

**Town Board Meeting  
December 18, 2014  
7:30 p.m.**

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

At 7:47 p.m. a motion was made by Councilman Barry to open the meeting with the Pledge. Seconded by Councilman Torres, all aye votes cast, motion carried.

**Announcement:**

At 12:49 p.m. on December 17<sup>th</sup>, The Governor announced that fracking is banned in New York State.

**Town Board's Discussion on School Board Resolution:**

The Town Board distributed packets with documentation including the School Board's resolution, minutes, the Shovel Ready Application and resolutions, and newspaper articles. Supervisor Zimet read aloud the resolution passed by the School Board relative to the Town Board and a proposed sewage treatment plant adjacent to the High School. The resolution accuses the Town Board of not being transparent, unethical, irresponsible and not concerned with the health and safety of the children. Supervisor Zimet indicated that in 2012 the Town was able to get the crossing guard in place at the Middle School when the School District and the Village could not come to an agreement. As part of the history, Supervisor Zimet indicated that in 1960, S. Putt Corners Road was zoned Industrial. At the meeting on 4/21/11, the Town Board authorized Dave Clouser to prepare the Ulster County Shovel Ready Grant Application. However, the former Supervisor did not complete and submit the application. At the meeting on April 26, 2012, the Town Board discussed adding language to the resolution approving the application. On May 24, 2012, the Town Board approved the Town's grant application to the Shovel Ready Fund for an Industrial Area Sewer Service Feasibility Study. Video clips of the discussions from the 4/26 and 5/24/12 meetings were shown. Supervisor Zimet indicated that the reason the study sat idle for so long was because it was not possible to find a discharge point on S. Putt that the NYSDC would accept, that was needed in order to have sewer. The Chair of the UCIDA defended the Town's actions in a newspaper article on 12/16/14, in response to the resolution passed by the School District. A video clip was also shown from the meeting on 11/13/2014 where Supervisor Zimet discussed the status of the feasibility study.

Councilman Torres referenced a letter sent to the UCIDA by the Town Engineer Dave Clouser where it refers to review done by a landowner of an alternate property on S. Putt. Mr. Clouser indicated that the landowner had the property delineated because the property is very wet. This helped facilitate DEC's determination that this is an appropriate discharge point. Councilman Torres believes that the specific location of the property in question should have been disclosed.

Councilman Barry indicated that the property adjacent to the High School is owned by Terry Copeland, and the property adjacent to the Funeral Home is owned by himself. He indicated that he does not know what property Dave Clouser has been looking at because he has never met with Mr. Clouser on this issue and he has recused himself from all the Town Board discussions relative to this matter.

Supervisor Zimet referred to a Property Overview Map prepared by Mr. Clouser that was shared with Steve Greenfield from the School Board, before it was distributed to the Town Board. Mr. Clouser confirmed that this map was not a site plan, and no site plan exists for this property because he has not been authorized to prepare one. Supervisor Zimet indicated that this property has been studied for many years.

Mr. Clouser indicated that in 1997, Councilman Dave Strong at the time had him walk the property, which was up for tax sale, to determine if a WWTP can be situated there. At the time, it looked much too wet for a plant to be placed there.



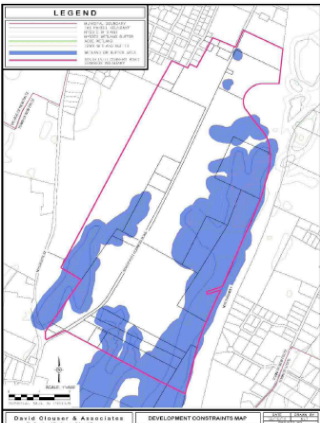

A video clip from the School Board's December 3<sup>rd</sup> meeting where the resolution was passed. Mr. Clouser indicated that he had contacted the DEC for the School's flow information for the study, but no information was available. He then contacted the County Health Department who indicated that a SPDES Permit was issued in 1979; it was a buried sand filter that was used with

a chlorination and aeration lagoon for the discharge; but that they had no files on the system. Mr. Clouser contacted DEC again who indicated that there had been 45,000 s.f. of new repairs done about 2-3 years ago. The DEC also indicated that the SPDES Permit had expired 3 months ago and that they are expecting an engineering report from the School District in the next few months, as well as an inspection of the system. DEC indicated that they do not have any record of an inspection for the last 10 years, or any samples for the last 5 years. Mr. Clouser indicated that there were no approved plans from the Health Department or the NYSDEC for this latest repair.

Mr. Clouser explained that there would be a fence around the plant but not at the property line because there is 150 feet of dense woods between the School’s property and where the plant would be. The plant would have buried tanks and one small filter building.

Photos were taken of the sewage leach fields on the backside of the High School near the sports fields, where the water is discharged. It was easily accessible due to a lack of any barrier or fencing with an odor of chlorine.

**Presentation by Engineer Dave Clouser:**

<p><b>SOUTH PUTT CORNERS CORRIDOR SEWER NEEDS FEASIBILITY STUDY –</b></p> <p><b>Progress Review and Update</b> December 18, 2014</p> <p>Prepared for the Town of New Paltz Town Board</p> <p>Prepared by: David Clouser &amp; Associates, Town Engineering Consultant</p>	<p><b>Our Progress Update and Discussion will include –</b></p> <ul style="list-style-type: none"><li>• Purpose and Background of the Sewer Feasibility Study</li><li>• Summary of the Scope of the Feasibility Study</li><li>• Summary of the Study’s Findings to Date<ul style="list-style-type: none"><li>– Buildout Alternatives Considered</li><li>– Discharge Requirement Considerations</li><li>– Wastewater Treatment Alternatives Considered</li></ul></li><li>• Required Next Steps</li><li>• Q&amp;A</li></ul>
<p><b>Our Purpose:</b> Identify the potential sewer needs for future development of South Putt Corners Road and qualify options for wastewater treatment and disposal</p> <p><b>Basis of the Study:</b> Prior Town Plans and Studies, current zoning criteria, Corridor resources’ development constraints, NYSDEC use and siting criteria</p> <p>Identify the Anticipated Need and Suggest Potential Solutions .... the Determination of a Solution that is in the best interest of the residents will be made by the Municipality</p>	<p><b>Scope of the Shovel Ready Sewer Feasibility Study</b></p> <ul style="list-style-type: none"><li>• Determine the sewer needs for the South Putt Corners Road Corridor</li><li>• Review and consider prior Town planning efforts regarding the development of the South Putt Corners Road Corridor Light Industrial zoning area</li><li>• Identify existing site conditions, including natural resource development constraints</li><li>• Develop wastewater flow estimates of existing and potential development in the Study Corridor</li><li>• Prepare Future Sewer District mapping, including Conceptual sewer collection and treatment system</li><li>• Develop a Conceptual Estimate of Cost for the conceptual collection system and treatment system</li></ul>
<p><b>South Putt Corridor Study Area</b></p> <p><b>STUDY AREA BREAKDOWN:</b> <b>435.2 acres</b> total area of land in the Corridor Study Area, and <b>149.4 acres</b> of land is presently developed resulting in – <b>285.8 acres</b> of land potentially available for development. <b>Of the land potentially available for development –</b> <b>175.5 acres</b> of land must be deducted to account for zoning requirements (building and buffer setbacks, open space requirements), wetland and wetland buffers, stormwater management and utilities <b>Leaving a Net Buildable Area of 110.3 acres</b> of land available for buildings, parking and landscaping areas</p>  	<p><b>South Putt Corridor Study Area Wetland and Wetland Buffer Constraints</b></p>  

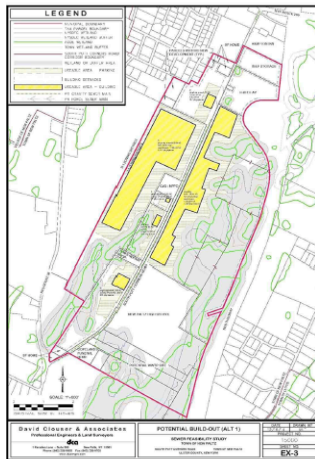
**Scenario 1  
Buildout Alternative –  
(Primarily Light Manufacturing  
with some Offices)**

**MAXIMUM BUILDOUT AREA  
BREAKDOWN:**

1 Story Light Manufacturing and 3  
story Office =

- 2.83 million square feet with a  
building footprint of 58.3 acres
- Required Parking Facilities and  
Landscaping Areas = 52.0 acres

**Resulting in Estimated  
Sewer Flow Generated =  
144,500 GPD**



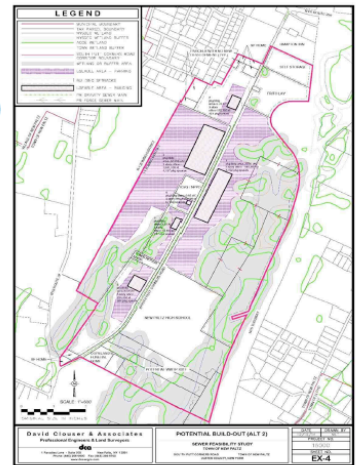
**Scenario 2  
Buildout Alternative –  
(Office Development only)**

**MAXIMUM BUILDOUT AREA  
BREAKDOWN:**

3 story Office =

- 2.62 million square feet  
with a building footprint of  
20.1 acres
- Required Parking Facilities  
and Landscaping Areas –  
90.2 acres

**Resulting in Estimated  
Sewer Flow Generated =  
281,700 GPD**



**PRELIMINARY ESTIMATE OF SEWER NEEDS**

**Total sewer needs of the developed South Putt Corridor**

= Existing Developed Area sewer use (138,300 GPD) + potential  
Future Development Area sewer use  
(213,100 GPD)

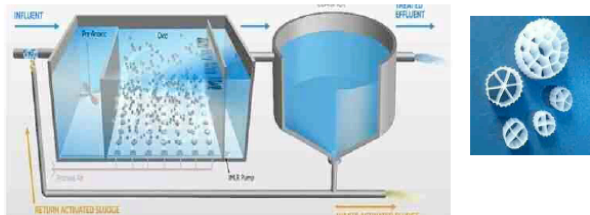
[assuming the average sewer use of the two buildout scenarios]

= 351,400 GPD Total Average Daily Flow

**The Next Step .... Find an existing Treatment System for this sewer  
discharge or locate a new Site that would qualify for development  
of a new treatment plant facility (i.e., find a discharge point)**

**Sewer Treatment Discharge Considerations**

- Review prior options for use of existing  
treatment facilities and explore recent offer  
of collaboration with the Village's  
infrastructure expansion planning
- Explore synergetic opportunities offered by  
planned developments and “movable” grant  
funding – timing is a critical factor
- Explore new potential treatment facility sites  
and treatment technologies that –
  1. Strictly comply with NYS DEC siting criteria, and
  2. Utilize a treatment technology that will allow  
future expansion to serve incremental growth in  
the Study Corridor



**The Technology: A Moving Bed BioReactor System**

A “State of the Art” Biological Treatment Process, with:

- Most of the wastewater treatment taking place in underground,  
covered treatment process tanks
- Minimal use of Chemical additives (and not considered hazardous)
- Very low operation and maintenance cost
- Expansion capabilities in 50,000 GPD and 75,000 GPD increments
- Disinfection by UV treatment (no chlorination required for the  
discharge)



**Rendering of a Typical MBBR Treatment Plant Site**

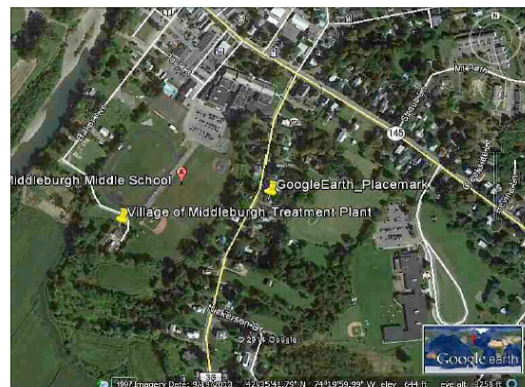


**Treatment Plant Site Alternative Located South of the High School**

This Treatment Plant site alternative:

- Complies with NYSDEC Siting Criteria, and
- Provides for expansion of up to 350,000 GPD of treated discharge

**Middleburgh, NY Wastewater Treatment Facility**





### Required Next Steps

- Finalize the investigation for qualification of the remaining potential treatment plant site
- Explore collaboration with the Village's infrastructure plans
- Provide a conceptual estimate of costs for the various Discharge Alternatives
- Finalize the Shovel Ready Sewer Feasibility Report
- Selection of the Best Available Alternative by the Town Board
- Secure Project Funding and commence the environmental review process
- Establish a Town Sewer District Extension
- Commence Preliminary design and prepare necessary permit applications
- Develop detailed design; secure all permits required; solicit Contractor bids
- Award construction contracts and commence construction
- Construction completion and Start Up

Mr. Clouser indicated that Mayor West reached out to him and expressed interest in working with the Town on a sewer system. Councilman Logan indicated that the Town Planning Board has already approved this type of "State of the Art" plant for a different location. Mr. Clouser indicated that this is helpful because they are already familiar with it.

Councilman Torres asked Mr. Clouser if in his study he took into consideration whether the School District would be opposed to the location. Mr. Clouser indicated that what he is looking for is to make sure the property meets all the DEC criteria, which this property exceeds threefold. In reference to Mr. Clouser's letter to the UCIDA, Councilman Torres also asked if the statement, "The Town intends to commence discussions with the landowner to establish a fair market value for a property acquisition", was accurate. Mr. Clouser indicated that that would be accurate but only if the Town chooses that site. Mr. Clouser also indicated that last year there was a nice project interested in going in next to the DEC, but without sewer, the project was not feasible.

Councilman Logan indicated that the study needs to be completed in order to submit it; otherwise the Town will not get reimbursed. Mr. Clouser will continue working to complete the study.

#### **Public Comment:**

Josh Honig commented on the IDA and the recent events regarding the approval of a casino in Seneca County, which is being developed by Wilmorite. How can they afford that project, but not the taxes to pay for their proposed project in New Paltz?

Ira Margolis informed the Town Board that Time Warner has issued a salvo along with others in the war against Senior Citizens. They are lying to the seniors and not abiding by the Franchise Agreement. He spoke to the PSC (Public Service Commission) but they don't know if they have jurisdiction over them violating the contract. The came to the Town Board because he knows that the Town cares about the seniors. He doesn't have the same feeling about the Village.

Susan Webber, Carol Cryer, Ted Cryer, Donna Liebman and Gail Freedman, Plains Road residents, commented on the water issue involving the Village. The Village wants to take the water from the wells of the residents on Plains Road and have them hook up to municipal water service. This will involve hook-up fees and charges paid by the residents to use their own water. The residents hired their own independent Professional Hydro-Geologist, Paul Rubin to assess the September 30<sup>th</sup> Village of New Paltz Phase II Back-up Water Supply Investigation Final Project Report prepared by Dave Clouser, The Chazen Company, and Brennier & Larios.

In response to an inaccurate statement made by Steve Greenfield during Public Comment, Mr. Clouser indicated that we have made it through 5-steps of the Sewer 6 FEMA Grant process and we haven't gotten the award; it's not at all in place.

**Resolution:**

A motion was made by Councilman Torres to adopt the following resolution he prepared.  
Seconded by Supervisor Zimet for discussion.

**Resolution Opposing the Placement of a Sewage Treatment Plant Within a Reasonable Proximity of any District Schools**

**WHEREAS**, The New Paltz Town Council acknowledges receipt of a resolution approved unanimously by the New Paltz Central School District Board of Education regarding the placement of a sewage treatment plant adjacent to New Paltz High School; and

**WHEAREAS**, The New Paltz Town Council understand the responsibility of protecting the health, safety and welfare of our constituents;

**THEREFORE BE IT RESOLVED**, The New Paltz Town Council will not explore any options regarding the siting of a sewage treatment plant adjacent to or within reasonable proximity of New Paltz High School, or any school in the District; and

**BE IT FURTHER RESOLVED**, That a copy of this resolution upon acceptance by the New Paltz Town Council be sent to the Clerk of the New Paltz Central School District the following business day.

Councilman Torres indicated that it would be a good move to do in response to the possible litigation discussed by the School District. Supervisor Zimet feels as though the Feasibility Study should continue so the Town can explore all its options and what options it does have because there could possibly be no other options or no options at all.

Supervisor Zimet and Councilman Logan voted no, Councilman Torres voted yes, Councilman Barry recused himself. Motion failed.

**Resolution-Transfer of Banking Funds:**

A motion was made by Councilman Logan to approve the following resolution:

**Resolution authorizing the transfer of funds from Bank of America to M&T Bank**

**BE IT RESOLVED** that the Town Supervisor be authorized to close all the bank accounts residing at Bank of America and transfer the funds to the appropriate accounts at M&T Bank due to the bank fees being charged on these accounts.

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

**Millbrook Preserve Management Plan Adoption:**

A motion was made by Councilman Logan to adopt the Millbrook Preserve Management Plan.  
Seconded by Councilman Torres, all aye votes cast, motion carried.

**Resolution Opposing the Closing of the Mail Distribution Center in Newburgh, NY:**

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

**A Resolution requesting that the U.S. Congress prohibit the U.S. Postal Service from closing (or “consolidating”) its mail processing center in Newburgh-Mid-Hudson P & DC**

**WHEREAS**, The United States Postal Service plans to close (or “consolidate”) the Mid-Hudson P & DC mail Processing and Distribution Center, and

**WHEREAS**, This plan would severely delay all classes of mail delivery, and

**WHEREAS**, The delay of mail would negatively affect residents and local businesses, and would harm our community, and

**WHEREAS**, The closure would result in a degradation of “service standards,” that would result in the virtual elimination of overnight mail delivery throughout the country, and

**WHEREAS**, The closure is not in the public's best interest, and

**WHEREAS**, Federal law stipulates that, “The Postal Service shall have as its basic function the

obligation to provide postal services to bind the Nation together through personal, educational, literary, and business correspondence of the people. It shall provide prompt, reliable and efficient services to patrons in all areas and shall render postal services to all communities," [39 U.S. Code Section 101(a)]

**THEREFORE BE IT RESOLVED** BY The Town Board of the Town of New Paltz:

**Section 1.** That the Town of New Paltz Town Board does hereby demand congressional intervention to stop this proposal to Close or Consolidate the Mid-Hudson P & DC (Processing & Distribution Center).

**Section 2.** Does hereby demand congressional intervention to stop the delay of mail and the elimination of overnight delivery of first-class mail, set for January 5, 2015.

**Section 3.** That this resolution shall be forwarded to our U.S. Senators and Representatives and the Postmaster General.

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

**Set date for Re-Organizational Meeting:**

A motion was made by Councilman Barry to schedule the 2015 Re-Org Meeting for January 5<sup>th</sup> at 7:30 p.m. There will be no Police Commission meeting for January. Seconded by Councilman Torres, all aye votes cast, motion carried.

**Designate 2015 New Year's Holiday:**

A motion was made by Councilman Torres to designate January 1<sup>st</sup> and 2<sup>nd</sup> as New Year's Holidays. Seconded by Councilman Barry, all aye votes cast, motion carried.

**Wetlands Fee Refund:**

A motion was made by Councilman Barry to approve a refund in the amount of \$65 to the previous owner of 46 DuBois Road. This fee was paid in order to have a wetlands inspection performed by Mr. Barbour, whose physical condition prohibited him from doing so. Due to the time lapse from the date of application to the time that Mr. Clouser and Building Inspector Delarede were able to perform the inspection, the property went under contract to a different individual. Seconded by Councilman Logan, all aye votes cast, motion carried.

**Community Partnership Budget Transfer:**

A motion was made by Councilman Barry to approve the following Budget Transfer:

From: AAA-522-1990.4 Contingency

To: GCP Fund for Community Partnership

Reason/Amount: To reimburse the Federal Government \$10,500.

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

**Acceptance of Minutes:**

A motion was made by Councilman Barry to accept the minutes of **October 6, 2014**. Seconded by Councilman Logan, all aye votes cast, motion carried.

A motion was made by Councilman Logan to accept the joint minutes of **October 15, 2014**.

Seconded by Supervisor Zimet, all aye votes cast, motion carried.

A motion was made by Councilman Barry to accept the minutes of **October 23, 2014**. Seconded by Councilman Logan, all aye votes cast, motion carried.

A motion was made by Councilman Barry to accept the minutes of **October 30, 2014**. Seconded by Councilman Logan, all aye votes cast, motion carried.

A motion was made by Councilman Logan to accept the minutes of **November 3, 2014**. Seconded by Councilman Barry, all aye votes cast, motion carried.

A motion was made by Councilman Barry to accept the minutes of **November 5, 2014**. Seconded by Councilman Logan, all aye votes cast, motion carried.

A motion was made by Supervisor Zimet to accept the minutes of **November 13, 2014**. Seconded by Councilman Logan, all aye votes cast, motion carried.

A motion was made by Councilman Torres to accept the minutes of **November 19, 2014**.

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

**Warrant:**

A motion was made by Supervisor Zimet to approve the payment of the December Warrant in the amount of \$614,386.77. Seconded by Councilman Logan, all aye votes cast, motion carried.

**Budget Modifications:**

A motion was made by Councilman Barry to approve the following budget modification:

Increase: DB-980-3501.0 CHIPS \$25,286.29

Increase: DB-522-5112.2 CHIPS \$25,286.29

Reason: Adjustment for additional monies received.

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

A motion was made by Councilman Barry to approve the following budget modification:

Increase: GCP-980-2705.0 Gifts/Donations \$25.00

Increase: GCP-522-1345.401 Non-Fed Grant \$25.00

Reason: To account for Stress Buster Donated monies paid to instructor.

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

A motion was made by Councilman Barry to approve the following budget modification:

Increase: AAA-980-2003.0 Youth Bus Trip \$884.00

Increase: AAA522-7310.4 Youth Contractual \$884.00

Reason: To allocate bus trip money received towards various field trips.

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

A motion was made by Councilman Barry to approve the following budget modification:

Increase: BBB-522-7520.410 Historic Preservation Grant Expenses \$6,000.00

Decrease: BBB-522-7520.400 Historic Preservation Commission \$6,000.00

Reason: To allocate funds for Historic Preservation Grant to the sub-category line tracking grant expenses.

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

**Appointments/Resignations:**

Councilman Logan thanked Alan Stout for his many years of Service on the Ethics Board. He suggested drafting a resolution and inviting him to a board meeting to honor him.

A motion was made by Councilman Logan to designate ***Mary Woodburn as the Chair of the Ethics Board*** as successor to Alan Stout, and to thank her for taking on the position. Seconded by Councilman Barry, all aye votes cast, motion carried.

A motion was made by Supervisor Zimet to accept with regret the ***resignation from Gail Christmann from the Zoning Board*** and thank her for her years of service to the Town. Seconded by Councilman Logan, all aye votes cast, motion carried.

A motion was made by Supervisor Zimet to accept with sadness the ***resignation from Tom O'Dowd from the Clean Water & Open Space Protection Commission*** and thank him for his service to the Town. Seconded by Councilman Logan, all aye votes cast, motion carried.

A motion was made by Councilman Logan to reappoint ***Bob Hughes to the Zoning Board for a 5-year term to expire 12/31/19***, contingent upon the filing of a Financial Disclosure and Oath of Office within 30 days of appointment, otherwise the appointment becomes null and void. Seconded by Supervisor Zimet, all aye votes cast, motion carried.

A motion was made by Supervisor Zimet to re-appoint ***Caryn Sobel to the Historic Preservation Commission for a 4-year term to expire 12/31/18***, contingent upon the filing of a Financial Disclosure and Oath of Office within 30 days of appointment, otherwise the appointment becomes null and void. Seconded by Councilman Barry, all aye votes cast, motion carried.

A motion was made by Councilman Logan to re-appoint ***Laura DeNey to the Environmental Conservation Board for a 2-year term to expire 12/31/16***, contingent upon the filing of a Financial Disclosure and Oath of Office within 30 days of appointment, otherwise the appointment becomes null and void. Seconded by Councilman Barry, all aye votes cast, motion carried.

A motion was made by Supervisor Zimet to re-appoint ***Marion DuBois to the Clean Water & Open Space Protection Commission for a 5-year term to expire 12/31/19***, contingent upon the filing of a Financial Disclosure and Oath of Office within 30 days of appointment, otherwise the appointment becomes null and void. Seconded by Councilman Barry, all aye votes cast, motion carried.

A motion was made by Councilman Barry to re-appoint ***Marty Irwin to the Clean Water & Open Space Protection Commission as chair for a 5-year term to expire 12/31/19***, contingent upon the filing of a Financial Disclosure and Oath of Office within 30 days of appointment, otherwise the appointment becomes null and void. Seconded by Supervisor Zimet, all aye votes cast, motion carried.

A motion was made by Councilman Logan to re-appoint ***Brad Barclay to the Clean Water & Open Space Protection Commission for a 5-year term to expire 12/31/19***, contingent upon the filing of a Financial Disclosure and Oath of Office within 30 days of appointment, otherwise the appointment becomes null and void. Seconded by Supervisor Zimet, all aye votes cast, motion carried.

A motion was made by Councilman Torres to re-appoint Tim Rogers to the Planning Board. There was no second. Motion failed.

A motion was made by Supervisor Zimet to appoint ***Amy Cohen to the Planning Board for a 7-year term to expire 12/31/21 to replace Tim Rogers***, contingent upon the filing of a Financial Disclosure and Oath of Office within 30 days of appointment, otherwise the appointment becomes null and void. Seconded by Councilman Barry, all aye votes cast. Councilman Torres abstained. Motion carried.

**Skid Steer Purchase for Recycling Center:**

A motion was made by Councilman Logan to approve the purchase of the Skid Steer in the amount of 34,978 with the appropriate budget modifications. Seconded by Supervisor Zimet, all aye votes cast, motion carried.

**Update on Teamsters Contract:**

The negotiating team has come to an agreement on the contract. However someone from the negotiating team advised a number of teamsters to vote no, so the contract failed. The Town brought an unfair labor practice claim forward, and the judge ruled in the Town's favor.

At 12:24 a.m. a motion was made by Councilman Barry to adjourn the meeting. Seconded by Supervisor Zimet, all aye votes cast, motion carried.

Respectfully Submitted,

Rosanna Mazzaccari  
Town Clerk