



**Town Board Regular Meeting
Tuesday February 1, 2022**

This regular meeting was held via Zoom, and Facebook Live and began at 6:00pm

CALL TO ORDER

Supervisor Parete called the meeting to order at 6:01pm and lead the Pledge of Allegiance.

ROLL CALL

Town Clerk Moody took roll call:

Supervisor Parete – Present via Zoom

Councilwoman Foote – Present via Zoom

Councilman LaFera – Running late; Joined, via Zoom at 6:10pm

Councilman Davenport – Present via Zoom

Councilman Tim Hunt – Present via Zoom

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

APPROVAL OF VOUCHERS AMENDMENTS

Town Clerk Moody submitted an amendment to the vouchers submitted on January 18, 2022.

| <u>1/18/22 Amendment</u> | <u>Vouchers</u> | <u>Payment</u> |
|---------------------------------|------------------------|-----------------------|
| Highway Fund | V#12 | \$1,500.00 |
| Total Amount | | \$149,820.76 |

A motion was made by Councilwoman Foote and seconded by Councilman Davenport to approve these vouchers.

Town Clerk Moody submitted the following vouchers for approval:

| <u>Feb. 1, 2022</u> | <u>Vouchers</u> | <u>Total Payment</u> |
|----------------------------------|------------------------|-----------------------------|
| General Fund | V#27-55 | \$4,569.34 |
| Highway Fund | V#13-27 | \$15,328.67 |
| High Falls Water District | V#6-7 | \$2,583.63 |
| RMC | V# | \$ |

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

Councilman Davenport Voting Aye
Councilman LaFera Voting Absent
Councilwoman Foote Voting Aye
Councilman Hunt Voting Aye
Supervisor Parete Voting Aye

4-0 Aye; motion carried.

MEETING MINUTES:

Councilman Hunt made a motion, seconded by Councilwoman Foote to approve the meeting minutes from 1/18/2022 4-0 Aye; Councilman LaFera absent, motion carried.

*Councilman LaFera joined the meeting at 6:10pm

RESOLUTION #26-2022; TOWN OF MARBLETOWN AUDIT CASH ACCCOUNTS

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

WHEREAS, Brian Pickard, CPA has conducted audits of the cash accounts of the following town offices for the year ending in December 2021, Town Clerk, Tax Collector, Transfer Station, Planning and Zoning, Justice Court, Safety, Building and High Falls Water District. This audit was conducted to render assurance that all cash receipts and disbursements were properly recorded by the individuals in these departments; and

WHEREAS the audit also verified that the Town Justices are current in their reporting to the Department of Motor Vehicles for the TSLE&D program and their handling of their cases; and

THEREFORE, BE IT RESOLVED that all records of all departments in the Town of Marbletown appear correct and there are no adjustments necessary.

- A motion was made by Councilman Davenport, seconded by Councilman Hunt to amend the resolution to add ‘High Falls Water District’ to the list of accounts that were audited. 5-0 Aye; motion carried.

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>Aye</u> |
| Councilman Lafera | Voting <u>Aye</u> |
| Councilwoman Foote | Voting <u>Aye</u> |
| Councilman Hunt | Voting <u>Aye</u> |
| Supervisor Parete | Voting <u>Aye</u> |

5-0; Resolution #26-2022 was thereupon adopted.

- Supervisor Parete stated that this audit is done every year for all accounts. Once the letter from Brian Pickard is received it will be shared with everyone.
- Councilman Davenport and Councilman Hunt expressed interest in seeing the paperwork from the audit and maybe they could sit in on the audit next year.

RESOLUTION #27-2022; TOWN OF MARBLETOWN JUSTICE COURT AUDIT

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

WHEREAS, the Town of Marbletown Court submitted its Cash Books, Bank Statements, Year End Report of closed cases and balanced check books from Town Justice Mark Glick and Town Justice Claudia Davenport for Audit to Marbletown Town Board on January 18, 2022.

THEREFORE LET IT BE RESOLVED, to accept records as presented.

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>Aye</u> |
| Councilman Lafera | Voting <u>Aye</u> |
| Councilwoman Foote | Voting <u>Aye</u> |
| Councilman Hunt | Voting <u>Aye</u> |
| Supervisor Parete | Voting <u>Aye</u> |

5-0; Resolution #27-2022 was thereupon adopted.

- Supervisor Parete stated that this audit is also done on a yearly basis.

RESOLUTION #28-2022 TRANSFER STATION HIRES

The following Resolution was offered by Councilwoman Foote and seconded by Councilman LaFera.

WHEREAS, the Transfer Station provides an alternate for residents to recycle and dispose of trash instead of contracting with a private hauler, and

WHEREAS, the Transfer Station has a need for three employees, and

NOW THEREFORE BE IT RESOLVED, the Town of Marbletown Town Board approves the hiring of Jeffrey Anderson as Solid Waste Attendant Lead at \$16.98 an hour. Tom Geelan and Alexander Kahan as Solid Waste Attendants at \$16.42 an hour, Effective January 24, 2022.

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>Aye</u> |
| Councilman Lafera | Voting <u>Aye</u> |
| Councilwoman Foote | Voting <u>Aye</u> |
| Councilman Hunt | Voting <u>Aye</u> |
| Supervisor Parete | Voting <u>Aye</u> |

5-0; Resolution #27-2022 was thereupon adopted.

- Supervisor Parete explained when Covid hit, back in March 2020, employees could stay out of work. The two employees we had at the Transfer Station did not want to work, so the Town brought in three temporary workers. The original two employees were given the choice to come back or retire, and they choose to retire and not come back.
- Supervisor Parete thanked Councilman LaFera for building the small warming hut, at the transfer station, for the workers to get out of the weather.

RESOLUTION #24-2022 TO ADOPT LOCAL LAW # 2-2022; ‘ACCESSORY APARTMENT LAW’

The following Resolution was offered by Councilman LaFera and seconded by Councilman Davenport.

WHEREAS, the Town Board of the Town of Marbletown held a public hearing on January 18, 2022 on Local Law Number 2 of 2022, known as the Accessory Apartment Law for the Town of Marbletown; and

WHEREAS, the adoption of this Local Law Number 2 is an unlisted action pursuant to the State Environmental Quality Review Act (SEQRA); and

WHEREAS, the Town Board has prepared and considered an Environmental Assessment Form which evaluates the potential environmental impacts of the proposed amendment; and

WHEREAS, the Board has determined that the adoption of this Local Law will not have a significant negative impact upon the environment; now therefore be it

RESOLVED, that a negative declaration is hereby made pursuant to the State Environmental Quality Review Act (SEQRA); and be it further

RESOLVED, said Local Law is hereby adopted as attached

NOW, THEREFORE BE IT RESOLVED, that by the actions of the Town Board of the Town of Marbletown this Local Law shall take effect upon the filing with the Secretary of State pursuant to Municipal Home Rule Law.

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>Aye</u> |
| Councilman Lafera | Voting <u>Aye</u> |
| Councilwoman Foote | Voting <u>Aye</u> |
| Councilman Hunt | Voting <u>Aye</u> |
| Supervisor Parete | Voting <u>Aye</u> |

5-0; Resolution #24-2022 was thereupon adopted.

- Attorney Tracy Kellogg made modifications to the document as comments and suggestions are being made.
- Councilwoman Foote made a motion, seconded by Councilman Hunt to accept the three amendments that were made to the local law. 5-0 Aye; motion carried.
- These amendments were discussed and voted upon:
 - The minimal rental term days was changed from 30 days to 90 days,
 - An apartment created within a subdivision should be affordable and remain affordable for 10 years,
 - Accessory apartments are allowed in all districts, except light and industrial business districts.

PRESERVATION AND INVESTMENT COMMISSION PRESENTATION:

- Dale Robbins, member of the Preservation and Investment Commission, gave a short presentation highlighting the purpose of the commission. The commission will assist and recommend land to the Town to purchase, preserve and protect the character of the town.
- The new commission consists of seven members: Matt Berlin, Dan Schuster, Bill Merchant, Olivia Fleming, Dale Robbins, Jonathan Bergman and Paul Brillinger.
- During the Nov. 2006 general election, the Town Board moved toward local funding for the acquisition of open spaces and areas, by placing a bonding proposition on the ballot. A majority of voters in the town approved the proposition, authorizing borrowing up to \$2,000,000 for such purposes. Funds from a bond could be used to achieve land acquisition or other preservation measures.
- The aims of the commission –
 - Conserve Historical and Agricultural Character
 - Protect Assets that Provide Water
 - Protect and Create Recreational Opportunities
 - Generate Economic Benefits of Low Impact Tourism
 - Protect Habitats and Ecosystems
- The metrics to evaluate a property –
 - Is it a Scenic Area?
 - Suitable for Public Use?
 - A Prominent Gateway/Buffer Area?
 - How Accessible is it?
 - Is it Agricultural Land?
 - Is it an Historic/Archeologically Sensitive Site?
 - An Environmentally Sensitive Area?
 - Does it provide Protection of Water Resources?
- Any input from the town is always welcome and any suggestions can be sent to anyone on the commission.

PUBLIC COMMENT:

- Bill Terpening, resident, submitted a written public comment to Town Clerk Moody which she forwarded to all the town board members.
- Bobbi Esmark, resident, made a public comment and submitted her comment to Town Clerk Moody. Ms. Esmark wanted to thank the town board for taking a step in the right direction with the change to the Accessory Apartment law and its minimum rental period extended to three months and thank you for responding to suggestions. Ms. Esmark also watched and listened, with dismay, to the comments at the end of the town board meeting regarding the complaint submitted by Bill Terpening. She says Supervisor Parete has the bully pulpit and can spew demeaning and false accusations without the possibility of anyone contradicting him while others who sit idly by or add silly comparisons to dismiss the Supervisors breach of the town ethics law are equally at fault and risk. What ground does Mr. Parete have to lecture others on ‘democracy’ when he is assigning motive to others in order to deflect his own culpability, and when doing

so he is again in breach of the ethics law. I heard Parete demean Mr. Terpening by saying Mr. Terpening was asked to be on a committee and did not choose to serve, but still comes to meetings and complains. It's time to remind everyone of something about democracy. The most important person in democracy is an informed and engaged citizen. It is not a politician; it is a citizen. Citizens who attend meetings without position or power assigned to them. I respectfully ask that you all remember that when you choose to disregard someone who is standing in front of you and speaking or when you make dismissive and unsupportable comments about someone publicly when there is no opportunity for a check on your reckless speech.

OTHER TOWN BUSINESS:

- Supervisor Parete said that the building had been shut down last week for a day and half due to an issue with the electrical panel. The electric issue caused an issue with the water pump so two days later the employees had to be sent home because there was no water. We might need to have a mechanical engineer come and take a look at what is going on.
- Supervisor Parete said that John Cirone, of the Vly Atwood Fire House, was with him in his office. He stated that the Vly Atwood Fire House was going to be shut down. The fire house had received some violations. Mr. Cirone says they will dissolve the fire house and turn over to the Town. The Town will take over and Kripplebush and Stone Ridge fire houses will cover. This process will take about a year to complete.

EXECUTIVE SESSION:

- At 6:53pm Councilman Hunt made a motion to open an executive session, seconded by Councilwoman Foote. 5-0; motion passed.
- The Town Board motions to enter into executive session for the purpose of
 - Discussion of matters of acquisition or investment of real property.
- No votes were taken during executive session.
- At 8:12pm Councilman Davenport made a motion to close the executive session and reconvene the meeting with no action taken nor monies expended, seconded by Councilwoman Foote. 5-0; motion passed.

Motion to adjourn: There being no further discussion Councilwoman Foote made the motion to adjourn the meeting, seconded by Councilman LaFera; 5-0 Aye, motion carried. The meeting adjourned at 8:13pm.

Respectfully submitted,
Heather Moody
Town Clerk/Tax Collector