

Village of New Paltz Board of Trustees

Regular Meeting Village Hall
September 25, 2002 - 7:30PM

Members Present: Mayor Thomas Nyquist
Trustee Robert Hebel
Trustee Thomas Cotton
Trustee Robert Feldman
Trustee Ruth Elwell

Also Present: Supervisor Don Wilen
Polly Purington, Deputy Clerk – Treasurer

PUBLIC HEARING 7:30PM

LOCAL LAW AMENDING THE ZONING LAW
IN REGARD TO RESIDENTIAL USES IN THE B-2
CORE BUSINESS ZONING DISTRICT
IN THE VILLAGE OF NEW PALTZ

Mayor Nyquist opened the public hearing at 7:30pm.

Trustee Elwell stated that this change to the zoning law is to change an inconsistency in the law. It is to allow no more than three bedroom apartments in the core business district. The change is consistent with current planning ideas.

Trustee Feldman moved, seconded by Trustee Hebel to close the public hearing at 7:34pm. Ayes 5 Motion approved.

PUBLIC HEARING
7:45PM
LOCAL LAW AMENDING WATER SERVICE CHARGES
IN THE VILLAGE OF NEW PALTZ

Don Wilen read a letter into the record that he had written to the Mayor. (See attached)

Trustee Hebel stated that the Village DPW has to go out and inspect new hook-ups in the Town. Supervisor Wilen stated that as far as he knew there had never been any complaint against a Town employee involving a hook-up. Trustee Cotton would like to know if there is a reason for the Village to have to certify the Town's work.

Mayor Nyquist moved to extend the public hearing to the next meeting of the Village Board, October 9, 2002. The motion was seconded by Trustee Cotton. Ayes 5 Motion approved.

ADOPTION OF MINUTES

Trustee Feldman made a motion, seconded by Trustee Hebel, to approve the minutes of 9/11/02 as written. Ayes 5 Motion approved.

COMMITTEE REPORTS

College Town/Gown – Mayor Nyquist stated that most of the meeting regarded housing for the students both on and off campus. The non-owner occupied housing in the Village appears to be slowly turning back into owner occupied. Several of the existing apartment complexes are no longer taking students. There will certainly be a crunch for students for housing. The mayor suggested the students set up a sub-committee to study housing problems.

Garry Thomsen – Mayor Nyquist stated that the Village has reached an agreement with Garry Thomsen and that he is no longer employed by the Village as of September 20, 2002.

Personnel – Trustee Hebel made a motion to change Crystal Kortright's pay from \$11.48 an hour to \$11.98 retroactive to date of hire (8/26/2002) thereby waiving the provision in the union contract of \$.50 per hour less for new hires with less than one years experience. Ayes 5 Motion approved.

Central Hudson – Trustee Hebel stated that the trees to be planted by Central Hudson have not been planted due to the drought.

Quality of Life Issues – Trustee Feldman stated that both properties on Church Street are significantly better than they were.

Shingebiss Associates – Shingebiss is going to apply for a grant from the NYS Energy Research Development Authority for conversion to electricity of methane gas at the WasteWater Treatment Plant.

Weeds in Sidewalks – Trustee Hebel stated that he had been in contact with the Eastern Correctional Facility to request workers to remove weeds from around parking meters and between sidewalks.

Waste Water Treatment Plant – Trustee Hebel made a motion, seconded by Trustee Feldman to replace a chain in the grit chamber at the WasteWater Treatment Plant at a cost of \$1600.00. Ayes 5 Motion approved.

Brinnier and Larios – Trustee Hebel stated that Brinnier and Larios is going to draw up an emergency plan to bring water from the Wallkill River to the Water Treatment Plant.

DPW – Trustee Hebel made a motion, seconded by Trustee Feldman to approve the expenditure of \$775 for 30 yards of wood chips to be used in the Children’s Playground at Hasbrouck Park. The money to be deducted from the Ulster County Youth Bureau Grant. Ayes 5 Motion approved.

SUNY – Trustee Hebel stated that the college has requested the use of Hasbrouck Park on October 3, 2003 for the 175th Anniversary Party. They also want to have a Candlelight March to the three original sites of the college on April 19, 2003. Mayor Nyquist feels the Village should do some bargaining with the college as they seem to want to use Village facilities for their events.

ZBA – The variance for Toscani’s has been approved.

Tricor Avenue – Parties at student rentals are out of hand again. The police are doing nothing, there have been no arrests. Anytime a student rental is involved the campus police should be notified. Trustee Elwell feels our noise ordinance needs to be changed. Possibly, use the Hyde Park law that is nuisance based.

Photo Exhibit – Kathy Healey wants to have an Open Space Photo Exhibit at Village Hall.

Trustee Elwell made a motion, seconded by Trustee Hebel to allow a photo exhibit at Village Hall for a period of two months from the date of the opening.
Ayes 5 Motion approved.

Joint Meeting – There will be a Joint Meeting at Town Hall on October 10, 2002.

La Stazione – The DPW has finished the drainage work along the Rail Trail behind La Stazione. The only thing waiting to be done is to hook into La Stazione’s drainage when their work on their property is done.

Arborist Contract – The Tree Commission and Bleu Terwilliger (Acting Superintendent of Public Works) will review the Arborist Contract.

Gardens for Nutrition – The Arbor Day Foundation has grants for 300 tree seedlings. The Gardens will discuss with the Shade Tree Commission the possibility of putting aside a fenced in area to grow them in.

Historical Commission – They have begun the process of designating two properties. (Don Martins and Elting Memorial Library).

Police Commission – Trustee Feldman stated that the Town is going to have a public hearing on expanding the police commission from three to five members.

Police – The police have problems with no left turns from our lower parking lot and from Tricor to Hasbrouck.

Town – The Town needs an evaluation of computer needs. Perhaps there is a way of working with the Town on problems.

COMMUNICATIONS

1. Letter, J. Philip Zand, September 6, 2002 Re: Daniel Coleman

RESOLUTION RELATING TO MEDICAL DISABILITY OF VILLAGE EMPLOYEE

Resolution introduced by Trustee Feldman
and seconded by Trustee Hebel

WHEREAS, the Acting Superintendent of Public Works has reported to the Board of Trustees concern about the ability of Daniel J. Coleman to perform the duties required of a Municipal Worker II in the Department of Public Works because of frequent absences for health-related reasons; and

WHEREAS, Civil Service Law Section 72(1) authorizes the Board to require an employee to undergo a medical examination to be conducted by a medical officer selected by the Board when in its judgement the employee may be unable to perform the duties of his position by reason of disability; and

WHEREAS, the Board of Trustees has determined that Riverfront Medical Services, P.C. of Poughkeepsie, New York is particularly suited to perform an examination of the employee to determine his fitness for continued service to the Village;

NOW, THEREFORE, be it

RESOLVED, that Daniel J. Coleman be directed to attend at Riverfront Medical Services, PC, 69 West Cedar Street, Poughkeepsie, New York at a date and time to be designated for medical examination to determine whether the cause of his frequent absences from work on sick leave can be deemed work related and whether his condition is such to preclude his further service in the Department of Public Works of the Village of New Paltz. Ayes 5 Motion approved.

2. Letter, Brinnier and Larios, September 12, 2002 Re: Change Order #2 Furnishing and Installing Fuel Storage.

Trustee Feldman made a motion, seconded by Trustee Hebel to approve Change Order #2 VNP-021 Ira Conklin and Sons in the amount of \$3000.

Ayes 5 Motion approved.

3. Letter, Water Street Market, September 20, 2002 Re: Use of Hay Wagon Rail Trail.

Trustee Elwell stated that the Rail Trail has been consulted. George Danskin is comfortable with the idea. Trustee Hebel and Mayor Nyquist and Trustee Cotton are concerned that to allow the use of any motorized vehicle on the Rail Trail will open the Village to a myriad of requests.

Trustee Feldman made a motion, seconded by Trustee Elwell to approve Water Street Market operating a small gas powered tractor, with hay cart on the Rail Trail, on October 13, 2002 between 11:00am and 6:00pm. Ayes 5 Motion approved.

4. Letter, Brinnier and Larios, September 20, 2002 Re: Approval VNP-023 Pencil Hill Road.

Trustee Feldman made a motion, seconded by Trustee Hebel, to award the bid for water main installation on Pencil Hill Road to Roehrs Construction for a total of \$73,850.00. Ayes 5 Motion approved.

5. Letter, Bleu Terwilliger, Re: Fall Clean-up.

Mayor Nyquist wants the DPW's telephone number added to the notice.

Trustee Elwell made a motion, seconded by Trustee Cotton to approve annual leaf pick-up for the Village starting on November 4, 2002 for a two week period.

Ayes 5 Motion approved.

6. Letter, Town of New Paltz, September 18, 18, 2002 Re: Community Center

Mayor Nyquist feels that the Town and Village can have an agreement with a change to paragraph five (attached).

Mayor Nyquist made a motion, seconded by Trustee Feldman, to agree to the amendment to paragraph five. Ayes 5 Motion approved.

Trustee Feldman made a motion, seconded by Trustee Hebel, to allow the Mayor to sign the intermunicipal agreement on behalf of the Village.

Ayes 5 Motion approved.

Supervisor Wilen stated that Attorney (Town) Moriello had a problem with the wording on the amendment. Mayor Nyquist stated that the Village Board has approved the amendment and lawyers can't change it.

Mayor Nyquist made a motion, seconded by Trustee Hebel to approve the intermunicipal agreement between the Town and Village.
Ayes 5 Motion approved. Resolution attached.

7. Letter, Isabella's Treasures, September 20, 2002 Re: Sign Permit

Trustee Elwell spoke to the Planning Board Attorney Drayton Grant. The law clearly states a public hearing must be held. Thinks we are being advised to break our own law. We haven't scheduled any public hearing.

Mayor Nyquist made a motion to schedule a public hearing on your sign and any others that may come before the board for the next meeting. Died for lack of a second.

Trustee Cotton feels we are stumbling on our own words. Mayor Nyquist feels that this suffices as a public hearing.

Trustee Hebel made a motion, seconded by Trustee Cotton to approve the application for a sign for Isabella's Treasures. Ayes 5 Motion approved.

8. Letter, Bleu Terwilliger, September 20, 2002 Re: DPW

Informational

9. Letter, Central Hudson, May 23, 2002 Re: Extending Natural Gas Rail Trail

Table until Central Hudson reappears.

10. Letter, Bleu Terwilliger, September 20, 2002 Re: Alternate Side Parking

Mayor Nyquist stated that he will go out and check these streets and come back to the board with a report. Memo suggested making the following streets alternate side of street parking.

Prospect Street, John Street to HW DuBois
Millrock Road, Main to John Street
North Oakwood Terrace, Main to John Street
Grove Street, Main to John Street
Church Street, North Front to Broadhead Avenue

11. Letter, J. Philip Zand, September 23, 2002 Re: Wallkill River Launch Sites

RESOLUTION INTRODUCING A LOCAL LAW
ESTABLISHING REGULATIONS REGARDING
THE LAUNCHING OF WATERCRAFT ON THE WALLKILL RIVER
IN THE VILLAGE OF NEW PALTZ

Resolution introduced by Trustee Elwell
and seconded by Mayor Nyquist

WHEREAS, the Board of Trustees of the Village of New Paltz is concerned regarding the discharge or leakage of gasoline or other fuel or lubricants in to the Wallkill River particularly in light of the recent establishment of several points of access to the river for public recreational use; and

WHEREAS, the Board of Trustees deems it appropriate to prohibit the launching of gasoline – powered boats or other vehicles or recreational equipment onto the Wallkill River from any public park or launch site within the incorporated boundaries or under the jurisdiction of the Village. The penalty for violation, as set forth in §44.50 of the Municipal Code, is a fine of not more than \$250 or imprisonment for up to 15 days.

NOW, THEREFORE, be it

RESOLVED, that there is hereby introduced to the Board of Trustees of the Village of New Paltz a local law to amend provisions of Chapter 44 of the Municipal Code for the purpose of providing regulations regarding the launching of gasoline – powered vehicles into the Wallkill River in accordance with the text of the proposed local law annexed hereto; and be it further

RESOLVED, that a public hearing on the adoption of this local law shall be conducted by the Board of Trustees of the Village of New Paltz, 25 Plattekill Avenue, New Paltz, New York, on the 9th day of October, 2002 at 7:30pm to give all persons interested the opportunity to be heard; and be it further

RESOLVED, that the Village Clerk shall cause notice of the introduction of this local law and of the public hearing to be held thereon to be published once in the official newspaper of the Village of New Paltz and a copy thereof to be furnished to the Town Clerk of the Town of New Paltz, the Chief of Police of the Town of New Paltz Police Department, the Ulster County Sheriff and the New State York Police.
Ayes 5 Motion approved.

RESOLUTIONS

1. Risely and Moriello. Conveyance of Easement Lands of Tre Gemelli

Tabled

2. BILLS AND CLAIMS

Mayor Nyquist made a motion, seconded by Trustee Elwell, to approve the bills and claims as audited by the Finance Committee. Ayes 5 Motion approved.

	Abstract #8	
	Voucher # 34497-34551	
	A	36,873.42
	F	16,040.38
	G	5,761.42
	T	10,362.70
Total		69,037.92

3. WATER SERVICE AGREEMENT

Trustee Hebel made a motion, seconded by Trustee Feldman, to approve the Water Service Agreement (attached) Ayes 5 Motion approved.

Resolution Approving a Local Law Amending Water Service Charges in the Village of New Paltz

Tabled

Executive Session

Trustee Feldman made a motion, seconded by Mayor Nyquist, to go into executive session at 9:30pm. Ayes 5 Motion approved.

Trustee Feldman made a motion, seconded by Trustee Elwell, to go out of executive session at 9:55pm. Ayes 5 Motion approved.

Trustee Elwell made a motion, seconded by Trustee Hebel, to hire Attorney Laura Zeisel to work on housing regulations for the Community Development and Revitalization Committee. Ayes 4 Abstain 1 (Trustee Feldman) Motion approved.

Adjournment

Trustee Hebel made a motion, seconded by Trustee Feldman to adjourn the meeting at 10.00 p.m. Ayes 5 Motion approved.

Polly Purington
Deputy Clerk – Treasurer