



**Town Board Meeting
August 20, 2020, 7:00 pm
Video Conference**

Present: Supervisor Neil Bettez, Councilwoman Alex Baer, Councilman Dan Torres, Councilwoman Julie Seyfert-Lillis and Councilman Brownstein

At 7:48 pm a motion was made by Supervisor Bettez to open the Town Board Meeting with the pledge. Seconded by Councilwoman Seyfert-Lillis, all aye votes cast, motion carried.

Agenda:

A motion was made Supervisor Bettez to approve the agenda. Seconded by Councilman Torres, all aye votes cast motion carried.

Announcements:

None

Public Input:

Emails Received:

- Karen Nochisaki Gavin- The people that purchased R-1 zoned property on Henry W. DuBois (as I did in 1976) ,were done a great disservice when the decision was made to connect North Putt to Rt 32 via Henry W.DuBois in 1978.

The result of that one disastrous decision has changed life in this neighborhood completely. Instead of a healthy safe place to live and raise children, as assumed by the R-1 zoning, our yards and homes have become **noisy, unsafe and extremely unhealthy.**

There are several accidents annually on my corner alone, and in the past 7 years there has been an alarming number of cancer deaths (3) on the section I live on. I would like to ask the board and Police Department to begin ameliorating this decision this by:

- enforcing the **No Thru Trucks** policy;
- discourage people from using this as an arterial by lowering the speed limit to **25mph**;
- making **all intersections have 4-way stops** on that road
- and enforcing **Full Stops** at ALL of the stop signs immediately

I'm sure none of you would enjoy being in my yard while large trucks and vehicles come to within feet of your face, spewing noise and exhaust fumes.

Concerning the proposed bike lane/sidewalk

I was not consulted about it, however it is my opinion that it would be unconscionable to direct bikers to this road unless **further measures** were taken to lower the volume of traffic, for the health and safety of all by:

- making it a **one way street**
- developing a **southern route** to cross the Wallkill by going South on Putt Corners
- using **non-residential, state owned property** to create an alternate route to Main Street.

A) Is this considered to be a **Type 1 Action**?

1) If so, has the **scoping session** for the **SEQRA** taken place?

a) - Has there been **public input** sought for this session?

1a) - If so, when was it ?

2a) - If not, when will it be?

b) - Has a **Draft of Environmental Impact Statement** been submitted for this project?

1b) - If so, where may I see it?

2b) - If not, what is the projected date of this statement?

- Friends of Henry W Dubois Drive- Submitted a petition with 200 plus signatures demanding that the project stops as it currently stands.

- Kemp and Bill Minifie- My husband and I own the property at the NE corner of Henry W Dubois (HWD) and North Manheim Blvd. What first attracted us to the property was the beautiful stand of trees along HWD—mostly alternating very tall oak and pine trees in a measured line. In fact, we think that stately line of trees is the most beautiful section of HWD. Even though our house is set back farther from the road than the other three houses at that corner, and those stately trees act as a bit of a buffer, we still felt the need for more of a buffer and planted a line of forsythia around three sides of the backyard.

According to the plan we've seen for the Empire bike/ped Trail along HWD, that gorgeous line of trees, along with our carefully planted forsythia, would have to go. We agree with our neighbor, Greg Olear, that it would be "arboreal genocide." For what end? The environmental gifts trees give us—shade,

oxygen (in return for absorbing the carbon dioxide we generate), spiritual inspiration, to name a few—are not worth sacrificing for mostly out-of-town bikers.

As for pedestrians, I fail to see the need for a sidewalk. My husband and I are outside in our yard much of the day and see very few people walking. I'm a big walker and I don't have any desire to walk on HWD, not because there's no sidewalk, but because it's not convenient to anything. I often walk to the stores and the best way to do that is to walk down Main Street. (I would never consider walking down HWD to N Putt to get to Tops or ShopRite because N. Putt is way too dangerous with a 45 mph speed limit.) If you want to improve/install sidewalks, then do it on the cross streets, such as N Manheim, Millrock, Harrington, etc. so that there are good, safe sidewalks to get to Main Street. (Currently they are intermittent, often non-existent, uneven in grade, and made from varying materials.)

What enrages us the most, however, is the statement in the TAP CMAQ Grant Proposal that states: "Maintenance of the sidewalk (i.e. snow removal) will be completed by property owner in accordance with The Village/Town snow removal ordinance: the owner or occupant of any real property, whether vacant or improved by any buildings abutting any sidewalk, keep such sidewalk free and clear of snow and ice at all times." My husband and I are seniors on a fixed income. Physically we would not be able to keep the sidewalk cleared of snow and ice ourselves—we would have to hire someone to keep the sidewalk shoveled and salted throughout the long winter. That is a hefty expense people on fixed incomes should not be saddled with, when they need their finite resources for other things, like the maintenance of their house!

But that's not the end of it: we would also have to greatly increase our insurance to protect us from lawsuits over the condition of the sidewalk. All this aggravation for a sidewalk we don't want and don't see the need for. How can a township foist such a grave responsibility on homeowners when the sidewalk/path did not exist when they bought their property? If it had existed when the property was for sale, they might not have chosen that property. Certainly in our case, we would have shied away from the added expense and worry of keeping a sidewalk clear of ice and snow and the liability insurance to protect us.

- Todd Fillette- My name is Todd M Fillette and I am a resident of the Town of New Paltz. I am writing to you regarding the Henry W. DuBois Road Improvement Project.

I humbly and respectfully request that this project not move forward until the residents and their respective community groups of Henry W. DuBois neighborhood are afforded a fair opportunity to meet with their elected officials in a private session to express their concerns regarding this project. The current remote platform is inadequate and ineffective; town residents are not able to participate. There is great confusion on the scope of the project and a lack of transparency that is concerning.

I humbly and respectfully request a return receipt sent to tfillette@gmail.com regarding the receipt of this email and the information contained herein.

- James and Michelle Taylor- In regards to the HWD widening project as 41 year residents and property owners on HWD we have these comments and ask they be read and entered into the meeting record tonight.

We take exception to the continual increase in auto, bike and pedestrian traffic and pollution caused by the impact now and future from the Enterprise State Trail and the economic development zones Stewart's megashop, Zero Place, Agway Bakery and CVS plaza.

Safer and more scenic alternatives exist for out of town bikers and hikers. Consuming the entire width of the highway barrier will impact too many long established plantings and buildings on our residential street. While we are busy attracting tourists to use this space let's not forget those who live there.

If this project proceeds I would ask that the requirement for homeowners to maintain the EST sidewalk be waived and owners indemnified from litigation arising from use of the trail. Many of us are on fixed incomes and cannot afford an additional \$2000+ a year to have it cleared plus there will be nowhere left to put the snow. I would ask that this project be minimally invasive.

If would also ask the town to allow privacy fences higher than 4 feet since many trees and hedges will be removed.

- Kathleen Rivera- In reference to the Dubois bike path project: I personally do not object to bikers or bike paths on Henry W. Dubois Road. Everyone needs & should exercise, but I object to the size or large scope of the proposed rode. It need not be 5 feet wide on each side, plus a sidewalk. What is wrong with the approximate 3 foot paths on either end of Dubois. This big a project would damage the beautiful & beneficial trees (the roots too) along the road, and take some of our private property. This is a massive project that will cause more damage, and go over budget, if it hasn't already.

- June Sanson- My home is on Henry W. DuBois Dr., and I am strongly opposed to the bike lane project, which will require the removal of trees, and land acquisition, for the widening of this road.

First of all, it is a dangerous road. Over my twenty years here, I have witnessed many accidents, both minor and serious, due to cars rolling through stop signs, speeding, drivers falling asleep at the wheel, and distraction. I have made many phone calls to the police department requesting increased patrolling. They have responded quickly and with great effort, but of course it's impossible to have a

patrol car on every corner. It’s not a sensible idea to encourage increased bike and pedestrian traffic on this particular road, even with a divided lane. Accidents will happen.

Secondly, this is a residential neighborhood, and although Henry W is a wide road, it’s edges are softened by beautiful large old trees. These trees provide shade during our increasingly hot summers; they add character to the town. Removing any of these trees would be an irreplaceable loss of beauty and of living history.

Land acquisition, and the destruction of trees along with each home’s border landscaping, with the widening of this road, would create an unattractive, bare, city-type boulevard. This will increase traffic and speed, along with reducing the land area and value of local homes.

Thirdly, the traffic on Main Street is at a standstill every weekend due to the scenic beauty and points of interest that visitors find in New Paltz. As a resident, I avoid these places on the weekends because of the traffic and crowds. The last thing we need is a project that will bring even more tourists to this congested little town. Enough is enough.

Last of all, as a long time resident, I have watched my property taxes increase yearly. Much of this may be unavoidable. But such a large construction project, partly grant money and partly our tax money, will undoubtedly run over budget. I am strongly opposed to paying increased taxes on a devalued home for the purpose of increasing tourism.

Henry W DuBois is in need of design updates, for sure. But we need to make Henry W safer, not busier, and not wider!

Consent Agenda:

A motion was made by Supervisor Bettez to approve and/or authorize the following items on the consent agenda. Seconded by Councilman Torres, all aye votes cast, motion carried.

- a. Approval of Meeting minutes: July 30 Special Meeting
- b. Authorization of expenditure of \$3,615.75 for graduate school tuition for Andrew Vlad and \$3,265.97 for graduate school tuition for John Wilson, NPYP
- c. Authorization for Supervisor to sign Amendment No. 1 to Contract No. 2020- 00000035, DWI Task Force Agreement with Ulster County
- d. Approval of water/sewer payment plan for 95 Henry W. DuBois Dr., Acct # 33-0
- e. Release of escrow, Project ID CP05-01, New Paltz Views Construction Project in the amount of \$4,513.26
- f. PO Approval: R0-000238, American Hose, \$2,034.08; R0-000248, Eastern Materials \$7,589.12; R0-000261, Pitney Bowes, \$1,500.00; R0-000252, A Montano Co Inc, \$ 2,328.50
- g. Approval of Town of New Paltz Work-Related Injury/Illness Form
- h. Authorization of the following budget modifications for cost overruns:

A FUND							
To:				From:			
A	1420.400	Attorney, C.E.	10,500.00	A	1990.400	Contingency	59,720.00
A	1650.471	Web Site	1,000.00				
A	1680.400	Central Data Processing, C.E.	10,500.00				
A	3120.100	Police, P.S.	36,203.00				
A	8189.420	Recycle-Bank Card Fees	1,229.00				
A	9040.800	Workers' Comp	288.00				
A			59,720.00				
B FUND							
To:				From:			
B	1650.200	Public Access, Equipment	1,250.00	B	1990.400	Contingency	1,261.00
B	8090.400	ENCC, C.E.	9,975.00	B	8092.400	Grants Writer	9,975.00
B	9040.800	Workers' Comp	11.00				11,236.00
			11,236.00				
DA FUND							
To:				From:			
DA	9040.800	Workers' Comp	2.00	DA	9010.800	State Retirement	2.00
DB FUND							
To:				From:			
DB	5132.400	Garage, C.E.	5,000.00	DB	5110.400	General Repairs, C.E.	5,090.00
DB	9040.800	Workers' Comp	90.00				
			5,090.00				
SSA FUND							
To:				From:			
SSA	8110.400	Administration, C.E.	81.00	SSA	9010.800	State Retirement	81.00
SSE FUND							
To:				From:			
SSE	8110.400	Administration, C.E.	53.00	SSE	9010.800	State Retirement	53.00
SSF FUND							
To:				From:			
SSF	8110.400	Administration, C.E.	38.00	SSF	9010.800	State Retirement	38.00
SWA FUND							
To:				From:			
SWA	8310.400	Administration, C.E.	193.00	SWA	9010.800	State Retirement	193.00
SWB FUND							
To:				From:			
SWB	8310.400	Administration, C.E.	17.00	SWB	9010.800	State Retirement	17.00
SWD FUND							
To:				From:			
SWD	8310.400	Administration, C.E.	27.00	SWD	9010.800	State Retirement	27.00

Resolution Establishing a Capital Reserve Fund

A motion was made by Supervisor Bettez to adopt the Resolution establishing a Capital Reserve Fund to Finance a type of Capital Improvement or Equipment.

RESOLVED, that pursuant to Section 6-c of the General Municipal Law, as amended, there is hereby established a capital reserve fund to be known as the "Police Department Computer Reserve Fund" (hereinafter "Reserve Fund"). The purpose of this Reserve Fund is to accumulate moneys to finance the cost of a type of equipment. The type of equipment to be financed from the Reserve Fund is the acquisition of replacement computers and servers for the Police Department.

The chief fiscal officer is hereby directed to deposit and secure the moneys of this Reserve Fund in the manner provided by Section 10 of the General Municipal Law. The Supervisor may invest the moneys in the Reserve Fund in the manner provided by Section 11 of the General Municipal Law, and consistent with the investment policy of the Town of New Paltz. Any interest earned or capital gains realized on the moneys so deposited or invested shall accrue to and become part of the Reserve Fund. The chief fiscal officer shall account for the Reserve Fund in a manner which maintains the separate identity of the Reserve Fund and shows the date and amount of each sum paid into the fund, interest earned by the fund, capital gains or losses resulting from sale of investments of the fund, the amount and date of each withdrawal from the fund and the total assets of the fund, showing cash balance and a schedule of investments, and shall, at the end of each fiscal year, render the Board a detailed report of the operation and condition of the Reserve Fund.

Except as otherwise provided by law, expenditures from the Reserve Fund shall be made only for the purpose for which the Reserve Fund is established. No expenditure shall be made from this Reserve Fund without the approval of this governing board and such additional actions or proceedings as may be required by Section 6-c of the General Municipal Law or any other law.

This resolution is subject to permissive referendum pursuant to subdivision 4 of Section 6-c of the General Municipal Law.

Seconded by Councilwoman Baer, all aye votes, motion carried.

Authorization to hire Michelle Yeager as a full time officer: NPPD

A motion was made by Supervisor Bettez to hire Michelle Yeager as a Full-Time Police Officer for the NPPD. Seconded by Councilwoman Seyfert-Lillis, all aye votes cast motion carried.

Approval of sharps disposal MOU

A motion was made by Supervisor Bettez to approve the sharps disposal MOU. Seconded by Councilwoman Baer, all aye votes cast, motion carried.

Water bill dispute, 11 Duzine

Melyssa Brown and Zachary Rossman disputed water bill for 11 Duzine. Stated there was a discrepancy between inside and outside meters. They pointed out that there was no record of inside read for quite some time. They conducted tests and provided photos demonstrating possible calibration and therefore would like discrepancy fees waived.

The Town Board would like to get a bigger sample of usage over the next few months prior to making a decision.

Water bill dispute, 66 Mt. Rest

Customer received new meter and received high usage for first couple of months. Customer indicated they did not have a leak that they were aware of and would like additional fees waived. Town Board decided to look into this matter and revisit at next meeting.

Stony Kill Easement Variance Request

Property Owner Robert Blackmore asked the Town Board if he could remove ruts and plant orchards in the rear of property as part of the Conservation Easement.

A motion was made by Supervisor Bettez stating both requests made are within the guidelines of the easement. Seconded by Councilman Brownstein, all aye votes cast, motion carried.

Authorization to make Recycling Assistant position permanent

A motion was made by Supervisor Bettez to change recycling assistant position from a per diem part time position to a permanent part time position. Seconded by Councilwoman Baer, all aye votes cast motion carried.

Channel 23 studio proposal

Public access (Bob Fagan) would like to use the small conference room in the community center for storage of equipment.

A motion was made by Supervisor Bettez to allow public access the ability to use small conference room at community center as long as it doesn't interfere with YMCA fall program needs. Seconded by Councilman Brownstein, all aye votes cast motion carried.

YMCA Fall program at Community Center

The Supervisor has been in communication with Jim Tinger and Chuck Bordino about having a organizations provide safe activities at the community center.

The Supervisor would like to waive fees at the Community Center/Field of Dreams for any organization that can provide services/help for people within the community as long as CDC guidelines are being followed.

A motion was made by Supervisor Bettez to waive fees associated with the community center and Field of dreams to organizations providing a beneficial service to the community. Seconded by Councilman Brownstein, all aye votes cast, motion carried.

Henry W. Dubois Road Improvement Project update

The engineers are still working on preliminary design to present at a public meeting with public input.

The main goal of the project is to make the road safe for everyone with ease of access.

Karen Nochisaki Gavin, June Sanson, and Kemp Minifie spoke in opposition of the project.

Resolution authorizing Courts to apply for Justice Court Assistance Program Grant

A motion was made by Supervisor Bettez to approve/adopt the Resolution authorizing the Courts to apply for Justice Court Assistance Program Grant.

WHEREAS, The Town of New Paltz is currently in the process of building a new Police and Justice Court building at 59 N. Putt Corners Rd., and

WHEREAS, the New Paltz Town Court has requested authorization to apply for funding toward this purpose,

NOW, THEREFORE, BE IT RESOLVED that the Town of New Paltz authorizes the New Paltz Town Court to apply for a JCAP grant in the 2020-21 grant cycle up to \$30,000.00.

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

Acceptance of gift: Tree planting at Field of Dreams

An application has been brought before the planning board offering to do a planting project for the Town. A donation of 10 2" trees to be planted at the new soccer fields at the Field of Dreams.

Supervisor Bettez made a motion to accept the gift mentioned above. Seconded by Councilman Torres, all aye votes cast, motion carried.

August Warrant

A motion was made by Supervisor Bettez to approve the August Warrant in the amount of \$744,379.92.

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

At 9:39 pm a motion was made Supervisor Bettez to adjourn the Town Board Meeting. Seconded by Councilwoman Baer, all aye votes cast, motion carried.

Respectfully Submitted,

Kristie Mazzaccari
Deputy Town Clerk