

**Town Board Meeting**  
**February 23, 2012**  
**7:30 p.m.**

**Present:**

Supervisor Susan Zimet, Councilman Kevin Barry, Councilman Jeff Logan, Councilwoman Kitty Brown, Councilwoman Jean Gallucci.

At 7:36 p.m., Supervisor Zimet opened the meeting with the Pledge.

**Agenda:**

Supervisor Zimet added the following items, which were not on the preliminary agenda:

-Tabak Refund -Transfer of Title for truck from the Town to the Fire Dept. -MOU for DMV and rental of Court House -Approval of minutes -Pre-pays, warrants and budget modifications  
-Contracts for the Chief and the Lt.

A motion was made by Councilman Logan to accept the agenda as amended. Seconded by Councilwoman Brown, all aye votes cast, motion carried.

**Announcements:**

Supervisor Zimet announced that on March 5<sup>th</sup> at 7 p.m., there will be a presentation on the Tax Cap with Frank Mauro and Ron Deutsch. It will be a Town Hall style meeting where the public can bring their tax bills and ask questions.

A motion was made by Councilwoman Brown to add Public Comment to the agenda. Seconded by Councilman Barry, all aye votes cast, motion carried.

**Presentation by the Historic Preservation Commission:**

The commission was represented by the chair, John Orfitelli and members Kathleen Interrante and Helen Christie. The presentation was entitled "2011 Year in Review". It outlined the Commission's Special Achievements which included an "Interactive On-line Historic Map of New Paltz", "Website Editor Guide", "Student Internship Established at SUNY", "Landmark Designation of the Arbuckle Estate", "Mohonk Mountain House Entry Building Plan Review", and the "Smiley Subdivision Review". The Commission's 2012 Initiatives include an "On-line Map Promotional Video", "Time Lapse Photo Project", and the "SHPO Sponsored Initiative to provide Mapping Application Statewide".

The Town Board thanked the Historic Preservation Commission for its time and dedication.

**Police Chief Update:**

Chief Snyder updated the Town on the situation relative to a female on campus who was the victim of an attempted sexual attack. The only information that can be given at this time is that a 23-year-old male was arrested and is currently awaiting trial. Chief Snyder is confident about a successful outcome to this case.

**Presentation by Ulster County Chairwoman Terry Bernardo:**

Chair Bernardo is the first woman chair of the Ulster County Legislature. She was accompanied by County Legislatures Hector Rodriguez and Ken Wishnick where they discussed County Initiatives. The Town Board and County Legislatures Rodriguez discussed Woodland Ponds and current policy issues. Chair Bernardo will take the Board's concerns back to the IDA. County Legislature Wishnick briefly discussed Economic Development, Tourism, Transportation, the environment, and what appears to be the biggest challenge, the RRA. The County Legislatures prepared a resolution to ban brine spraying on County Roads. They would like the Town to consider a similar resolution to stop the use of wastewater on Town roads.

Supervisor Zimet indicated she would like the Town to pass a similar resolution.

Chair Bernardo advised that passing it as a local law would be better.

**Public Comment:**

Chris Ullrich- With reference to the Cragwood Road discussion from last week, does not think the proposed plan would help the residents. The use of taxpayer money would be fiscally irresponsible because he does not perceive that there is a safety problem, as it is rarely not accessible; but more of an inconvenience issue.

Supervisor Zimet suggested scheduling a meeting with all the interested parties, including the Highway Superintendent and Dave Clouser in an effort to move forward with this issue.

Councilman Logan stated that driving on the Rail Trail is dangerous and advised people not to do it.

Don Kerr, Public Access- The Town is very well represented on the Committee. Wanted to address two timely issues. The first is the quality of the video, which the committee has addressed in the past and is still working on improving. The other issue is payment of services to the Public Access Coordinator.

Supervisor Zimet has expressed her preferences regarding the camera shots and sound issues. In terms of the payment to the coordinator, there have been problems with the submission of bills and the need for back-up documentation. She is still dealing with 2011 bills and approving the payment of incoming bills.

Everett Payne-Advised that before anyone starts to build on S. Putt Corners Rd., the property should be checked.

Michelle Riddell- Thanked the Town for transparency and it's understanding to ban fracking. The passing of the ordinance is time sensitive. She also added that some brine used on highways is frack water.

Matt Bird (Grade 4-A Wastewater Treatment Plant operator)-The DGIS lists 525+ toxic chemicals included in fracking water with no concentrations. By law, Wastewater treatment plants cannot treat this waste. Proposes the Town enact a moratorium to prevent trucks from driving through New Paltz with fracking water, until we know what's in the water.

Myra Long- Supports Mr. Bird's comments.

John House Wilson, EnCB- The EnCB has been discussing Hydro Fracking for 3-4 months. The ban should be included in our Zoning Ordinance because it's heavy industry and can be regulated. Zoning is a powerful tool.

**Resolution to name the Walkway over the Hudson after Congressman Maurice Hinchey:**

Congressman Hinchey was very instrumental in making the Walkway a reality and is fully dedicated to the Hudson River. He is now retiring after a long and distinguished career and the Board feels this would be a fitting tribute. A motion was made by Councilman Barry to adopt the resolution to name the Walkway over the Hudson after Congressman Maurice Hinchey. Seconded by Councilwoman Brown, all aye votes cast, motion carried. The Town of New Paltz will be the first community to do this and the community supports this whole-heartedly.

**Update on Hydro Fracking Law:**

Supervisor Zimet attended all the sessions on Hydro Fracking at the Association of Towns. An announcement was made that a court upheld the decision in the Town of Dryden to ban Hydro Fracking. An attorney from the Albany law firm "Whiteman, Osterman & Hanna" suggests banning through Zoning.

**Contract for Bond Counsel:**

Supervisor Zimet, Councilman Logan and Councilwoman Gallucci met with Kenneth Bond from "Squire & Sanders" while at the Association of Towns. He is very experienced in consolidation. He is proposing that the Town hire him for a flat fee of \$2500 for 2012, to help repay bonds and assist with Sewer 6, water & sewer and open space. Supervisor Zimet stated that this is the opportunity of a lifetime and would like to hire him to begin immediately.

A motion was made by Councilman Logan to sign the contract for one year for \$2500 with "Squire and Sanders" as bond counsel for the Town of New Paltz. Seconded by Councilman Barry, all aye votes cast, motion carried. Supervisor Zimet will contact Mr. Bond immediately.

**Accepting Courthouse Bids:**

All bids are now in compliance with the Davis/Bacon Act. The lowest bid was submitted by S.R.D.C. Roofing, Supervisor Zimet thanked Bob Leghorn and Councilman Logan for their work. A motion was made by Councilman Logan to accept the bid from S.R.D.C. Roofing Company at a cost of \$11,900. Seconded by Councilwoman Gallucci for discussion. The Town was given \$11,000 from the insurance company and the rest is budgeted in the Courthouse Roof line. All aye votes cast, motion carried.

**Unison/Fireworks:**

Supervisor Zimet spoke with Stuart, the Town is going to hold off on approving the money for the band until the money for the fireworks is worked out.

**Tabak Refund:**

Councilwoman Brown does not want to discuss these requests until the Town has a policy in place. Councilman Logan agreed. The application assumed no refund would be given.

Councilwoman Gallucci does not need a policy in place to deny the refund.

This action was tabled until a policy is adopted.

**Transfer of title for truck from the Town to the Fire Department:**

The Town donated the truck to the Rescue Squad. However, the title was never transferred. The Rescue Squad now wants to donate the truck to the Fire Department.

A motion was made by Councilman Barry to transfer the title from the Town to the Fire Department. Seconded by Councilman Logan, all aye votes cast, motion carried.

**MOU for DMV and Rental of Courthouse:**

Chief Snyder encourages this agreement because it is a good deal for the Town.

A motion was made by Councilman Barry to enter into contract to renew for 1 year- 2012.

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

**Establish a Standard Work Day for Elected/Appointed Officials:**

This action was tabled because Councilwoman Gallucci will work on this with the Comptroller's Office and report back with a policy.

**Presentation by Clean Water and Open Space Protection Commission (CWOSP):**

Represented by Chair Jim Delaune, Marty Irwin and Marion DuBois. There is an issue with a small farm on Springtown Road, which has gone through the rating process. CWOSP wants to commission the purchase of an appraisal to determine the purchase price of development rights; the lowest estimate was \$2400 from Valuation Consultants Incorporated. CWOSP is proposing the terms for a Conservation Easement; the Town would be purchasing development rights to keep the property in perpetuity. This is a very valuable property.

A motion was made by Councilman Logan to approve up to \$2400 for the appraisal of the property for CWOSP. Seconded by Councilman Barry for discussion.

Councilwoman Brown- The policy requiring endowments has not been enforced. Without a special account for endowments, the town can't afford to monitor easements.

A motion was made by Councilman Logan to withdraw his motion. Seconded by Councilman Barry, all aye votes cast, motion carried.

At 10:10 p.m., a motion was made by Councilman Logan to go into Executive Session to the purposes of discussing the acquisition of real property development rights and Contracts for Chief Snyder and Lt. Osarczuk. Seconded by Councilman Barry, all aye votes cast, motion carried.

At 10:45 p.m., a motion was made by Councilman Logan to come out of Executive Session.

Seconded by Councilwoman Gallucci, all aye votes cast, motion carried.

A motion was made by Councilwoman Brown to hire an appraiser at a cost of up to \$2400 to appraise the parcel of land for the possible acquisition of real property development rights, upon

the recommendation of the CWOSP. Seconded by Councilman Barry, all aye votes cast, motion carried.

**Approval of Minutes- January 26, 2012:**

Councilwoman Brown- Edit page 2 "Supervisor's Audit Report meeting with an auditor from the Comptroller",

"Restricted funds may have been seriously misused".

Councilwoman Gallucci- Edit page 3 "A Citizen Advisory Board is completely different from the currently constituted Police Commission"

A motion was made by Councilwoman Gallucci to approve the minutes from January 26, 2012 as amended. Seconded by Councilman Barry, all aye votes cast, motion carried.

**Contracts for Chief Snyder & Lt. Osarczuk:**

This action was tabled.

**Prepays/Budget Modifications/Transfers:**

A motion was made by Councilman Logan to authorize the transfer of \$10,000 from DB5110.2 General Repairs Equipment Fund to DB5140.2 Brush & Weeds for the purchase of a bucket truck instead of a new pick-up truck, requested by Highway Superintendent Chris Marx. Seconded by Councilwoman Gallucci, all aye votes cast, motion carried.

A list of prepays and a budget transfer request to close out 2011, totaling \$226,705 was submitted to the Board by the bookkeeper for approval. This action was tabled until February 29<sup>th</sup> for further clarification.

A motion was made by Councilman Barry to authorize Councilwoman Gallucci to attend the NYS GFOA seminar in Albany from April 3rd-5th, at a cost not to exceed \$850. Seconded by Councilman Logan, all aye votes cast, motion carried.

**Appointments:**

A motion was made by Councilman Logan to appoint Leah Manders to replace Fawn Tantillo on the Historic Preservation Commission to a 1-year term to expire December 2012. Seconded by Councilman Barry, all aye votes cast, motion carried.

A motion was made by Councilwoman Brown to reappoint Helen Christie to the Historic Preservation Commission to a 4-year term to expire December 2015. Seconded by Councilman Logan, all aye votes cast, motion carried.

A motion was made by Councilman Logan that the Town Board put on the agenda the potential purchase and bonding put forth by the School Board, for the Joint Town & Village Meeting on February 29<sup>th</sup> and that the Town Board request that it not be put to a vote until a plan is presented and the community and the Town is involved. Seconded by Councilman Barry for discussion. There needs to be long range planning and efficient spending that will benefit the community as a whole. All aye votes cast, motion carried.

At 11:41 p.m., a motion was made by Councilman Logan to adjourn the meeting. Seconded by Councilman Barry, all aye votes cast, motion carried.

Respectfully submitted,

Rosanna Mazzaccari  
Town Clerk