



**Cont. Public Hearing- Repeal Ch. 34, "Police Commissioners,
and add a new Ch. 34, "Police Commissioners"
Town Board Meeting
October 7, 2021, 7:00 p.m.
Via Videoconference**

Present: Supervisor Neil Bettez, Councilman Dan Torres, Councilwoman Alex Baer.

Absent: Councilman David Brownstein, Councilwoman Julie Seyfert-Lillis.

At 7:03 p.m. a motion was made by Supervisor Bettez to open the public hearing. Seconded by Councilman Torres, all aye votes cast, motion carried.

Public Input:

-Paul Brown expressed concerns regarding secretarial and legal support for the new Commission. He recommended mandatory training for the Commissioners like the Planning Board members and spoke about other aspects of the proposed law.

Councilwoman Seyfert-Lillis arrived at 7:09 p.m.

-Tom Jelliffe spoke about the EO203 and the need for a mission statement. He also spoke about "Dissolution & Dismissal" and training.

-Edgar Rodriguez spoke about the importance of the law protecting the Commissioners against lawsuits, training and responsibilities and duties.

Supervisor Bettez indicated that the Public Hearing will be left open for the remainder of the meeting.

Town Board Meeting:

At 7:24 p.m. a motion was made by Supervisor Bettez to open the meeting with the pledge. Seconded by Councilman Torres, all aye votes cast, motion carried.

Agenda: Move items #5 and #6 up.

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

Public Input:

-Katy Bray the Environmental Health Trust together with Children's Health Defense won a very historic case against the FCC for having false health guidelines and not acknowledging the harm 5G and Wireless is doing to children.

-Edgar Rodriguez read a statement regarding democracy among the Town Board and Village Board.

-Tom Jelliffe had questions and comments regarding the 2022 budget process.

Approval of change orders for 59 N. Putt Corners Rd. Project:

Matt Eyler spoke about the project and indicated that the internal part of the building will be done within 2 weeks and the courts would move in in early November. There is a lot of the complexity with security, accessibility and telecommunications for the Police and Courts. The bulk of the change orders are technical issues, but the project will still come in under budget.

A motion was made by Supervisor Bettez to authorize the Supervisor to sign the change orders for 59 N. Putt Corners Rd. Seconded by Councilman Torres, all aye votes cast, motion carried.

Awarding of bid for Water District #5:

A motion was made by Supervisor Bettez and seconded by Councilman Torres to authorize the Supervisor to approve the following resolution and sign the contracts awarding the bids as follows:

WHEREAS, the Town has publicly advertised for and opened on August 27, 2021 competitive bids from contractors for the work, labor, services and materials for Town of New Paltz Phase III Backup Water Supply, Contract No. 2, Plains Road Well House Construction and Contract No. 3 Water Distribution Main Improvements; and

WHEREAS, by letters, dated September 14, 2021 the Town Board received from Barton & Loguidice, its engineering consultant, recommendations regarding the award of the bids after having confirmed that the bid bond and completed bid forms in each case have been provided and completed without error or omission, after having completed reference checks and after having confirmed that each low bidder's qualifications have been met per the requirements outlined in the bid documents; and

WHEREAS, on September 30, 2021 the Town of New Paltz received written authorization from the City of New York, a municipal corporation of the State of New York, acting by and through the New York City Department of Environmental Protection ("DEP"), consenting to the award of the bids;

NOW, THEREFORE, it is resolved as follows:

1. The Town Board of the Town of New Paltz award the General Construction (GC) Contract No. 2A (Plains Road Well House) to: **Butler Construction Group, Inc.**, having an address at 275 Union Street, Montgomery, NY 12549, at the base bid of \$1,719,421.00;

TOTAL CONTRACT AWARD (2A): **\$1,719,421.00**; and it is further resolved

2. The Town Board of the Town of New Paltz award the Mechanical Construction (MC) Contract 2B to: **DJ Heating & Air Conditioning, Inc.**, having an address at 1409 Route 9W, Marlboro, NY 12542, at the base bid of \$49,400.00

TOTAL CONTRACT AWARD (2B): **\$49,400.00**; and it is further resolved

3. The Town Board of the Town of New Paltz award the Electrical Construction (EC) Contract 2C to: **CDE Electric, Inc.**, having an address at P.O. Box 204, 685 Vernal Butler Road, Cairo, NY 12413, at the base bid of \$591,000.00

TOTAL CONTRACT AWARD (2C): **\$591,000.00**; and it is further resolved

4. The Town Board of the Town of New Paltz award the General Construction (Water Main) Contract 3 to: **Merritt Construction, Inc.**, having an address at 6 Staghorn Drive, Saugerties, NY 12477, at the base bid of \$4,456,064.50;

TOTAL CONTRACT AWARD (3): **\$4,456,064.50**; and it is further

RESOLVED that the Supervisor, with the advice of the attorney for the town and the town's engineering consultant, is authorized to sign the construction contract documents with the respective contractors consistent with the foregoing resolution, including such other, further and different documents as may be necessary to give full force and effect to this resolution. All aye votes cast, motion carried.

Discussion-Proposed Draft Law-Repeal Ch. 34 "Police Commissioners, Board of":

Supervisor Bettez indicated that many of the items of concern brought up during public comment were originally included in the draft law but taken out by the Attorney because they don't belong in the law. The Town can adopt a policy that includes those items. The public hearing will remain open.

Consent Agenda:

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

- a. Approval of minutes: Police Commission 09/23/21; Town Board 09/23/21
- b. Authorization to modify escrow: PB#21-351, 443 S. Ohioville Rd.; initial deposit \$1,500, replenishment amount \$750
- c. Authorization for Highways to hire JoAnn Cross on a temporary part-time basis beginning October 12, 2021 at the rate of \$18.50/ hr. not to exceed 20 hrs. weekly
- d. Authorization for Supervisor to sign the Agreement for Ohioville WWTP Disinfection Improvement Study (NY EPG No. 105460)
- e. Authorization of Project Budget and Plan of Finance for the Ohioville WWTP Disinfection Improvement Study (NY EPG No. 105460)
- f. Authorization for Highways to sell the following items at auction: One (1) 1984 John Deere 301A tractor with Alamo flail mower; One (1) Load N Go truck insert tool box

- g. Authorization of prepaids: Petersen Furniture International, Inc.: \$17,104.00; Slotnick Signs and Designs: \$1,325.00

Draft Law- "Override the Tax Levy Limit":

A motion was made by Supervisor Bettez to schedule the public hearing for October 21st at 7:30 p.m. Seconded by Councilwoman Seyfert-Lillis, all aye votes cast, motion carried.

A motion was made by Supervisor Bettez to adopt the resolution declaring the Town Board Lead Agency to Review the Environmental Impacts of the Proposed Changes to the Code of the Town of New Paltz Regarding the Tax Cap Override Law. Seconded by Councilman Torres, all aye votes cast, motion carried.

Authorization of final purchase, Plains Road property:

At the time of delivery of the transfer documents (the "Closing"), Purchaser shall pay Seller the balance of ONE MILLION FIVE HUNDRED-TWENTY THOUSAND (\$1,520,000.00) representing the Purchase Price of \$1,800,000.00 less the Down Payment of \$55,000.00 and three (3) Option Payments totaling \$225,000.00.

A motion was made by Supervisor Bettez to authorize the Supervisor to sign all necessary documentation pertaining to the purchase of the Plains Road property. Seconded by Councilwoman Baer, all aye votes cast, motion carried.

Approval of contract-Professional Construction Services/Plains Road Water District/Chazen Project Number 62107.00:

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

Discussion-Workshop Meeting:

A motion was made by Supervisor Bettez to schedule a Special Town Board Workshop meeting to discuss the "Rental and Vacant Residential Properties" law, for October 26st at 6:30 p.m. Seconded by Councilman Torres, all aye votes cast, motion carried.

Executive Session:

At 8:19 p.m. motion was made by Supervisor Bettez to go into executive session to discuss personnel. Seconded by Councilwoman Seyfert-Lillis, all aye votes cast, motion carried.

At 8:43 p.m. a motion was made by Supervisor Bettez to come out of executive session with no action taken. Seconded by Councilwoman Baer, all aye votes cast, motion carried.

At 8:43 p.m. a motion was made by Supervisor Bettez to adjourn the meeting. Seconded by Councilman Torres, all aye votes cast, motion carried.

Respectfully Submitted,

Rosanna Rosenkranse
Town Clerk