



**Town Board Meeting
May 19, 2022, 7:00 p.m.
Via Videoconference**

Present: Supervisor Neil Bettez, Councilwoman Esi Lewis, Councilwoman Julie Seyfert-Lillis, Councilwoman Alex Baer, Councilman Dan Torres.

At 7:00 p.m. a motion was made by Supervisor Bettez to open the meeting with the pledge. Seconded by Councilwoman Baer, all aye votes cast, motion carried.

Agenda: Remove #1 Executive Session and #4 Discussion regarding Police Commissioners. Add Grace Lang to list of pool hires at \$13.50/hr.

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:

Robert Feldman, Matt Pilek and Matthew Friday spoke about the challenges they face living in the Cherry Hill neighborhood where the number of rentals has increased and where a commercial building is operating in a R-1 District.

Discussion:

The Town Board discussed the comments made during public comment and how they relate to the local law passed in November regarding Rental Registrations for non-owner-occupied properties. The Supervisor indicated that the Town does not currently have an Air B&B Law yet, but the Town is getting requests for and against passing one. Through the Rental Registration process the Town will get a sense of the extent of the problem.

Town Map Amendment:

The Town received a petition to include SBL 87.9-1-12 into the Gateway District. This parcel is currently in 3 different districts.

A motion was made by Supervisor Bettez to set the public hearing for June 2nd at 7 p.m. Seconded by Councilwoman Lewis, all aye votes cast, motion carried.

A motion was made by Supervisor Bettez to adopt the resolution Designating the Town Board Lead Agency to Review Environmental Impacts of the Proposed Changes to Amend §140-6, "Zoning Map" of the Code of the Town of New Paltz (Gateway Business). Seconded by Councilwoman Seyfert-Lillis, all aye votes cast, motion carried.

A motion was made by Supervisor Bettez to adopt the Resolution and Notice of Determination of Non Significance-Negative Declaration regarding the proposed local law to Amend §140-6, "Zoning Map" of the Code of the Town of New Paltz (Gateway Business). Seconded by Councilwoman Seyfert-Lillis, all aye votes cast, motion carried.

Resolution in Support of the Conservation Overlay Zoning Training and Assistance Project:

A motion was made by Supervisor Bettez to adopt the following resolution. Seconded by Councilwoman Baer, all aye votes cast, motion carried.

WHEREAS, the Town of New Paltz would like to establish a Conservation Overlay Zone for the purpose of protecting critical features such as woodlands, habitat areas, and other priority natural areas that are not currently addressed in the Town Code, and

WHEREAS, a Conservation Overlay Zone will provide a clear overview of these resources and a means to protect them, and

WHEREAS, The Town Code of the Town of New Paltz contains specific protections for wetlands and watercourses, steep slopes, and open space preservation, as well as a designated Critical Environmental Area for the Shawangunk Ridge, and

WHEREAS, however, there are proposed Critical Environmental Areas that have not yet been designated, and

WHEREAS, a Conservation Overlay District would protect several large, intact forested and wetland areas throughout the Town, ensure that any of the ecologically important aspects of these areas that are not currently protected by code are protected, and that the Town Planning Board is given the tools it needs to allow ecologically sustainable development, and

WHEREAS, a Conservation Overlay District would solidify and bolster the efforts already put forth by the Town's Open Space Plan, Community Preservation Plan, and Comprehensive Plan, and

WHEREAS, The Hudson River Estuary Program and Cornell University Department of Natural Resources and the Environment has selected the Town of New Paltz to participate in the Conservation Overlay Zoning Training and Assistance Project,

NOW THEREFORE, BE IT RESOLVED, that the Town Board of the Town of New Paltz accepts this grant, supports participation in the project and authorizes the Supervisor to facilitate this process.

Resolution-Authorizing the Commencement of Litigation Against Columbia Utilities, LLC:

A motion was made by Supervisor Bettez to approve the following resolution. Seconded by Councilwoman Lewis, all aye votes cast, motion carried.

WHEREAS, Columbia Utilities, LLC, including any subsidiaries and affiliates, (herein collectively "Columbia") is an independent retail energy supply company; and

WHEREAS, the Town of New Paltz ("Town") entered into a Community Choice Aggregation Electricity Supply Agreement ("Supply Agreement") with Columbia and Joule Assets Inc. ("Joule"), with Joule acting as Community Choice Aggregation Administrator, to provide energy benefits to residents and small non-residential customers within the Town ("Residents"); and

WHEREAS, on April 19, 2022, Columbia notified the Public Service Commission that that it intends to transfer these Residents to the utility, which transfer would constitute a breach of the Supply Agreement by terminating service without cause or in accordance with the terms of the Supply Agreement; and

WHEREAS, the Town desires to retain Hodgson Russ LLP as counsel for the purpose of joining Joule in commencing litigation on behalf of the Town to enforce the Supply Agreement;

NOW THEREFORE, BE IT RESOLVED that:

1. Commencement and prosecution of a civil action against Columbia, and any other appropriate party, for the purpose of enforcing the Supply Agreement and protecting the interests of the Residents, including but not limited to preventing any breach, and/or recovery of damages from any responsible party on behalf of the Town/City/Town and its residents and small non-residential customers, is hereby authorized and approved.
2. The Supervisor and staff are authorized to take all appropriate steps to support the successful prosecution of the proceeding.
3. The retention of Hodgson Russ LLP as outside counsel is hereby authorized for the purpose of commencing and prosecuting this action. Nothing in this Resolution authorizes the expenditure of funds for such purpose.
4. This Resolution shall be effective immediately upon its adoption.

Consent Agenda:

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

- a. Approval of minutes: Town Board May 5, 2022
- b. Approval of amended Community Center rental rates for 2022
- c. Authorization to hire the following employees at the following hourly rates for the 2022 Moriello Pool season effective May 21, 2022:

Ashley Benkert	\$16.00	Lifeguard (3)
Emily Benkert	\$18.50	HG-1 / WSI
Sean Benkert	\$17.50	Lifeguard (3) / WSI
Lucas Brady	\$14.50	Attendant (2)*
Jules Branitz	\$15.00	Lifeguard (1)
Sophie Brassard	\$15.00	Lifeguard (1)
Riley Burdick	\$16.00	Lifeguard (2) / WSI
April Cook	\$16.50	Lifeguard (3) / WSI
Alexandra Dratch	\$18.50	<u>HG-1</u> / WSI
Taishan Fontes-Janusz	\$16.00	Lifeguard (2) / WSI
Campbell Heiz	\$15.50	Lifeguard (1) / WSI
Josie LaPolt	\$17.50	HG-2 / WSI
Tessa LaPolt	\$14.50	Attendant (2) / LGT / WSI
Emily Lawrence	\$14.00	Attendant (2)
Isabel Loyer	\$15.00	Lifeguard (1)

William Mergl	\$15.00	Lifeguard (1)
Zachary Musso	\$16.50	Lifeguard (3)*
Joshua Pappace	\$16.00	Lifeguard (2) / WSI
Alyssa Puleo	\$15.50	Lifeguard (2)
Quinn Ratynski	\$16.50	Lifeguard (3) / WSI
Brady Saunders	\$16.50	Lifeguard (3) / WSI
Tuari Schenker	\$17.00	Lifeguard (3) / WSI / EMT
Zofia Trzewik-Quinn	\$16.50	Lifeguard (3) / WSI
John Weber	\$14.50	Attendant (2)*
Koby Wulfmeyer	\$15.50	Lifeguard (1) / WSI
Jedidiah Weires	\$17.00	HG-2 / LGT(3)
Nina Brady	\$14.00	Attendant (2)
Alex Demis	\$16.00	Lifeguard (3)
Charlee Domitrovits	\$15.00	Lifeguard (1)
Morgan Dunn	\$16.00	Lifeguard (3)
Fallon Geisler	\$15.50	Lifeguard (2)
Kaitlyn Geisler	\$16.00	Lifeguard (3)
Sam Lawrence	\$13.50	Attendant (1)
Rebecca Lucchesi	\$15.00	Lifeguard (1)
Cole Mumford	\$15.00	Lifeguard (1)
Eleanora Murphy	\$13.50	Attendant (1)
Patrick Murphy	\$16.00	Lifeguard (3)
Julia Napoli	\$15.00	Lifeguard (1)
Katelyn Otis	\$15.00	Lifeguard (1)
Logan Pece	\$16.00	Lifeguard (3)
Andie Psilopoulos	\$15.50	Lifeguard (2)
Magdalena Regenauer	\$15.00	Lifeguard (1)
Alaura Sheeley	\$15.00	Lifeguard (1)
Kate Suchowiecki	\$13.50	Attendant (1)
Molly Saunders	\$15.00	Lifeguard (1)
Sarah Vondra	\$13.50	Attendant (1)
Natalie Watts	\$13.50	Attendant (1)
Alexandra Hekking	\$18.00	HG-1 / WSI
Grace Lang	\$13.50	

- d.** Approval of Payment Application #1 for Butler Construction in the amount of \$33,216.75 for Phase III Backup Water Supply
- e.** Approval of Payment Application #3 for Merritt Construction in the Amount of \$806,174.27 for Phase III Backup Water Supply
- f.** Approval of Payment to MCS Tech for Recycling Center wiring in the amount of \$250.00
- g.** Authorization to add Caller ID to town phone lines as follows:

- Youth Center - \$5 per month for an annual charge of \$60
 - Highway - \$5 per month for an annual charge of \$60
 - Recycle - \$5 per month for an annual charge of \$60
 - Community Center - \$15 per month for an annual charge of \$180
 - Town Hall – no charge in current location
- h. Acceptance of resignation: Patricia Masterson, Town Assessor
- i. Authorization for the renewal of a two-year maintenance contract with Dell for the PowerEdge T430 server at the Town Hall for a total of \$538.94
- j. Authorization to close the Police Grant bank account ending in **** 2820 and move the remaining \$0.11 to the A fund
- k. Authorization to move the Recycle Center Credit card vendor to CardX through Salisbury Bank for a \$90 annual fee and a one-time purchase of \$100 per terminal for the card readers
- l. Authorization to purchase an upgrade to the Recycle Center's QuickBooks system to allow for a POS operation at that site up to \$1500
- m. Approval of 2022-2023 Fire Protection Contract
- n. Authorization to add Douglas Fishman as RF Consultant for Zoning Board of Appeals
- o. Request authorization to modify the adopted **2022** budget for unanticipated legal expenses as follows:

<u>DECREASE</u>				<u>INCREASE:</u>			
A	960	Appropriations	7,892.07	A	960	Appropriations	7,892.07
A	522-1990-400	Contingency	7,892.07	A	522-3120-400	Police, CE	432.00
				A	522-3120-400	Police, CE	7,460.07

Proposed Local Law-Videoconferencing:

A motion was made by Supervisor Bettez to schedule a public hearing for June 2nd at 7:05 p.m. Seconded by Councilwoman Seyfert-Lillis, all aye votes cast, motion carried.

A motion was made by Supervisor Bettez to adopt the Resolution Designating the Town Board Lead Agency and to Declare this a Type II Action, Negative Declaration. Seconded by Councilwoman Baer, all aye votes cast, motion carried.

Warrant:

A motion was made by Supervisor Bettez to adopt the May Warrant in the amount of \$1,752,378.20. Seconded by Councilwoman Seyfert-Lillis, all aye votes cast, motion carried.

Discussion and adoption of guidelines for Town Board Liaisons:

A motion was made by Supervisor Bettez to adopt the following guidelines. Seconded by Councilwoman Lewis, all aye votes cast, motion carried.

"Town Board liaisons are members of the Town Board assigned by the Town Board to a board or commission (referred to here as "committee" for clarity) who act as a link between the committee and the Town Board. The Town Board liaisons are not directed by the committee but work closely with the chair and the members of the committee. The Town Board liaisons are not members of the committee and do not have voting rights on business before the committee but may participate in discussions before the committee.

Some of the responsibilities of the Town Board liaison include:

- Advising the board or commission of any Town Board activities related to the board or commission that are conducted by the Town Board.
- Advising the Town Board of activities conducted by the board or commission through reports at Town Board meetings.
- Responding to questions or requests for information from the committee.
- Attending meetings of the committee as possible. Attendance at every meeting is not required. Generally put, the liaison shall not attempt to influence the work or recommendations of the committee. More specifically, the liaison shall not take part in the committee's deliberations or discussions unless (a) the committee requests the Liaison's participation in a particular discussion or (b) the liaison determines that he or she must speak up in order to remind the committee of Town Board direction, Town policies, or Town laws. The liaison shall not take part in any votes or decision-making of the committee."

Highways Excavator Purchase Request:

A motion was made by Supervisor Bettez to approve the Highway excavator purchase request. Seconded by Councilwoman Baer, all aye votes cast, motion carried.

Permission and authorization of installation of proposed outdoor emergency Naloxone stations:

A motion was made by Supervisor Bettez to authorize B&G to install outdoor emergency Naloxone stations. Seconded by Councilwoman Baer, all aye votes cast, motion carried.

Authorization to install ledges at Courthouse:

A motion was made by Supervisor Bettez to authorize Josh Finn to build and install two ledges at the Town Courthouse for a total of \$850.00 payable from the Capital Project Fund. Seconded by Councilwoman Baer, all aye votes cast, motion carried.

At 7:33 p.m. a motion was made by Supervisor Bettez to adjourn the meeting. Seconded by Councilwoman Baer, all aye votes cast, motion carried.

Respectfully Submitted,

Rosanna Rosenkranse
Town Clerk