

Public Hearing: Extension 1 of Water District #3, 7 p.m.
Special Town Board Meeting, 7:30 p.m.
April 14, 2016

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

At 7:08 p.m. a motion was made by Councilman Logan to open the Public Hearing on Extension 1 of Water District #3. Seconded by Councilman Torres, all aye votes cast, motion carried.

Engineer Dave Clouser explained that this district will serve the businesses and two residences on Paradies Lane, as well as the 58 acre parcel next to it. It will be able to supply 100 gallons a minute during the aqueduct shut down.

Attorney Joe Moriello indicated that there was a Map, Plan and Report prepared by Barton and Loguidice, on file with the Town Board since April 11, 2016.

At 7:12 p.m. a motion was made by Councilman Logan to close the Public Hearing. Seconded by Councilman Torres, all aye votes cast, motion carried.

(Councilman Irwin arrived at 7:25 p.m.)

At 7:30 p.m. a motion was made by Councilman Torres to open the special meeting with the pledge. Seconded by Councilman Irwin, all aye votes cast, motion carried.

Agenda: +Resolution to acquire real property on Plains Road owned by David Roehrs, +Resolution to acquire real property owned by Steve Turk, +Resolution for Extension 1 of Water District #3. A motion was made by Supervisor Bettez to adopt the agenda as amended. Seconded by Councilman Logan, all aye votes cast, motion carried.

Acceptance of Minutes:

A motion was made by Supervisor Bettez to accept the Police Commission minutes of **March 17, 2016**, and the Town Board minutes of **March 17 and 24, 2016**. Seconded by Councilwoman Seyfert-Lillis, all aye votes cast, motion carried.

Budget Modifications:

A motion was made by Supervisor Bettez to approve the following budget modifications:
Request authorization to modify the 2015 adopted B Fund budget for cost overruns as follows:

To : B960 Appropriations			From: B960 Appropriations		
B1345.425	Purchasing-Bldg Insp	417.00	B3620.100	Building Insp-P.S.	2,925.00
B1670.400	Central Print/Mail	1,362.00	B8020.430	Planning-Attorney	<u>1,467.00</u>
B8020.100	Planning-P.S.	539.00			4,392.00
B8020.400	Planning-C.E.	928.00			
B9030.800	Social Security	<u>1,146.00</u>			
		4,392.00			

Request authorization to modify the 2015 adopted DB Fund for cost overruns.

To: DB960 Appropriations			From: DB960 Appropriations		
DB5110.100	General Repairs-P.S.	2,230.00	DB3310.100	Traffic Control-P.S.	1,834.00
DB5130.400	Machinery-C.E.	10,078.00	DB5110.400	General Repairs-C.E.	9,657.00
DB5142.100	Snow Removal-P.S.	924.00	DB5132.400	Garage-C.E.	575.00
DB5142.400	Snow Removal-C.E.	834.00	DB5140.100	Brush & Weeds-P.S.	2,000.00
DB9030.800	Social Security	<u>654.00</u>	DB9010.800	State Retirement	<u>654.00</u>
		14,720.00			14,720.00

To record an increase to the Highway 2015 adopted budget.
To record an increase in appropriations to be financed from additional CHIPS funding in the Highway Fund.

DB510	Estimated Revenues	41,717.00	
DB3501	CHIPS	41,717.00	
DB960	Appropriations		41,717.00

WHEREAS, due to such misclassifications, the affected employees' tax returns have been adjusted by the taxing authority to reflect the amounts due from affected employees, including the interest amounts assessed, which said interest amounts are shown on the "Computation Summary" appearing on Page 4 of each affected employee's "Notice and Demand for Payment of Tax Due" issued to the affected employee by the NYS Department of Taxation and Finance;

NOW, THEREFORE, be it:

RESOLVED, that the Town Board of the Town of New Paltz hereby authorizes the reimbursement to affected employees of the interest amount, only, shown on the "Computation Summary" appearing on Page 4 of each affected employee's "Notice and Demand for Payment of Tax Due" issued to the affected employee by the NYS Department of Taxation and Finance; and it is further

RESOLVED, that the reimbursement to an affected employee of the amounts referred to in this resolution is expressly conditioned upon the delivery to the Comptroller for the Town of New Paltz a true copy of the affected employee's "Notice and Demand for Payment of Tax Due" issued to the affected employee by the NYS Department of Taxation and Finance, together with such other and further documents or information required by the Comptroller to give full force and effect to the purposes and intents of this resolution and plan of reimbursement.

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

Fire Contract:

A motion was made by Councilman Torres to approve the 2016/2017 Fire Contract. Seconded by Councilman Irwin, all aye votes cast, motion carried.

Concessions at Field of Dreams:

A motion was made by Supervisor Bettez to authorize Chuck Bordino, Recreation Director, to go out to bid for a vendor, and to authorize him to collect a rent fee to be determined at a later date. Seconded by Councilman Logan, all aye votes cast, motion carried.

Blanket LED Street Lighting Authorization Order:

Traditional street light bulbs will be replaced with LED bulbs, resulting in a 15-20% savings.

A motion was made by Councilman Logan to authorize Supervisor Bettez to sign the order with Central Hudson. Seconded by Councilman Irwin, all aye votes cast, motion carried.

Purchase of Real Property at County Tax Auction:

A motion was made by Councilman Logan to authorize Supervisor Bettez to work with the County to purchase the property identified as 86.14-2-1 for public use and benefit for \$2,191.00, to come from a budget line to be determined. Seconded by Councilman Torres, all aye votes cast, motion carried.

A motion was made by Councilman Logan to authorize Supervisor Bettez to engage the services of Engineer Dave Clouser to prepare SEQR for the property at 86.14-2-1, for an amount not to exceed \$500. Seconded by Councilman Torres, all aye votes cast, motion carried.

Resolution-Recycling Center:

A motion was made by Supervisor Bettez to authorize the Recycling Center to accept brush and wood chips from landscapers and arborists and waive the fees at her discretion. Seconded by Councilman Logan, all aye votes cast, motion carried.

Update on Mill Brook Preserve:

Councilman Irwin indicated that a donation in the amount of \$50,000 was made by Bruce McKinney to the Wallkill Valley Land Trust to go towards the conservation easements for Mill Brook Preserve. The Board expressed their gratitude to Mr. McKinney.

Extension of the IMA between the Town and Village:

A motion was made by Councilman Logan to authorize Supervisor Bettez to sign the addendum to the lease agreement extending it for 99 years, regarding the sale of water. Seconded by Councilman Torres, all aye votes cast, motion carried.

Establishment of Extension 1 of Water District #3:

A motion was made by Supervisor Bettez to adopt the following Order Establishing District:

WHEREAS, a written petition dated as of March 24, 2016 has been presented to and filed with the Town Clerk of the Town of New Paltz, New York, requesting the creation of Extension No. 1 of Water District No. 3 in the Town of New Paltz with boundaries as hereinafter described; and

WHEREAS, on the 24th day of March, 2016 the Town Board of the Town of New Paltz, New York, duly adopted an order calling a public hearing to be held at the Community Center, in said Town, on the 14th day of April, 2016 at 7:00 o'clock P. M., to consider said petition and to hear all persons on the subject thereof concerning the same and for such action on the part of said Town Board with relation to said petition as may be authorized and required by law; and

WHEREAS, notice of such public hearing and of any subsequent continuations thereof was duly published and posted in the manner required by law; and

WHEREAS, after said public hearing and all continuations thereof and upon consideration, the evidence given thereat, said Town Board duly adopted an order on the 14th day of April, 2016 determining to create such extension and to construct the proposed water district improvements therein, all in accordance with said petition and the map and plan accompanying the same and the map, plan and report on file in the Office of the Town Clerk; and

WHEREAS, all construction work for the laying out and installing of the improvements within said proposed District extension as described on said Exhibit A will be paid for initially by the Town [district] but reimbursed by the City of New York Department of Environmental Protection ("DEP") pursuant to a separate intergovernmental agreement, so that no expenses occasioned by the creation of said District extension herein petitioned shall be levied and collected from the several lots and parcels of land within the said District extension by assessment or otherwise and any and all of such work will be done and completed by said DEP in accordance with the map and plan hereinafter described; and

WHEREAS, the Town intends to construct all improvements within said Water District extension as aforesaid and will accept title thereto in the name of the Town of New Paltz on behalf of the water district and assuring the right of benefitted properties within the proposed district extension to access the improvements and obtain service therefrom in accordance with separate agreements between the town and the DEP; and

WHEREAS, prior to the conduct of the public hearing aforesaid, there has been filed with the town a Map, Plan and Report prepared by the engineering firm of David Clouser & Associates, duly licensed by the State of New York, showing the boundaries of the proposed district extension and a general plan of the proposed water system to be constructed therefor including all outlets and the terminus and course of each proposed main; and

WHEREAS, the maximum amount to be expended for the construction of the proposed water system is estimated to be \$2,134,045.00, and after reimbursement of all eligible expenses from DEP is \$0.00 dollars; and

WHEREAS, based on the assumed average of 200 gallons per day water usage per single-family, 3-bedroom residence, the total annual cost for a typical, single-family residential dwelling is estimated to be \$252.00 per year; and

WHEREAS, based upon the annual water use for a commercial retail business having 10,000 square feet of floor area when applying the New York State Department of Environmental Conservation average daily water use rates of 1,000 gallons per day, the annual cost for water service for commercial retail business use is estimated to be \$1,278.00 per year; and

WHEREAS, the estimated cost of hook-up fees for a service connection to the typical residential and small commercial/office property is \$1,750.00; stubs will be left in the new water main at a minimum of two (2) locations for connection by the owner of the Wildberry Lodge LLC property; and

WHEREAS, the expense of operation and maintenance of said Extension No. 1 of Water District No. 3 and shall be assessed, levied and collected from the several lots and parcels of land within the proposed Extension No. 1 of Water District No. 3 so much upon and from each as shall be in just proportion to the amount of benefit which the Town Board shall determine the improvement shall confer upon the same.

WHEREAS, based upon the foregoing, the approval of the Comptroller of the State of New York for the creation of said water district is not required;

NOW, THEREFORE, BE IT:

RESOLVED, by the Town Board of the Town of New Paltz, County of Ulster, State of New York, as follows:

Section 1. It is hereby determined:

(a) That said petition is signed, acknowledged or proved as required by law and is otherwise sufficient;

(b) That all the property and property owners within the proposed extension district are benefitted thereby;

(c) That all the property and property owners benefitted are included within the limitation of the proposed district extension; and

(d) That it is in the public interest to grant in whole the relief sought.

Section 2. That the water district extension as requested in said petition be and the same is hereby established and the boundaries of such water district extension as hereby established are hereby determined to be all those lands situated in the Town of New Paltz, County of Ulster, State of New York,

bounded and described on “Attachment 1 (Exhibit A) – Extension 1 to Water District No. 3 Boundary Map” and “Attachment 2” (Exhibit B) – Tax Map identification and Address of Properties to be Included Within the Proposed Extension 1 to Water District No. 3” attached hereto and made a part hereof; and

Section 3. The construction and maintenance of a water system in said water district extension with necessary manholes, connections and appurtenances in accordance with the map and plan submitted with said petition and with the map, plan and report on file in the office of the Town Clerk of said Town, at a cost and upon the plan for reimbursement as stated in said petition, is hereby authorized and approved.

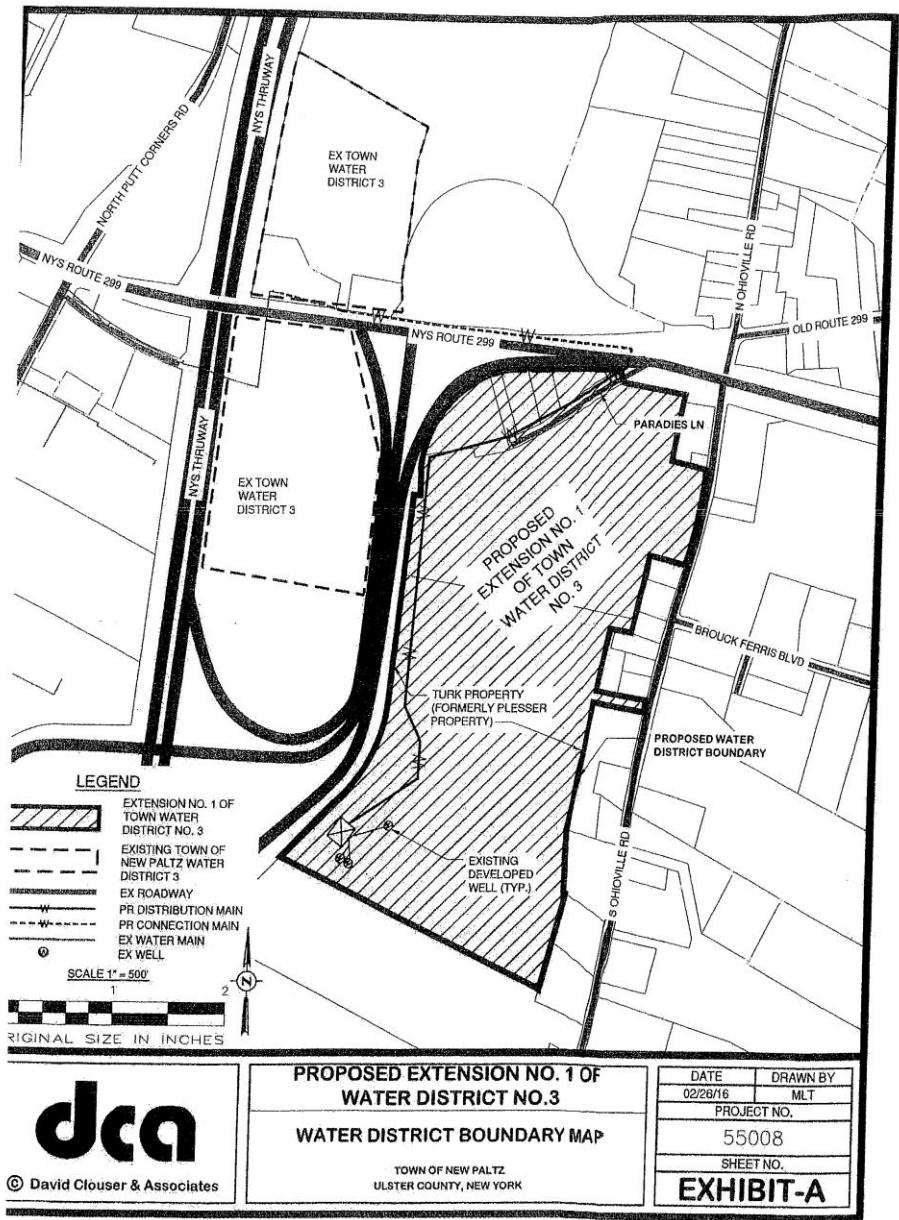
Section 4. That a certified copy of this resolution be forthwith recorded in the Office of the Clerk of the County of Ulster.

Section 5. Said Town Board hereby delegates the conduct of all further proceedings in this matter pursuant to Article 12 in Sections 237, 238 and 239 of the Town Law to the Town Board of the Town of New Paltz, acting as the Commissioners of the Water District and any and all authorization of all funds for the payment of all cost of the same shall be done only by resolution of this Town Board.

Section 6. This order shall take effect immediately.

Attachment 1 –

EXHIBIT A – Extension 1 to Water District No. 3 Boundary Map



Attachment 2 –

EXHIBIT B -Tax Map Identification and Address of Properties to be Included Within the Proposed Extension 1 to Water District No. 3

Extension No. 1 to Water District No. 3 Property List

Tax ID	Property Street Address	Post Office
86.12-5-12.310	South Ohioville Road	New Paltz, NY 12561
86.12-5-12.320	South Ohioville Road	New Paltz, NY 12561
86.12-5-6	9 Paradies Lane	New Paltz, NY 12561
86.12-5-7	7 Paradies Lane	New Paltz, NY 12561
86.12-5-8	5-6 Paradies Lane	New Paltz, NY 12561
86.12-5-9	3 Paradies Lane	New Paltz, NY 12561
86.12-5-10	1 Paradies Lane	New Paltz, NY 12561

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

Resolution-Purchase Property owned by Steve Turk:

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

RESOLVED that the Supervisor is hereby authorized and directed to sign on behalf of the Town a certain “Option and Acquisition Agreement” between Wildberry Lodge, LLC, as Optionor, and the Town as Optionee, in the form previously signed by Steven Turk, Managing Member of Wildberry Lodge, LLC on April 14, 2016 for the acquisition of a parcel of land and a water line easement for the installation of a well and necessary water mains, pipes and other improvements for the purpose of serving Extension 1 of Water District No. 3 in the Town of New Paltz.

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

Resolution-Purchase Property owned by David Roehrs:

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

RESOLVED that the Supervisor is hereby authorized and directed to sign on behalf of the Town a certain “Purchase Option Agreement” between David Roehrs as Optionor, and the Town of New Paltz as Optionee in the form previously signed by David Roehrs on April 14, 2016 for the acquisition of a parcel of land from David Roehrs located at 101 Plains Road, New Paltz, NY, consistent with the establishment of Water District No. 5 in the Town of New Paltz and it is further

RESOLVED that upon the signing of the “Purchase Option Agreement,” the payment to David Roehrs of the option amount of \$50,000 is hereby approved as an authorized prepay to be issued April 15, 2016.

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

At 8:37 p.m. a motion was made by Supervisor Bettez to adjourn the meeting. Seconded by Councilwoman Seyfert-Lillis

Respectfully Submitted,

Rosanna Mazzaccari
Town Clerk