



Town Board Regular Meeting

Tuesday, April 20, 2021

This regular meeting was held via Zoom and Facebook Live and began at 6:02pm

CALL TO ORDER

- Supervisor Parete called the meeting to order at 6:02pm and lead the Pledge of Allegiance.

ROLL CALL

Supervisor Parete took roll call:

Supervisor Parete – Present via Zoom

Councilwoman Foote – Present via Zoom

Councilman LaFera – Absent

Councilman Hunt – Present via Zoom

Councilman Stewart – Present via Zoom

Also, present – Heather Moody, Town Clerk/Tax Collector, George Dimler, Highway Superintendent and Tracy Kellogg, Town Attorney

APPROVAL OF VOUCHERS

Town Clerk Moody submitted the following vouchers for approval:

<u>4/20/2021</u>	<u>Vouchers</u>	<u>Total Payment</u>
General Fund	V#224-260	\$40,689.68
Highway Fund	V#131-159	\$27,531.45
High Falls Water District	V#37-44	\$9,475.12
RMC	V#32-45	\$17,549.49

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

Councilman Stewart	Voting <u>Aye</u>
Councilman LaFera	Voting <u>Absent</u>
Councilwoman Foote	Voting <u>Aye</u>
Councilman Hunt	Voting <u>Aye</u>
Supervisor Parete	Voting <u>Aye</u>

4-0 Aye; 1 absent; motion carried.

MEETING MINUTES:

- Councilwoman Foote made a motion, seconded by Councilman Hunt to approve the meeting minutes from the 4/6/2021 town board meeting. 4-0 Aye; 1 absent; motion carried.
- Councilman Stewart Voting Aye
- Councilman LaFera Voting Absent
- Councilwoman Foote Voting Aye

- Councilman Hunt Voting Aye
- Supervisor Parete Voting Aye
- **4-0 Aye; 1 absent; motion carried.**

PUBLIC HEARING ON PROPOSED LOCAL LAW #2-2021; TO REGULATE AND CONTROL FILL/DELIVERY:

- A motion was made by Supervisor Parete, seconded by Councilman Hunt to open the public hearing on proposed Local Law #2-2021, 'A Local Law to Regulate and Control Fill/Delivery' 4-0 Aye, 1 absent, motion carried.
- Supervisor Parete stated Town Clerk Moody had legally noticed the public hearing in the Daily Freeman on April 8, 2021. The legal notice as also posted on the town website and the Town Clerk's Community Board.
- Supervisor Parete provided the call-in number for public comments.
- There being no comments or questions on the proposed local law 'To Regulate and Control Fill/Delivery' Councilman Stewart made a motion, seconded by Councilman Hunt to close the public hearing on proposed Local Law #2-2021.

Councilman Stewart Voting Aye
 Councilman LaFera Voting Absent
 Councilwoman Foote Voting Aye
 Councilman Hunt Voting Aye
 Supervisor Parete Voting Aye
4-0 Aye; 1 absent; motion carried.

PUBLIC HEARING ON PROPOSED LOCAL LAW #3-2021; CODE OF ETHICS

- A motion was made by Supervisor Parete, seconded by Councilman Hunt to open the public hearing on proposed Local Law #3-2021, 'A Local Law; Code of Ethics' 4-0 Aye, 1 absent, motion carried.
- Supervisor Parete stated Town Clerk Moody had legally noticed the public hearing in the Daily Freeman on April 8, 2021. The legal notice as also posted on the town website and the Town Clerk's Community Board.
- Supervisor Parete provided the call-in number for public comments.
- There being no comments or questions on the proposed local law 'Code of Ethics' Councilman Stewart made a motion, seconded by Councilman Hunt to close the public hearing on proposed Local Law #3-2021.

Councilman Stewart Voting Aye
 Councilman LaFera Voting Absent
 Councilwoman Foote Voting Aye
 Councilman Hunt Voting Aye
 Supervisor Parete Voting Aye
4-0 Aye; 1 absent; motion carried.

RESOLUTION #39-2021 A LOCAL LAW TO REGULATE AND CONTROL FILL/DELIVERY

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

WHEREAS, a proposed local law entitled, "**Regulate and Control Fill/Delivery**" was presented to the Town Board on March 16, 2021; and

WHEREAS, the proposed law was referred to the Ulster County Planning Board pursuant to Section 239-m of the General Municipal Law, which responded on April 7, 2021, that the Town Board has considered the County comments; and

WHEREAS, a resolution was adopted by the Town Board of the Town of Marbletown on March 16, 2021, setting a public hearing to be held by said Town Board on April 20, 2021 at 6:00 p.m. at the Rondout Municipal Center and on Zoom, to hear all interested parties on the proposed local law; and

WHEREAS, notice of said public hearing was duly advertised in the Daily Freeman, the official newspaper of said Town, not less than ten days prior to the date of said public hearing; and

WHEREAS, said public hearing was duly held on April 20, 2021 at said time and place and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said proposed local law, or any part thereof; and

WHEREAS, the proposed local law constitutes a Type I action for purposes of the State Environmental Quality Review Act; and

WHEREAS, the Town Board of the Town of has determined after review that the adoption of a Local Law known as the Regulate and Control Fill/Delivery Law does not have a significant environmental impact; and

WHEREAS, The Town Board of the Town of Marbletown after review finds that it is in the public interest to enact this local law.

NOW THEREFORE BE IT RESOLVED, by the Town Board of the Town of Marbletown as follows:

1. The Town Board hereby adopts said Local Law No.2 of 2021, entitled, **“Regulate and Control Fill/Delivery”**.

2. The Town Clerk is hereby directed to enter said local law in the minutes of this meeting and to give due notice of the adoption of said local law to the Secretary of State of New York, and to take all other actions as may be required by law.

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

Councilman Stewart	Voting <u>Aye</u>
Councilman Lafera	Voting <u>Absent</u>
Councilman Foote	Voting <u>Aye</u>
Councilman Hunt	Voting <u>Aye</u>
Supervisor Parete	Voting <u>Aye</u>

4-0 Aye; 1 absent; Resolution **#39-2021** was thereupon adopted.

- Attorney Kellogg reviewed SEQR to determine it was an unlisted action. Councilman Hunt made a motion to accept the negative declaration, seconded by Councilman Stewart. 4-0 Aye; 1 absent, motion carried.

RESOLUTION#40-2021 A LOCAL LAW CODE OF ETHICS

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

WHEREAS, a proposed local law entitled, **“Code of Ethics”** was presented to the Town Board on April 6, 2021; and

WHEREAS, a resolution was adopted by the Town Board of the Town of Marbletown on April 6, 2021, setting a public hearing to be held by said Town Board on April 20, 2021 at 6:05 p.m. at the Rondout Municipal Center and on Zoom, to hear all interested parties on the proposed local law; and

WHEREAS, notice of said public hearing was duly advertised in the Daily Freeman, the official newspaper of said Town, not less than ten days prior to the date of said public hearing; and

WHEREAS, said public hearing was duly held on April 20, 2021 at said time and place and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said proposed local law, or any part thereof; and

WHEREAS, the proposed local law constitutes a Type I action for purposes of the State Environmental Quality Review Act; and

WHEREAS, the Town Board of the Town of has determined after review that the adoption of a Local Law known as the Code of Ethics Law does not have a significant environmental impact; and

WHEREAS, The Town Board of the Town of Marbletown after review finds that it is in the public interest to enact this local law.

NOW THEREFORE BE IT RESOLVED, by the Town Board of the Town of Marbletown as follows:

1. The Town Board hereby adopts said Local Law No. 3 of 2021, entitled, **“Code of Ethics Law”**.

2. The Town Clerk is hereby directed to enter said local law in the minutes of this meeting and to give due notice of the adoption of said local law to the Secretary of State of New York, and to take all other actions as may be required by law.

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

Councilman Stewart	Voting <u>Aye</u>
Councilman Lafera	Voting <u>Absent</u>
Councilman Foote	Voting <u>Aye</u>
Councilman Hunt	Voting <u>Aye</u>
Supervisor Parete	Voting <u>Aye</u>

4-0 Aye; 1 absent; Resolution **#40-2021** was thereupon adopted.

- Councilman Hunt reviewed the law one more time. It has been recommended that the town set up training sessions for all employees. Supervisor Parete agreed that this was a great idea.

RESOLUTION #41-2021, SETTING THE PUBLIC HEARING DATE FOR THE PROPOSED LOCAL LAW NUMBER ____ OF 2021, A LOCAL LAW KNOWN AS STRETCH ENERGY CODE

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

WHEREAS, the Town Board finds it to be in the best interests of the residents of the Town of Marbletown to adopt Local Law ____ of 2021, **Stretch Energy Code**, in order to achieve the purposes and objectives set forth in the Local law.

NOW THEREFORE, BE IT RESOLVED as follows:

1. A public hearing shall be held at the Town Hall or Zoom at 6:00 p.m. on Tuesday May 18, 2021 by interested persons, upon passage of this resolution, to hear all interested parties on the proposed Local Law #__ of 2021 entitled **“A Local Law # ___, 2021 Stretch Energy Code “**

2. The Town Clerk is directed to advertise such public hearing in the official newspaper of said Town, on the website of said Town and is directed to refer the proposed local law to all municipalities adjacent to the Town and any other applicable entities as required.

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

Councilman Stewart	Voting <u>Aye</u>
Councilman Lafera	Voting <u>Absent</u>
Councilman Foote	Voting <u>Aye</u>
Councilman Hunt	Voting <u>Aye</u>
Supervisor Parete	Voting <u>Aye</u>

4-0 Aye; 1 absent; Resolution **#41-2021** was thereupon adopted.

RESOLUTION #42-2021; HIGHWAY TRUCK PURCHASE

The following Resolution was offered by Councilwoman Foote seconded by Councilman Stewart:

WHEREAS, the Marbletown Highway Department is responsible for treating town road surfaces, and

WHEREAS, an effective fleet replacement program is essential for controlling vehicle suitability, availability, reliability, safety, and environmental impacts and total cost of ownership; and

WHEREAS, the Highway Department would like to purchase a 2022 Western Star 4900 Tandem Axle Dump Truck/Plow from Tracey Road Equipment for the price of \$234,248, and

WHEREAS, the Highway Department has 75,000 to put down as first payment in 2022, the remaining \$159,248 will be paid over five years, and

THEREFORE BE IT RESOLVED, that the Town Board of the Town of Marbletown approves the Highway Department purchasing a 2022 Western Star 4900 Tandem Axle Dump Truck/Plow from Tracy Road Equipment for a price of \$234,248.

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

Councilman Stewart	Voting <u>Aye</u>
Councilman Lafera	Voting <u>Absent</u>
Councilman Foote	Voting <u>Aye</u>
Councilman Hunt	Voting <u>Aye</u>
Supervisor Parete	Voting <u>Aye</u>

4-0 Aye; 1 absent; Resolution #42-2021 was thereupon adopted.

- Highway Superintendent Dimler stated he had met with Brian Pickard to review finances and he felt like this was going to be a good purchase for the Highway.
- Highway Superintendent Dimler stated this year the CHIPS money went up which the extra money will go towards the purchase of the new truck.

OTHER TOWN BUSINESS:

- Town Clerk Moody announced that if residents would like to help clean up Marbletown for Earth Day, please call the town office and we will provide marked contractor trash bags that can be taken to the Transfer Station at no cost.
- Superintendent Dimler announced that chip sealing will start 5/24-5/26 (weather permitting, order of roads being done has not been determined) on the following roads:
 - Rock Ledge Lane
 - Old Kings Highway
 - North Marbletown Road
 - Bone Hollow Road
 - Ashokan Road to Van Wagenen Lane
 - Van Wagenen Lane
 - Romney Way
 - Corriedale Lane

Motion to adjourn: There being no further discussion Supervisor Parete made the motion to adjourn the meeting, seconded by Councilman Stewart; 4-0Aye; 1 absent; motion carried. The meeting adjourned at 7:39pm.

Respectfully submitted,
Heather Moody
Town Clerk/Tax Collector

FINAL