

Cont. Public Hearing: Ch. 82 “Flood Damage Prevention”, 7 p.m.
Cont. Public Hearing: Ch. 140-19 “Floodplain District”, 7:15 p.m.
Cont. Public Hearing: Ch. 121 “Subdivision of Land”, 7:30 p.m.
Special Town Board Meeting
December 8, 2015

Present: Councilman Jeff Logan, Councilman Kevin Barry, Councilman Marty Irwin, Councilman Dan Torres. **Absent:** Supervisor Susan Zimet.

Cont. Public Hearing: Ch. 82 “Flood Damage Prevention”:

Caroline Paulson, Plains Road, indicated that she feels as though the ZBA process for variances is lengthy and strange.

Mike Merriman, EnCB, relaxing the 50% Cumulative Substantial Damage rule should not be done in haste for reasons, which he mentioned.

Stacy Delarede, Town Building Inspector, Increased Cost of Compliance Program (ICC) is available to individual homeowners, up to \$33,000, done by application, but only if your municipality has a Hazard Mitigation Plan. The Town’s Plan is in its final stages with the County. Once the plan has been accepted by FEMA and the DEC, our portion of that plan will be coming back to the Town Board for adoption.

Caroline Paulson indicated that she had done research and determined that the cumulative substantial damage was an option for the Town to adopt, if it felt like a large-scale building developer tried to subvert FEMA standards. It was not meant to persecute individual homeowners that improved their homes.

Inspector Delarede read aloud a portion of an email she received from Bill Neckman, the Chief Floodplain Manager with the DEC. He indicated that even with backing away from some of the access and cumulative damage/improvement requirements, New Paltz is still taking an excellent approach to floodplain management, which will significantly decrease future flood damages.

At 7:23 p.m. a motion was made by Councilman Logan to close the public hearing on Ch. 82. Seconded by Councilman Barry, all aye votes cast, motion carried.

Cont. Public Hearing: Ch. 140-19 “Floodplain District”:

No comments.

At 7:24 p.m. a motion was made by Councilman Logan to close the public hearing on Ch. 140-19. Seconded by Councilman Barry, all aye votes cast, motion carried.

Cont. Public Hearing: Ch. 121 “Subdivision of Land”:

Town Attorney Joe Moriello indicated that the Town Planning Board would like to see an amendment to the subdivision regulations, which will include more information for any proposed applicant for a subdivision, of the types of things that the Board is going to ask for as part of the review process; so that someone making an application can know in advance what they are supposed to address relative to the Town’s Flood Damage Prevention Laws. The Planning Board would also like a strong commitment from the Town Board that as soon as it can in January, it address the Planning Board’s further recommendations regarding the narrative and pre-application review.

Town Engineer Dave Clouser reviewed his responses to the County Planning Board’s comments and recommendations.

Inspector Delarede indicated that she has looked at the Community Rating System Program (CRS) and determined that there are very few municipalities in NYS that participate in the program. The reason being, according to Bill Neckman from DEC, is that the majority of the municipalities that would participate, just aren’t large enough, they don’t have the staff, it’s a very arduous process to get through.

At 7:35 p.m. a motion was made by Councilman Logan to close the public hearing on Ch. 121. Seconded by Councilman Irwin, all aye votes cast, motion carried.

Public Hearing-Establishment of Water District #5:

Don Kerr, Ingrid Beer, Chris Harp, Sue Weber, Gail Freedman, Dale Montelione all spoke in opposition of the proposed water district. Ms. Beer made reference and entered into the record, documents and reports provided by HydroQuest. Chris Frenza and Mike Merriman spoke in support.

Supervisor Zimet arrived at 7:52 p.m.

The Town Board agreed to keep the public hearing on Water District #5 open until a later date.

Town Board Meeting:

At 8:08 p.m. a motion was made by Councilman Torres to open the Town Board meeting with the pledge. Seconded by Councilman Irwin, all aye votes cast, motion carried.

Agenda: +IT Contract, +Bldg Department Lien, +Police Contract.

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

Public Comment:

Dave Lent thanked Supervisor Zimet and Councilman Barry for their work on the Board and wished them well.

Announcements:

Councilman Irwin read aloud a letter addressed to Supervisor Zimet thanking her for all she has done for the Town and for CWOSP.

Floodplain Amendments:

A motion was made by Councilman Barry to make part of the record, the document prepared by Mr. Clouser in response to the County Planning Board's recommendations/advisory comments dated November 4, 2015, with respect to Chapters 82, 140-19 and 121. Seconded by Councilman Logan, all aye votes cast, motion carried.

Local Law #2 of 2015:

A motion was made by Supervisor Zimet to adopt the amendments to Ch. 82 "Flood Damage Prevention". Seconded by Councilman Logan, all aye votes cast, motion carried.

Local Law #3 of 2015:

A motion was made by Supervisor Zimet to adopt the amendments to Ch. 140-19 "Floodplain District". Seconded by Councilman Logan, all aye votes cast, motion carried.

Local Law #4 of 2015:

A motion was made by Supervisor Zimet to adopt the amendments to Ch. 121 "Subdivision of Land". Seconded by Councilman Logan, all aye votes cast, motion carried.

Resolution- Building Department Lien:

A motion was made by Councilman Logan to adopt the following resolution. Seconded by Councilman Torres, all aye votes cast, motion carried.

RESOLVED that the Town of New Paltz, acting by and through its duly appointed Building Inspector/Code Enforcement Officer, hereby authorizes settlement of the enforcement proceeding presently pending in Justice Court, Town of New Paltz commenced by the Town against North River Properties, LLC in accordance with the attached memorandum, dated December 8, 2015 prepared by Building Inspector Stacy Delarede with respect to such enforcement proceeding; and it is further

RESOLVED that the Building Inspector/Code Enforcement Officer and the Supervisor and/or Deputy Supervisor, in consultation with special counsel, George Lithco, Esq., be and they hereby authorized to sign on behalf of the town such other and further documents as are necessary to achieve such settlement consistent with the purposes and intents of this resolution.

Water District #5:

Dave Clouser distributed the Map, Plan and Report for the establishment of Water District #5. A motion was made by Councilman Barry to accept the Map, Plan and Report as prepared for Water District #5. Seconded by Councilman Irwin, all aye votes cast, motion carried.

Police Contract:

A motion was made by Councilman Logan for the Town Board to ratify the MOA with the New Paltz PBA. Seconded by Councilman Irwin, all aye votes cast, motion carried.

Executive Session:

At 9 p.m. a motion was made by Councilman Logan to go into Executive Session for the purposes of discussing personnel with the Police Chief. Seconded by Councilman Logan, all aye votes cast, motion carried.

At 9:08 p.m. a motion was made by Councilman Logan to come out of Executive Session. Seconded by Councilman Torres, all aye votes cast, motion carried.

A motion was made by Councilman Logan to accept the resignation of Officer Cheryl Benjamin effective 12/20/2015, with regret. Seconded by Supervisor Zimet, all aye votes cast, motion carried.

A motion was made by Councilman Logan to authorize Chief Snyder to offer full-time employment to part-time officer Eric Berhardsen, effective 1/1/2016. Seconded by Councilman Barry, all aye votes cast, motion carried.

Municipal Center:

Councilman Irwin indicated that the process for the demolition of the old building is moving forward. The Town is seeking bids for the remediation of the remaining files and equipment. The Town will then award the bid and remediation will begin, followed by demolition. The discussions among the Town and Village have been very productive. They have involved the potential forming of an LDC (Local Development Corporation), which will serve as a conduit to develop and own the building and the leasing of the space to the Town and Village. There has been a lot of time spent on the cost allocation between the Town and Village. Draft documents have been prepared for review by the Boards, which include resolutions, by-laws, and an Intermunicipal Agreement (IMA). The architect has been making presentation to the public and anticipates having the schematic design drawings done within the next month. Construction documents should be ready to go out to bid by the end of May with a contract awarded by July to begin construction. By late spring, early summer of 2017, the building should be ready for move-in.

Supervisor Zimet indicated that she does not necessarily agree with using an LDC for this project.

Councilman Torres indicated that the Executive Committee incorporated the recommendations from the Comptroller in terms of some of the criticisms that have been raised towards LDCs, into the draft documents for the Municipal Center, which are some of the same concerns raised by Supervisor Zimet. This will make the auditing process easier and more transparent.

Resolution:

A motion was made by Councilman Logan to retain Wallace & Wallace, LLP for the preparation of the LDC to represent the Town of New Paltz. Seconded by Councilman Irwin, all aye votes cast, motion carried.

IT Contract:

A motion was made by Supervisor Zimet to hire Tech Smiths as the Town's IT Company, effective 1/1/2016, for a flat monthly rate of \$2,700, which includes Police and court. Seconded by Councilman Logan, all aye votes cast, motion carried.

Resignations:

A motion was made by Councilman Logan to accept the resignation of Rhett Weires from the EnCB, and thanked him for his many years of dedication. Seconded by Councilman Barry, all aye votes cast, motion carried.

A motion was made by Councilman Barry to accept the resignation of Doug McBride from the CWOSP, and thanked him for his many years of dedication. Seconded by Councilman Logan, all aye votes cast, motion carried.

Appointments:

A motion was made by Councilman Irwin to re-appoint Kevin Borden to the Clean Water and Open Space Protection Commission for a 5-year term to expire 12/31/2020. Seconded by Councilman Torres, all aye votes cast, motion carried.

A motion was made by Councilman Torres to re-appoint Mike Domitrovits to the Environmental Conservation Board for a 2-year term to expire 12/31/2017; Jim Littlefoot for a 2-year term to expire 12/31/2017; Libby (Murphy) Zemaitis for a 1-year term to expire 12/31/2016; Joe Bergstein for a 2-year term to expire 12/31/2017; and Mike Merriman for a 1-year term to expire 12/31/2017. Seconded by Councilman Irwin, all aye votes cast, motion carried.

A motion was made by Councilman Torres to re-appoint Therese Sibon to the Ethics Board for a 5-year term to expire 12/31/2020. Seconded by Councilman Barry, all aye votes cast, motion carried.

A motion was made by Councilman Logan to re-appoint John Orfitelli and Helen Christie to the Historic Preservation Commission for 4-year terms to expire 12/31/2019; and Susan Stessin as Town Historian. Seconded by Councilman Torres, all aye votes cast, motion carried.

A motion was made by Supervisor Zimet to re-appoint Ed Burke to the Zoning Board of Appeals for a 5-year term to expire 12/31/2020. Seconded by Councilman Barry, all aye votes cast, motion carried.

A motion was made by Councilman Torres to re-appoint Pamela St. John and Daniel Lipson to the Bike-Ped Committee for new 4-year terms to expire 12/31/2019. Seconded by Councilman Barry, all aye votes cast, motion carried.

DWI Task Force Contract:

A motion was made by Councilman Barry to approve the DWI Task Force contract. Seconded by Councilman Torres, all aye votes cast, motion carried.

DWI Crackdown Contract:

A motion was made by Councilman Barry to approve the DWI Crackdown contract. Seconded by Councilman Logan, all aye votes cast, motion carried.

URGENT Contract:

A motion was made by Supervisor Zimet to approve the URGENT contract. Seconded by Councilman Irwin, all aye votes cast, motion carried.

UCERT Contract:

A motion was made by Councilman Logan to approve the UCERT contract. Seconded by Councilman Irwin, all aye votes cast, motion carried.

Designate New Year's Holiday:

A motion was made by Councilman Logan to designate January 1st as the first holiday of 2016. Seconded by Councilman Barry, all aye votes cast, motion carried.

Sale of Old Tub Grinder:

Tabled.

Budget Modifications:

A motion was made by Councilman Barry to approve the following modification to 2015 budget:

Increase: A980-2680.0 Insurance Recoveries \$2,676.15

Increase: A522-3120.4 Police Contractual \$2,676.15

Reason: To allocate money recovered for the reimbursement of auto repair expenses from the 10/24/15 D.O.L. Seconded by Supervisor Zimet, all aye votes cast, motion carried.

A motion was made by Councilman Barry to approve the following modification to 2015 budget:

Increase: A980-1255.0 Clerk Fees \$39.65

Increase: A522-1640.4 Records Management \$10.00

Increase: A522-1410.4 Town Clerk C.E. \$29.65

Reason: To account for copy fees for foils billed and received from customers. Seconded by Councilman Irwin, all aye votes cast, motion carried.

A motion was made by Supervisor Zimet to approve the following modification to 2015 budget:

Increase: A522-8189.2 Recycling Equipment \$2,760.00

Decrease: A8160.4 Refuse & Garbage \$2,760.00

Reason: For the purchase of a grapple arm for the existing Terex760 B backhoe. Reimbursable under a grant through NYSDEC for brush management. Seconded by Councilman Barry, all aye votes cast, motion carried.

NY State Grants:

A motion was made by Councilman Logan that the NYS Grants Gateway Assignment for the Grantee and Grantee Contract Signatory be assigned to the Town Supervisor. Seconded by Councilman Barry, all aye votes cast, motion carried.

Acceptance of Minutes:

A motion was made by Councilman Torres to accept the Joint minutes of ***November 18, 2015***. Seconded by Councilman Barry, all aye votes cast, motion carried.

A motion was made by Councilman Torres to accept the minutes of ***November 19, 2015***. Seconded by Councilman Irwin, all aye votes cast, motion carried.

At 10:24 p.m. a motion was made by Councilman Logan to adjourn the meeting. Seconded by Councilman Irwin, all aye votes cast, motion carried.

Respectfully Submitted,

Rosanna Mazzaccari
Town Clerk