

**Public Hearing-Ethics Law, 7 p.m.
Public Hearing-Access Management Law, 7:15 p.m.
Town Board Meeting
June 26, 2014**

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

At 7:03 p.m. Councilwoman Gallucci made a motion to open the public hearing on Ethics. Seconded by Councilman Jeff Logan, all aye votes cast, motion carried.

Ethics Law-Public Comment:

Board of Ethics Chairman Alan Stout spoke in favor of the proposed law. Also present were Board of Ethics members Mary Woodburn, Therese Sibon, and prospective member Kelly O'Donnell. Phil Robbins was not able to attend.

At 7:06 p.m. Councilman Kevin Barry arrived.

Councilman Torres opened the discussion regarding whether the law provided for the public to file ethics complaints. The board discussed sections 15-15 and 15-18 of the law regarding public solicitations, and how to protect employees while holding the elected officials to a higher standard. Councilwoman Gallucci indicated that Attorney Moriello agreed that a code regarding public solicitations should be separate and not included in the Town's Ethics section. After some discussion, Supervisor Zimet noted that a second public hearing was scheduled to begin at 7:15 p.m.

At 7:14 p.m. Councilman Logan made a motion to close the public hearing on the Ethics Law. The motion was seconded by Councilman Barry. Supervisor Zimet called for discussion, which was followed by her suggestion that the public hearing remain open until after further discussion during the Town Board meeting.

Councilman Torres called for the motion to close to be recinded.

Councilman Logan recinded his motion to close the public hearing on proposed Local Law #2, based on further discussion of the proposed local law.

Councilwoman Gallucci made a motion to keep the public hearing open until after discussion during the meeting. Councilman Torres seconded, all aye votes cast, motion carried.

At 7:15 p.m. Councilwoman Gallucci made a motion to open the continuation of the Access Management Public Hearing. Seconded by Councilman Barry, all aye votes cast, motion carried.

Access Management-Public Comment:

Gail Gallerie, Chairwoman for the Transportation and Implementation Committee, spoke in favor of passing the proposed law.

At 7:25 p.m. a motion was made by Councilwoman Gallucci to keep the public hearing open until after further discussion at the Town Board meeting. Seconded by Councilman Logan, all aye votes cast, motion carried.

At 7:35 p.m. a motion was made by Councilwoman Gallucci to open the Town Board Meeting with the pledge. Seconded by Councilman Barry, all aye votes cast, motion carried.

Agenda: +Appointment to Ethics Board, +Introduction of the Resolution of Draft Local Law on Rentals and Vacant Properties.

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

New Paltz Police Lieutenant Lucchesi introduced four new part-time police officer applicants, Michael Rizzo, Eric Bernhardsen, Cesar Mazariego and Kevin Gillis and requested that the board authorize their hire.

Councilwoman Gallucci made a motion to hire the four new part-time police officers at the contracted union rate. Seconded by Councilman Logan, all aye votes cast, motion carried.

Part time police officers Eric Bernhardsen, Cesar Mazariego, Michael Rizzo, and Kevin Gillis were sworn in by Deputy Town Clerk Diann Lee.

Public Comment:

Joe Bergstein representing EnCB, read a statement regarding a proposed town rule to eliminate the use of antimicrobial soaps and other toxins from use in the town buildings and residences. Suggested elimination for use in the residential community of the town.

Supervisor Zimet acknowledged full support and requested that a copy of his statement be posted on the ENCB website. Councilman Logan suggested that Mr. Bergstein meet with the Town Board to review data sheets of the products currently in use in order to assist with the transition away from harmful products. Supervisor Zimet noted that Highway Superintendent Chris Marx would need to be included in the transition process. Mr. Bergstein agreed to call and arrange a meeting.

Everett Payne inquired as to the effect of the antimicrobial products etc. on cows and their milk. Mr. Bergstein indicated it would negatively impact the milk.

Ira Margolis commented that after speaking with Fred Van Nostrand, he became aware that the town was seeking to offer a second weekly meal for seniors. He expressed his gratitude to the Senior Citizen Advocate and also to Supervisor Zimet for the program and their efforts. Supervisor Zimet acknowledged full support of the program but noted that the County Executive Office deserves the credit for coordinating the program with Senior Citizen Advocate/Coordinator Kathy Puglisi.

Mr. Margolis also requested that the Town reinstate the Diabetes Program. Supervisor Zimet assured him that the Town is working to do so, and to include many other programs as well.

Announcements:

Supervisor Zimet announce that the Town Hall will be closed on July 25 for Records Management Day, to allow Town Departments to continue working on their Records Management Program.

Supervisor Zimet announced that the official New Paltz 4th of July celebration will take place on Saturday, July 5, 2014 at 5 p.m. at the Ulster County Fairgrounds.

Councilman Logan announced that Moriello Pool will be open full-time as of June 27, 2014, with all amenities functioning optimally. He thanked Chris Marx and Bill Russell for all the hard work that they, together with his own efforts, made this opening possible.

Ethics Law Discussion and Appointment:

Councilman Torres questioned and expressed doubt that the law would prevent an average citizen with a valid ethics inquiry from being able to present the concern.

The discussion focused on Section 15-18, paragraph (i). The Town Board discussed re-wording paragraph (i).

Councilman Logan made a motion to close the public hearing, subject to accepting additional written comments made by the public within 14 days. Seconded by Councilman Barry, all aye votes cast, motion carried. Supervisor Zimet indicated this will be on the agenda for a July meeting.

A motion was made by Councilman Barry to approve the appointment of Town employee Kelly O'Donnell to the Board of Ethics, to fill a vacancy for a 5-year term that will expire 12/18. Seconded by Councilman Torres, all aye votes cast, motion carried.

Access Management Discussion:

Councilman Logan invited Gail Gallerie to answer some questions regarding the Access Management Law.

Councilman Barry asked her to briefly describe what in the amendment was critical for moving forward with the planning process in the future, including the basic principles behind the amendment. She indicated that the basic principals had to do with the multi-faceted approach to traffic management and land use. By more rationally planning for access to major roads, having to do with things like where driveways are placed, or if they're shared, there potentially could be

connectivity in certain areas. There could be multiple impacts that would deal with issues of traffic flow itself, and of the safety of all the users of our roads.

Councilman Barry indicated that future development and plans will be subject to a different set of rules than plans submitted in the past.

Attorney George Lithco spoke in support of the law, which for example, would allow regional traffic flow from the NYS Thruway directly to a particular property.

Town Board discussion with Gail Gallerie and Attorney Lithco. Supervisor Zimet read aloud a letter from the Ulster County Planning Board, where it indicated it did not have any issues with, and commends the Town for the development of a new site development plan standards and associated Access Management guidelines. However, it does believe that the site development process would be more transparent and easier for applicants to navigate the review process if the standards are easily found within the law as opposed to a second document.

A motion was made by Councilman Torres to continue the public hearing on the Access Management Law on July 17, 2014 at 7 p.m. after receiving an expert traffic opinion from a traffic engineer. Seconded by Councilman Barry, all aye votes cast, motion carried.

Alpenaster Escrow-Black Creek Crossing/Evergreen Lane:

The Town Board has already approved giving the escrow money back and approved holding 10% of the performance bond for a year. Al Wegener, Landscape Consultant for the Town is recommending that the Town retain the Performance Funds currently held, for a period of two (2) years, in lieu of the one (1) year requirement as set by the Planning Board. The recommendation is to ensure that should the trees not survive and the developer fails to replace them, the Town will have the funds to do so.

A motion was made by Councilwoman Gallucci approve the recommendation by Al Wegener to retain the performance funds for two (2) years instead of one (1). Seconded by Councilman Barry, all aye votes cast, motion carried.

MOU DMV Room Rental:

A motion was made by Councilman Logan motion to approve the Rental Agreement. Seconded Councilman Barry, all aye votes cast, motion carried.

Parade/Events

Councilman Barry informed the board that his office has made a simplified one page, front and back form for parade/event applications. He has forwarded it to Trustee Sally Rhoads who has approved the revisions. He said that he will circulate copies of the form to the board for its approval or changes.

NPCSD and Camp Transportation Contract:

The contract shall include three summer camp bus drivers: Vivian Figueroa, Angela Schirko and Robert Rauch at the rate of pay of \$26.00 per hour. A motion was made by Councilman Barry to authorize the Supervisor to sign the contract and approve the list of drivers. Seconded by Councilman Torres, all aye cast, motion carried.

RRA Solid Management Proposal:

Supervisor Zimet invited our County Legislators to follow up on the Board's discussion from a previous meeting relative to proposed rate increases for Towns. However they were unable to attend.

Developer's Agreement- Special Meeting:

Tabled.

Acceptance of Minutes:

A motion was made by Councilwoman Gallucci to accept the minutes of **June 19, 2014**. Seconded by Councilman Logan, all aye votes cast, motion carried.

Budget Modification:

A motion was made by Councilwoman Gallucci to move \$9,972.25 from A-Fund Balance back to Parkland Reserve Fund. Seconded by Councilman Logan, all aye votes cast, motion carried.

Resolution Introducing Local Law and Providing for Public Notice and Hearing:

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

BE IT RESOLVED that an introductory Local Law, entitled, "Registration and Maintenance of Vacant and Rental One-and Two-Family Residential Properties" be and it hereby is introduced by Councilwoman Gallucci, before the Town Board of the Town of New Paltz in the County of Ulster, and State of New York, and

BE IT FURTHER RESOLVED that copies of the aforesaid proposed local law be laid upon the desk of each member of the Board, and

BE IT FURTHER RESOLVED that the Board hold a public hearing on said proposed local law at the Town Hall, 1 Veterans Drive, New Paltz, New York at 7:15 p.m. on July 17, 2014, and

BE IT FURTHER RESOLVED that the Clerk publish or cause to be published a public notice in the official newspaper of the Town of New Paltz of said public hearing at least five (5) days prior thereto.

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

At 9:30 p.m. a motion was made by Councilman Logan to go into executive session for the purposes of discussing litigation brought upon the lawsuit filed by Wilmorite, GOSHAWK, LLC (a wholly owned subsidiary of the SUNY Foundation) and Michael and Jean Moriello against the Town; as well as the Teamsters Contract. Seconded by Councilman Barry, all aye votes cast, motion carried. Attorney George Lithco and Highway Superintendent Marx were invited in.

At 11:15 p.m. a motion was made by Councilman Logan to come out of executive session with no action taken. Seconded by Councilman Barry, all aye votes cast, motion carried.

At 11:16 p.m. a motion was made by Councilman Logan to adjourn the meeting. Seconded by Councilman Barry, all aye votes cast, motion carried.

Respectfully Submitted,

Diann Lee
Deputy Town Clerk