

Town Board Meeting
April 25, 2013
7:00 p.m.

Prior to the Town Board meeting, Brenda Parks from Time Warner was present to answer any questions and concerns from the public and the Town Board.

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

At 7:32 p.m. a motion was made by Councilman Logan to open the meeting with the Pledge. Seconded by Councilman Barry, all aye votes cast, motion carried.

Agenda: +Fortis, +Discussion on Town water system, +Access Management Plan, +Donna Dietz Sewer bill. A motion was made by Councilman Barry to accept the agenda as amended. Seconded by Councilman Logan, all aye votes cast, motion carried.

Public Input:

None.

Announcements:

May 2nd, UCIDA Public Hearing on Viking Industries, 7 p.m. at Town Hall.

Town Map:

Town Engineer Dave Clouser explained that the revision to the map would include the extension of Rose Lane, a private road, to the Aqueduct and the possible addition of Antonio Lane, a private road off N. Ohioville. The Town will not maintain these roads, they will remain private.

Councilman Barry clarified that this is an attempt to rectify the problem property owners on Rose Lane have faced. They have not been able to obtain building permits to build on their lots because their properties do not abut an officially recognized roadway in the Town. Some building permits had been issued in error.

Mr. Clouser indicated that this issue needs to be referred to the Planning Board.

A motion was made by Councilman Barry to refer this matter to the Planning Board with the caveat that Stacy can add Antonio Lane with review by Dave Clouser and Stacy that all deeds are clear. Seconded by Supervisor Zimet, all aye votes cast, motion carried.

Access Management Overlay District-Discussion:

Mr. Clouser explained that this originated from the recommendation of the New Paltz Transportation and Land Use Plan. This is an effort to promote an orderly layout and use of land, to manage access from new land development to State Highways and South Putt Corners Road, to improve the efficiency of traffic and pedestrian circulation, and to ensure the safety of traffic and pedestrians. These regulations will apply to all new development projects (subdivision and/or site plan review) that are located within 400 feet of the center of a State Highway right-of-way or of the center of S. Putt Corners Rd. These regulations also apply on redevelopment projects where poor access conditions might be corrected. Mr. Clouser will work on this with the Planning Board.

Springtown Road Update:

Mr. Clouser indicated that 7 residents who want to get some additional elevation shots. This is planned for the first full week of May. Councilman Barry indicated that any additional residents between Dug and Cragwood Road who would like their property elevations established, should contact Mr. Clouser.

Discussion on Town Water System:

Supervisor Zimet indicated that the latest water & sewer rate increase has created hardships for various Town businesses. It is time for the Town to consider creating its own water system. A motion was made by Councilman Barry to authorize the expenditure of up to \$3500 to come out of the B-Fund, for Mr. Clouser to come up with the first steps in developing a plan for creating a Town water system. Seconded by Councilwoman Brown, all aye votes cast, motion carried.

Moriello Pavilion/Playground:

Supervisor Zimet indicated that the access to the playground through the pool is ADA compliant, but not from the outer area, which has to be. There are also questions about how and if to open the playground to the public when the pool is open.

Councilman Logan indicated that there are issues of safety and security with monitoring who goes in and out.

Councilwoman Brown indicated that there needs to be a clear playground policy. Supervisor Zimet suggested creating another playground.

Councilman Logan pointed out that there is a piece of land next to Town Hall that's jointly owned by the Town and Village, and it would be perfect for a playground. He suggested inviting Bill Russell to the next meeting.

Supervisor Zimet will speak to Chuck Bordino about discussing playground plans again.

Fortis Opposition Resolution:

Supervisor Zimet indicated that Central Hudson is selling its' company to a Canadian company, Fortis, Inc. The Town Board and Village Board previously passed a resolution in opposition of the merger due to serious concerns and problems.

County Legislator Hector Rodriguez indicated that the Town of Rosendale has passed a resolution to join a municipal consortium. There are other communities as well that have passed resolutions in opposition of the Fortis merger. There are significant legal issues that need to be debated and brought to light. As a result of this activism, the PSC has shifted its' position.

Dan Duthie, Esq. was present to explain to the Board that this merger is not in the best interest of the community because we are not getting anything out of this deal of significant consequence. He gave some background information about the project and the effects it will have on its' customers. The Town of New Paltz is being asked to pass a resolution to join the consortium in opposition of this merger.

Councilwoman Brown clarified that the Town Board would be hiring Mr. Duthie to represent a consortium of municipalities before the PSC.

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

Resolution to Join the Consortium in Opposition to the Fortis-Central Hudson Merger

WHEREAS, the Town Board adopted this resolution setting forth the many specific reasons it opposed the acquisition of Central Hudson by Fortis, Inc., including, but not limited to, the one-time, insufficient public benefits, the lack of investment in energy efficiency and renewable energy, the continued and increased reliance on natural gas, the failure to commit to investing in distributed generation, the loss of local control necessary for a sustainable energy infrastructure, the potential loss of both union and non-union jobs, etc.; and

WHEREAS, a Consortium of municipalities and other non-government entities, labor unions, businesses and individuals is being formed to mount a legal challenge to urge the Public Service Commission to deny the merger; and

WHEREAS, The legal opposition will consist of, but not be limited to, filing a motion requesting that the PSC hold evidentiary hearings to receive testimony and evidence on this important issue that will adversely effect New Paltz and the entire service territory of Central Hudson, and that the Administrative Law Judges presiding over Case 12-M-0192, in the interest of transparency, issue a Recommended Decision explicating in specific detail why the merger should be approved or disapproved; and

WHEREAS, the Town believes that municipalities should provide leadership in the effort to stop the merger, and

WHEREAS, the Town has decided to join that Consortium; and

WHEREAS, the Town shall contribute up to \$1500 toward the cost of the legal opposition on the condition that the Town shall be entitled to a refund of any unexpended legal funds in proportion to its’ contribution over all contributions made by all parties. The Town’s contribution is further contingent on the legal team advancing the specific interests of the Town to build a solar array project without the necessity of paying exorbitant connection fees and the interest of the Town in obtaining the financial sponsoring to remedy the flooding issues caused by the Dashville Dam.

THEREFORE, BE IT RESOLVED, that the Town of New Paltz has decided to joint the Consortium in Opposition to the Fortis-Central Hudson Merger under the terms set forth above.

Seconded by Councilwoman Brown. These funds will be paid from budget line B1420.4. All aye votes cast, motion carried.

Break at 9:30 p.m.

Moriello Pool Pump Bid:

Highway Superintendent Chris Marx and Dave Clouser reviewed the last bid that was received. Highway Superintendent Marx spoke with the bidder and there is a possibility to save some money by using labor from the Highway Department and hiring a local electrician at a lower rate.

A motion was made by Councilwoman Brown to authorize up to one half of the \$63,300 bid with a letter sent to the Village explaining the terms. Seconded by Councilman Logan, all aye votes cast, motion carried.

A motion was made by Councilman Logan to award the bid to Norberto Construction of Commack, NY in an amount not to exceed \$63,300. Seconded by Councilman Barry, all aye votes cast, motion carried.

A motion was made by Councilwoman Brown to allocate up to \$31,650 from Parkland Recreation line in the B-Fund. Seconded by Councilman Barry, all aye votes cast, motion carried.

Moriello Pool Employees:

A motion was made by Councilman Logan to approve the following list of 2013 employees at the stated rate of pay:

NAME	POSITION	RATE OF PAY	REHIRE
Adams, Ben	Lifeguard (3+)	10.70	Yes
Adams, Luke	Lifeguard (3)	10.50	Yes
Berger, Jordan	Lifeguard (3+)	10.70	Yes
Berger, Quinn	Lifeguard (2) WSI	11.50	Yes
Beveridge, Jackson	Lifeguard (2)	10.20	Yes
Beveridge, Julia	Lifeguard	10.20	Yes
Caroll, Hudson	Lifeguard	9.90	New
Carroll, Madison	Lifeguard	9.90	New
Carubia, Dayna	Lifeguard (3+)	10.70	Yes
Desmery,Owen	Lifeguard, WSI	11.20	New
Ferraro, Paul	Lifeguard (3+)	10.70	Yes
Fogarty, Aodhan P.	Lifeguard (3 WSI)	11.80	Yes
Fullam, John	Lifeguard (2)	10.20	Yes
glaser, Liana	Gate Attendant	8.40	New
Hasbrouck, Matt	Lifeguard (3+)	10.70	Yes
Hekking, Austin	Lifeguard (3) WSI	11.80	Yes
Hodgkiss, Dylan	Lifeguard (3+)	10.70	Yes
Hodgkiss, Sean P.	Head Lfgd / WSI	13.50	Yes
Ianora, Kimbrely	Lifeguard	9.90	New
LaSpada, Sarah	Lifeguard	9.90	New
Mackinnon, Julia	Lifeguard	10.50	Yes
McGluckin, Danielle	Attendant/Lifeguard (3)	10.50	Yes
Milici, Daniel	Head Lfgd / WSI	13.50	Yes
Oehler-Marx, Whitmar	Lifeguard (3) WSI	11.80	Yes
Plitsch, Thomas	Asst. Rec Specialist	7800.00	Yes
Prestia, Nicolette	Lifeguard (2)WSI	11.50	Yes
Rifkind, Mitchell	Lifeguard (2)	10.20	Yes
Russell, Alexa	Lifeguard(1)Attendant	11.50	Yes
Schwartz, Tal	Lifeguard (2) WSI	11.50	Yes

Simonson, Erik	Lifeguard (3+)	10.70	Yes
Spylios, Dominick	Lifeguard (3 WSI)	11.80	Yes
Strothenke, Mark	Lifeguard (3+)	10.70	Yes
welch, Katelyn	Lifeguard (2)	10.20	Yes

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

Moriello Pool Concessionaire:

A motion was made by Councilman Logan to award the bid to David and Teresa Dones as per the amended contract. Seconded by Councilman Barry, all aye votes cast, motion carried.

284 Agreement of Expenditure of Highway Improvement Funds:

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

AGREEMENT between the Town Superintendent of the Town of New Paltz, Ulster County, New York, and the undersigned members of the Town Board. Pursuant to the provisions of Section 284 of the Highway Law, we agree that monies levied and collected in the Town for the repair and improvement of highways, and received from the State for State Aid for the repair and improvement of highways shall be expended as follows:

1. GENERAL REPAIRS. The sum of \$67,692.75 shall be set aside to be expended for primary work and general repairs upon 57.64 miles of town highways, including sluices, culverts, guiderails and bridges having a span of less than five feet or the renewals thereof.
2. PERMANENT IMPROVEMENTS. The following sums shall be set aside to be expended for the permanent improvements of town highways:
 - a. On Old Kingston Road commencing at State Route 32 and leading to gun club road distance of 1.38 miles, there shall be expended not over the sum of \$185,466.00
Type: Asphalt Width of traveled surface: Twenty feet
Scope of Work: Full depth reclamation, Type 3 binder, nova chip top course.
 - b. On Valdine road development comprised of Valdine, Lorel, Lynn and Parker commencing at State Route 32 and leading to Valdine Road, a distance of .37 miles, there shall be expended not over the sum of \$103,333.25
Type: Asphalt Width of traveled surface: Twenty feet
Scope of Work: Full depth reclamation, Type 3 binder, Nova chip top course.
 - c. On Tiiu Dr. development comprised of Olev Dr, and Karin Ct. commencing at South Ohioville road and leading to Tiiu Dr. a distance of .42 miles, there shall be expended not over the sum of \$126,726.00
Type: Asphalt Width of traveled surface: Twenty-two feet
Scope of Work: Full depth reclamation, Type 3 binder, Nova chip top course.

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

Birch Lane Dedication:

A motion was made by Councilman Logan for the Town to accept Birch Lane as a dedicated highway in the Town of New Paltz, and that it be included on the official Town Map. Seconded by Councilman Barry, all aye votes cast, motion carried.

UC Arson Task Force Van parking:

Tabled.

Towing Law:

More clarification is needed. Supervisor Zimet will check on the process and see if Joe Moriello has had a chance to review the revisions. This will be put on the agenda for next month.

Parades & Events:

Waiting to hear back from the subcommittee.

July 4th Update:

Supervisor Zimet indicated that we still need more sponsors. The County has given us July 6th.

Website Update:

Carol Connolly and the Town Clerk have been working to create the new site. The old site is still up but in maintenance mode due to the newest virus attack.

Fire Contract:

Tabled until next month so Councilwoman Gallucci can be present.

Fuel Agreement with SUNY:

Tabled.

Donna Dietz Sewer Bill:

The Town Board decided not to waive any portion of her bill. She will have to pay it with all the appropriate finance charges.

Court Officer:

Tabled so Judge Katz can be present.

Supervisor Zimet indicated that interviews for the part-time bookkeeper position would be held tomorrow morning.

Prepays:

A motion was made by Councilman Logan to approve the prepayment of voucher #13-00836 to the Rescue Squad in the amount of \$72,978.50 as per the signed contract. Seconded by Councilman Barry, all aye votes cast, motion carried.

Minutes:

A motion was made by Councilman Barry to accept the minutes of ***March 21, 2013*** with the following corrections:

“Police Commissioner Ira Margolis indicated the Commission recommended that the Town continue paying for the Halloween and Memorial Day parade because they are Town parades.”
Item #3 for the Village Budget should be the Rescue Squad contribution.

“Paul Brown, representing the Regatta Committee, commended the Town for funding these parades and promised to ask the Village Board to contribute its share of the expense.”
Seconded by Councilwoman Brown, all aye votes cast, Councilman Logan abstained due to his absence from the meeting. Motion carried.

A motion was made by Councilman Barry to accept the minutes of ***March 28, 2013*** as written. Seconded by Councilman Logan, all aye votes cast, Councilman Logan abstained due to his absence from the meeting. Motion carried.

Warrant:

A motion was made by Councilwoman Brown to accept the April warrant in the amount of \$304,607.28. Seconded by Councilman Logan, all aye votes cast, motion carried.

A tentative Joint Town & Village meeting will be scheduled for Tuesday, April 30th at 7:30 at Town Hall. Supervisor Zimet will invite Judge Katz to come at 7:15 to discuss the Court Officer and Court Clerk position.

At 11:25 p.m. a motion was made by Councilman Logan to adjourn the meeting. Seconded by Councilwoman Brown, all aye votes cast, motion carried.

Respectfully Submitted,

Rosanna Mazzaccari
Town Clerk