

Minutes
New Paltz Village Board
7:30pm, 01/22/14, Village Hall

Present: Village: Mayor Jason West
Deputy Mayor Rebecca Rotzler, exited at 11:48pm
Trustee Sally Rhoads
Trustee Thomas Rocco
Trustee Ariana Basco

Present Town: Supervisor Susan Zimet
Councilman Kevin Barry
Councilman Jeff Logan
Councilman Daniel Torres

Absent Town: Councilwoman Jean Gallucci

Also Present: Kathryn Doyle-Bunker, Village Clerk
Ellen Rocco, Village of New Paltz Zoning Board

Discussion on Sign displayed in Village Hall Meeting Room

00:00:58-00:02:36, 00:03:41-00:05:10

Trustee Rhoads stated that she did not think it was appropriate to politicize at this evening's meeting.

Trustee Basco stated that she did not believe that the sign was politicizing in particularly because the both the Town Board and the Village Board have taken a public stance on this issue. Trustee Basco also noted that there is the absence of a name of a political candidate on the sign.

Councilman Torres suggested that the Boards official state that a member of the general public as a right of free speech put up the sign and the Joint Boards did not remove the sign.

Public Hearing

A Local Law Regarding the Installation of No Parking Signs on the South Side of North Front Street Adjacent to the Rail Trail

- Local Law regarding the Installation of No Parking Signs on the South Side of North Front Street Adjacent to the Rail Trail.
- Notice of Public Hearing

00:02:37-00:03:37

Mayor West opened the Public Hearing at 7:33pm.

No one came forward to speak on this Public Hearing.

Mayor West moved to close the Public Hearing, Deputy Mayor Rotzler seconded. 5 Ayes. Motion carried.

Joint Meeting of the Town of New Paltz and the Village of New Paltz

Pledge of Allegiance

00:05:17-00:05:32

Approval of the Agenda

Public Comment and Announcements by the Joint Boards

00:05:49-00:06:00

No one came forward to address the Joint Boards.

Discussion on the Parade and Park Use Request Process and Forms for the Town and Village of New Paltz

- Town and/or Village of New Paltz Event Application
- Town of New Paltz Final Draft-Park Use Policies
- New Paltz Town or Village Event Application Process
- Village of New Paltz Final Draft-Park Use Policies
- Final Draft-Parade Request Application
- Village of New Paltz Final Draft-Park Use Request Form
- Town of New Paltz final Draft-Park Use Request Form

00:06:03-00:41:40

Trustee Rhoads stated that the parade club determined that there should be two Board endorsed parades. The Two endorsed parades are the Memorial Day Parade and the Halloween Parade. The parade club felt that the Memorial Day Parade and the Halloween Parade were open to the entire community and did not come at a cost to anyone to participate.

Trustee Rhoads moved to recognize the Memorial Day Parade and the Halloween Parade as community parades. Trustee Basco seconded. 5 Ayes. Motion carried.

Supervisor Zimet moved to recognize the Memorial Day Parade and the Halloween Parade as community parades. Councilman Barry seconded. 4 Ayes. 1 absent, Councilwoman Gallucci. Motion carried.

The Village Board and the Town Board agreed that they would send all of their comments on the Parade and Park Use requests to Trustee Basco and Trustee Rhoads by January 31, 2014.

Councilman Torres volunteered to pick up where former Councilwoman Brown left off as a member of the Parade Club.

The Village Board agreed to have the Town Board come back to the February 12, 2014 meeting of the Village of New Paltz Board of Trustees for the purposes of discussing Parades and Park Use.

The Town Board ended the Joint Participation at the Village Board of Trustees Meeting at 7:41pm.

Administrative Business

Approval of the Agenda

00:42:43-00:44:47

Mayor West requested that potential action on a Local Law Regarding the Installation of No Parking Signs on the South Side of North Front Street Adjacent to the Rail Trail be added to the Agenda.

Clerk Doyle-Bunker requested that Change Order #1 from Brinnier and Larios for Job No. VNP-132, Removal of Underground Fuel Storage Tank, Furnishing & Installing Aboveground Fuel Storage Tank to credit the Village for the unused contract allowance of \$5,000.00 be added to the Consent Agenda.

Trustee Rhoads requested the Inter Municipal Agreement that was agreed to by both Boards on November 6, 2013 but, never formalized be added to the Consent Agenda. After a brief conversation with Village Attorney Joseph Eriole, Trustee Rhoads agreed to add this matter to the agenda but, not to the Consent Agenda.

Trustee Basco requested that the Hurricane Sandy grant program application be added to the agenda for discussion.

Trustee Rhoads requested that item # 7. *Approval of a Resolution of the Board of Trustees of the Village of New Paltz to Set the Date for the Tax Sale for Unpaid 2013-2014 Taxes* and item #8. *Approval for the Mayor to Execute the 2014 Tax Lien Foreclosure Agreement with Ulster County*. Be removed from the Consent Agenda.

Mayor West moved to adopt the Agenda. Trustee Basco seconded. 5 Ayes. Motion carried.

Public Comment and Announcements by the Board

00:44:48-01:52:39

Multiple people who identified themselves as Landlords owning property in the Village of New Paltz came forward to discuss their concerns regarding the Local Law Reforming Rental Property Registration and Inspection. One concern voiced was that to date the SEQRA had not yet been done. Multiple speakers voiced concern that the fines were too expensive, that actions by tenants were beyond the control of the landlords, and that Landlords should retain the 30 days to remedy that is the current practice.

Following Public Comment the Board took a ten minute break.

Consent Agenda

1. Bills and Claims
2. Approve Minutes from January 8, 2014
3. Approval for the DPW to Go Out to Bidding for the Purchase of a New 2014 Ford F350 Super Duty 4x4, One Ton Dump Truck with a 9 Foot Plow.
4. Approval of Invoice #1, New Paltz Water Source Investigation, from David Clouser and Associates in the amount \$29,861.96.
5. Approval of Payment Estimate #3, Contract #VNP-123 Construction of a 1.5MG Concrete Potable Water Storage Tank as Presented by Brinnier and Larios on Behalf of DN Tanks in the Amount of \$154,619.10.
6. Approval of Payment Estimate #4, Contract #VNP-123 Construction of a 1.5 MG Concrete Portable Water Storage Tank as Presented by Brinnier and Larios on Behalf of DN Tanks in the Amount of \$16,194.56.
7. Approval of a Resolution of the Board of Trustees of the Village of New Paltz to Set the Date for the Tax Sale for Unpaid 2013-2014 Taxes
8. Approval for the Mayor to Execute the 2014 Tax Lien Foreclosure Agreement with Ulster County.
9. Approval of Change Order #1 from Brinnier and Larios for Job No. VNP-132, Removal of Underground Fuel Storage Tank, Furnishing & Installing Aboveground Fuel Storage Tank to credit the Village for the unused contract allowance of \$5,000.00 be added to the Consent Agenda.

02:37:22-02:37:29

Mayor West moved to approve the Consent Agenda absent # 7. Approval of a Resolution of the Board of Trustees of the Village of New Paltz to Set the Date for the Tax Sale for Unpaid 2013-2014 Taxes and item # 8. Approval for the Mayor to Execute the 2014 Tax Lien Foreclosure Agreement with Ulster County. Trustee Basco seconded. 5 Ayes. Motion carried.

Legislative Business

Presentation

Presentation by Tal Schwartz Regarding Water Savings Through High-Efficiency Toilet Standards.

- Recommendation for Water Savings Through High-Efficiency Toilet Standards as drafted by Tal Schwartz, January 5, 2014
- California Assembly Bill No. 715, approved by the Governor on October 11, 2007 and filed with the Secretary of State on October 11, 2007

02:10:58-02:18:12

Tal Schwartz presented to the Board of Trustees recommendations on Water Savings Through High-Efficiency Toilet Standards.

Trustee Rhoads moved to authorize Village Attorney, Joseph Eriole to work with Mr. Schwartz to help draft legislation to make High-Efficiency Toilets standard in new building within the Village of New Paltz. Trustee Basco seconded. 5 Ayes. Motion carried.

Old Business

Discussion on a Local Law Reforming Rental Property Registration and Inspection

Local Law amending Chapter 129; Housing Standards, Article I: General provisions, drafted by Mayor Jason West, January 9, 2014

2014-2015 Fee Schedule, drafted by Mayor Jason West, January 9, 2014

03:17:35-04:15:07

No action was taken by the Board.

Discussion on a Village Wide Short Term Rental Law, drafted by Village Attorney, Joseph Eriole

- Short Term Rental Law, drafted by Village Attorney, Joseph Eriole

02:38:16-02:45:02

Village Attorney, Joseph Eriole will draft the final version of the Village Wide Short Term Rental Law for the Board's February 12, 2014 Meeting.

Discussion on the Annexation Request from Richard Cusanno and Charles Wortmann

- Memo from Village Attorney, Joseph Eriole
- Letter from Richard Cusanno and Charles Wortmann
- Letter from Dean Van Tassell, dated September 9, 2013
- Petition and exhibits from Dean Van Tassel to Annex Lands to the Village of New Paltz, dated January 13, 2014

02:24:24-02:36:55

Mayor West stated that he would be recusing himself from the Discussion on the Annexation Request from Richard Cusanno and Charles Wortmann.

Trustee Rhoads moved to set a Public Hearing on Wednesday, February 12, 2014 at 7:30pm. Trustee Basco seconded for purposes of discussion. 4 Ayes. 1 abstain, Mayor West. Motion carried.

Discussion on the proposed Peddling and Soliciting amendment

- Peddling and Soliciting amendment, drafted by Village Attorney, Joseph Eriole, January 16, 2013 Draft.

Discussion on the proposed Peddling and Soliciting amendment was tabled until the February 12, 2014 meeting of the Board of Trustees.

New Business

Discussion on a Letter From Donald and Kathryn Silberger Regarding the Change to Their House Number by the Town of New Paltz and Ulster County Emergency Services

- Letter from Donald and Kathryn Silberger, dated December 29, 2013
- Memo from Village Attorney, Joseph Eriole

02:19:05-02:24:03

Trustee Basco moved to support the efforts of Donald and Kathryn Silberger with regard to the request to not changing their street address number due to new construction off of Church Street. Trustee Rhoads seconded. 5 Ayes. Motion carried.

Discussion on the Request From the Owner of 23 North Manheim for relief from the Sewer Portion of Village Water/Sewer bill due to Flooding

- Letter from Property Owner
- Memo from Village of New Paltz, Deputy Treasurer, Roseann James, dated January 17, 2014
- Memo from Village of New Paltz DPW Superintendent, Gene Terwilliger, dated January 16, 2014

02:46:02-02:46:15

Trustee Basco moved to approve the request from the owner of 23 North Manheim for relief from the sewer portion of the bill in the amount of \$61.25. Trustee Rhoads seconded. 5 Ayes. Motion carried.

Discussion on the Request from the Owner of 7 Innis Avenue for relief the Sewer Portion of the Village Water/Sewer bill due to Flooding

- Letter from Property Owner
- Memo from Village of New Paltz, Deputy Treasurer, Roseann James, dated January 17, 2014
- Memo from Village of New Paltz DPW Superintendent, Gene Terwilliger, dated January 16, 2014

02:46:16-02:47:10

Trustee Rhoads moved to approve the request from the owner of 7 Innis Avenue for relief from the sewer portion of the bill in the amount of \$157.50. Deputy Mayor Rotzler seconded. 5 Ayes. Motion carried.

Discussion on the Energy Audit as requested by the Board of Trustees for the Village Hall complex and approval for the Clerk's office to contact additional representatives referred from Patrice Courtney-Strong

- Email from Trustee Basco, dated January 10, 2014
- List of Auditor as provided by Patrice Courtney-Strong on January 9, 2014

02:47:14-02:50:57

Trustee Basco moved to request quotes for an energy audit from the list of auditors provided by Patrice Courtney-Strong. Trustee Basco requested that the proposals be back to the Village by February 19, 2014 so that the matter can be discussed at the February 26, 2014 meeting of the Board of Trustees. Trustee Rhoads seconded. 5 Ayes. Motion carried.

Discussion on New Paltz Village Resolution Supporting Clean Energy & Keeping Statewide Fracking Moratorium

- Resolution to be provided by Trustee Basco

02:51:03-02:53:51

No action was taken by the Board.

Discussion on sending out an RFP for Municipal Waste Hauling Contract

- Email from Trustee Basco, dated January 13, 2014
- Email from Trustee Basco, dated January 16, 2014

02:53:54-03:08:05

No action was taken by the Board.

At 10:38 Deputy Mayor Rotzler left the Board table to sit in the audience as the darker space occupied by the audience was helpful to her migraine. Deputy Mayor Rotzler was still participating as an active member of the Village Board.

Discussion on the Appointment of Maurice Weitman, Chairman of the Village of New Paltz Planning Board to the Ulster County Planning Board

- Email from Trustee Basco, dated January 16, 2013

03:08:06-03:11:10

Mayor West moved to recommend to nominate Maurice Weitman as the Village representative to the Ulster County Planning Board with Brenda White, Director of Planning, Zoning, and Code Enforcement as the nominee for the alternate representative for the Village of New Paltz to the Ulster County Planning Board. Trustee Basco seconded. 5 Ayes. Motion carried.

Approval of a Resolution of the Board of Trustees of the Village of New Paltz to Set the Date for the Tax Sale for Unpaid 2013-2014 Taxes

03:11:19-03:11:55

Resolution of the Board of Trustees of the Village of New Paltz to Set the Date for the Tax Sale for Unpaid 2013-2014 Taxes

WHEREAS, it appears from the account of unpaid taxes heretofore returned by the Treasurer of the Village of new Paltz for the year 2013 that the following taxes will remain due and unpaid to wit:

SEE ATTACHED PAGES

NOW, THEREFORE, be it

RESOLVED, THAT THE UNPAID TAXES HERETOFORE DESCRIBED SHALL BE COLLECTED BY A TAX SALE AS PROVIDED IN Title 3 of Article 14 of the Real Property Tax Law of the State of new York, to be held on Monday, March 3rd 2014 at 10:00am at New Paltz Village hall, Treasurer's office.

Roll Call:

<i>Mayor West</i>	<i>Aye</i>
<i>Deputy Mayor Rotzler</i>	<i>Aye</i>
<i>Trustee Basco</i>	<i>Aye</i>
<i>Trustee Rhoads</i>	<i>Aye</i>
<i>Trustee Rocco</i>	<i>Aye</i>

BY ORDER OF THE BOARD OF TRUSTEES OF THE VILLAGE OF NEW PALTZ, N.Y.

Dated: January 22, 2014

Kathryn Doyle-Bunker, Village Clerk

Mayor West moved to adopt the Resolution of the Board of Trustees of the Village of New Paltz to Set the Date for the Tax Sale for Unpaid 2013-2014 Taxes. Trustee Basco seconded. 5 Ayes. Motion carried.

Approval for the Mayor to Execute the 2014 Tax Lien Foreclosure Agreement with Ulster County

03:11:57-03:13:06

Trustee Rhoads moved the Approval for the Mayor to Execute the 2014 Tax Lien Foreclosure Agreement with Ulster County. Trustee Basco seconded. 5 Ayes. Motion carried.

Approval for Mayor West to Execute the Resolution with the Town of New Paltz regarding the Joint Comprehensive Master Planning
03:13:18-03:15:52

A Resolution by the Boards of the Village of New Paltz and the Town of New Paltz, meeting jointly, to commence at the earliest opportunity Joint Comprehensive Planning:

Whereas the current comprehensive plan of the Village of New Paltz is now almost 20 years old and it is strongly recommended that a New York State municipality's comprehensive plan be revised and updated every five to ten years; and

Whereas the current comprehensive plan of the VONP was found to be in need of significant revision by the Master Plan Review Task Force in 2011 (commissioned by the Village Board); and

Whereas the Master Plan Review Task Force also strongly recommended coordinated comprehensive planning by the Village and Town of New Paltz; and

Whereas the current comprehensive plan of the Town of New Paltz has already been found by the Town Board to be in serious need of revision and the process of revision had already commenced in 2012 but has since been delayed; and

Whereas both New York State Village Law and New York State Town Law expressly provide for and even encourage joint comprehensive planning (see note below); and

Whereas the Village Board and the Town Board of New Paltz, meeting jointly on August 15, 2013, determined that joint comprehensive planning is in the best interests of both of these governmental entities;

Therefore, be it resolved that the Village and the Town of New Paltz execute this joint resolution to effect coordinated comprehensive planning beginning in October 2013, and

Compensation: The Town and Village shall compensate the Consultant for professional services performed an amount not to exceed, in the aggregate, the sum of FIFTY TWO THOUSAND DOLLARS (\$52,000.00) for fifteen (15) months. If the draft Plan is completed and accepted by the Boards prior to the expiration of the term contemplated herein, then Consultant shall be entitled to full payment of the fee at the time of acceptance by both Boards. If the draft Plan is not completed by the end of the term contemplated herein, there shall be no further payment beyond compensation provided for herein above.

3. Payment: Consultant shall be paid as follows:

- a) First payment of \$10,000.00 shall be paid upon execution of the Agreement.*
- b) Subsequent payments shall be invoiced monthly to the Town by the Consultant in the amount of \$2,909.09 each, from February 2014 through December 2014.*
- c) A final payment of \$10,000.00 shall be withheld no more than fifteen (15) days from the date the draft Plan is submitted and found to be complete by the Town and Village under the terms of the Agreement.*

Consultant will submit simple monthly invoices to the Town. The Town will then bill the Village for 50% of the invoice. The Village will reimburse the Town within 45 days.

Note: 1998, Office of the Attorney General of the State of New York: General Municipal Law Article 5-G authorizes municipalities to agree to perform any of their existing functions or duties jointly or one for another. General Municipal Law §§119-n(c) and 119-o(1). The Village Law and the Town Law expressly apply the municipal cooperation provisions of Article 5-G to land use planning and authorize municipalities to undertake comprehensive planning and land use regulation jointly or one for the other. Village Law #7-741 (1); Town Law #284 (1).

Susan Zimet, Supervisor for the Town of New Paltz

Jason West, Mayor for the Village of New Paltz

Trustee Rocco moved to authorize Mayor West to sign Resolution with the Town of New Paltz regarding the Joint Comprehensive Master Planning. Trustee Basco seconded. 5 Ayes. Motion carried.

Approval to set the Public Hearing for a Local Law Authorizing the Village Board to Override a 2% Tax Cap
03:15:58-03:17:06

Trustee Rhoads moved to set a Public Hearing for a Local Law Authorizing the Village Board to Override a 2% Tax Cap immediately following the first Public Hearing which begins at 7:30pm on Wednesday, February 12, 2013. Trustee Rocco seconded. 5 Ayes. Motion carried.

A Local Law Regarding the Installation of No Parking Signs on the South Side of North Front Street Adjacent to the Rail Trail
03:17:09-03:17:33

Trustee Rhoads moved to adopt a Local Law Regarding the Installation of No Parking Signs on the South Side of North Front Street Adjacent to the Rail Trail. Trustee Basco seconded. 5 Ayes. Motion carried.

Deputy Mayor Rotzler exited at 11:48pm.

Executive Session

Mayor West moved to go into Executive Session for the purposes of discussing contract negotiation. Trustee Basco seconded. 4 Ayes. 1, absent, Deputy Mayor Rotzler. Motion carried.

The Videographer was excused as 11:49pm when the Board of Trustees went into Executive Session.

The Board went in to Executive Session at 11:49pm

Mayor West moved to exit Executive Session. Trustee Rhoads seconded. 4 Ayes. 1, absent, Deputy Mayor Rotzler. Motion carried.

The Board exited Executive Session at 12:02am on Thursday, January 23, 2014.

Adjournment

Mayor West moved to adjourn. Trustee Rocco seconded. 4 Ayes. 1 absent, Deputy Mayor Rotzler. Motion carried.

The Wednesday, January 22, 2014 Meeting of the Board of Trustees was adjourned at 12:03am on Thursday, January 23, 2014

Respectfully submitted by,

Kathryn Doyle-Bunker
Clerk for the Village of New Paltz