



**Public Hearing Cont.- Rte. 299 Gateway Rezoning, 7 p.m.
Town Board Meeting
May 2, 2019
Town Courthouse, 23 Plattekill Ave.**

Present: Supervisor Neil Bettez, Councilman Marty Irwin, Councilwoman Julie Seyfert-Lillis, Councilman David Brownstein

Absent: Councilman Dan Torres

At 7:01 p.m. Supervisor Bettez opened the public hearing on the proposed Route 299 Gateway Rezoning.

Public Comment:

- Jess Mullen and Iris Bloom of the New Paltz Climate Action Coalition read a statement and spoke about prohibiting Fossil Fuel Power Plant Stations, Metering Stations and Compression Stations as well as a few suggestions regarding local environmental and social consequences of climate change, that the group hopes the Town Board considers throughout the rezoning process about in the new zoning.
- John Gotto made a few suggestions to strengthen the language in reference to the existing vegetation and typography to minimize destruction.
- Lynn Bowdery spoke in support of the proposed rezoning but noticed the absence of any mention of solar panels from the draft law.
- Laura deNay spoke and read a statement from Susan Blickstein, in support of the rezoning.
- Christine Ransom, Walter Blasé, Michelle and Matt DiDonna, Heather Barton, Mike McGregor, Phyllis Hart, Miranda Cangietter, AJ Reuss, John D'Amour, Orna Gorosh, Kitty Brown et. al, Victor DeMunck, and Josh Honig all spoke in favor of the proposed rezoning and in opposition of the proposed Ferris Woods project. Amy Tripi and Sheila Hamilton were unable to attend but submitted their comments in writing, supporting the rezoning and opposing the Ferris Woods project.
- Peter Sotaro, Engineer for the Ferris Woods Project, Jody Panessa, Fawn Tantillo, Ohioville Rd., and Brian Tietje, owner of the Diamond Car Wash, all spoke in support of the Ferris Woods project.
- Toni Hokanson commented and offered criticisms on the Build-Out and Trip Analyses.
- Bob Hughes spoke about the Town's Wetlands and Watercourse Protection Law and in support of the proposed rezoning.
- John Orfitelli spoke in support of the rezoning. Jay Nelson and Joel Oppenheimer were unable to attend but submitted their comments in writing, supporting the rezoning.

The public hearing on the proposed Rte. 299 Gateway Rezoning will be continued on May 16th at 7:15 p.m.

Town Board Meeting:

At 8:55 p.m. a motion was made by Supervisor Bettez to open the Town Board meeting with the pledge. Seconded by Councilman Irwin, all aye votes cast, motion carried.

Agenda: A motion was made by Supervisor Bettez to adopt the agenda. Seconded Councilman Brownstein, all aye votes cast, motion carried.

Public Input:

Margaret Human, Prospect St. and Liz Elkin both spoke in support of the Community Choice Aggregation Energy Program.

Rte. 299 Gateway Rezoning Update:

Michael Zierler, Coordinator, provided an update on what he has worked on since the April 18th meeting. He indicated that the Ulster County Planning Board has returned comments on only certain documents of the referral, however those comments and suggestions were favorable and can easily be addressed. The Town Planning Board has also returned comments and Victoria Polidoro is currently reviewing the comments from the Building Inspector. Mr. Zierler is working on Part II of the EAF and is still working on trying to set up a meeting with the residents of the Ohioville Hamlet. He also indicated that Attorney Polidoro and the consultant from Alta Planning will be attending the next Board meeting to answer questions.

Consent Agenda:

A motion was made by Supervisor Bettez and seconded by Councilman Irwin to approve and/or authorize the following items as part of the consent agenda. All aye votes cast, motion carried.

1. Approval of Minutes: Joint Meeting 4/18/19 Police Commission and Town Board meetings.
2. CWOSP Appointments: Lynn Bowdery, Mike Knutson, John Gotto, Tom Weiner
3. Parade Request-New Paltz Chamber Half Marathon 6/16/19
4. Board of Assessment Review Resignation: Margaret Taylor
5. Board of Assessment Review Appointment: Ed Rogers
6. Motion that the Supervisor is authorized (but not required) to approve the initial deposits and replenishment thresholds to create escrow accounts for the Planning Board applications prior to subsequent review and approval by the Town Board.
7. Approval of Memorandum of Agreement by and between the Town of New Paltz and United Public Service Employees Union (Town Hall Unit)
8. Acceptance of Bid for Mowing and Trimming of Town Ballfields
9. Per diem hire of Robert Karlsbarch to assist at Reuse Center; \$22.31/hr retroactive to 4/19/19
10. Recreation Committee Resignation: Wayne Pyle

Proposed Local Law-Community Choice Aggregation (CCA):

A motion was made by Supervisor Bettez to discuss declaring the Town of New Paltz Lead Agency and accept and submit the Short Form EAF and set the public hearing. Seconded by Councilwoman Seyfert-Lillis for discussion.

Following a discussion by the Town Board, a motion was made by Supervisor Bettez to adopt the resolution declaring Lead Agency and a Negative Declaration. Seconded by Councilman Brownstein, all aye votes cast, motion carried.

A motion was made by Supervisor Bettez accept and submit the Short Form EAF. Seconded by Councilman Brownstein, all aye votes cast, motion carried.

A motion was made by Supervisor Bettez to set the public hearing on the proposed local law for May 16th at 7:10 p.m. Seconded by Councilman Brownstein, all aye votes cast, motion carried.

Resolution-Declarations of Official Intent:

A motion was made by Supervisor Bettez and seconded by Councilman Irwin to adopt the following resolution and authorize the Supervisor to sign the Declaration of Official Intent:

WHEREAS, United States Treasury Regulations §1.150-2 (the "Reimbursement Regulations") prescribe conditions under which proceeds of bonds, notes or other obligations ("Bonds") used to reimburse advances made for capital and certain other expenditures ("Original Expenditures") paid before the issuance of such Bonds will be deemed to be expended (or properly allocated to expenditures) for purposes of Sections 103 and 141-150 of the Internal Revenue Code of 1986, as amended (the "Code"), upon such reimbursement so that the proceeds so used will no longer be subject to requirements or restrictions under those sections of the Code; and

WHEREAS, certain provisions of the Reimbursement Regulations require that there be a Declaration of Official Intent not later than 60 days following payment of the Original Expenditures expected to be reimbursed from proceeds of Bonds, and that the reimbursement occur within certain prescribed time periods after an Original Expenditure is paid or after the property resulting from that Original Expenditure is placed in service; and

WHEREAS, this Town Board wishes to take steps to comply with the Reimbursement Regulations;

NOW, THEREFORE, be it resolved by the Town Board of the Town of New Paltz, New York (the "Borrower") as follows:

Section 1. Definitions. The following definitions apply to the terms used herein:

"Authorized Officer" means the Town Supervisor or any person designated by the Town Board for the purpose of managing the disbursement and investment of borrowed public funds.

"Declaration of Official Intent" means a declaration of intent, in the form, manner and time contemplated in the Reimbursement Regulations, that the advances for expenditures referred to therein are reasonably expected to be reimbursed from the proceeds of Bonds to be issued after those expenditures are paid.

"Reimbursement" or "reimburse" means the restoration to the Borrower of money temporarily advanced from its own funds and spent for Original Expenditures before the issuance of the Bonds, evidenced in writing by an allocation on the books and records of the Borrower that shows the use of the proceeds of the Bonds to restore the money advanced for the Original Expenditures. "Reimbursement" or "reimburse" generally does not include the refunding or retiring of Bonds previously issued and sold to, or borrowings from, unrelated entities.

Section 2. Authorization and Requirement of Declarations of Official Intent. Each Authorized Officer is authorized to prepare and sign the Declarations of Official Intent in substantially the form attached with respect to Original Expenditures to which the Reimbursement Regulations apply, to be made from money temporarily advanced and that is reasonably expected to be reimbursed (in accordance with applicable authorizations, policies and practices) from the proceeds of Bonds, to make appropriate reimbursement and timely allocations from the proceeds of the Bonds to reimburse such Original Expenditures, and to take any other actions as may be appropriate, all at the times and in the manner required under the Reimbursement Regulations in order for the reimbursement to be treated as an expenditure of such proceeds for purposes of Sections 103 and 141 to 150, inclusive, of the Code. No advance from any fund or account or order for payment

may be made for Original Expenditures (other than expenditures excepted from such requirement under the Reimbursement Regulations) that are to be reimbursed subsequently from proceeds of Bonds unless a Declaration of Official Intent with respect thereto is made within the time required by the Reimbursement Regulations.

Section 3. Effectiveness. This resolution shall become effective upon its due adoption by the Town board.
All aye votes cast, motion carried.

Executive Session:

At 10:04 p.m. a motion was made by Supervisor Bettez to go into executive session for the purposes of discussing the acquisition of property. Seconded by Councilman Irwin, all aye votes cast, motion carried.

At 10:40 p.m. a motion was made by Supervisor Bettez to come out of executive session. Seconded by Councilman Irwin, all aye votes cast, motion carried.

Supervisor Bettez announced that the Supervisor has been authorized and instructed to execute a term sheet for the acquisition of real property.

At 10:41 p.m. a motion was made by Supervisor Bettez to adjourn. Seconded by Councilman Irwin, all aye votes cast, motion carried.

Respectfully Submitted,

Rosanna Rosenkranse
Town Clerk