

Joint Town & Village Meeting
April 24, 2014
7:30 p.m.

Present: Supervisor Susan Zimet, Councilwoman Jean Gallucci, Councilman Dan Torres, Councilman Jeff Logan, Councilman Kevin Barry.

Present: Mayor Jason West, Trustee Ariana Basco, Trustee Sally Rhoads, Trustee Tom Rocco.

Absent: Trustee Rebecca Rotzler

At 7:36 p.m. a motion was made by Councilman Torres to open the meeting with the pledge, which was lead by Boy Scouts Troop 172. Seconded by Councilwoman Gallucci, all aye votes cast, motion carried.

Agenda:

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

Announcements:

Supervisor Zimet read aloud the following Press Release from the Chief of Police:

Arrest made in Homicide Investigation

The New Paltz Police Department reports the arrest of;

Basheem D. Bennett, 21 years of age
Poughkeepsie, New York 12601

Mr. Bennett was arrested on April 22, 2014 at about 5:09 pm and charged with;

- Murder in the Second Degree, Class A-I Felony
- Assault in the First Degree, Class B Felony

The charges stem from an incident that occurred at Murphy's Restaurant and Pub located in the Village of New Paltz on April 20th, 2014 where 29 years of age victim, Ryan Gray was fatally shot. A second victim, 26 years of age female still remains hospitalized in stable condition.

"Investigators from our agency, the New York State Police and the Ulster County District Attorney's office worked long, hard hours and did an incredible job to make an arrest on this case", said Chief Joseph Snyder. "This is a great example how working together brings the best police work to the table and in turn serves the community in such a positive, professional way". "Although this type news of shootings and killing appear to be common in our nearby cities, we will do our best to protect and serve our communities so that it does not become common news here".

Police confirm that the victims and Mr. Bennett were known to each other. It is believed that this murder was in retaliation to a previous murder that occurred in the City of Poughkeepsie.

Mr. Bennett was processed at the New Paltz Police Department and arraigned by Town of New Paltz Justice James Bacon. Mr. Bennett was remanded to Ulster County Jail on no bail and scheduled to return to New Paltz Court on the 28th at 6:00pm. The matter has been referred to Ulster County Court.

Supervisor Zimet read aloud the following email from Attorney George Rodenhausen regarding the Wetlands Lawsuit:

"In a unanimous decision, the Appellate Division today reversed the lower court and reinstated the Town of New Paltz Wetland and Watercourse Protection Law. The court held that the Town Board had fully complied with the State Environmental Quality Review Law and that the mapping done by the Town before enacting the Law complied with the constitutional standard for proper notice to landowners.

The two key issues raised by the petitioners were whether the mapping done by the Town gave landowners sufficient notice of the possible presence of wetlands on their property, and whether vernal pools could be regulated. In finding that the mapping was sufficient, the court noted that the Town had used all available resources in preparing the maps and that landowners were and are entitled to a free wetlands determination on their property by the Town Wetlands Inspector. In upholding the regulation of vernal pools, the court held that the definition of a vernal pool was sufficiently precise to give landowners proper notice, again backed by the free determination by the Wetlands Inspector.

Never before has a wetlands law been so thoroughly litigated and vindicated by an appellate court. It is a testament to the hard work by the prior town board and by all of the individuals who worked so hard to draft and adopt the law. As soon the decision is entered in the next few days, the law will be back in effect.”

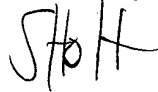
Supervisor Zimet read aloud the following email in response to the Town’s FOIL Request to the UCIDA:

Dear Supervisor Zimet:

I am in receipt of your Freedom of Information Law request dated April 18, 2014, and received by this office via electronic mail, April 18, 2014.

Your request is currently being reviewed and researched. It is expected that a response will be forwarded to you on or before May 14, 2014.

Sincerely,



Suzanne Holt, Director
Ulster County Office of Business Services

Riverkeeper Presentation:

Tracy Brown made a presentation on Riverkeeper’s Fecal Contamination Study in which they have been taking water samples from 74 locations on the Wallkill River. The study revealed that the quality of the water is poor.

Councilman Torres suggested starting a coalition of municipalities of communities along the Wallkill to look at local legislation to help remedy the pollution and to advocate to our collective State and Federal Officials for additional assistance.

A motion was made by Councilwoman Gallucci for the Town Board to appoint Councilman Torres as the official liaison for the Community River Coalition. Seconded by Supervisor Zimet, all aye votes cast, motion carried.

Update of DEP Water Study:

Trustee Rocco discussed the status of the study based on a summary provided by Town Engineer Dave Clouser. Freshwater Exploration-Phase II, more than 100 test wells have been drilled looking for ground water. There have been a number of interesting findings, including several relatively large gravel beds that would indicate water separate from river water; they will continue to be tested. Bedrock wells will be drilled in the coming weeks. Dave Clouser’s summary states, “It presently appears that a water supply using several connected wells has potential as a backup water supply source.” This is all relative to the projected shut down of the Aqueduct in 2016-2017 for two ten-week periods. An Inter-Municipal water system relationship has also been explored with the Town of Lloyd. If it we affordable to build a connection between New Paltz and Lloyd, their water sources from Reservoirs and the Hudson would be available options.

At 8:45 p.m. Trustee Rotzler arrived.

Local Emergency Planning Committee Update:

Carol Connolly, Chair of the LEPC discussed work being done by the committee, whose executive members include Gail Gallerie, Jeff Salt, Glen Philips and Mike Benenati. They met on March 12th and the goal is to meet quarterly. The upcoming dates are June 11th and September 10th, 3 p.m. at the Rescue Squad. Carol has been working on determining which Town employees still need NIMS Training, which is a Federal requirement, and has tentatively scheduled the first two intro classes for May. She attended the Ulster Core Event that was focused on disaster preparedness. The more prepared we are, the better the outcome. Carol is also looking into revamping the Citizen Core, which is a group of trained citizens that give support help to emergency services. The County that has had the most emergencies in the past year is Ulster County.

Joint Resolution on Emergency Service Coordinator for Ulster County:

A motion was made by Councilwoman Gallucci on behalf of the Town, and Trustee Rocco on behalf of the Village to adopt the following Resolution:

**Joint Resolution on supporting an upgrade to the Ulster County comprehensive
emergency radio system**

Whereas, the Ulster County Emergency Communication System is antiquated;

Whereas our Emergency providers do not receive all the emergency calls for their respective locations;

Whereas, Emergency communications towers are periodically failing;

Whereas; the need for immediate and uninterrupted communications is necessary for the safety of our residents and for the ability for the emergency providers to respond;

Resolved; the Town and the Village of New Paltz lend their support to an Ulster County upgrade to create a seamless emergency communication system.

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

Moriello Pool Maintenance vs. Capital Improvements:

Trustee Rhoads suggested she get together with Supervisor Zimet, Village Treasurer Nancy Branco, Highway Superintendent Chris Marx and Superintendent of Public Works Bleu Terwilliger to discuss some of the items on the list provided by Superintendent Marx.

A motion was made by Trustee Rhoads to approve Capital Improvement items #1-25 and #28 on the list, removing #26-27 as Maintenance, and all the Maintenance items listed.

A motion was made by Councilman Logan to approve Capital Improvement items #1-25 and #28 on the list, removing #26-27 as Maintenance, and all the Maintenance items listed.

Capital improvements are defined as permanent structural improvements or the restoration of some aspect of a property that will either enhance the property's overall value or increases its useful life.

CAPITAL IMPROVEMENTS-

- 1- Installation of new pumps, water, chlorine,
- 2- Replacement or upgrade of VFD.
- 3- Replacement of sand filters or flow heads
- 4- Installation of new lighting to conform to energy or health dept. codes.
- 5- Wiring or electrical socket upgrades to conform to any new regulations.
- 6- Piping upgrades in pump room or underground in pool area.
- 7- Air conditioner replacement in office.
- 8- Replacement of fixtures handicap and other in rest rooms.
- 9- Installation of slides, railing, lifts, in pool area.
- 10- Replacement of playground equipment.
- 11- Replacement or addition of barbeque equipment.
- 12- Replacement of benches, picnic tables.
- 13- All ADA compliant equipment including new walks in pool area and playground areas also to include benches and tables.
- 14- Installation of Ceiling tiles to conform to health department code in snack stand.
- 15- All upgrades to snack stand to conform to health department codes or building codes.
- 16- Replacement or upgrades to outside showers or drinking fountains.
- 17- Replacement of garage doors or entrance doors in or outside of building.
- 18- Replacement of pavilion roof.
- 19- Upgrades to parking lot.
- 20- Replacement or upgrades to all fences around pool area and playgrounds.
- 21- Replacement of or addition to paved walkway between lower and upper parking lots.
- 22- Replacement or upgrade to air blowers in mechanical room.
- 23- Installation of auto water level system.
- 24- Signage replacement due to theft or compliance.
- 25- Replacement or upgrade of electrical control panels including 480 step up transformer.
- 26- Filter sand.**
- 27- Pool water.**
- 28- Replacement of pool cover.

Maintenance is defined as the work of keeping something in proper condition or upkeep.

MAINTENANCE-

- 1- Mowing of all grass in and around the pool area but not out of the property boundaries.
- 2- Weed whacking around all fences at the pool.
- 3- Fertilizing of all grass in and around pool area.
- 4- Pick up of all debris in and around pool area, leaves, brush, trash,
- 5- Raking of grass around parking lots of stone and debris.

- 6- Filling of potholes and regrading of all parking lots.
- 7- All tree trimming, pruning and removal.
- 8- Replacement of filter sand in all sand filters(minus sand)
- 9- Tightening of all fittings to fix leaking seals in mechanical room.
- 10- Changing of light bulbs in entire pool area.
- 11- Replacement of electrical outlets (GFI) due to wear.
- 12- Recharging of air conditioning unit.
- 13-Calibration of all chlorine pumps.
- 14-Bulk chlorine permit.
- 15-Tightening of all playground equipment.
- 16-Crack ceiling of all concrete around the pool and in the pool house (minus crack seal)
- 17-Replacement of all flush valves, shower diverters, in bathrooms.
- 18-Repairing of garage doors and all entrance doors.
- 19-General painting in and around pool facility (minus paint)
- 20-The opening of the pool.
- 21-Storing of the pool cover
- 22-Cleaning of the pool (minus any cleaning chemicals).
- 23-Filling of the pool (minus water)
- 24-Fixing or adjustment of hydrostatic valves.
- 25-Painting and sealing of kiddie pool (minus supplies)
- 26-Minor electrical repair.
- 27-Painting and scraping of BBQ grills.
- 28-Pool cover repairs.

Seconded by Mayor West, all aye votes cast, motion carried,

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

A motion was made by Councilwoman Gallucci that in the event of an emergency situation relative to capital improvements at Moriello Pool, the Supervisor and the Mayor are authorized by the Joint Boards to make the decision to resolve the situation. Seconded by Councilman Logan, all aye votes cast, motion carried.

A motion was made by Trustee Rhoads that in the event of an emergency situation relative to capital improvements at Moriello Pool, the Supervisor and the Mayor are authorized by the Joint Boards to make the decision to resolve the situation. Seconded by Trustee Rotzler, all aye votes cast, motion carried.

Councilman Logan and Councilman Torres inspected the pool and found some items that needed to be addressed before the pool opens on Memorial Day weekend. These items include mulch for the playground to comply with ADA requirements (\$4,000), sidewalks that need to be installed (\$2,000), the repair of a fountain that broke over the winter (\$1,000), and the replacement of a slide that will need to go out to bid (\$10,000-\$12,000). Without the mulch for the playground, the pool cannot open; it has to be certified mulch.

A motion was made by Trustee Rhoads to approve the repair of the fountain and the installation of the sidewalks, and to participate in the bid for a new slide. Seconded by Trustee Basco, all aye votes cast, Mayor West voted no. Motion carried.

A motion was made by Councilman Logan to approve the repair of the fountain and the installation of the sidewalks, and to participate in the bid for a new slide. Seconded by Councilman Barry, all aye votes cast, motion carried.

Trustee Rhoads indicated that all but three trees that were planted last Arbor day have been stolen from Moriello Pool.

Public Comment:

Joanna Weiss indicated that she was in favor of starting a coalition of municipalities, but there is no need to reinvent the wheel when an Environmental Committee already exists.

Trustee Rhoads indicated that the Joint PAAC still exists on an on-call basis.

Acceptance of Joint Minutes:

A motion was made by Trustee Rhoads to approve the joint minutes of **March 27, 2014**.

Seconded by Trustee Basco, all aye votes cast, motion carried.

A motion was made by Councilwoman Gallucci to approve the joint minutes of **March 27, 2014** with the following corrections:
"spends" should be "spent"
"being" should be "begin"
"\$1.215" should be "\$1,215"
 Seconded by Councilman Barry, all aye votes cast, motion carried.

Trustee Rhoads indicated that the Village Board approved the one-time \$25,000 payment to the Rescue Squad.

At 9:35 p.m. a motion was made by Councilman Torres to go into Executive Session for the purposes of discussing the Joint Master Plan relative to the hiring, firing and disciplinary action of an employee. Seconded by Councilman Logan, all aye votes cast, motion carried.

At 9:35 p.m. a motion was made by Trustee Rotzler to go into Executive Session for the purposes of discussing the Joint Master Plan relative to the hiring, firing, and disciplinary action of an employee. Seconded by Mayor West, all aye votes cast, motion carried.

At 10:03 p.m. a motion was made by Trustee Rotzler to come out of Executive Session with no action taken on behalf of both Boards. Seconded by Trustee Rhoads, all aye votes cast, motion carried.

At 10:05 p.m. a motion was made by Mayor West to adjourn the joint meeting. Seconded By Trustee Rotzler, all aye votes cast, motion carried.

Town Board Meeting:

Agenda: -Ethics (rescheduled for 5/15), +Rescue Squad Contract, +Coffee Systems Contract, +Moriello Pool Hires, +Emergency Budget Modification.
 A motion was made by Councilman Barry to adopt the agenda as amended. Seconded by Councilman Logan, all aye votes cast, motion carried.

Access Management Plan:

A motion was made by Councilman Logan to refer the Access Management Plan to the County Planning Board. Seconded by Councilman Barry, all aye votes cast, motion carried.
 A motion was made by Councilman Barry to set the Public Hearing for May 15, 2014 at 7:15 p.m. Seconded by Councilman Logan, all aye votes cast, motion carried.

Coffee Systems Contract:

The bookkeeper is requesting the Town switch it's bottled water vendor from Poland Spring, with which billing is a major problem, to Coffee Systems of the Hudson Valley. They are local and provide better prices than Poland Spring.
 A motion was made by Councilman Logan to authorize the Supervisor to sign the contract with Coffee Systems of the Hudson Valley, pending there is no conflict with any existing contract with Poland Spring. Seconded by Councilman Torres, all aye votes cast, motion carried.

Rescue Squad Contract:

A motion was made by Councilman Barry to authorize the Supervisor to sign the same contract but with the addition of the one-time \$25,000 payment out of the B-Fund. The Village Board as approved the same. Seconded by Councilman Logan, all aye votes cast, motion carried.

Lowes Credit Card:

A motion was made by Councilman Barry to authorize the Bookkeeper to set up sub accounts on the Lowes credit card to allow for easier billing. Seconded by Councilman Torres, all aye votes cast, Councilwoman Gallucci voted no. Motion carried.

Moriello Pool Hires:

A motion was made by Councilwoman Gallucci to approve the following Moriello Pool hires:

Moriello Pool 2014	Position	Pay Rate	Rehire or New
Beveridge, Jackson	Lifeguard (3)	10.70	Rehire
Desmery, Martin	Lifeguard (2)WSI	11.80	Rehire

Desmery, Owen	Lifeguard (2)WSI	11.80	Rehire
LaSpada, Sarah	Lifeguard (2) WSI	11.80	Rehire
Milici, Daniel	Head Life / WSI	14.00	Rehire
Mitchell, Barbara	Lifeguard (4)	10.90	New
Spylios, Dominick	Lifeguard (4)WSI	12.30	Rehire
Sub's Lifeguards and Attendants			
Hasbrouck, Mathew	Lifeguard (4)	10.90	Rehire
Mackinnon, Julian	Lifeguard (3)WSI	12.10	Rehire

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

Emergency Budget Modification:

Relative to Carol Connolly, LEPC. Tabled.

Fireworks Contract:

A motion was made by Councilman Logan to approve the contract with Ulster County to hold the Fireworks on July 5th, with a rain date of July 6th. Seconded by Councilman Barry, all aye votes cast, motion carried.

FAMILY of New Paltz Contract:

A motion was made by Councilwoman Gallucci to approve the contract with FAMILY of New Paltz. Seconded by Councilman Torres, all aye votes cast, motion carried.

Police Services Contract for Wine Festival:

Tabled until May 15th.

Comcast Purchase of Time Warner:

Tabled.

Acceptance of Minutes:

A motion was made by Councilman Barry to accept the minutes of ***April 17, 2014***. Seconded by Councilman Torres, all aye votes cast, motion carried.

Resignation:

A motion was made by Councilwoman Gallucci to accept with regret the resignation of Jim Hyland from CWOSP. Seconded by Councilman Torres, all aye votes cast, motion carried. The Town Board thanked Jim for his work on the Commission.

Appointment:

A motion was made by Councilwoman Gallucci to appoint Richard Fiesel to CWOSP to fill the vacancy created by the resignation of Jim Hyland, for a term to expire 12/17 which was changed from 12/16 to allow for the staggering of expirations as per the law's requirement. Seconded by Councilman Torres, all aye votes cast, motion carried.

At 10:41 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