

**Town of New Paltz-3 Public Hearings; Town Board Meeting  
May 20, 2010**

**Public Hearing – Local Law to repeal Chapter 82 “Flood Damage Prevention”**

**Public Hearing - Local Law to amend Chapter 121 – “Subdivision of Land”**

**Public Hearing - Local Law to repeal Section 140-19 “Floodplain District”**

**Present: Jane Ann Williams, Kitty Brown, Toni Hokanson, Dave Lewis, Jeff Logan**

**At 7:08 p.m.** Supervisor Hokanson made a motion to open the three Public Hearings simultaneously. Seconded by Councilwoman Brown, all aye votes cast, motion carried.

**Public Input**

Bob Gabrielli, Town resident, is totally opposed - he sees this legislation as act of war on Springtown and West of Wallkill. We are greatly insulted – this action renders our land value less. He questioned if anyone called Hinchey’s Office earlier in the process. He has lived here since 1947 and over that time the river has changed. It runs from North New Jersey and needs to be dredged due to picking up silt. He went on to say that Hinchey can cut stimuli money as with a problem that existed in Rosendale. He read aloud a letter – analogy to Wetlands Law.

Kevin Barry, Kleinekille resident, who owns property on Springtown Road. He questioned if they had identified the number of properties affected. May not affect many properties so he questioned why pass it. He asked who is behind trying to push it through. He feels it is important to know what the law really means: had a series of questions. You have to balance costs of private versus public sector. How many building permits were applied for in 2010, 2009, 2008?

Melana Josic, speaking for her father living in the flood zone – trying to sub-divide, feels the law is not right. Reno De Rosa, from Portuese Lane, bothered by the Board not trying to find a solution – law is not trying to help the homeowners.

Lynn Bowdery, Town resident, says it almost looks like more to something than it appears. Former Planning Board member lives above flood area. The flood of 2007 was not the 100 year flood.

Judy Mc Guire, Cragwood Road, had a house built in 1986. She never felt in danger; had no problems with flooding. She feels like wetland part 2 & 3 upsetting – shared feelings to be taken into consideration.

Chris Ullrich, Town resident: says he is frustrated by revisions, land for sale. Maps of 299 very dramatic, but not the picture further down Springtown. There is land for sale right now, over 260 acres. Town could buy 160 acres in the floodplain on Springtown road. Questioned why the town does not buy the land. If you want to preserve the land you have work with the people. Was at all three Comprehensive Plan meetings. Not huge amounts of development, huge lots over there. Small representation at Comprehensive Plan meetings. At these meetings there is a bigger turnout, probably 30 people tonight. Lot of paperwork, received by e-mail yesterday –that’s not right, we all work for a living and he needs time to digest. He had the following questions: Has everyone on the Board read the 90-page document cover to-cover? Why are we using flood insurance rate map for zoning? And why doesn’t David Clouser’s map show the elevations? We don’t know what roads are under water. Rail Trail is shown as under water; that never is under water. Comes here tonight and sees a backdrop of NP underwater-it’s a little bit frustrating. He urged the Board not to pass.

Bruce Mikesh of Plutarch area, urged the Board to take FEMA’s track record into account if you use them for an example with Katrina. Told the Board you are costing money to people who want to build or want to sell. It’s time to get on the ball here. He feels that the Board rushed into this without driving to Plutarch and talking to people.

Fred Van Nostrand agrees with Bruce. Lived out on Plutarch on over 80 years. There is no flooding on Plutarch; Van Nostrand Road flooded as a result of beavers. Don’t why you put Plutarch and VanNostrand in Floodplain, Van Nostrand never flooded until the beaver; Plutarch has never flooded.

Supervisor Hokanson made a motion to close the Public Hearings Chapter#82 Floodplain Prevention, Chapter 121 Subdivision of Land &Chapter 140-19 Floodplain District. Seconded by Councilwoman Williams, all aye votes cast, motion carried.

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**At 7:43 p.m.** Supervisor Hokanson opened the meeting with the Pledge of Allegiance.

**Agenda Adoption:**

Move Mangelli and PATV to next week’s meeting (they requested). Supervisor Hokanson made a motion to adopt the agenda as amended. Seconded by Councilman Logan, all aye votes cast, motion carried.

**Public Input:**

Fred Van Nostrand, town resident, stated that since the senior meals started he suggested the need for gates behind the Community Center to the residential area behind. Required to put up a crash gate; winter interfered. Called the village to complain; couple of near misses with pedestrians to Community Center. It has been dangerous and she notified the Village, and assured Mr. Van Nostrand that the gates are coming soon.

**Community Announcements:** calendar events

**Agenda Items:**

Dave has a summary of changes that was not available prior to tonight. The Language in the law proposed does eliminate restrictions in the Plutarch Road area. Kleinekill was a foot above the base flood elevation at its lowest point; definitely an access road. FEMA flood map went too far; flooding happens back in Plutarch xxx, can see it when it comes up to his property. Benchmarks on Dug Road- it’s an access road. County Planning Board gave an approval which they never do. ENCB gave a nod without any changes. Heard nothing from Rescue Squad;; Scott Schulte of the Fire Department read it and wrote back thought it was a great idea, wanted Dave Weeks to write a letter, none received. No word from the police.

Supervisor Hokanson explained allowance for roads.

Dave Clouser stated law has new standards for building houses in the flood plain-have to be on fill. For commercial business 6 inches of water even if it’s the employees can go home and know they won’t be driving thru more than 6 inches even if it’s the 100 year flood. Houses built before 1976 are allowed to make improvements and built earlier to 20% expansion. Proposing improvements exceed 50% of market value of house have to go by FEMA guidelines-under is not regulated by FEMA. All houses are grandfathered, not just those built before 1976. Community Rating system -8 or 9 areas where we could get points. 5% flood insurance discount due to language in here. Has to be submitted FEMA who makes the decision.

Supervisor Hokinson on #12 Moratorium does not allow for house to be on already created lot.

Dredging information used primary for maintaining navigation. It is not a good idea for streams or rivers. Not a good idea for this application.

Councilwoman Williams heard same comment from NYSDEC.

SEQR: Engineer Dave Clouser took us through EAF. Coordinated SEQR for all 3. Supervisor Hokanson made a motion for the Town Board to adopt a negative declaration on Chapter 121, subdivision. Seconded by Councilwoman Brown, all aye votes cast, motion carried.

Supervisor Hokanson made a motion for the Town Board to adopt negative declaration on chapter 82. Seconded by Councilwoman Williams, all aye votes cast, motion carried.

Supervisor Hokanson made a motion for the town board to adopt negative declaration on chapter 140-19 flood plain districts. Seconded by Councilman Logan, all aye votes cast, motion carried.

Supervisor Hokanson made a motion to pass resolution Chapter 121 – subdivision adopt resolution certain Local Law – Chapter 121. This motion was seconded by Councilwoman Brown, all aye votes cast, motion carried.

Supervisor Hokanson made a motion for the Town Board to adopt certain Local Law – repeal Local Law replace 140-19 (82.17 should be 82.19): 44.3 on page 8 – amending LL to repeal 140-19 as amended. Seconded by Councilman Logan, all aye votes cast, motion carried.

Chapter 82: change 82.19B not 17 B; Supervisor Hokanson moved to adopt certain Local Law – Chapter 82 repeal and replace as amended. Seconded by Councilman Logan, all aye votes cast, motion carried.

Councilwoman Brown acknowledged the number of people who have come to speak. Revisions mean we heard you and one area is no longer included. She went on to say that listening to those who are purchasing building lots you will be permitted to build as far as Town Board can go. As results of flood of 2007 people were invited to go to assessor – assessments were significantly reduced. She feels Supervisor Hokanson has shown real courage and commends her. We have done the right thing.

Supervisor Hokanson added that the Board did minimum; it is not done. She added the board is working on obtaining Youth Building at the fairgrounds for haven for emergency workers.

Councilman Logan added access to High Ridge Road not able to get access and did not know at time of purchase. Received powerful statement from County without changes. He thanked the Supervisor, along with Dave Clouser and Attorney Moriello, all ayes cast, motion carried.

Supervisor Hokanson said she would ask Attorney Moriello to prepare paper work to repeal moratorium (next meeting).

**8:40 p.m. - break**

**Contract for Ambulance services:**

No money in Village budget for ambulance services. In recent past each government had one contract. Discovered recently The Village cannot have separate contract from Town. The town can only contract for town-wide services unless there are Special fire districts then they would be required to have separate. Village Trustee Brian Kimbiz feels fire and ambulance cost should be split 50/50. As for the Rescue Squad he does not know. Thanks were offered by the Supervisor. A raise in town-wide tax is anticipated. Councilwoman Brown made a motion to declare the town Lead Agency and designate a type II action. Seconded by Councilman Lewis, all aye votes cast, motion carried. Councilwoman Brown made a motion to authorize the Supervisor to sign on behalf of the Town, including the Village, the proposed agreement with the ambulance Rescue Squad for the period covering January 1st thru December 31, 2010 in the amount of \$145,957. Seconded by Councilman Logan, all aye votes cast, motion carried.

**Moriello Pool paving project:**

Cost estimate of project, paving of top and gravel \$48,382 not including prevailing wages. This would be less if the Highway did it. Supervisor Hokanson said we should not spend 100% of parkland funds if the Village owns half. \$6000 was promised to BMX; ball field completion at Clearwater, including the fencing: \$36,000; \$67,000 is balance as of late April. Estimate for just material at pool is \$30,000. Supervisor suggested getting the work done and deducting the cost from what we owe the Village. Councilwoman Brown made a motion to authorize the Highway Superintendent to spend \$17,500. Seconded by Councilman Lewis. Councilman Logan claimed it was shortsighted of us as \$17,500 will not give us much and we're wasting money. All aye votes cast, motion carried.

**Justice Court Software:**

Not in their budget, Supervisor Hokanson said the Board must make commitment to spend the money. At this time there is no need for budget modification. Town police write a parking ticket on town roads outside the village, the money goes to the Village because of the address on envelope when good citizens send in the money. Money for parking tickets outside Village goes to Village not the Town. Bookkeeper has no record of getting money from Village from these parking tickets. We are having new tickets drawn up (in different color to differentiate from the Village) so the Town receives the money for Town roads. This is already in our code. Software system requires add-on feature. The cost for the software and training is \$2,295 with \$300 for annual maintenance. If the ticket goes unpaid it has to be reported online to the DMV, resulting in a license suspension for the individual. We would pay \$2 charge to the DMV. Supervisor Hokanson made a motion to authorize expenditure of \$2,295 out of the court budget line. It may be amended from contingency by the end of the year. Seconded by Councilman Lewis, all aye votes cast, motion carried.

**Public notice of public hearings:**

The 2004 website policy designated any Town business should be posted on the website. Lately there have been only summaries posted.

**Amendment to lease for Police building:**

Previously discussed-extended lease with new rates; this is official language the Supervisor needs approval to sign. Couple of changes – name of landlord incorrect: should be 83 South Putt Holding; page 5 changes: current cost –need additional pieces to alarm system. Stacy reviewed the system and agrees using some existing alarm components-cannot. She is questioning a couple –the Supervisor will fill in figure correct number around \$10,000 with a \$95 annual maintenance fee for this year. Monthly maintenance fee \$323 to be paid by Town annually. We are paying our share of the total cost for the building, approximately 42%. Landlord is having it installed, much cheaper this way. Floyd said he will be essentially done in 2 weeks, then the Building Inspector will prepare list for temporary CO. Parking lot completed by Mike Nielsen at the Highway. Supervisor Hokanson made a motion the Board authorize her to sign the changed lease. Seconded by Councilman Lewis, all aye votes cast, motion carried.

**Chamber 5 K Race:** The Race is held on the Rail Trail. Hold for next week.

**Parkland and recreation fees:** Hold for next week.

**New Paltz Police Department request for seized assets:**

\$4,000 for furniture; \$450 for tinting windows; up to \$10,000 for lockers. Supervisor Hokanson made a motion to authorize her to grant request of NPPD upon contingent on attorneys' approval. This motion seconded by Councilman Lewis, all aye votes cast.

**Operation of food concession at Moriello Park:**

Discussion: Councilwoman Brown thinks the Town should not contribute to the obesity problem created by sugary drinks and thinks the Town should not include them in the menu items available at the pool. Supervisor Hokanson made a motion authorizing herself to sign the contract. Seconded by Councilwoman Williams, one no vote cast by Councilwoman Brown, four aye votes cast. Motion carried.

**Appointments:**

Councilwoman Brown made a motion to appoint Fawn Tantillo to the HPC to fill Rita Toohey's unfinished term thru 2012. Seconded by Councilwoman Williams, all aye votes cast, motion carried.

**Warrants:**

Councilman Lewis made a motion authorizing the supervisor to pay the May warrant of \$521,198.06. Seconded by Councilwoman Brown, all aye votes cast, motion carried.

**At 9:48 p.m.** Supervisor Hokanson moved to go into Executive Session to discuss the hiring, firing, promotion or demotion of certain individuals. Seconded by Councilman Logan; all aye votes cast, motion carried.

**At 11:15 p.m.** Supervisor Hokanson made a motion to come out of executive session. Seconded by Councilwoman Williams, all aye votes cast, motion carried.

**At 11:15 p.m.** Supervisor Hokanson made a motion to adjourn. Seconded by Councilman Lewis, all aye votes cast, motion carried.

Respectfully submitted,

Marian Cappillino  
Town Clerk