



Town Board Regular Meeting

Tuesday Dec. 21, 2021

This regular meeting was held, in person, at the RMC in M-1 and began at 6:00pm

CALL TO ORDER

- Supervisor Parete called the meeting to order at 6:03pm and Councilman Stewart lead the Pledge of Allegiance.

ROLL CALL

Supervisor Parete took roll call:

Supervisor Parete – Present

Councilwoman Foote – Present

Councilman LaFera – Present

Councilman Hunt – Present

Councilman Stewart – Present

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

PUBLIC COMMENT

- No public comments were made on the upcoming resolutions.

APPROVAL OF VOUCHERS AMENDMENTS

Town Clerk Moody stated there were no amendments to the vouchers submitted on December 7, 2021.

Town Clerk Moody submitted the following vouchers for approval:

<u>12/21/2021</u>	<u>Vouchers</u>	<u>Total Payment</u>
General Fund	V#817-868	\$266,182.49
Highway Fund	V#453-489	\$87,718.37
High Falls Water District	V#132-137	\$19,485.06
RMC	V#145-155	\$5,362.21

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

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.

- Councilman Hunt asked what the Marshall & Sterling voucher covered? Supervisor Parete responded that was our new insurance and it is the first time we are paying them. Parete added that this new insurance company has a lot of training videos that we can use for our staff and this year we will be doing our own

Violence in the Workplace training in the fall. Hunt asked if they had any ethics training? Supervisor Parete said they would look.

- Councilman Hunt asked about the Peak Engineering voucher. Supervisor Parete said it was the cost for ongoing litigation and doing due diligence on the highway garage.

MEETING MINUTES:

- Councilman LaFera made a motion, seconded by Councilman Hunt to approve the meeting minutes from the 12/7/2021 town board meeting. 5-0 Aye, motion carried.

RESOLUTION #105-2021; RESOLUTION SETTING TOWN BOARD ORGANIZATIONAL MEETING MONDAY JANUARY 3, 2022.

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

WHEREAS, Town of Marbletown Board meetings are generally held on the first and third Tuesday of each month, and

WHEREAS, the Town Board of the Town of Marbletown has to set the Organizational Meeting in January, and

NOW THEREFORE BE IT RESOLVED that the Town Board of the Town of Marbletown schedules a Town Board meeting on Monday January 3, 2022 at 6PM.

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 #105-2021 was thereupon adopted.

- Supervisor Parete explained that the organizational meeting for January is always set in December. This year is on Monday, January 3rd which is also the day the town offices will be closed to observe New Years Day.

RESOLUTION #106-2021 AMENDING TRANSFER STATION PERMIT FEES

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

WHEREAS, the Town of Marbletown Transfer Station annual permit is valid from April 1 to March 31st each calendar year, and

WHEREAS, the Town of Marbletown reduces permit fees the final three months, and

NOW, THEREFORE, IT IS RESOLVED that the Town Board of the Town of Marbletown changes the permit fees to the attached amount until March 31, 2022.

Permit \$20.00 (Originally \$45.00)

Additional permit \$10.00 (Originally \$20.00)

Senior (62 or older) \$10.00 (Originally \$25.00)

Additional (62 or older) \$10.00 (Originally \$20.00)

One day permits will remain \$10.00

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 #106-2021 was thereupon adopted.

RESOLUTION; 107-2021; SETTING THE PUBLIC HEARING DATE FOR THE PROPOSED LOCAL LAW NUMBER ____ OF 2022, A LOCAL LAW KNOWN AS FENCE LAW

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

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 2022, known as the Fence Law**, in order to achieve the purposes and objectives set forth in the Local law.

NOW THEREFORE, BE IT RESOLVED as follows:

1. Schedule a Meeting of the Town Board, Town of Marbletown on January 18 2022, for the purpose of holding a Public Hearing.
2. A public hearing will be held by the Town Board on January 18, 2022, at 6:05 PM local time at the Rondout Municipal Center, 1915-1925 Lucas Avenue, Cottekill, NY, to hear all interested parties on the proposed Local Law # ____ of 2022 entitled “**A Local Law # ____, 2022 Fence Law**”
3. 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 Aye
Councilman Lafera Voting Aye
Councilman Foote Voting Aye
Councilman Hunt Voting Aye
Supervisor Parete Voting Aye

5-0 Aye; Resolution #107-2021 was thereupon adopted.

- Councilman Hunt said that he has been seeing obtrusive fences cropping up and these really tall fences are becoming an issue. He also asked what happens to existing fences? Supervisor Parete said they took out retro fences and once those fences need mending or repairing they would then need to meet compliance.
- Attorney Kellogg said that the Planning Board would rather push the fence determinations to the ZBA.
- Should the Code Enforcement Officer make the determination? And where would he send it?

RESOLUTION #108-2021; SETTING THE PUBLIC HEARING DATE FOR THE PROPOSED LOCAL LAW NUMBER ____ OF 2022, A LOCAL LAW KNOWN AS ACCESSORY APARTMENT LAW

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

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 2022, known as the Accessory Apartment Law**, in order to achieve the purposes and objectives set forth in the Local law.

NOW THEREFORE, BE IT RESOLVED as follows:

1. Schedule a Meeting of the Town Board, Town of Marbletown on January 18 2022, for the purpose of holding a Public Hearing.
2. A public hearing will be held by the Town Board on January 18, 2022, at 6:00 PM local time at the Rondout Municipal Center, 1915-1925 Lucas Avenue, Cottekill, NY, to hear all interested parties on the proposed Local

Law # ___ of 2022 entitled “A Local Law # ___, 2022 Accessory Apartment “

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

5-0 Aye; Resolution #108-2021 was thereupon adopted.

- Supervisor Parete stated that this new law will replace the previous law.
- Councilman Hunt asked about #5 and the proof of the rental agreement. Attorney Kellogg will make the modification.

RESOLUTION; #109-2021: APPROVING UNITED PUBLIC SERVICE EMPLOYEES' UNION CONTRACT WITH GENERAL BARGAINING UNIT

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

WHEREAS, contract negotiations between the Town of Marbletown and the United Public Service Employees Union have been ongoing for employees in the Highway and General Units; and

WHEREAS, the Town of Marbletown and the United Public Service Employees Union have reached an understanding on the terms of the agreement with the General Unit contract and have recommended its adoption; and

WHEREAS, the Town Board of the Town of Marbletown has approved the new agreement which runs from January 1, 2022, through December 31, 2024; now

THEREFORE, BE IT RESOLVED THAT the Town of Marbletown hereby approves said attached three (3) year agreement commencing on January 1, 2022, through December 31, 2024 with the United Public Service Employees Union for the General bargaining units and authorizes the Town Supervisor and Deputy Supervisor to sign the contracts.

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 #109-2021 was thereupon adopted.

- Supervisor Parete thanked Councilman LaFera for all of his hard work on the union contract. It will be good to get the general contract folks up and running with the new contract. All employees will be getting \$1.35 raise and employees will be going from an hour lunch to a half hour lunch which will give the full-time employees 37 ½ hours vs. the 35 hours which we have been doing.
- Councilwoman Foote stated that she loves how hard all of the employees work and it is the employees that keep the town running.

OTHER TOWN BUSINESS:

- Supervisor Parete announced that tonight would be Councilman Stewart's last meeting with the Town. Parete thanked Councilman Stewart for his service and all of his hard work over the past four years and presented him with a plaque. Councilman Stewart said he really enjoyed working with this town board and he will miss everyone. The town board wished him well with the County Legislature and looked forward to working with him.
- Superintendent Dimler thanked Councilman Stewart for his years on the town board and pointed out how responsive Stewart always was with emails and phone calls, and he will be missed.
- Superintendent Dimler gave a quick update on the highway department and thanked the Town Board for always being so supportive of the Highway Department.
 - The Highway department took care of a lot of tree issues this spring due to all the dead ash trees.
 - They are working on putting together a shared service with Rosendale for a bucket truck. Maybe purchase a truck together in January or February.
 - They chip sealed 8 ½ miles of road this summer.
 - Assisted Rochester and Rosendale putting down black top.
 - Helped remove the old playground equipment from the RMC playground.
 - Completed the Pickleball court outside at the RMC.
 - Assisted in building the 30-car parking lot behind the Ridgewell Gym in Stone Ridge. The Village of New Paltz helped with this also, so thanks to them.
 - Completed rail trail connector.
- Councilman Stewart took a moment to thank George and the highway department for all the work they do on the O&W Rail trail.
- Councilman Hunt asked George what his vision of the highway garage was. Dimler replied that they are looking into putting it up on Peak Road where the shale bank is located, which the town owns the property.
- Councilman Stewart mentioned that Hurley is going to have to build a new garage too and should we look into doing a shared garage. Dimler said it would be too far away for both towns.
- Supervisor Parete shared that the building department had just given out the 451st building permit.
- Supervisor Parete said that the Town had been given 250 Covid test kits and there were still a few left in the Town Clerk's office.
- Supervisor Parete announced that there had been a water leak in High Falls this week. Terry Johnson was called, and he went and discovered that a pipe had broken, and it was taken care of right away.
- Supervisor Parete said that they have had a lot of interest in the Housing Advisory Commission. In January we will appoint the members.
- Councilman Hunt said that the Ethics Commission had met this past weekend and they were still working on the forms.
- Supervisor Parete stated that a recent letter to the editor, published in the Blue Stone Press, was not true and contained false information. No one has submitted any applications to have a marijuana store in the old Applestone building on Rt. 209. This could never happen at this property as any marijuana store has to be 500 feet from a school and 200 feet from a church and this property borders the High Meadow school.

PUBLIC COMMENT

- Bill Terpening, resident, submitted a public comment to Town Clerk Moody, along with reading the comment out loud. The comment is on file in the Town Clerk's office. Mr. Terpening reiterated that there had been a violation of the Code of Ethics by Supervisor Parete. He has also reviewed the Code of Ethics and feels the code in no manner establishes nor requires that a member of the public, who submits a complaint to the Town Board must instead initiate such complaint with the Board of Ethics. Furthermore, the Code does not authorize the Board of Ethics to review such complaints. He feels that regarding the Board of Ethics review authority, consider the lack of any reference in the Code to complaints from the general public. He included ethics laws from neighboring towns. Mr. Terpening believes the Town Board has an obligation and duty to consider his complaint of alleged violation of the Code by the Supervisor and to take any appropriate action that may be called for. Mr. Terpening is asking the town board to determine whether Supervisor Parete's conduct, as set forth in his previously submitted complaint, was in violation of the Code of Ethics and, if in violation, to take appropriate action.
- Maggie Colan, resident, commented that she had just reviewed the proposed fence law and she would like to make sure that there be a requirement of small openings in certain fences to allow for small animals to get through.

Motion to adjourn: There being no further discussion Supervisor Parete made the motion to dismiss the meeting, seconded by Councilman Stewart; 5-0Aye; motion carried. The meeting adjourned at 7:20pm.

Respectfully submitted,

Heather Moody

Town Clerk/Tax Collector