



Town Board Regular Meeting

Tuesday, September 21, 2021

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 6:03pm 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 – Present via Zoom

Councilman Hunt – Present via Zoom

Councilman Stewart – Present via Zoom

Also, present via Zoom – Heather Moody, Town Clerk/Tax Collector,

PUBLIC HEARING ON PROPOSED LOCAL LAW #5-2021; NYSTRETCH ENERGY CODE:

- A motion was made by Councilwoman Foote, seconded by Councilman Stewart to open the public hearing on proposed Local Law #5-2021, 'NYStretch Energy Code' 5-0 Aye, motion carried.
- Supervisor Parete stated Town Clerk Moody had legally noticed the public hearing in the Daily Freeman. 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 'NYStretch Energy Code' Councilwoman Foote made a motion, seconded by Councilman LaFera to close the public hearing on proposed Local Law #5-2021.

Councilman Stewart Voting Aye

Councilman LaFera Voting Aye

Councilwoman Foote Voting Aye

Councilman Hunt Voting Aye

Supervisor Parete Voting Aye

5-0 Aye; motion carried.

APPROVAL OF VOUCHERS AMENDMENTS

Town Clerk Moody stated there were no amendments to the vouchers submitted on September 7th.

Town Clerk Moody submitted the following vouchers for approval:

9/21/2021

General Fund

Highway Fund

High Falls Water District

Vouchers

V#581-617

V#336-359

V#91-97

Total Payment

\$35,927.72

\$26,175.96

\$13,478.81

RMC

V#99-113

\$15,995.75

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

Councilman Stewart	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 Aye; motion carried.

RESOLUTION #80-2021; RESOURCE RECOVERY AGENCY AGREEMENT--GRINDER

WHEREAS, the Town of Marbletown Transfer Station accepts brush and small trees, and

WHEREAS, the Ulster County Resource Recovery Agency (RRA) supplies an employee and grinder to chip the wood, and

WHEREAS, the Town of Marbletown supplies employee, front end loader, excavator and fuel, and

WHEREAS, the Town of Marbletown will transport the mulch to RRA facilities, and

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Marbletown authorizes the Supervisor to sign attached agreement with the Resource Recovery Agency.

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>Aye</u>
Councilman Foote	Voting <u>Aye</u>
Councilman Hunt	Voting <u>Aye</u>
Supervisor Parete	Voting <u>Aye</u>

5-0 Aye; Resolution #80-2021 was thereupon adopted.

RESOLUTION#81-2021 STRETCH ENERGY CODE

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

WHEREAS, to prevent a statewide patchwork of stricter energy codes, the New York State Energy Research and Development Authority (NYSERDA) developed the NYStretch Energy Code – 2020 (NYStretch);

WHEREAS, a stretch energy code is simply an energy code that is more stringent than the minimum base energy code that can be voluntarily adopted by local jurisdictions. NYStretch is a voluntary supplement to the 2020 Energy Conservation Construction Code of New York State (2020 ECCCNY) improves its efficiency an average of ten to twelve percent (10-12 %) more efficient than the minimum requirements of the base energy code, the 2020 Energy Conservation Construction Code of New York State (2020 ECCCNY);

WHEREAS, some New York State municipalities have adopted stricter energy standards to ensure reduced energy costs for its residents and businesses;

WHEREAS, under NY Energy Law § 11-109, the Town of Marbletown is authorized to adopt a local energy code more stringent than the 2020 ECCCNY;

WHEREAS, the Town Board is considering **amending provisions of the Town Code Chapter #99 to add provisions for a local energy code “NYStretch”**; and

WHEREAS, a public hearing was held on September 21, 2021, at which time all persons either for or against said amendments were heard; and

WHEREAS, the Town Board is declared Lead Agency for the purposes of environmental review with respect to the proposed resolution, in accordance with Article 8 of the Environmental Conservation Law of the State of New York, and the regulations promulgated thereunder at 6 NYCRR 617 (collectively, “SEQRA”); and

WHEREAS, the Marbletown Town Board, as Lead Agency, has advised that the proposed action meets the criteria of a “Type II Action” under SEQRA; now, therefore, be it further

RESOLVED, that Local Law No. 5 of 2021 is hereby adopted as follows:

LOCAL LAW NO. 5 OF 2021

A LOCAL LAW amending provisions of the Town Code Chapter #99 to add provisions for a local energy code “NYStrech” of the Marbletown Code;

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 Aye

Councilman Lafera Voting Aye

Councilman Foote Voting Aye

Councilman Hunt Voting Aye

Supervisor Parete Voting Aye

5-0 Aye; Resolution #81-2021 was thereupon adopted.

RESOLUTION #82-2021; SERVICE AGREEMENT WITH LEAD DATA TECHNOLOGIES

The following Resolution was offered by Councilman Stewart, seconded by Councilman LaFera:

WHEREAS, the Town of Marbletown has a need for firewall protection, and

WHEREAS, Lead Data Technologies of Nanuet New York has presented such agreement to the Rondout Municipal Center, and

WHEREAS, Lead Data Technologies has presented a contract for October 3, 2021 to October 2, 2022 for \$488, and

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Marbletown authorizes the Supervisor to sign attached 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 Stewart Voting Aye

Councilman Lafera Voting Aye

Councilman Foote Voting Aye

Councilman Hunt Voting Aye

Supervisor Parete Voting Aye

5-0 Aye; Resolution #82-2021 was thereupon adopted.

RESOLUTION #83-2021; FENCE CONTRACT FOR RONDOUT MUNICIPAL CENTER PICKLEBALL COURTS

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

WHEREAS, quotes were received by the Youth and Recreation Department for fence installation at the Rondout Municipal Center for the Pickleball Court, per the attached quote, and

WHEREAS, the lowest conforming quote for the Fence services was submitted by Adams Fences, 743 Dutchess Turnpike, Poughkeepsie, NY in an amount not to exceed \$23,785 and

RESOLVED, that the Town Board, hereby awards the contracts to Adams Fences for fencing around the Pickleball Court, at a total cost not to exceed \$23,785.00.

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 Aye

Councilman Lafera Voting Aye

Councilman Foote Voting Aye

Councilman Hunt Voting Aye

Supervisor Parete Voting Aye
5-0 Aye; Resolution #83-2021 was thereupon adopted.

RESOLUTION #84-2021; RIDGEWELL CENTER SOLAR DECOMMISSIONING AGREEMENT

The following Resolution was offered by Councilman Stewart, seconded by Councilman Hunt:

WHEREAS, Developer intends to build a solar energy generation project (hereafter “Project Ridgewell” or “Project”) at 3555 Main Street, Stone Ridge, NY in the municipality of Marbletown;

WHEREAS, the Parties wish to enter into this Agreement to set forth terms and conditions of having funds available to pay for the costs of any decommissioning of the Project; and

NOW, THEREFORE, in consideration of the premises and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties agree to the attached agreement, and

FURTHER RESOLVED, the Town Supervisor is authorized to sign the attached agreement.

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>Aye</u>
Councilman Foote	Voting <u>Aye</u>
Councilman Hunt	Voting <u>Aye</u>
Supervisor Parete	Voting <u>Aye</u>

5-0 Aye; Resolution #84-2021 was thereupon adopted.

RESOLUTION #85-2021; APPOINTMENT TO HIGH FALLS WATER BOARD

The following Resolution was offered by Councilman LaFera, seconded by Councilman Hunt:

WHEREAS, Ilan Bachrach has indicated a desire to be appointed to the High Falls Water Board, and

WHEREAS, the High Falls Water Board has an important responsibility to make sure the Water District is prepared to meet the current and future needs of the district users, and

NOW THEREFORE BE IT RESOLVED that the Town Board of the Town of Marbletown appoint Ilan Bachrach to the High Falls Water District Water Board for a term that ends 12/31/2024.

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

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

5-0 Aye; Resolution #85-2021 was thereupon adopted.

OTHER TOWN BUSINESS:

- Tom Konrad, ECC Chairman, announced that there would be two public events coming up:
 - On 9/22 there will be a DIY EV Install demonstration;
 - On 10/2 there be an electric vehicle car show at Ridgewell Gym from 12:00 – 2:00pm
- Councilman Hunt stated that the Youth and Rec department has been very busy:
 - Soccer season started and the fields are booked every evening,
 - Gathering pricing for renovation of existing basketball court, pricing on new playground equipment and quotes on roof/repair replacement on pavilion,

- Indoor Pickleball is back at the RMC gym and the outdoor Pickleball courts are scheduled to be installed next month at the RMC,
- A virtual running program will be starting on October 1st. More information will be provided the town website and town social media and
- Trunk or Treat will be held at the park on Sunday October 31st.
- Councilman Stewart brought up the subject of possibly adding additional staff for grounds crew at the park.
- Supervisor Parete stated that the budget will be submitted to Town Clerk Moody by 9/30 to be presented at the 10/5, in person, town board meeting.
- Councilman Hunt asked what was happening about expanding the water district. Supervisor Parete stated all of the surveys had sent to Brinnier and Larios and once they had reviewed them there would be a presentation for the town board with their recommendations. Councilman Hunt would like to see a timeline of what the process would be.
- Councilman LaFera stated that the Charlie Hass road dedication was well attended and thanked the board for their help in making the dedication happen.
- Councilman Stewart added he had attended the Sue Paterson Way dedication and that was a very nice event attended by quite a few people.

EXECUTIVE SESSION:

- At 7:22pm Councilman Stewart made a motion to open an executive session, seconded by Councilman Hunt. 5-0; motion passed.
- The Town Board motions to enter into executive session for the purpose of
 - Discussion of matters regarding proposed litigation.
- No votes were taken during executive session.
- At 8:01pm Councilwoman Foote made a motion to close the executive session and reconvene the meeting with no action taken nor monies expended, seconded by Councilman Hunt. 5-0; motion passed.

Motion to adjourn: There being no further discussion Councilman LaFera made the motion to adjourn the meeting, seconded by Councilman Hunt; 5-0Aye; motion carried. The meeting adjourned at 8:03pm.

Respectfully submitted,

Heather Moody

Town Clerk/Tax Collector