

**Joint Town & Village Meeting  
Town Board Meeting  
February 26, 2015  
7:30 p.m.**

**Present:** Supervisor Susan Zimet, Councilman Dan Torres, Councilman Jeff Logan, Councilman  
**Absent:** Kevin Barry.

**Present:** Mayor Jason West, Trustee Tom Rocco, Trustee Sally Rhoads, Trustee Ariana Basco.  
**Absent:** Trustee Rebecca Rotzler.

At 7:45 p.m. a motion was made by Councilman Torres to open the meeting with the pledge. Seconded by Councilman Logan, all aye votes cast, motion carried. A motion was made by Mayor West to open the meeting with the pledge. Seconded by Trustee Rocco, all aye votes cast, motion carried.

**Agenda:** +Discussion on NY Prize Microgrid, +Regatta.

A motion was made by Councilman Torres to adopt the agenda as amended. Seconded by Councilman Logan, all aye votes cast, motion carried. A motion was made by Trustee Rhoads to adopt the agenda as amended. Seconded by Mayor West, all aye votes cast, motion carried.

**Public Comment:**

Ray Lunati asked if the Carmine Liberta bridge will be closed when the County begins making repairs. Supervisor Zimet indicated that it will remain open. Mr. Lunati also asked that everyone please break for animals.

**Moriello Pool Slide Replacement:**

Last year both Boards approved the slide as a Capital Expense shared by the Town and Village. The Town went out to bid for a replacement and only one was received. The Town will send the bid to the Village for approval at their meeting next week.

**New York Prize Microgrids:**

The Governor recently announced this new initiative. NY Prize is part of a state-wise endeavor to modernize New York State's electric grid spurring innovation and community partnerships with utilities, local governments and private sector. The mission is to enable the technological operation of business models to help communities reduce costs, promote clean energy, and build reliability and resiliency into the electric grid. This is an opportunity for communities to get money. The first round of the competition is for \$100,000 for creating a Feasibility Study. The second phase is for \$1 million to actually create the design. The last phase is for \$3 million to do the build-out of the microgrid. New Paltz was identified as the perfect community to do a microgrid. The Town and Village will have to put out an RFQ-Request for Qualifications for engineering services for a pre-approved firm to work with NYSERDA.

Trustee Rhoads suggested using information that was gathered for the solar grant project that was proposed at the Landfill site.

A motion was made by Trustee Basco to authorize Mayor West to represent the Village in the "Powering a New Generation of Community" Grant. Seconded by Trustee Rhoads, all aye votes cast, motion carried.

A motion was made by Councilman Logan to authorize Supervisor Zimet to represent the Town in the "Powering a New Generation of Community" Grant. Seconded by Councilman Torres, all aye votes cast, motion carried.

**DEP/Water Update:**

Councilman Logan indicated that the Town Attorney and Village Attorney received the first version of the IGA (Intergovernmental Agreement) with the DEP. They will work on an IMA between the Town and Village. Trustee Rocco indicated that the Village attorney is working with the DEP to prepare a draft IGA. The Village and the DEP will negotiate a new water supply agreement to update the 1928 agreement that they have been operating under.

**Sewer:**

Mayor West indicated that the Village is proposing to work with the Town to get Sewer to the S. Putt Corners Corridor. The idea consists of the possibility of not requiring annexation for

extension of sewer service, which is a requirement of the Village code right now. Another part of the idea would involve the Town hooking up to the Village, rather than pay to have a separate plant on S. Putt. This would allow for enough capacity for not only the industrial corridor, but also for some infield development for the Village for future years. The Village engineers are working up cost estimates for Village Board purposes, as well as a capacity report on the existing plant. As soon as those drafts are final, Mayor West will pass them along to the Town Board.

Supervisor Zimet indicated that her hope had been to pump Sewer 6 down to the Village Plant and work with the Village to create a system that works well for everyone. She also indicated that in her discussions with DEC, they expressed concern with building a new plant at the existing Village site. They prefer that Town and Village build a new state-of-the-art plant on a site on Huguenot Street that's on higher ground. Supervisor Zimet and Mayor West will meet with the DEC and report back.

#### **Comprehensive Plan:**

Trustee Rhoads suggested that the Town and Village share the cost of hiring a joint planner for Master Plan services through an IMA, and that person would be a Village employee. The details would be worked out later. A motion was made by Supervisor Zimet to designate Councilman Logan as the point of contact with the Village to conduct interviews for a planner for the Village. Seconded by Councilman Torres, all aye votes cast, motion carried.

#### **Regatta:**

Kathy Cartagena (Regatta Committee) indicated that the Village has always covered the insurance for the Regatta through a Rider.

A motion was made by Mayor West for the Village to cover the insurance for the Regatta, which is obtained at no cost. Seconded by Trustee Rocco.

A motion was made by Councilman Logan for the Town to cover the cost for Police Services for the 2015 Regatta not to exceed \$1500, and to carryover the \$500 in the budget to help cover that cost. Seconded by Supervisor Zimet, all aye votes cast, motion carried.

A motion was made by Trustee Rhoads waivers must be signed by the participants. Seconded by Trustee Basco, all aye votes cast, motion carried.

At 8:49 p.m. a motion was made by Trustee Rhoads to adjourn the Joint meeting. Seconded by Trustee Basco, all aye votes cast, motion carried.

### **Town Board Meeting**

**Agenda:** +Establish Planning Board Escrow Account, +DMV Hearing Room Contract, +Rescue Squad Contract, +Conference for Bookkeeper's Assistant, +Copier Contract, +Social Media Policy. A motion was made by Councilman Logan to adopt the agenda as amended. Seconded by Councilman Torres, all aye votes cast, motion carried.

Supervisor Zimet referred to an article in the New Paltz Times written by Paul Brown regarding vouchers and payments to Dave Clouser that were signed, creating a conspiracy theory involving herself, Councilman Barry and Councilman Logan, relating to the Copeland property. Supervisor Zimet wanted to the record to reflect that she reviews, approves and signs all requisitions before they are issued and paid. She also indicated that there was no conspiracy involving the ownership of property by Councilman Barry and Terry Copeland; and that no one was or is trying to hide anything.

#### **PCB Resolution**

A motion was made by Councilman Torres to adopt the following resolution:

#### **RESOLUTION REGARDING THE REMOVAL OF PCBs FROM THE HUDSON RIVER**

**WHEREAS**, the Hudson River is an American Heritage River, and the Valley a National Heritage Area, and the health and beauty of the Hudson River is critical to the economic vitality of the communities surrounding it, as well as the state and the country at large; and

**WHEREAS**, nearly 200 miles of the Hudson River — from Hudson Falls to New York City — are a federal Superfund site because the General Electric Corporation (GE) discharged large quantities of polychlorinated biphenyls (PCBs) from two of its manufacturing plants for thirty years, between 1947 and 1977; and

**WHEREAS**, PCBs are manmade, bioaccumulative, persistent organic pollutants that have been linked to a wide variety of adverse health effects, including, among others: cancer, liver, and kidney disorders; reduced birth weight, conception rates, and live birth rates; persistent and significant deficits in neurological development, including visual recognition, short-term memory and learning; and developmental problems due to interference with thyroid hormone levels; and

**WHEREAS**, PCBs discharged by GE are present throughout the Hudson River ecosystem: in soils and sediments within the river and the surrounding floodplains; in the living tissues of wildlife, from low-level organisms to larger animals such as birds and fish; and, periodically, suspended in the river itself or in the air; and

**WHEREAS**, human beings may be exposed to PCBs by a variety of means, including eating PCB-contaminated fish or other contaminated foods, breathing in airborne PCBs, drinking PCB-contaminated water, or skin contact with PCB-laden soils; and

**WHEREAS**, in addition to posing ongoing health concerns, the continued presence of PCBs in the Hudson River has terminated or significantly damaged a number of formerly robust economic industries, including: the multi-million-dollar-a-year commercial fishing industry, closed below Hudson Falls since 1976; deep draft commercial shipping through the Champlain Canal, effectively closed for the past thirty years by the accumulation of PCB-contaminated sediments in the canal; and tourism, long-impaired by public perception that PCB contamination prevents the Hudson from being a safe or desirable place to visit or recreate; and

**WHEREAS**, the continued presence of PCBs in the Hudson River has also diminished the use and enjoyment of those who currently use the river, as exemplified by the longstanding NY State Department of Health (DOH) fish advisories against the consumption of recreationally caught fish and the numerous government-posted signs along the river warning of the presence of PCB-contaminated soils and sediments; and

**WHEREAS**, EPA determined in 2000 as part of its Reassessment Remedial Investigation/Feasibility Study (RI/FS) for the Hudson River Superfund Site that PCBs in the upper Hudson were a “dominant source” of “the PCB load to the water column of the Upper Hudson River,” and that microbial breakdown (natural attenuation) will not rid the River of PCBs; and

**WHEREAS**, the EPA’s 2002 Record of Decision for the Hudson River Site selected environmental dredging and off-site disposal of PCB-contaminated sediment from the Upper Hudson River as the best river sediment remedy to reestablish the ecological and economic health of the Hudson River; and

**WHEREAS**, since July of 2002, GE has agreed to a series of administrative orders of consent and has entered into a consent decree with EPA, all in which it has agreed to perform activities needed for implementation of the selected remedial action for river sediments; and

**WHEREAS**, this remedy segmented the Upper Hudson River into three sections by latitude, with a more stringent cleanup standard applied to River Section 1 than to River Sections 2 or 3; and

**WHEREAS**, GE commenced the first phase of remedial dredging in 2009, and the second and final phase in 2011; and

**WHEREAS**, in 2011, the U.S. National Oceanic and Atmospheric Administration and the U.S. Fish and Wildlife Service—the two federal agencies, along with the State of New York, entrusted with assessing the cost of GE’s significant and outstanding “natural resource damage” liability for public losses incurred as a result of GE’s pollution of the Hudson River (the “Trustees”)—published reports identifying a number of problems with the 2002 river sediment remedy as implemented; and

**WHEREAS**, these problems included, among others: that failure to apply the more stringent criteria in River Sections 2 and 3, in practice, would leave behind the “equivalent to a series of Superfund-caliber sites” in those sections with average surface concentrations at “five times higher after remediation than predicted by the 2002 remedy;” that “the majority of the elevated post-construction sediment concentrations are adjacent to planned dredge areas” resulting in “the high likelihood of remediated areas becoming recontaminated;” that the rate of decline of PCBs in fish “was significantly overestimated” by earlier EPA models; and that unremediated sediments “will eliminate significant opportunities for restoration of natural resources in precisely those locations where it would be most valuable;” and

**WHEREAS**, despite these significant concerns, no modification to the scope or implementation of the 2002 river sediment remedy has been made either by EPA or GE; and

**WHEREAS**, significant amounts of PCBs also remain in the Hudson River floodplains, and portions of the Old Champlain Canal in Schuylerville; and

**WHEREAS**, GE anticipates it will complete its limited dredging operations in 2015, and presumably will begin dismantling its multi-million dollar infrastructure constructed for the dredging and dewatering of contaminated sediments shortly thereafter; and

**WHEREAS**, in September of 2014, GE agreed to an administrative order on consent regarding study of the Upper Hudson River floodplains to assist in the creation of an RI/FS for remediating those floodplains; and

**WHEREAS**, remaining PCB contamination within the river and the floodplains inhibits private and public growth, development, and recreational and business opportunities along the shores of the Hudson River and presents the risk of recontaminating the previously-cleaned areas planned for business or recreational use; and

**WHEREAS**, the current scope of planned dredging will not restore the Hudson River to its former ecological health, and the continued presence of highly contaminated sediments in the Upper Hudson River will prevent the revival of long-dormant economic opportunities for both the Upper and Lower Hudson communities; and

**WHEREAS**, these significant economic opportunities can only be unlocked by a robust cleanup of the Hudson that addresses contaminated sediments overlooked by the 2002 Record of Decision as well as other contaminated areas within and around the Hudson River;

**NOW THEREFORE BE IT RESOLVED**, that the Town of New Paltz hereby urges GE to address its outstanding legal responsibilities for PCB contamination of the Hudson River by entering into a mutually-beneficial agreement with EPA, the Trustees, and/or any other relevant parties to ensure the following will occur before the existing dredging and dewatering infrastructure is dismantled: (1) the dredging of all areas of PCB-contaminated sediments in River Sections 2 and 3 that would require cleanup under the applicable-standards in River Section 1, including, at minimum, the 136 acres identified by the federal Trustees; (2) any additional necessary removal of soils and sediments in PCB-contaminated “hot spots” in and around the Upper Hudson River, including cleanup of the Champlain Canal to ensure full use of the canal by deep-draft shipping vessels; and (3) a thorough analysis and robust cleanup of other areas in and around the Hudson River, including the floodplains and the Old Champlain Canal, in order to restore the River to its full health and value as a natural and economic resource.

**And further, BE IT RESOLVED** that a copy of this resolution will be sent to:

- Jeffrey Immelt, Chairman and CEO, General Electric Corporation
- New York State Governor Andrew Cuomo
- NYS Office of the Attorney General
- NYS Department of Environmental Conservation
- NYS Canal Corporation
- National Oceanic and Atmospheric Agency (NOAA)
- US Department of Interior Fish and Wildlife Service
- US Environmental Protection Agency – Region 2 and Hudson River Field Office
- Hudson River Congressional Delegation

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

**Parades:**

A motion was made by Councilman Logan to approve the Baseball/Softball Parade with gratitude to the Chief, Lieutenant and members of the PBA for volunteering to work. Seconded by Councilman Torres, all aye votes cast, motion carried.

**Grants Update:**

Victor Cornelius gave an update on the following grants: Sewer 6, Emergency Solar Back-Up for Community Center and fuel depot, Cragwood Road Flood Mitigation, Wastewater Treatment Plant, Digitizing of Town records, Child Care Center, Debris Collector and Sweeper for Highway Department, Water Meters, and the resubmission of Bike Path on Henry W. DuBois.

**Board Liaisons:**

Tabled

**Police Chief Contract:**

Tabled

**PBA Update:**

At the last meeting for negotiations, the PBA indicated that it refuses to contribute towards health benefits.

**YMCA Update:**

Councilman Torres received an email from Asst. Superintendent Rick Linden regarding paying for the use of the school for the YMCA camp. Councilman Logan indicated that there is no contractual obligation for the Town to pay for the use of the school. Councilman Torres will follow up.

**DMV Hearing Room Contract:**

A motion was made by Councilman Logan to approve the contract. Seconded by Councilman Torres, all aye votes cast, motion carried.

**Rescue Squad Contract:**

A motion was made by Councilman Logan to approve the Rescue Squad Contract in the amount of \$145,957, with the first payment of \$72,978 due March 1<sup>st</sup>. Seconded by Councilman Torres, all aye votes cast, motion carried.

**Conference for Bookkeeper's Assistant:**

A motion was made by Councilman Logan to approve the attendance of Rachel Moreau at the Intro to Governmental Accounting Conference with the State Comptroller in the amount of \$85 to be paid out of the A8134.4 line. Seconded by Councilman Torres, all aye votes cast, motion carried.

**Establishment of Planning Board Escrow Account:**

A motion was made by Councilman Logan to establish the following escrow account:

- 1) The applicant Taliaferro shall provide for initial deposit into escrow account in the amount of \$1500.00 as determined by the Planning Board and Town Board of New Paltz based on its evaluation of the nature and complexity of the application. The applicant shall be provided with copies of all Town vouchers for such services as they are submitted to the Town. When the balance in such escrow account is reduced to ½ of its initial amount, \$750.00, the applicant shall deposit additional funds into such account to bring its balance up to the amount of the initial deposit. If such account is not replenished within 30 days after the applicant is notified, in writing, of the requirement for such additional deposit, the Planning Board may suspend its review of the application. A building permit or certificate of occupancy shall not be issued unless all professional fees charged in connection with the applicant's project have been reimbursed to the Town. After all pertinent charges have been paid; the Town shall refund to the applicant any funds remaining on deposit.

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

**Copier Contract:**

Tabled.

**Social Media Policy:**

Tabled

**Budget Modifications:**

A motion was made by Councilman Logan to rescind the motion made on February 19<sup>th</sup> authorizing the release of \$40,000 in escrow to the Hampton Inn and authorize the release of \$30,013.70 which is the correct amount being held in escrow. Seconded Councilman Torres, all aye votes cast, motion carried.

A motion was made by Supervisor Zimet to correct the motion made on August 28, 2014 to reflect the following:

Decrease: SSF-522-8130.1	Personal Services	\$9,189.44
Increase: SSF-522-8130.4	Sewage Treat & Disp. CE	\$9,189.44

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

At 10:18 p.m. a motion was made by Councilman Logan to go into Executive Session for the purposes of discussing the hiring of employees and establishing salary. Seconded by Councilman Torres, all aye votes cast, motion carried.

At 10:51 p.m. a motion was made by Councilman Logan to come out of Executive Session. Seconded by Councilman Torres, all aye votes cast, motion carried.

A motion was made by Supervisor Zimet to appoint Joseph Douso to the ZBA. Seconded by Councilman Torres, all aye votes cast, motion carried.

A motion was made by Supervisor Zimet to appoint Tricia Masterson to the position of Full-time Town Assessor at a salary of \$47,000. Seconded by Councilman Torres, all aye votes cast, motion carried.

A motion was made by Councilman Torres to submit a letter of support for the Facilitation of Renewable Energy Deployment on the Local Level Grant. Seconded by Supervisor Zimet, all aye votes cast, motion carried.

At 11 p.m. a motion was made by Councilman Logan to adjourn the meeting. Seconded by Councilman Torres, all aye votes cast, motion carried.

Respectfully submitted,

Rosanna Mazzaccari  
Town Clerk