



**Joint Town & Village Board Meeting
Town Board Meeting
February 7, 2019, 7 p.m.
Town Courthouse, 23 Plattekill Ave.**

Present (T): Supervisor Bettez, Councilman Dan Torres, Councilwoman Julie Seyfert-Lillis, Councilman Marty Irwin. **Absent:** Councilman David Brownstein.

Present (V): Mayor Tim Rogers, Trustee William Murray, Trustee Don Kerr, Trustee KT Tobin.

Absent: Trustee Dennis Young.

At 7:00 p.m. a motion was made by Supervisor Bettez and Trustee Kerr to open the meeting with the pledge. Seconded by Councilman Irwin and Trustee Tobin, all aye votes cast, motion carried.

Agenda:

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

Public Input:

Bob Hughes, former Chair of the Town Planning Board, read aloud a statement regarding safety concerns in the Gateway District as a result of the NYSDOT's newly configured Empire State Trail, Rte. 299 and Putt Corners intersection.

Anton Stewart, Chair of the Public Access Committee, requested that funding from the Village for the committee and PA Coordinator not be cut.

Memorializing Resolution:

A motion was made by Councilman Torres and Trustee Kerr and seconded by Councilman Irwin and Mayor Rogers, to adopt the following resolution. All aye votes cast, motion carried.

**To Commemorate the Fiftieth Anniversary of the Passing of Henry "Hennie" Hank Gerard Schulte
by the Town and Village of New Paltz Boards in Remembrance of His Service and Sacrifice**

WHEREAS, Henry "Hennie" Hank Gerard Schulte was born on September 4, 1948 to Gerhard H. Schulte and Helen Connolly in Kingston, NY; and

WHEREAS, Schulte was an Alter Boy at St. Joseph's Church in New Paltz, Boy Scout, golf caddy at Mohonk Golf Course, 1966 New Paltz High School Graduate, employee at Rocking Horse Ranch, and driver at the Railway Express Agency; and

WHEREAS, Schulte enlisted on May 21, 1968 and attended Basic Training for the United States Army at Fort Dix, NY; and

WHEREAS, Private Schulte was deployed to Vietnam on November 7, 1968 and served as a rifleman in B Company, 2nd Battalion, 60th Infantry Regiment, 9th Infantry Division; and

WHEREAS, His awards and commendations included: Purple Heart, Combat Infantryman Badge, National Defense Service medal, Vietnam Service Medal, Distinguished Unit Citation, Vietnam Gallantry Cross Unit Citation, Bronze Star, and Silver Star; and

WHEREAS, Schulte was killed in action on February 1, 1969 in the Long An Province at the age of 20 and received a posthumous promotion to Corporal; and

WHEREAS, Schulte was the only New Paltz resident to die in The Vietnam War; and

WHEREAS, to quote General Douglas MacArthur's 1962 Thayer Award Speech...*the soldier above all other people prays for peace, for he must suffer and bear the deepest wounds and scars of war. But always in our ears ring the ominous words of Plato, that wisest of all philosophers: "Only the dead have seen the end of war."*

THEREFORE BE IT RESOLVED, the next street or park tree planted by the Village Department of Public Works will be dedicated to Schulte's memory to commemorate his service and sacrifice.

BE IT FURTHER RESOLVED, while Schulte may be gone, he must never be forgotten.

Rent Control:

Trustee Tobin explained that Assemblyman Cahill will be introducing this bill to Congress which would give more municipalities across the state the option of having a Rent Control Board. Sia Weaver from NYS Tenants & Neighbors and Ellen Davidson, Housing Attorney at the Legal Aid Society explained the process and mechanism for how rent increases are determined.

A motion was made by Trustee Tobin and Councilman Torres to adopt the following resolution, seconded by Trustee Kerr and Supervisor Bettez, all aye votes cast, motion carried.

**RESOLUTION OF THE TOWN AND VILLAGE OF NEW PALTZ BOARDS SUPPORTING
UNIVERSAL RENT STABILIZATION AND CONTROL**

WHEREAS, the Village of New Paltz has documented and identified unmet need for affordable housing opportunities to serve low and moderate income residents; and

WHEREAS, as a result, in 2015, the village enacted the § 132 "Village of New Paltz Affordable Housing Law" which requires new residential developments of 10 units or more to include 10 percent affordable units; and

WHEREAS, the Town of New Paltz is currently working on a similar version of this law; and

WHEREAS, our village affordable housing law is only one way to address housing affordability, and aside from the new construction that is required to be affordable according to this local law, currently state law does not provide local authority to form a local board that would determine annual allowable rental increases in order to protect tenants from arbitrary rent increases; and

WHEREAS, according to recently released United States Census data, New Paltz has the highest median rent in Ulster County and in the village 70 percent of tenants need 30 percent or more of their income (a standard affordability metric) to pay their rent; and **WHEREAS**, the New York State’s Emergency Tenant Protection Act (ETPA) of 1974 provides rental protections including rent stabilization whereby landlords are subject to regulated rent increases and tenants have the right to renewal leases; and **WHEREAS**, under the current ETPA law only municipalities in Nassau, Westchester, Rockland counties and New York City are eligible to adopt a form of rent stabilization, resulting in rent control only applying to tenants in 8 of the state’s 62 counties; and **WHEREAS**, in 2019, New York State’s Emergency Tenant Protection Act (ETPA) of 1974 will be expiring, presenting an opportunity for our leadership in Albany to improve and extend the tenants’ rights moving forward;

THEREFORE BE IT RESOLVED, that the Town and Village New Paltz Boards call upon our leaders in Albany to strike the geographic restrictions from the ETPA so that local governments can take an active role addressing the cost of rental housing and to provide critical rental rights to tenants in New Paltz and across the state; and

BE IT FURTHER RESOLVED that the Town and Village Boards of New Paltz support and endorse S6527/A6285 which would prohibit owners from adjusting the amount of preferential rent upon the renewal of a lease; and,

BE IT FURTHER RESOLVED that the Town and Village Boards of New Paltz support and endorse S1593/A9815 which relates to rent increases after vacancy of a housing accommodation and would eliminate the vacancy bonus; and,

BE IT FURTHER RESOLVED that the Town and Village Boards of New Paltz support and endorse S3482/A433 which would prevent landlords from being able to take apartments out of rent regulation when existing tenants leave; and,

BE IT FURTHER RESOLVED, that the Village Clerk is directed to send a copy of this resolution to U.S. Senator Kirsten Gillibrand, U.S. Senator Charles Schumer, Governor Andrew Cuomo, State Senator Jen Metzger, State Assemblyman Kevin Cahill, County Executive Michael Hein, City of Kingston Mayor Steve Noble, Ulster County Legislative Chair Tracey Bartels, Ulster County Legislator Hector Rodriguez, and Ulster County Legislator James Delaune.

Community WiFi:

Representatives from Sky Packets, Steve and Jerry, specializing in deployments of large scale wireless and WiFi networks, explained their intent to propose a PPP-Public Private Partnership. This involves Sky Packets putting in the cap-backs, the cost of the networks at \$0 dollars to the Town and Village and in return the Town and Village would them with the deployment by leveraging existing Town/Village assets, such as light poles and buildings. Sky Packets will send a proposal to the Town and Village.

Approval of Joint Minutes:

A motion was made by Supervisor Bettez to adopt the January 9, 2019 Joint Minutes. Seconded by Councilman Irwin, all aye votes cast, motion carried.

A motion was made by Trustee Tobin to adopt the January 9, 2019 Joint Minutes. Seconded by Mayor Rogers, all aye votes cast, motion carried.

Home and Rental Properties Proposed Sprinkler Law:

Representatives from the Town and Village met to discuss the need for a law like this and potential impacts. They will continue to work on this.

Public Access Television:

Trustee Kerr along with the Public Access Committee Chair Anton Stewart and past chair Andrea Russo explained that a decrease in the budget allocation could eliminate the position of Public Access Coordinator and thus reducing programming on Channel 23. The committee will decide if they would like an increase in the franchise fee and work on developing their goals over the next 12 months.

Marijuana Legislation:

The Boards discussed how fees are assessed and who receives the revenue from the NYS Marijuana Legislation. The Boards also discussed certain aspects and the implementation of the draft law for the Town and Village.

Letter of Support:

A motion was made by Councilman Torres and Trustee Tobin, seconded by Councilwoman Seyfert-Lillis and Trustee Kerr to adopt the following letter. All aye votes cast, motion carried.

To whom it may concern:

The New Paltz Town Council and the New Paltz Village Board fully and unanimously wish to publicly express our strong support for New Paltz community member Luis Martinez. In addition, we request that he is immediately granted release from ICE custody and that he is ultimately allowed to continue to reside with his family in our town.

Mr. Martinez is an integral part of New Paltz. His businesses employ dozens of residents and his charitable contributions have supported numerous youth athletic teams, St. Joseph’s Church, our chamber of commerce, and many unnamed individuals who have found themselves in times of need.

Mr. Martinez’s absence will negatively impact the New Paltz community. We ask that you give all due consideration to Mr. Martinez, his family, and our town that overwhelmingly supports him.

At 10:19 p.m. a motion was made by Trustee Kerr to adjourn the joint meeting. Seconded by Trustee Tobin, all aye votes cast, motion carried.

Town Board Meeting:

Consent Agenda:

A motion was made by Supervisor Bettez and seconded by Councilwoman Seyfert-Lillis to approve and/or authorize the following items as part of the consent agenda. All aye votes cast, motion carried.

- 1. Approval of Minutes: January 17, 2019 Police Commission and Town Board
- 2. Pamela St. John resignation from Bike-Ped Committee
- 3. Amelia Rose resignation from Bike-Ped Committee
- 4. Appointment of Nancy Arias to the EnCB to fill an unexpired term set to expire 12/19
- 5. Authorization for Finance Department to attend 3 Excel webinars offered by NYSGFOA at a cost of \$55.00 each for a total of \$165.00
- 6. Conference authorization for Building Department attendance at the HV Code Enforcement Officials conference 2019 on April 24-26 at a cost of \$300.00 each for a total of \$900.00
- 7. Authorization of refund for tax reassessment settlement, Parcel 78.16-1-26
- 8. Budget Modifications:

<u>A Fund</u>					
<u>To:</u>			<u>From:</u>		
1220.100	Supervisor, P.S.	1,543.00	1010.400	Town Board, CE	1,344.00
1345.400	Purchasing, CE	356.00	1110.100	Justices, PS	2,307.00
1345.560	Purchasing-Recycle	174.00	1220.400	Supervisor, CE	1,543.00
1410.100	Town Clerk, PS	4,204.00	1340.400	Budget, CE	1,039.00
1430.400	Personnel/Payroll, CE	3,759.00	1345.440	Purchasing-Bookkeeper,CE	2,719.00
1620.400	Buildings, CE	2,373.00	1345.450	Purchasing-Town Clerk, CE	356.00
1670.440	Print/Mail-Bookkeeper, CE	101.00	1345.470	Purchasing-Justice, CE	114.00
1670.450	Print/Mail-Town Clerk, CE	1,289.00	1355.100	Assessor, PS	1,611.00
1670.460	Print.Mail-Recreation, CE	29.00	1355.400	Assessor, CE	1,650.00
1670.472	Print/Mail-Assessor, CE	113.00	1410.400	Town Clerk, CE	778.00
1670.520	Print/Mail-Town Board, CE	29.00	1420.400	Attorney, CE	15,000.00
3120.100	Police, PS	80,167.00	1440.400	Engineer, CE	10,000.00
3510.100	Control of Dogs, PS	201.00	1460.400	Records Mgt, CE	318.00
4050.400	Public Health, Other, CE	679.00	1620.100	Buildings, PS	2,373.00
6989.400	Other Economic Development	575.00	1670.470	Central Printing-Justice, CE	1,268.00
7150.458	Recreation-Comm Ctr, CE	53.00	1670.530	Central Printing-Youth, CE	293.00
7310.400	Youth Program, CE	300.00	1680.400	Central Data Processing, CE	10,000.00
8189.400	Recycling, CE	1,237.00	3120.200	Police, Equip	8,652.00
9720.710	Statutory Install Bond Int	<u>55.00</u>	3120.400	Police, CE	6,102.00
		97,237.00	3510.400	Control of Dogs, CE	4,317.00
			3989.400	Emergency Preparedness, CE	5,760.00
			6772.400	Programs for the Aging, CE	575.00
			7030.400	Summer Recreation, CE	3,100.00
			7110.400	Rail Trail, CE	1,000.00
			7150.430	Recreation-Moriello Pool, CE	4,705.00
			7150.441	Recreation-Clearwater, CE	53.00
			7310.100	Youth Program, PS	300.00
			8189.100	Recycling, PS	1,237.00
			9015.800	Fire & Police Retirement	8,668.00
			9062.800	Vision Premiums Paid	<u>55.00</u>
					97,237.00
<u>B Fund</u>					
<u>To:</u>			<u>From:</u>		
1680.400	Central Data Processing, CE	78.00	1345.457	Purchasing-Historic Pres	12.00
7520.400	Historic Pres Commiss, CE	12.00	1910.400	Unallocated Insurance	78.00
8095.400	Wetlands Protection, CE	2,666.00	3620.400	Safety Inspection, CE	2,666.00
9062.800	Vision Insurance	<u>270.00</u>	9061.800	Dental Insurance	<u>270.00</u>
		3,026.00			3,026.00
<u>DA Fund</u>					
<u>To:</u>			<u>From:</u>		
5010.400	Supt of Highways, CE	505.00	5010.100	Supt of Highways, PS	505.00
9062.800	Vision Insurance	<u>427.00</u>	9061.800	Dental Insurance	<u>427.00</u>
		932.00			932.00
<u>DB Fund</u>					
<u>To:</u>			<u>From:</u>		
1380.400	Fiscal Agent Fees	179.00	5110.100	General Repairs, PS	2,993.00
3310.100	Traffic Control, PS	158.00	5130.100	Machinery, PS	<u>2,605.00</u>
5130.400	Machinery, CE	3,272.00			5,598.00
5140.100	Brush & Weeds, PS	881.00			
9730.705	Bond Anticipation Note-Interest	<u>1,108.00</u>			

			5,598.00			
<u>SSA Fund</u>						
<u>To:</u>				<u>From:</u>		
1440.400	Engineering, CE	103.00		8120.400	Sewage Collecting System, CE	825.00
1670.400	Printing/Mailing, CE	111.00				
8120.100	Sewage Collecting System, PS	439.00				
9010.800	State Retirement	158.00				
9030.800	Social Security	<u>14.00</u>				
		825.00				
<u>SSE Fund</u>						
<u>To:</u>				<u>From:</u>		
1440.400	Engineering, CE	21.00		8120.400	Sewage Collecting System, CE	529.00
1670.400	Printing/Mailing, CE	54.00				
8120.100	Sewage Collecting System, PS	361.00				
9010.800	State Retirement	77.00				
9030.800	Social Security	<u>16.00</u>				
		529.00				
<u>SSF Fund</u>						
<u>To:</u>				<u>From:</u>		
1440.400	Engineering, CE	2,912.00		8130.100	Sewage Collecting System, PS	545.00
1670.400	Printing/Mailing, CE	35.00		9730.715	Bond Anticipation Note-Interest	<u>2,599.00</u>
9010.800	State Retirement	<u>197.00</u>				3,144.00
		3,144.00				
<u>SWA Fund</u>						
<u>To:</u>				<u>From:</u>		
1420.400	Attorney, CE	460.00		8340.100	Transmission & Distrib, PS	1,539.00
1440.400	Engineering, CE	311.00		9030.800	Social Security	172.00
1670.400	Printing/Mailing, CE	190.00		9040.800	Workers' Comp	2.00
8340.400	Transmission & Distrib, CE	259.00		9060.800	Medical Insurance	<u>466.00</u>
9010.800	State Retirement	<u>959.00</u>				2,179.00
		2,179.00				
<u>SWB Fund</u>						
<u>To:</u>				<u>From:</u>		
1440.400	Engineering, CE	21.00		8340.100	Transmission & Distrib, PS	771.00
1670.400	Printing/Mailing, CE	16.00				
8340.400	Transmission & Distrib, CE	311.00				
9010.800	State Retirement	<u>423.00</u>				
		771.00				
<u>SWC Fund</u>						
<u>To:</u>				<u>From:</u>		
1440.400	Engineering, CE	4.00		8340.100	Transmission & Distrib, PS	201.00
9010.800	State Retirement	194.00				
9730.715	Bond Anticipation Note-Interest	<u>3.00</u>				
		201.00				
<u>SWD Fund</u>						
<u>To:</u>				<u>From:</u>		
1440.400	Engineering, CE	31.00		8340.100	Transmission & Distrib, PS	301.00
1670.400	Printing/Mailing, CE	26.00				
9010.800	State Retirement	<u>244.00</u>				
		301.00				

9. Authorization for NPPD expense: \$9,100 from seized assets account to fix email server issue
10. Kenneth Roberts retirement: Highway Department
11. Jason Messina resignation: Highway Department
12. Appointment of Brendan McLaughlin as Planning Board Alternate to fill an unexpired term that is set to expire 12/19

Route 299 Gateway Re-Zoning:

A motion was made by Councilwoman Seyfert-Lillis to rescind the motion authorizing the Supervisor to sign the full EAF for the Rte. 299 Gateway Comprehensive Plan Update and Zoning Amendment from the April 19, 2018 meeting. Seconded by Councilman Irwin, all aye votes cast, motion carried.

Mike Zierler reviewed and completed Part 1 of the new SEQR EAF with the Town Board. Mr. Zierler also explained the schedule of tasks to be completed by the Town Board through May.

Youth Center van purchase:

The Town will look into a municipal lease and a non-OGS bid.

Buildings & Grounds promotion request:

A motion was made by Supervisor Bettez to upgrade Rohan James from Municipal Worker I to Municipal Worker II. His pay will be adjusted to reflect the upgrade to this title. Seconded by Councilman Irwin, all aye votes cast, motion carried.

Highway Department Hiring Requests:

A motion was made by Supervisor Bettez to approve the hiring of Daniel Wasilewzk effective 2/11/19 at the MEO initial rate of \$1.00 less than the current rate of \$24.39 for this position, and after 6 months this employee will receive a \$.50 hourly increase and after 12 months this employee will receive a \$.50 cent hourly increase to bring him equal to the current rate, as per the Collective Bargaining Unit Agreement. Seconded by Councilman Irwin, all aye votes cast, motion carried.

A motion was made by Supervisor Bettez to approve the hiring of Taylor Dailey effective 2/19/19 at the MEO initial rate of \$1.00 less than the current rate of \$24.39 for this position, and after 6 months this employee will receive a \$.50 hourly increase and after 12 months this employee will receive a \$.50 cent hourly increase to bring him equal to the current rate, as per the Collective Bargaining Unit Agreement. Seconded by Councilman Irwin, all aye votes cast, motion carried.

Franchise Fee Reimbursement:

A motion was made by Supervisor Bettez to authorize the Supervisor to enter into a contract with a company to review the franchise fee reimbursement, subject to the Supervisor being satisfied with an explicit list of how much the Town will earn. Seconded by Councilman Irwin, all aye votes cast, motion carried.

Adoption of Attorney's revisions to the charge of the Citizen's Police Advisory Committee:

A motion was made by Supervisor Bettez to adopt the changes made to the charge of the Citizen's Police Advisory Board. Seconded by Councilman Torres. Following a brief discussion Supervisor Bettez and Councilman Torres withdrew their motions. A motion was then made by Councilman Irwin to disband the current Citizen's Police Advisory Committee and create the New Paltz Citizens Police Advisory Board as presented in the document from Attorney Joe Moriello. Seconded by Councilwoman Seyfert-Lillis, all aye votes cast, motion carried.

Citizens Police Advisory Board

Section 1. There is hereby established a Citizens Police Advisory Board of the Town.

A. Membership - The members of such board shall be appointed by the Town Board and shall consist of five (5) members, none of whom shall be an employee or officer of the Town of New Paltz, and none of whom shall be a member of the Town Board or of the town Police Commissioners. Appointment of members to such advisory board shall be by the affirmative vote of a majority plus one of the members of the Town Board.

B. Terms of Members - In the creation of a new Citizens Police Advisory Board, or the reestablishment of terms of an existing board, the appointment of members to the board shall be for terms so fixed that one member's term shall expire at the end of the calendar year in which such member was initially appointed. The remaining members' terms shall be so fixed that two (2) members' terms shall expire at the end of the next year thereafter and two (2) members' terms shall expire at the end of the second year next succeeding the end of the year in which such members were initially appointed. At the expiration of each original member's appointment, the replacement member shall be appointed for a term equal in years to the term of the member replaced.

C. Vacancies - If a vacancy shall occur otherwise than by expiration of a term, the Town Board shall appoint a new member for the unexpired term.

D. Removal of Members - The Town Board shall have the power to remove any member of the advisory board at any time, with or without cause.

E. Chairperson - The advisory board shall designate the Chairperson thereof, and, in the absence of a Chairperson, the advisory board may designate a member to serve as Acting Chairperson. In the event that the advisory board does not designate a Chairperson or Acting Chairperson, such Chairperson or Acting Chairperson, as the case may be, shall be designated by the Town Board.

F. Books and Records - The advisory board shall designate a member to serve as Recording Secretary who shall be in charge of its minutes, books and records. In the absence of a Recording Secretary, the Board may designate a member to serve as Acting Secretary. In the event that the advisory board does not designate a Secretary or Acting Secretary, such Secretary or Acting Secretary, as the case may be, shall be designated by the Town Board.

G. Legal Assistance - The Attorney for the Town shall provide such legal and advisory services to the advisory board as it may require in the performance of its duties.

Section 2. Scope and authority.

A. The purposes of the Citizens Police Advisory Board are:

- (1) to represent the community at large;
- (2) to offer recommendations to the Police Commissioners with regard to police services;
- (3) to serve as liaisons to enhance community and police relations;
- (4) to provide to the Police Commissioners reasonable and responsible perspectives regarding potential community impacts of the policies and practices of the New Paltz Police Department;
- (5) to provide to the Police Commissioners objective input designed to ensure continued professional policing standards and the cultivation of Community partnerships;
- (6) to promote enhanced connection, cooperation, and communication between the police and the New Paltz Community; and
- (7) to provide such reports as are requested from time to time by the Police Commissioners regarding the activities of the advisory board.

B. The Citizens Police Advisory Board remains at all times subject to the authority of the Chief of Police, the Town Board and the Police Commissioners in the performance of its advisory role. Recommendations made by the advisory board are not binding on the Chief of Police, Police Commissioners or the Town Board.

C. The advisory board may be called upon by the Police Commissioners to review the status of investigations performed in accordance with the policies and procedures established by the department into the use by members of the police department of defensive action and provide advice and recommendations consistent with such review to the Police Commissioners. Any such review shall at all times be subject to and in accordance with applicable state and federal law, rules and regulations including, but not limited to Article 6 of the Public Officers Law (F.O.I.L.), Civil Rights Law and with all opinions and directives of the Office of the Ulster County District Attorney. The advisory board shall not initiate, receive or review complaints against or internal investigations regarding police personnel nor shall it have authority to investigate or otherwise participate in personnel matters involving specific police personnel. The advisory board will not play a role in civil or criminal litigation.

Section 3. Rights reserved to the Town Board.

The Citizens Police Advisory Board was created by resolution of the Town Board and not by the enactment of a local law. The Town Board reserves all rights with respect to the establishment and continuation of the advisory board, including periodic review to determine whether the purposes for which the advisory board was established are being fulfilled and the right to discontinue the advisory board by resolution duly adopted at any time by the Town Board.

At 11:12 p.m. a motion was made by Supervisor Bettez to adjourn the meeting. Seconded by Councilman Torres, all aye votes cast, motion carried.

Respectfully Submitted,

Rosanna Rosenkranse
Town Clerk