



Town Board Regular Meeting

Tuesday, March 19, 2024

This regular meeting was held in person and began at 6:00pm

CALL TO ORDER

Supervisor Parete called the meeting to order at 6:00pm and Councilman Hunt lead the Pledge of Allegiance.

ROLL CALL

Town Clerk Moody took roll call:

Supervisor Parete – Present

Councilwoman Foote – Present

Councilman Davenport – Absent

Councilman Tim Hunt – Present

Councilwoman Van Benschoten – Present (After taking the Oath of Office)

Also, Present: Heather Moody; Town Clerk/Tax Collector

Supervisor Parete introduced Mary Ann Van Benschoten as the newest Town Board member and then swore her in by reading the Oath of Office.

MEETING MINUTES:

Councilman Hunt made a motion, seconded by Councilwoman Foote to approve the meeting minutes from 3/5/2024 3-0 Aye; 1 absent; 1 abstain (not at 3/5/24 meeting) motion carried.

APPROVAL OF VOUCHERS & AMENDMENTS

Town Clerk Moody stated there were no amendments from the 3/5/2024 vouchers.

Town Clerk Moody submitted the following vouchers for approval:

<u>3/19/2024</u>	<u>Vouchers</u>	<u>Total Payment</u>
General Fund	V#149-186	\$53,887.36
Highway Fund	V#59-72	\$14,310.22
High Falls Water District	V#30-38	\$14,282.54
RMC	V#24-43	\$22,705.30
Marbletown Fire Protection District #1	V#	\$
Community Preservation Fund	V#7	\$4,000.00

A motion was made by Councilman Hunt and Seconded by Councilwoman Foote to approve these vouchers.

Councilman Davenport	Voting <u>Absent</u>
Councilwoman Foote	Voting <u>Aye</u>
Councilman Hunt	Voting <u>Aye</u>
Supervisor Parete	Voting <u>Aye</u>
Councilwoman Van Benschoten	Voting <u>Aye</u>

4-0; 1 absent, motion carried.

PUBLIC COMMENT:

- No public comments on the resolutions for this meeting.

PUBLIC HEARING ON THE PROPOSED LOCAL LAW TO AMEND CHAPTER A207 YOUTH AND RECREATION COMMISSION BYLAWS

- At 6:05pm a motion was made by Councilman Hunt seconded by Councilwoman Foote to open the public hearing on the proposed Local Law to Amend Chapter A207 Youth and Recreation Commission Bylaws. 4-0 Aye, 1 absent, motion carried.
- Supervisor Parete stated Town Clerk Moody had legally noticed the public hearing in the Daily Freeman on Saturday March 9, 2024. The legal notice as also posted on the town website and the Town Clerk's Community Board.
- Supervisor Parete stated the original law that was passed in 2023 had 7 members and there was a lot of interest in the commission they made the decision to change the number of members from 7 to 9.
- At 6:07pm there being no comments or questions on the proposed local law to amend chapter A207 Youth and Recreation Commission Bylaws, Councilwoman Foote made a motion seconded by Councilman Hunt to close the public hearing on the proposed local law to amend Chapter A207 Youth and Recreation Commission Bylaws. 4-0 Aye, 1 absent motion carried.

RESOLUTION #44-2024; APPOINTMENT TO TOWN BOARD

The following Resolution was offered by Councilwoman Foote and seconded by Councilman Hunt

WHEREAS, the Town Marbletown has a vacancy on the Town Board, and

WHEREAS, seven qualified electors notified the Town Clerk in writing of their interest in serving on the Town Board, and

WHEREAS, pursuant to Town Law 64 (5), the Town Board of the Town of Marbletown, by a majority vote thereof, has the authority to appoint a qualified person to fill the vacancy until December 31, 2024; and

WHEREAS, the pursuant to Town Law 64 (5), the vacant seat will be subject to an election to fill the unexpired term at the general election in 2024; and

WHEREAS, Mary Ann Van Benschoten has expressed an interest in serving on the Town Board, and

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Marbletown appoint Mary Ann Van Benschoten to fill the position of Town Councilmember for a term to expire December 31, 2024.

The question of the adoption of the foregoing Resolution was duly put to a vote on roll call which resulted as follows:

Councilman Davenport	Voting <u>Absent</u>
Councilwoman Foote	Voting <u>Aye</u>
Councilman Hunt	Voting <u>Aye</u>
Supervisor Parete	Voting <u>Aye</u>
Councilwoman Van Benschoten	Voting <u>Abstain</u>

3-0; 1 absent, 1 absent; Resolution #44-2024 was thereupon adopted.

- Supervisor Parete explained that they had quite a few good applicants and Councilwoman Foote and Councilman Davenport met with all the candidates before deciding to offer the position to Mary Ann Van Benschoten. The term will expire on 12/31/24 and the position will be on the ballot in November.

RESOLUTION #45-2024; AMENDING CHAPTER A207 YOUTH AND RECREATION COMMISSION BYLAWS OF THE TOWN OF MARBLETOWN CODE

The following Resolution was offered by Councilwoman Van Benschoten and seconded by Councilman Hunt **WHEREAS**, The Town Board of the Town of Marbletown wishes to amend the current Code Chapter A207 YOUTH AND RECREATION COMMISSION BYLAWS of the TOWN OF MARBLETOWN CODE; and **WHEREAS**, pursuant to §617(c)(26) & (33) of SEQRA, a Type II action includes “routine or continuing agency administration and management, not including new programs or major reorder of priorities” and the “promulgation of regulations, policies, procedures, and legislative decisions in connection with any Type II action” and,

WHEREAS, the Town Board has determined that amending Chapter A207 of the Code of the Town of Marbletown is a Type II action, which requires no further action pursuant to SEQRA.

NOW THEREFORE BE IT RESOLVED that the Town Board hereby held a public hearing on the 19th day of March 2024, at 6:00 p.m. at the Rondout Municipal Center, 1925 Lucas Ave Cottekill NY 12419 to consider adopting Local law No. 2 of 2024, amending the Code of the Town of Marbletown, Chapter A207 Youth and Recreation Commission Bylaws.

The question of the adoption of the foregoing Resolution was duly put to a vote on roll call which resulted as follows:

Councilman Davenport	Voting <u>Absent</u>
Councilwoman Foote	Voting <u>Aye</u>
Councilman Hunt	Voting <u>Aye</u>
Supervisor Parete	Voting <u>Aye</u>
Councilwoman Van Benschoten	Voting <u>Aye</u>

4-0; 1 absent; Resolution #45-2024 was thereupon adopted.

- Councilman Hunt said all the people that were interested in being on the commission each brought something new and interesting to the table. Hunt also added a big thank you to everyone who wants to help.
- Councilwoman Foote stated there will be a lot for this commission to do and they are going to suggest Jill McLean, Youth and Recreation Director, start looking into some grants.

RESOLUTION #46-2024; APPOINTING MEMBERS TO THE PARKS, TRAILS, AND RECREATION COMMITTEE

The following Resolution was offered by Councilman Hunt and seconded by Councilwoman Foote **WHEREAS**, the Parks, Trails, and Recreation Committee was adopted by the Town Board of the Town of Marbletown on December 5, 2023, and amended on March 19, 2024, and

WHEREAS, the Town Board feels recreation is vital to the social and economic sustainability of our community, and

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Marbletown appoint the following members to the Marbletown Park, Trails, and Recreation Committee, Juliette Daniels Stokes, Kathy Hikade, and Sumedha Senanayake terms ending 12/31/2024. Nancy Plumer, Wendy Saul, and Gail Wikane for terms ending 12/31/2025 and Amy Holiday, Klay Stack, and Christopher Fanjul for terms ending December 31, 2026.

The question of the adoption of the foregoing Resolution was duly put to a vote on roll call which resulted as

follows:

Councilman Davenport	Voting <u>Absent</u>
Councilwoman Foote	Voting <u>Aye</u>
Councilman Hunt	Voting <u>Aye</u>
Supervisor Parete	Voting <u>Aye</u>
Councilwoman Van Benschoten	Voting <u>Aye</u>

4-0; 1 absent; Resolution #46-2024 was thereupon adopted.

- Supervisor Parete explained that all future appointments will be 3-year terms and there will be staggering terms. Parete added that Councilman Hunt is the town board liaison for this committee.
- Supervisor Parete asked the committee members that were in the audience to stand up and Chris, Clay, Juliette and Wendy all stood up.

RESOLUTION # 47-2024; § 617.12(b) STATE ENVIRONMENTAL QUALITY REVIEW (SEQR) RESOLUTION AUTHORIZING FILING OF NEGATIVE DECLARATION

The following Resolution was offered by Councilwoman Van Benschoten and seconded by Councilwoman Foote

Name of Action: Town of Marbletown 2024 Town Plan Update

WHEREAS, the Town Board of the Town of Marbletown is the SEQR Lead Agency for conducting the environmental review of proposed amendments to the 2005 Town Plan, Town of Marbletown, Ulster County, New York, and

WHEREAS, the Town Board classified the action as a Type I action on January 16, 2024, and

WHEREAS, there are no other involved or Federal agencies pursuant to SEQR, and **WHEREAS**, the Town Board has reviewed the Full Environmental Assessment Form

(EAF) for the action, including the Part 1, Part 2, and Part 3 dated 12/21/23, 2/15/24, and 2/28/24 respectively, the probable environmental effects of the action against the Criteria For Determining Significance found in NY-CRR 617.7.c, and has considered such impacts as disclosed in the EAF.

NOW THEREFORE BE IT RESOLVED, that the Town Board adopts the findings and conclusions relating to probable environmental effects contained within the attached EAF and Negative Declaration and authorizes the Supervisor to execute the EAF and file the Negative Declaration in accordance with the applicable provisions of law, and

BE IT FURTHER RESOLVED, that the Town Board authorizes the Supervisor to take such further steps as might be necessary to discharge the Lead Agency's responsibilities on this action, including the filing of the Negative Declaration in accordance with NYCRR 617.12(c) (1) and publication of a Notice of Adoption of a Negative Declaration for a Type I action in the New York State Environmental Notice Bulletin.

The question of the adoption of the foregoing Resolution was duly put to a vote on roll call which resulted as follows:

Councilman Davenport	Voting <u>Absent</u>
Councilwoman Foote	Voting <u>Aye</u>
Councilman Hunt	Voting <u>Aye</u>
Supervisor Parete	Voting <u>Aye</u>
Councilwoman Van Benschoten	Voting <u>Aye</u>

4-0; 1 absent; Resolution #47-2024 was thereupon adopted.

RESOLUTION #48-2024; FOR ADOPTION OF AMENDMENTS TO THE TOWN COMPREHENSIVE PLAN

The following Resolution was offered by Councilwoman Foote and seconded by Councilman Hunt

WHEREAS, in 2023 the Town Board of the Town of Marbletown determined that the Marbletown New York Town Plan (the Comprehensive Plan) adopted on January 18, 2005, was in need of a periodic review as recommended on page 13 of said Comprehensive Plan; and

WHEREAS, the periodic review followed a series of recommendations made by the Marbletown Housing Committee on March 21, 2023, to provide greater support for allowing housing that meets the full economic range of the Town's population, as recommended by the 2005 Comprehensive Plan, and to promote long term stability of the housing market in Marbletown; and

WHEREAS, the Town Board contracted with GREENPLAN Inc., a professional planning firm to assist it in undertaking its work including attending Housing Committee meetings and assisting in the preparation of responsive draft documents to be presented as amendments to the Town's Comprehensive Plan; and

WHEREAS, after the Town Board's review of the Comprehensive Plan was completed by the end of 2023 and acting on the Housing Committee's recommendations, the Board's own judgment, the Town planner's recommendations, and the need to address the protection of natural and cultural resources in a manner that does not detract from residents vision as expressed in the Town Plan for "Marbletown to remain a quiet and peaceful place, rich in local history and surrounded by natural beauty and open space," responsive amendments to the 2005 Comprehensive Plan have now been prepared; and

WHEREAS, the Town Board directed the preparation of a SEQR Full Environmental Assessment Form to address the proposed amendments to the Comprehensive Plan; and

WHEREAS, on January 16, 2024, the Town Board declared itself to be Lead Agency under SEQR, and circulated the proposed Full EAF and Comprehensive Plan Amendments to various interested agencies including the Ulster County Planning Board and the Town Planning Board for comment; and

WHEREAS, the Town Board held a public hearing on the Comprehensive Plan Amendments to assure full opportunity for citizen participation in the preparation of such proposed Amendments on February 6, 2024, which was closed; and

WHEREAS, the Town Board discussed comments received from the public received at the public hearing as well as comments received from the Planning Board and carefully considered such comments in its deliberations, a

WHEREAS, the Town Board held an additional public hearing on the proposed Comprehensive Plan Amendments on February 20, 2024; and

WHEREAS, after discussion at its March 19, 2024, meeting, the Town Board adopted a SEQR Negative Declaration in connection with the Proposed Comprehensive Plan Amendments; and

WHEREAS, the Town Board has considered all comments received both verbally and in writing as part of the public hearings process, together with all other documents and correspondence which are a part of the record on this matter.

NOW THEREFORE BE RESOLVED, The Town Board of the Town of Marbletown hereby readopts the 2005 Marbletown New York Town Plan so that it includes the Town of Marbletown 2024 Town Plan Update Amendments, attached hereto as Attachment A, as the Marbletown New York Comprehensive Plan dated March 19, 2024; and

BE FURTHER RESOLVED THAT, The Town Board hereby directs the Marbletown New York Town Plan 2024 Update to be filed in the office of the Town Clerk and a copy thereof shall be filed in the Office of the Ulster County Planning Department.

The question of the adoption of the foregoing Resolution was duly put to a vote on roll call which resulted as follows:

Councilman Davenport	Voting <u>Absent</u>
Councilwoman Foote	Voting <u>Aye</u>
Councilman Hunt	Voting <u>Aye</u>
Supervisor Parete	Voting <u>Aye</u>
Councilwoman Van Benschoten	Voting <u>Aye</u>

4-0; 1 absent; Resolution #48-2024 was thereupon adopted.

- Councilman Hunt made a friendly amendment, seconded by Councilwoman Van Benschoten, to add on page 29, “such as use of the Community Preservation Fund or promoting local landmarking of historic properties and districts” under the Historic and Cultural Resources Goals section. 4-0, 1 absent, motion passed.
- Councilwoman Foote added that Ted Fink was the real spirit of the plan and enhancing and improving housing in the town which is consistent with design and respectful of history.
- Councilman Hunt also said Ted did a great job revising the plan and the action plan is practical.
- Supervisor Parete stated that the red line version is on the town website and the final version will be on the website later this week. Parete also reminded everyone that the plan was sent to the Ulster County Planning Board, and they made a recommendation to add more language for affordable housing and the town board agreed.

RESOLUTION #49-2024; GROUND LEASE AGREEMENT WITH SPECTRUM NORTHEAST, LLC

The following Resolution was offered by Councilwoman Van Benschoten and seconded by Councilwoman Foote

WHEREAS, Spectrum Northeast, LLC has leased real estate from the High Falls Water District since 2008, and

WHEREAS, the original lease that expired December 31, 2018, required Spectrum Northeast, LLC to pay High Falls Water District \$2,000 per month, and

WHEREAS, the new lease amendment increases rent 2% per year to December 31, 2034, and

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Marbletown authorizes the Supervisor to sign said agreement on behalf of the Town of Marbletown; and

BE IT FURTHER RESOLVED, that this resolution is contingent upon a like resolution being passed by the Town Board of the Town of Rosendale.

The question of the adoption of the foregoing Resolution was duly put to a vote on roll call which resulted as follows:

Councilman Davenport	Voting <u>Absent</u>
Councilwoman Foote	Voting <u>Aye</u>
Councilman Hunt	Voting <u>Aye</u>
Supervisor Parete	Voting <u>Aye</u>
Councilwoman Van Benschoten	Voting <u>Aye</u>

4-0; 1 absent; Resolution #49-2024 was thereupon adopted.

RESOLUTION #50-2024; LEASE WITH HARRISON & BURROWS BRIDGE CONSTRUCTORS, INC.

The following Resolution was offered by Councilwoman Foote and seconded by Councilwoman Van Benschoten

WHEREAS, the Towns of Rosendale and Marbletown own the Rondout Municipal Center (RMC), and

WHEREAS, Harrison & Burrowes Bridge Constructors, Inc. having an address of 22 Hamilton Lane Glenmont, NY 12077 would like to lease an office, and

WHEREAS, the six-month lease effective April 1, 2024 is \$3,000, and

NOW THEREFORE BE IT RESOLVED that the Town Board of the Town of Marbletown authorizes the Supervisor to sign the attached lease agreement with Harrison & Burrowes Bridge Constructors, Inc. which has been attached and made a part hereof, and

BE IT FURTHER RESOLVED, that this resolution shall become effective upon its passage by both the Town Board of the Town of Rosendale and the Town Board of the Town of Marbletown.

The question of the adoption of the foregoing Resolution was duly put to a vote on roll call which resulted as follows:

Councilman Davenport Voting Absent

Councilwoman Foote Voting Aye

Councilman Hunt Voting Aye

Supervisor Parete Voting Aye

Councilwoman Van Benschoten Voting Aye

4-0; 1 absent; Resolution #50-2024 was thereupon adopted.

- Supervisor Parete said that the Rondout Growers Association terminated their lease in the RMC building and for the next six months Harrison & Burrowes Bridge Constructors Inc will be using that space. After they are done using the room it will be turned into an additional conference room as the need for more rooms has increased.

RESOLUTION #51-2024; MAINTENANCE AGREEMENT FOR HEATING & AIR CONDITIONING UNITS AT THE RONDOUT MUNICIPAL CENTER

The following Resolution was offered by Councilwoman Foote and seconded by Councilwoman Van Benschoten

WHEREAS, Lowe Plumbing, Heating & Air Conditioning, Inc installed split heat & air conditioning units at the Rondout Municipal Center in 2016; and

WHEREAS, these units require maintenance; and

WHEREAS, the Town has received a quote for maintenance of these units from Lowe Plumbing, Heating & Air Conditioning which has been attached; and

WHEREAS, RMC Building Joe La Fera has recommended that said quote from Lowe Plumbing, Heating & Air Conditioning be accepted.

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Marbletown hereby authorizes the Supervisor to sign a one-year agreement with Lowe Plumbing, Heating & Air Conditioning, Inc. which has been attached and made a part hereof for maintenance of these units; and

BE IT FURTHER RESOLVED, that this resolution shall become effective upon its passage by both the Town Board of Rosendale and the Town Board of Marbletown.

The question of the adoption of the foregoing Resolution was duly put to a vote on roll call which resulted as follows:

Councilman Davenport Voting Absent

Councilwoman Foote Voting Aye

Councilman Hunt Voting Aye

Supervisor Parete Voting Aye

Councilwoman Van Benschoten Voting Aye

4-0; 1 absent; Resolution #51-2024 was thereupon adopted.

RESOLUTION #52-2024; REPAIRS TO RONDOUT MUNICIPAL CENTER HEATING SYSTEM

The following Resolution was offered by Councilwoman Van Benschoten and seconded by Councilwoman Foote

WHEREAS, the Town of Rosendale has the need for repairs and upgrades to be made to the heating system at the Rondout Municipal Center; and

WHEREAS, Technical Building Services, Inc. (TBS) of 12E Commerce Drive Ballston Spa currently maintains the heating and air exchange units at the Rondout Municipal Center, and

WHEREAS, TBS will be upgrading the 3-way valve to an electric one, adding it to the JACE system and doing away with the pneumatic system.

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Marbletown authorizes the Supervisor to sign said agreement on behalf of the Town of Marbletown which has been attached and made a part hereof; and

BE IT FURTHER RESOLVED, that this resolution is contingent upon a like resolution being passed by the Town Board of the Town of Rosendale.

The question of the adoption of the foregoing Resolution was duly put to a vote on roll call which resulted as follows:

Councilman Davenport	Voting <u>Absent</u>
Councilwoman Foote	Voting <u>Aye</u>
Councilman Hunt	Voting <u>Aye</u>
Supervisor Parete	Voting <u>Aye</u>
Councilwoman Van Benschoten	Voting <u>Aye</u>

4-0; 1 absent; Resolution #52-2024 was thereupon adopted

OTHER TOWN BUSINESS:

- Supervisor Parete reminded everyone that tomorrow night, Wed. March 20th at 6:30pm there will be an information session at the RMC in M-1 about the Osterhoudt property.
- Supervisor Parete said that the Rescue Squad had received a grant to purchase two CPR pumping machines which do chest compressions.
- Supervisor Parete announced the town offices will be closed on Friday in observance of Good Friday. Adding that the annual Easter Egg Hunt will be on Friday at the park at 10:30am.
- Supervisor Parete mentioned that the Risk Assessment Audit with the state should be wrapping up soon. Councilman Hunt asked if the 2017 audit was on the website and if it wasn't maybe it could be put on there.
- Councilman Hunt gave a brief review of the happenings with the Parks, Trails and Recreation Department highlighting the following:
 - Adult soccer (men and woman) will be starting on Wednesdays,
 - Pickleball has been very busy, inside and outside,
 - The AARP tax prep group will end in a few weeks,
 - Basketball just finished, great season over 125 children in the program,
 - Wrestling also finished with over 40 participants,
 - Summer Camp registration starts on Monday March 25th and
 - Volunteers continue to keep the trails clear – cutting up lots of downed trees.

PUBLIC COMMENT:

- Alex Kahan, resident who spoke about working at the transfer station for the past 3 years. He added that he spoke with someone at the DEC, and they are looking into the job requirements of the new Recycling Coordinator position which include education and outreach and Kahan does not feel this is happening. Kahan went on to describe an incident where a snow blower that was given to Kahan was put in a dumpster by Don LaFera. Kahan pointed out it was in the dumpster for about 9 days. Kahan explained that he was never told about the recycling coordinator job, and he would have applied. Supervisor Parete explained that the position was posted for about 2 weeks prior, it was posted on the website, social media and in the offices.
- Andrew Feigenbaum, resident and part of the High Falls Fire Department stated that he has been using the transfer station since 1998 and it has had its ups and downs, and it has been looking very messy up until recently. He added that the guy in the front booth where check in does not even get up and check for permits or what garbage people have.
- James Noon, resident, stated that he had worked at the transfer station for about a year, and he had put in an application after Tom Gelan retired. Mr. Noon would like to know why he didn't get the job and why did he lose his job?
- Barbara Goodwin, resident, spoke about Alex Kahan and how he finds things at the transfer station and fixes them. He fixed an espresso machine and got it set up for people to enjoy and Laura Cunningham makes pastries and coffee cakes. Goodwin added please make this thing with Alex and Don work out.
- Laura Cunningham, resident, stated that Alex Kahan has made the transfer station a wonderful community place.
- Shelia Gould, resident, would like to confirm what was said by Goodwin and Cunningham. Gould feels the transfer station is neat and clean and Kahan is helpful, and it feels like a community place.

Motion to adjourn: There being no further discussion Councilwoman Foote made the motion to adjourn the meeting, seconded by Councilwoman Van Benschoten; 4-0 Aye, 1 absent, motion carried. The meeting adjourned at 7:10pm.

Respectfully submitted,
Heather Moody
Town Clerk/Tax Collector