Alex Baer	_____	_____
Council Member Julie Seyfert Lillis	_____	_____
Council Member Esi Lewis	_____	_____

The following resolution was offered by Council Member _____, who moved its adoption, seconded by Council Member _____, to wit:

WHEREAS, a local law in order to improve the current residential solid waste collection system within the Town by adding to Chapter 114, "Solid Waste" of the Code of the Town of New Paltz additional regulations governing the collection system presently operated by an independent contractor following a public bidding process proposed as Local Law No. ____ for the year 2023 was introduced at a meeting of the Town Board of the Town of New Paltz on the ____ day of _____, 2023, with a copy thereof having been duly given to all council members; and

WHEREAS, due notice of a public hearing to be held thereon on the ____ day of _____, 2023, was duly published in the "New Paltz Times," a newspaper printed and published in New Paltz, Ulster County, New York, commencing on the ____ day of _____, 2023; and

WHEREAS, due and proper notice of such proposed local law and of the public

hearing to be held thereon as aforesaid was given pursuant to all applicable laws, rules and regulations regarding the giving of such notice; and

WHEREAS, such public hearing was held thereon on the _____ day of _____, 2023, at which time all interested persons were given an opportunity to be heard thereon;

NOW, THEREFORE, BE IT RESOLVED that the Town of New Paltz adopt a certain local law entitled: “A Local Law Amending Chapter 114, “Solid Waste” of the Code of The Town of New Paltz Relating to the Collection of Solid Waste.”

<u>VOTE</u>	<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>
Supervisor Neil Bettez	_____	_____	_____
Council Member Daniel Torres	_____	_____	_____
Council Member Alex Baer	_____	_____	_____
Council Member Julie Seyfert Lillis	_____	_____	_____
Council Member Esi Lewis	_____	_____	_____

The resolution was thereupon duly adopted.