

**Joint Town Village Meeting  
November 17, 2016  
7:30 p.m.**

**Present (T):** Supervisor Neil Bettez, Councilman Dan Torres, Councilwoman Julie Seyfert-Lillis, Councilman Jeff Logan, Councilman Marty Irwin.

**Present (V):** Mayor Tim Rogers, Trustee Dennis Young, Trustee Tom Rocco, Trustee Don Kerr.

**Absent:** Trustee Rebecca Rotzler.

At 7:30 p.m. a motion was made by Supervisor Bettez to open the meeting with the pledge. Seconded by Councilwoman Seyfert-Lillis, all aye votes cast, motion carried. A motion was made by Mayor Rogers to open the meeting with the pledge. Seconded by Trustee Kerr, all aye votes cast, motion carried.

**Town Board Agenda:** +Warrant, +Action regarding Police Settlement, +Employee Health Insurance Rates, +Alter Enterprises Proposals. A motion was made by Councilman Torres to adopt the Town Board as amended. Seconded by Councilwoman Seyfert-Lillis, all aye votes cast, motion carried.

**Joint Agenda:** +Smart Meters, +Solid Waste Franchise System, -Streetlight Presentation.

A motion was made by Mayor Rogers to adopt the Joint Agenda as amended. Seconded by Trustee Young, all aye votes cast, motion carried.

A motion was made by Councilman Torres to adopt the Joint Agenda as amended. Seconded by Councilwoman Seyfert-Lillis, all aye votes cast, motion carried.

**Public Input:**

Carol Cryer, Plains Road, indicated that she sent a letter to the Supervisor in June, regarding an information meeting for Water District #5 and the backup water system, but has not received a response.

**Water District #5:**

Mayor Rogers indicated that the Village Board voted to amend the IMA between the Town and Village for the maintenance of WD #5. He would like to have a discussion with the DEP to discuss the issue of not enough water (during the shutdowns) based on the info he received from the Supt. of the Department of Public Works. Trustee Rocco read the minutes from that meeting and stated that the actual motion was "The Village Board will void all maintenance agreements with regard to Water District #5" made by Trustee Kerr. Supervisor Bettez indicated that unless the Town Board approves the same motion, nothing happens and the Village would be in default of the agreement. Mayor Rogers indicated that his attempts to communicate with DEP regarding this issue have been unsuccessful. Engineer Dave Clouser indicated that with no runoff, you could operate for four weeks and provide the supply to the community. The DEP has said that they are able to operate the shutdown for a certain period of time, stop the shutdown, allow the Village to fill their reservoirs back up and start using off the reservoirs again. Further discussion followed.

A motion was made by Trustee Rocco that the Village Board of the Village of New Paltz rescinds the motion taken at the last Village Board meeting that "The Village Board will void all maintenance agreements with regard to Water District #5." No second to the motion was offered. Motion failed. Trustee Rocco indicated that he believes this is unwise, unhealthy, unnecessary, irresponsible, counterproductive and potentially illegal. Supervisor Bettez indicated that the Town Board is not in favor of releasing the Village Board from the IMA.

**Moriello Pool:**

The Town is requesting a 50% contribution from the Village for the Moriello Pool Facility Assessment. Mayor Rogers indicated that the Village has already paid for that via the A-Fund. Further discussion followed. This item was tabled.

**Solid Waste Franchise System Update:**

Trustee Young has drafted a letter and questionnaire to send to all the garbage haulers that service the residents in an attempt to collect information that would help establish one or more residential solid waste districts. This would help cut down on the number of garbage trucks putting wear and tear on Village Streets. Councilman Logan expressed his concern about having to tell residents which hauling companies they have to use.

A motion was made by Mayor Rogers to send out the letter and questionnaire and wait for responses. Seconded by Trustee Rocco, all aye votes cast, motion carried.

A motion was made by Councilman Torres to accept the letter and questionnaire to be sent out for solicitation of info. Seconded by Supervisor Bettez, all aye votes cast. Councilman Logan voted no. Motion carried.

**Proposed Design Review Board:**

Mayor Rogers indicated that a group of local business owners have expressed interest in having a process where when projects are before the Planning Board, they get reviewed in a way to provide a consulting service to someone looking to develop a property. This would include making suggestions for example, colors and materials regarding the façade of a building, in an attempt to empower the developer. Mayor Rogers and Supervisor Bettez have spoken about creating a committee to do this.

**Smart Meters:**

Trustee Kerr indicated that he received a letter from the head of the electrical engineering department of the company that produces the meters asserting they're compliant with all the rules and regulations.

At 9:18 p.m. a motion was made by Trustee Kerr to adjourn the Joint meeting. Seconded by Trustee Young, all aye votes cast, motion carried.

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**Town Board Meeting, 9:29 p.m.**

**Public Input:**

Lou Cariola indicated that he does not want the Town to decide which garbage hauler he has to use. He also spoke about the realignment of Gatehouse Road.

**Resignations:**

A motion was made by Councilman Torres to accept the resignation of Libby Zemaitis from the EnCB and Officer Gina Disisto from the Police Department, and express gratitude for their service to this Town. Seconded by Councilman Irwin, all aye votes cast, motion carried.

**Acceptance of Minutes:**

A motion was made by Councilman Torres to accept the minutes of ***October 19, 2016 (Joint), October 20, 2016 (Police Commission and Town Board), October 27, 2016 (Town Board), and November 3, 2016 (Town Board)***. Seconded by Councilman Logan, all aye votes cast, motion carried.

**Police Settlement:**

A motion was made by Supervisor Bettez to agree to the suggested settlement against the Town. Seconded by Councilman Irwin, all aye votes cast, motion carried.

**Proposed Access Agreement-Central Hudson:**

A motion was made by Supervisor Bettez to accept the Access Agreement with Central Hudson. Seconded by Councilman Irwin, all aye votes cast, motion carried.

**Resolution-Procurement of Goods and Services:**

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

**A Resolution adopting the following procedures and policies for the Town of New Paltz for the procurement of goods and services necessary for the implementation of projects funded by the Governor's Office of Storm Recovery of the New York State Housing Trust Fund Corporation**

**WHEREAS**, the Town of New Paltz has entered into a subrecipient agreement with the Governor's Office of Storm Recovery, an office of the New York State Housing Trust Fund Corporation, that provides funds for eligible Community Development Block Grant – Disaster Recovery (CDBG-DR) expenditures; and

**WHEREAS**, the subrecipient agreement requires procurement activities funded in whole or in part with CDBG-DR funds to be conducted in compliance with applicable United States Department of Housing and Urban Development (HUD) procurement regulations as well as applicable state and local law; and

**WHEREAS**, on December 26, 2013, the Office of Management and Budget (OMB) published (at 78 Federal Register 78608) the “2 CFR Part 200 Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards” that superseded the HUD procurement provisions of 24 CFR Parts 84 and 85; and

**WHEREAS**, HUD has issued new procurement standards as set forth in Notice: SD-2015-01: Transition to 2 CFR Part 200, *Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards, Final Guidance* and in Notice: CPD-16-04 Additional Transition and Implementation Guidance for Recipients of Community Planning and Development (CPD) Funds for 2 CFR Part 200, *Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards*; and

**WHEREAS**, the Town of New Paltz desires to revise and amend its procurement procedures to be consistent with the HUD Notices on 2 CFR Part 200; and

**WHEREAS**, the Town of New Paltz desires to apply the amended and revised procurement procedures to future CDBG-DR procurements.

**NOW, THEREFORE BE IT RESOLVED** by the Town Board, on behalf of the Town of New Paltz that for CDBG-DR procurement actions undertaken on or after January 1, 2017, the Town of New Paltz shall comply with the procurement standards as set forth in 2 CFR Parts 200.317 through 200.326. In the event of a conflict between State or local laws and regulations and the procurement requirements of 2 CFR Part 200, the more stringent requirements will apply.

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

#### **Letter of Support-Mohonk Preserve:**

A motion was made by Supervisor Bettez to authorize the Supervisor to sign the letter supporting the Preserve’s funding application to the New York State Conservation Partnership Program, on behalf of the Town Board. Seconded by Councilman Logan, all aye votes cast, motion carried.

#### **Budget Modifications:**

A motion was made by Supervisor Bettez to approve the following modification to 2016 budget:

Increase: A510-0000-000	Unanticipated Revenue	\$4,136.00
Increase: A980-2680-000	Insurance Revenue	\$4,136.00
Increase: A960-0000-000	Appropriations	\$4,136.00
Increase: A522-3120-400	Police Contractual	\$4,136.00

Reason: For insurance recoveries for vehicle repairs.

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

A motion was made by Supervisor Bettez to approve the following modification to 2016 budget:

Increase: A960-0000-000	Appropriations	\$1,372.00
Increase: A522-3120.200	Police-Equipment	\$1,372.00
Decrease: A960-0000-000	Appropriations	\$1,372.00
Decrease: A522-3120.400	Police Contractual	\$1,372.00

Reason: Body armor purchase to include new hires.

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

A motion was made by Supervisor Bettez to approve the following modification to 2016 budget:

Increase: A960	Appropriations	\$23,246.00
Increase: A522-3120.100	Police Personnel Services	\$23,246.00
Decrease: A960	Appropriations	\$23,246.00
Decrease: A522-3120.130	DWI Patrols	\$14,000.00
Decrease: A522-3120.140	Police Buy Out	\$ 9,246.00

Reason: Transfer funds intended to be spent from .100.

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

#### **Annual Insurance Renewal:**

A motion was made by Supervisor Bettez to approve the annual insurance renewal premiums submitted by Marshall & Sterling. Seconded by Councilman Logan, all aye votes cast, motion carried.

#### **Employee Health Insurance Rates:**

A motion was made by Supervisor Bettez to collect health insurance premiums in the month of coverage. Seconded by Councilman Logan, all aye votes cast, motion carried.

A motion was made by Councilman Logan to extend the deadline for open enrollment to December 9<sup>th</sup>. Seconded by Councilman Irwin, all aye votes cast, motion carried.

**Warrant:**

A motion was made by Councilman Torres to approve the November Warrant in the amount of \$1,261,603.86. Seconded by Supervisor Bettez, all aye votes cast, motion carried.

**Alter Enterprises:**

A motion was made by Supervisor Bettez to approve the proposal submitted by Alter Enterprises for Police IT and back-up. Seconded by Councilman Logan, all aye votes cast, motion carried.

**Set date for Public Hearing:**

A motion was made by Supervisor Bettez to set the public hearing on the bonding for the Improvements to Water Districts #1, 2 and 3, for December 1<sup>st</sup> at 5 p.m. Seconded by Councilman Irwin, all aye votes cast, motion carried.

**Budget:**

A motion was made by Councilman Irwin to increase budget line B8091.4 (Master Plan Consultant) by \$100,000, and further:

1. The Town establish a Comprehensive Plan Committee ("CPC"), consisting of 9 members, drawing to the greatest extent possible from among the members of the present Joint Town and Village Master Plan Committee
  - a. That said Committee be charged with soliciting Proposals ("RFP") from competent Planning firms, for the preparation of a Town-wide Comprehensive Plan.
  - b. That the RFP indicate that the Work will, wherever appropriate, draw from the Draft Comprehensive Plan prepared in 2011 by peter j. smith & Company, Inc, which was never adopted, and
2. Upon recommendation from the CPC, the Town engage a Planner to complete the Comprehensive Plan, and
3. Upon preparation of the Comprehensive Plan, the Town direct the CPC to put out an RFP for drafting Proposed Amendments to the Town's Zoning Codes, and other Town Laws as may be appropriate, and
4. Upon recommendation from the CPC, the Town engage a firm to draft said proposed revisions to the Town's Zoning Codes and other Town Laws.

Seconded by Councilman Logan for discussion. Following a discussion, Councilmen Logan and Irwin voted aye, Supervisor Bettez voted no, Councilman Torres voted no, Councilwoman Seyfert-Lillis voted no. Motion failed.

A motion was made by Councilman Torres to move \$25,000 from Contingency line B1990.4 to line B8091.4, Master Plan Consultant. Seconded by Councilman Seyfert-Lillis, all aye votes cast, Councilman Irwin voted no. Motion carried.

A motion was made by Councilman Irwin to increase line B7110.4 (Parks-Moriello Pool) by \$142,100. Seconded by Councilman Logan for discussion. A motion was made by Councilman Irwin to amend his motion to increase A7150.230 (Moriello Pool Equipment) by \$120,000. Seconded by Councilman Logan for discussion. All nay votes cast, Councilman Irwin voted aye. Motion failed.

A motion was made by Supervisor Bettez to increase the projected revenues for the Landfill Fee line A980-2130-000 and the Composting line A980-2652-000 by \$10,000 and \$3,000 respectively. Seconded by Councilman Logan, all aye votes cast, motion carried.

A motion was made by Councilman Torres to decrease lines A9089.8 EAP by \$4,728.00, B9089.8 EAP by \$243.00, DAA9089.8 EAP by \$334.00 and DBB9089.8 EAP by \$2,000.00, for a total of \$7,305.00. Seconded by Councilman Irwin, all aye votes cast, motion carried.

A motion was made by Councilman Irwin to increase line A1620.4 Buildings & Grounds C.E. by \$3,240.00. Seconded by Councilwoman Seyfert-Lillis, all aye votes cast, motion carried.

A motion was made by Councilman Torres to increase lines A9060.8 Medical Insurance by \$31,135, A9061.8 Dental Insurance by \$1,513.00, A9062.8 Vision Insurance by \$1,230.00, B9055.8 Disability Insurance by \$94.00, B9060.8 Medical Insurance by \$2,424.00, DAA9055.8 Disability Insurance by \$50.00, DAA9060.8 Medical Insurance by \$1,309.00, DBB9055.8 Disability Insurance by \$377.00, and DBB9060.8 Medical Insurance by \$1,992.00; totaling \$41,124.00. Seconded by Councilman Logan, all aye votes cast, motion carried.

A motion was made by Councilman Torres to decrease lines A1910.4 Unallocated Insurance by \$9,380.00, B1910.4 Unallocated Insurance by \$84.00 and DBB1910.4 Unallocated Insurance by \$3,182.00. Seconded by Councilwoman Seyfert-Lillis, all aye votes cast, motion carried.

A motion was made by Councilman Logan to increase revenue lines A980-2700 Medical Contribution by \$706.00, A980.2700.1 Dental Contribution by \$756.00 and A980.2700.2 Vision Contribution by \$1,230.00. Seconded by Councilman Irwin, all aye votes cast, motion carried.

A motion was made by Councilman Logan to increase revenue lines DAA980.2700 Medical Contribution by \$23.00 and DBB980.2700 Medical Contribution by \$115.00. Seconded by Councilman Irwin, all aye votes cast, motion carried.

A motion was made by Councilman Irwin to decrease line A6772.4 Programs for the Aging C.E. by \$3,800.00. Seconded by Councilman Logan, all aye votes cast, motion carried.

A motion was made by Councilman Irwin to decrease line A3120.4 Police C.E. by \$14,496.00. Seconded by Supervisor Bettez, all aye votes cast, motion carried.

A motion was made by Councilman Irwin to decrease line A9055.8 Disability Insurance by \$990.00. Seconded by Councilman Torres, all aye votes cast, motion carried.

A motion was made by Councilman Torres to increase line DBB5130.4 Machinery C.E. by \$364.00. Seconded by Councilman Irwin, all aye votes cast, motion carried.

A motion was made by Councilman Torres to adopt the budget as amended. Seconded by Councilwoman Seyfert-Lillis, all aye votes cast, motion carried.

At 11:39 p.m. a motion was made by Councilman Torres to go into Executive Session for the purposes of discussion ongoing litigation with the Mayor. Seconded by Supervisor Bettez, all aye votes cast, motion carried.

At 11:45 p.m., a motion was made by Supervisor Bettez to come out of Executive Session with no action taken. Seconded by Councilman Torres, all aye votes cast, motion carried.

At 11:45 p.m. a motion was made by Supervisor Bettez to adjourn the meeting. Seconded by Councilman Logan, all aye votes cast, motion carried.

Respectfully Submitted,

Rosanna Mazzaccari  
Town Clerk