

**Joint Town & Village/Town Board Meeting**  
**February 28, 2013**  
**7:30 p.m.**

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

**Present:** Mayor Jason West, Trustee Sally Rhoads, Trustee Ariana Basco, Trustee Stewart Glenn, Trustee Brian Kimbiz.

At 7:40 p.m. a motion was made by Councilwoman Gallucci to open the joint meeting with the pledge. Seconded by Councilman Logan, all aye votes cast, motion carried.

**Agenda:**

Supervisor Zimet requested to add Randolph Horner to allow him to update the Boards on the grant for solar energy at the landfill. A motion was made by Councilman Logan to accept the agenda as amended. Seconded by Councilman Barry, all aye votes cast. Trustee Kimbiz voted no, motion carried.

**Public Comment:**

Everett Payne indicated he does not agree with people reading prepared statements at meetings.

Steve Greenfield read aloud a statement relative to the requirements and process of a joint consolidation agreement.

KT Tobin indicated she was in favor of allowing the Kniffen Annexation process to continue in the Village. She was concerned about whether this is a consolidation plan or a tax restructuring plan.

**“One Community” Discussion:**

Supervisor Zimet introduced Ken Bond from Squire Sanders who was here to give background information and answer questions relative to the consolidation and referendum process. She also recognized Attorney for the Town Joe Moriello and Attorney for the Village Joe Eriole.

Mr. Bond began by indicating that mechanically, the process of consolidation is not difficult. The Town and Village have to agree on a plan. It has to be specific, but not highly detailed. This becomes the referendum. The plan represents the “Constitution” of the new entity.

Trustee Rhoads asked what is in the referendum statement. To which Mr. Bond responded that it is the agreement of the consolidated government that has been discussed at public hearings.

Councilwoman Brown referred to the 8 recommendations made by the Steering Committee and asked if they can be voted on together or separate.

Mr. Bond indicated the recommendations become components of 1 plan, 1 vote, 1 agreement. Both Boards and the public have to arrive at a consensus. It is not recommended to vote on each individual point. The Boards can choose to have a series of informal meetings to discuss the separate points. This gives the public the opportunity to meet and speak with the officials that are putting this together. These meetings however, are not the actual public hearings, but could be preludes to them.

Mr. Bond indicated that the Town and Village already have a number of elements that are single services. New Paltz is about a third of the way there. He also emphasized the importance of making the proposition as clear as possible to the voters to avoid confusion. Once a plan is agreed on by both Boards and voted on by the voters, there is no going back. Until then, the Boards are not bound to anything.

Councilwoman Gallucci asked if the Boards have the ability to specify in the plan/agreement whether the Clerk and Highway/DPW/B&G Superintendent will be elected or appointed. To which Mr. Bond responded that yes, the Boards have the flexibility to decide that.

Councilwoman Gallucci requested clarification on what happens with the water/sewer districts and their debt.

Mr. Bond indicated that Benefit districts do not exist, they are referred to as Improvement Districts. They are established and operate under General, County and Town Law. The contract to buy water will go away. The existing Town and Village debt stays with those who owe it, it will not be consolidated. Under consolidation, the Town users can become 1 water/sewer district and the new debt will spread over *all* users. Savings will be recognized by Town water/sewer users.

Trustee Glenn asked if the Town and Village are going to need attorneys and accountants to help formulate the plan.

Mr. Bond indicated that the ones who succeed are the ones who seek professional help. The Town and Village attorneys give advice and guidance to assist with the process. It would make a lot of sense to hire an accounting firm; it's worth the expenditure. Need to make a decision as to how you will go about engaging the help of professionals.

Councilwoman Brown submitted some questions to submit to Kyle Wilber from the Department of State. He responded via email and Supervisor Zimet read the questions and answers aloud. Copies of the correspondence were distributed to members of both boards, the public, and the clerk.

Supervisor Zimet inquired about when the vote should occur. To which Trustee Rhoads indicated that she believes it shouldn't be at either the Village or Town election. It should be distinguished with its' own election.

Mr. Bond indicated that at this point it doesn't matter. Originally, March was proposed because it was before the State's fiscal year and there was the opportunity to get the \$1 million in 2013. People don't come out as much for special elections. The general election in November would bring the maximum number of people. Try to make it easy to avoid attacks and criticism.

A motion was made by Trustee Rhoads to put out a request for qualification requirements for a professional grant writer, attorney and accountant. Seconded by Supervisor Zimet for discussion.

Supervisor Zimet volunteered to attempt to complete the application for the \$50,000 grant for reimbursement for consultant costs.

Trustee Rhoads withdrew her motion.

Trustee Glenn is willing to work with Councilman Barry to work on RFP for professional legal services. Asked if anyone else would be willing to work on accounting RFP.

Attorneys Moriello and Eriole both indicated that the Town and Village need an attorney with expertise in this area.

A motion was made by Trustee Rhoads to have the Village auditors from O'Connor, Davies, Munns & Dobbins do the accounting for the merged government and put together the financial reporting for the referendum to enact the Citizens Empowerment Act. Seconded by Councilman Logan for discussion. Trustee Rhoads amended her motion to indicate that the Boards are asking for a proposal by March 15<sup>th</sup>. All aye votes cast, with nay votes by Councilwoman Gallucci and Mayor West. Motion carried.

A motion was made by Councilman Barry to solicit a proposal from Squire Sanders to provide a proposal for their cost in supplying and complying with the legal aspects of the documentation for this project by March 15<sup>th</sup>. Seconded by Trustee Glenn for discussion. Councilwoman Gallucci indicated that the Boards should request proposals from all 3 firms that are known to have the most expertise on consolidation. There was a motion that was approved to have a proposal submitted by an accounting firm, so the proposal for legal firm would have the fiscal aspect of it removed which would change that proposal. It would be unfair to consider this one that we had prior and two new ones. Trustee Basco made a friendly amendment to send the RFP to all 3 firms (Harris Beach, Squire Sanders and the third unknown). Councilman Barry amended the amendment to include 3-4 experienced firms. The proposal should include enacting the Citizens

Empowerment Act. All aye votes cast, motion carried. Supervisor Zimet will call the Department of State to find out the names of the other firms.

Supervisor Zimet will draft the proposal and send it out on behalf of the Town and Village. A tentative Joint meeting is scheduled for Monday, March 18<sup>th</sup> at 7:30 at Town Hall.

**Update on Solar Energy Grant-Randolph Horner:**

Mr. Horner informed the Boards that the process has been put on hold. Central Hudson wants to impose electric service upgrade charges of over \$420,000. Mr. Horner is willing to assemble a grant that draws upon the consolidation process to send to the Department of State for \$200,000 to help defray the upgrade costs.

A motion was made by Mayor West to authorize Mr. Horner to prepare something to send to the Department of State, for the Boards to approve. Seconded by Councilman Barry, all aye votes cast, motion carried.

**Approval of Joint Minutes:**

A motion was made by Trustee Rhoads to approve the joint minutes of ***January 9<sup>th</sup>, January 15<sup>th</sup>, January 24<sup>th</sup> and January 30<sup>th</sup>***. Seconded by Trustee Basco, all aye votes cast. Supervisor Zimet voted no because she did not have a chance to read them and Councilwoman Brown abstained. Motion carried.

**Public Comment:**

Kathy Preston indicated that deadlines and timeframes need to take a backseat to the process as a whole. If you've set an unreasonable goal, set a new one. She also feels as though the Town and Village websites are deplorable.

KT Tobin indicated that the parameters of reimbursement of consolidation expenses have changed from 90/10 to 50/50. You only get the 90% if you take action and show savings.

Steve Greenfield indicated that he feels as though the process is not being done well. We should stop talking about dates and concentrate on what needs to be done.

Mike Russo indicated that he would prefer an arms length accounting firm. Let's keep things out in the open. Let the process convince the public.

Rebecca Rotzler indicated that the public has the right to, and is asking very important questions without the intent of personally attacking anyone who worked on the committees.

**Announcements:**

Trustee Glenn indicated that the Town needs to choose a representative from the Board to attend meetings with the Fire Department. Also the Town and Village need to discuss Moriello Pool. Councilmen Logan and Barry will meet with Trustees Basco and Glenn to discuss the contract.

At 11:30 p.m. a motion was made by Trustee Glenn to adjourn the joint meeting and continue it on March 18<sup>th</sup> at 7:30. Seconded by Supervisor Zimet, all aye votes cast, motion carried.

**Town Business**

**Agenda:** +Prepays, +NYSERDA Grant, +Set Special meeting date

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

Supervisor Zimet read aloud the following Press Release:

*"The Town of New Paltz has been in contact with the Ulster County Comptroller's office. We gave them a heads up we had concerns with the validity of the report after thorough research of the Comptroller's findings. We told them not to issue the report before they received our final analysis. Unfortunately they chose to release it prematurely. We will be sharing our findings in a press release within the next few days."*

**DWI Task Force Contract:**

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

**U.R.G.E.N.T. Contract & Resolution:**

A motion was made by Councilwoman Gallucci to approve and enter into the U.R.G.E.N.T. Contract with the County. Seconded by Councilman Logan for discussion. Councilman Logan and Councilwoman Brown would like to know what the Town's fiscal commitment would be. Councilwoman Gallucci withdrew her motion and this item was tabled for a later date.

**NYSERDA Grant:**

The Town is eligible for rebates on qualifying equipment that includes the copier at the court, a/c units needed in Town Hall and a printer for the Supervisor's Office. The Town will be reimbursed for 75% of the cost while the money is available through the "Buy Green, Save Green Rebates for NYS Local Governments Program".

A motion was made by Councilwoman Brown to authorize the Supervisor to replace 3 a/c units at a cost not to exceed \$1,000 and to apply for NYSERDA reimbursement and to authorize the Supervisor to purchase a printer at a cost not to exceed \$500 and be reimbursed 75% from NYSERDA. Seconded by Councilman Barry, all aye votes cast, motion carried.

**Mid-Hudson Sustainable Plan:**

Councilwoman Brown discussed her questions and concerns with the plan with KT Tobin. Her concerns are that the Plan is duplicative of many Greenway planning components; there is no funding for implementation of any of the recommendations; she was disappointed to see that "new" ideas are needed to preserve farming when the Real Estate Transfer Tax is working well in Long Island. Supervisor Zimet agreed and said she had tried to get the RETT passed in Ulster County. Councilwoman Brown noted there is no way for the public to communicate with the Plan leaders as the website is non-responsive and no contact information is provided.

A motion was made by Councilwoman Gallucci for the Town to lend its support. Seconded by Councilman Logan, all aye votes cast, motion carried.

**Prepays:**

A motion was made by Councilwoman Gallucci to approve the following prepays:

Voucher #13-00432 to Oliver Fisher in the amount of \$177.95.

Voucher #13-00041 to Ford Motor Credit Company in the amount of \$3000.00.

Voucher #13-00323 to David Clouser in the amount of \$3703.38.

Voucher #12-02565 to Van Bortel Ford in the amount of \$24,850.00.

Voucher #12-02804 Hudson River Truck Equipment in the amount of \$9040.00.

Voucher #13-00389 to David Clouser in the amount of \$1839.80.

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

**Highway Requests:**

A motion was made by Councilman Barry to give Highway Superintendent Chris Marx permission to go out to bid for an excavator. Seconded by Councilwoman Gallucci, all aye votes cast, motion carried.

A motion was made by Councilman Logan to modify the Highway's Budget request from a Hooklift Body to a trailer. Seconded by Councilwoman Brown, all aye votes cast, motion carried.

The Town Board scheduled a special meeting for Wednesday, March 6<sup>th</sup> at 6:30 p.m. to discuss the Wetlands lawsuit and water & sewer rates.

At 12:42 a.m. a motion was made by Councilwoman Gallucci to adjourn. Seconded by Councilwoman Brown, all aye votes cast, motion carried.

Respectfully Submitted,

Rosanna Mazzaccari  
Town Clerk