



Town Board Regular Meeting

Tuesday June 21, 2022

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

CALL TO ORDER

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

ROLL CALL

Town Clerk Moody took roll call:

Supervisor Parete – Present

Councilwoman Foote – Present

Councilman LaFera – Absent

Councilman Davenport – Present

Councilman Tim Hunt – Present

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

PUBLIC HEARING ON PROPOSED LOCAL LAW ADOPTING A COMMUNITY PRESERVATION PLAN FOR THE PURPOSE OF PRESERVING NATURAL, SCENIC, HISTORIC AND OPEN SPACE RESOURCES WITHIN THE TOWN

- At 6:02pm a motion was made by Councilwoman Foote, seconded by Councilman Davenport to open the public hearing on the proposed Local Law # of 2022 ‘A Local Law Adopting a Community Preservation Plan for the Purpose of Preserving Natural, Scenic, Historic and Open Space Resources within the Town’, 5-0 Aye, motion carried.
- Supervisor Parete stated Town Clerk Moody had legally noticed the public hearing in the Daily Freeman on June 12th. The legal notice as also posted on the town website and the Town Clerk’s Community Board.
- Rik Flynn and Susan Richmann provided a letter of support, thanks and gratitude for the existence and work of the Community Preservation Task Force.
- At 6:03pm there being no comments or questions on the proposed Community Preservation Plan Councilwoman Foote made a motion, seconded by Councilman Hunt to close the public hearing on the proposed Community Preservation Plan, 5-0 Aye, motion carried.

The meeting was put on hold for a few minutes as Councilwoman Foote was surprised by her husband, Tim Guniee and the Rev. Modele Clark for a renewal of their marriage vows on their 25th wedding anniversary.

PUBLIC HEARING ON PROPOSED LOCAL LAW ESTABLISHING A COMMUNITY PRESERVATION FUND AND CREATING A COMMUNITY PRESERVATION FUND ADVISORY BOARD AS AUTHORIZED BY GENERAL MUNICIPAL LAW § 6-S FOR THE PURPOSE OF PRESERVING NATURAL, SCENIC, HISTORIC, AND OPEN SPACE RESOURCES WITHIN THE TOWN

- At 6:09pm a motion was made by Councilwoman Foote, seconded by Councilman Hunt to open the public hearing on the proposed Local Law # of 2022 ‘A Local Law establishing a Community Preservation Fund and creating a Community Preservation Fund Advisory Board as authorized by General Municipal Law § 6-s for the purpose of preserving natural, scenic, historic, and open space resources within the Town” 5-0 Aye, motion carried.
- Supervisor Parete stated Town Clerk Moody had legally noticed the public hearing in the Daily Freeman on June 12th. The legal notice as also posted on the town website and the Town Clerk’s Community Board.
- At 6:10pm there being no comments or questions on the proposed Community Preservation Fund Councilman LaFera made a motion, seconded by Councilman Davenport to close the public hearing on the proposed Community Preservation Fund, 5-0 Aye, motion carried.

PUBLIC HEARING ON PROPOSED LOCAL LAW IMPOSING A ONE PERCENT REAL ESTATE TRANSFER TAX ON THE CONVEYANCE OF INTERESTS IN REAL PROPERTY IN THE TOWN, WITH THE REVENUES DERIVED FROM THIS TAX TO BE DEPOSITED IN THE TOWN OF MARBLETOWN COMMUNITY PRESERVATION FUND FOR THE PURPOSE OF PRESERVING NATURAL, SCENIC, HISTORIC, AND OPEN SPACE RESOURCES FOR THE PRESERVATION OF COMMUNITY CHARACTER WITHIN THE TOWN

- At 6:11pm a motion was made by Councilman LaFera, seconded by Councilman Davenport to open the public hearing on the proposed Local Law # of 2022 ‘A Local Law imposing a one percent Real Estate Transfer Tax on the conveyance of interests in real property in the Town, with the revenues derived from this tax to be deposited in the Town of Marbletown Community Preservation Fund for the purpose of preserving natural, scenic, historic, and open space resources for the preservation of community character within the Town.” 5-0 Aye, motion carried.
- Supervisor Parete stated Town Clerk Moody had legally noticed the public hearing in the Daily Freeman on June 12th. The legal notice as also posted on the town website and the Town Clerk’s Community Board.
- Three written emails/comments were submitted to Town Clerk Moody in support of the Real Estate Transfer Tax from residents Natasha Williams, Janet Condon Krieger and Tom Konrad.
- At 6:12pm there being no comments or questions on the proposed Community Preservation Fund Councilman LaFera made a motion, seconded by Councilman Davenport to close the public hearing on the proposed Real Estate Transfer Tax, 5-0 Aye, motion carried.

PUBLIC COMMENT

There were no public comments on the resolutions presented at the meeting.

APPROVAL OF VOUCHERS & AMENDMENTS

Town Clerk Moody stated there were no amendments from the 6/7/2022 meeting.

Town Clerk Moody submitted the following vouchers for approval:

<u>June 21, 2022</u>	<u>Vouchers</u>	<u>Total Payment</u>
General Fund	V#380-426	\$39,491.93
Highway Fund	V#198-220	\$41,411.07
High Falls Water District	V#52-56	\$9,543.22
RMC	V#64-72	\$2,218.78

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

Councilman Davenport Voting Aye

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.

MEETING MINUTES:

Councilman Hunt made a motion, seconded by Councilwoman Foote to approve the meeting minutes from 6/7/2022. **5-0 Aye; motion carried.**

FULL ENVIRONMENTAL ASSESSMENT FORM REVIEW:

- Town Attorney Tracy Kellogg reviewed the Full Environmental Assessment Review form for the establishment of a Community Preservation Fund by local law pursuant to Section 6-s of the General Municipal Law, the adoption of a Community Preservation Plan (CPP) by local law, and the adoption of a local law to impose a real estate transfer tax on conveyances within the Town pursuant to Tax Law Article 33-B. The Transfer Tax is subject to referendum. The Plan proposes a voluntary program to preserve the character of the community including natural, scenic, and historic resources. The CPP details preservation priorities for the Fund and available land use controls to protect community character. Kellogg stated that the EAF ties all three of the local laws together and looks at the impacts on the environment. A copy is on file in the Town Clerk's office.

Councilman LaFera made a motion, seconded by Councilman Hunt to accept the Full Environmental Assessment Form

Councilman Davenport	Voting <u>No</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>

4-1; motion carried.

RESOLUTION#64-2022 CANCELING JULY 5, 2022 TOWN BOARD MEETING

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

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

NOW THEREFORE BE IT RESOLVED that the Town Board of the Town of Marbletown cancels the Town Board meeting on Tuesday July 5, 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 #64-2022 was thereupon adopted.

- Supervisor Parete stated only the Town Board can cancel a meeting.

RESOLUTION#65-2022; MOHONK FIREWORKS

The following Resolution was offered by Councilman Davenport and seconded by Councilman LaFera Whereas, Mohonk Mountain House is desiring the permit for Public Display of Fireworks, to be held on July 27, 2022, with a rain date of July 26, or July 28, 2022, and

Whereas, the Town Board has received the application for Fireworks from Mohonk along with the required insurance and workers comp certificates. Legion Fireworks is the operator of the display, and

NOW THEREFORE BE RESOLVED, that the Town Board of the Town of Marbletown approves the application for Fireworks for the Mohonk Mountain House.

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 Aye

Councilman Lafera Voting Aye

Councilwoman Foote Voting Aye

Councilman Hunt Voting Aye

Supervisor Parete Voting Aye

5-0; Resolution #65-2022 was thereupon adopted.

- Supervisor Parete explained that Mohonk reached out to the town as they have a private group coming in and they requested fireworks. The permit comes from the Town. Town Clerk Moody will notify the Code Enforcement Officer and the High Falls Fire Department.

RESOLUTION #66-2022; SETTING PUBLIC HEARING ON PROPOSED LOCAL LAW NO. 7 OF 2022, A LOCAL LAW ADOPTING AMENDMENTS TO THE NEW YORK STATE PUBLIC OFFICER'S LAW §103, EXPANDING THE USE OF VIDEOCONFERENCING AT PUBLIC MEETINGS

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

WHEREAS, a public hearing is required to be held regarding Proposed Local Law No. 8 of 2022, (A Local Law Adopting Amendments To The New York State Public Officer's Law §103, Expanding The Use Of Videoconferencing At Public Meetings); a public hearing will be held on Tuesday, July 19, 2022 at 6:00 PM at Rondout Municipal Center, 1925 Lucas Ave. Cottekill, New York; now, therefore be it **NOW THEREFORE, BE IT RESOLVED** as follows:

2. A public hearing will be held by the Town Board on July 19, 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 # 7 of 2022 entitled "**Local Law # 7, 2022 "A Local Law Adopting Amendments to The New York State Public Officer's Law §103, Expanding The Use Of Videoconferencing At Public Meetings**

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 Davenport Voting Aye

Councilman Lafera Voting Aye

Councilwoman Foote Voting Aye

Councilman Hunt Voting Aye

Supervisor Parete Voting Aye

5-0; Resolution #66-2022 was thereupon adopted.

- Councilman Hunt asked if this law would be an amendment or a change to the law? Supervisor Parete explained that it is a change from 48-hour notice to 72-hour notice for a town board member requesting to attend a meeting via videoconference.
- Supervisor Parete also stated that if this law passes it will be in effect for two years.

RESOLUTION #67-2022 CLASSIFYING ACTION AND ESTABLISHING LEAD AGENCY TYPE I ACTION FOR LOCAL LAW NO. 4 (PROPOSED) OF 2022, LOCAL LAW NO. 5 (PROPOSED) OF 2022 AND LOCAL LAW NO. 6 (PROPOSED) OF 2022

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

WHEREAS, the Town Board of the Town of Marbletown is considering establishment of a Community Preservation Fund by local law pursuant to Section 6-s of the General Municipal Law, the adoption of a Community Preservation Project Plan by local law, and the adoption of a local law to impose a real estate transfer tax on conveyances within the Town pursuant to Tax Law Article 33- B in the Town of Marbletown, Ulster County, New York; and

WHEREAS, Part I of a Full Environmental Assessment Form (EAF) dated June 21, 2022 has been prepared to address potential environmental impacts of the action; and **WHEREAS**, the Board has reviewed the thresholds for Type I and Type II actions set forth in 6 NYCRR 617.4 and 617.5; and

WHEREAS, after examining the EAF the Town Board has determined that there are no other involved and/or federal agencies on this matter since no other agency has approval authority with respect to the proposed action; **NOW THEREFORE BE IT RESOLVED**, by the Town Board of the Town of Marbletown (by the favorable vote of not less than a majority of all the members of the Board) as follows: 1. The Town Board of the Town of Marbletown hereby determines that the proposed action is a Type I action. 2. The Town Board of the Town of Marbletown hereby declares itself Lead Agency for the review of this action, as it is the only involved agency. 3. That a Determination of Significance will be made at such time as all reasonably necessary information has been received by the Town Board to enable it to determine whether the action will or will not have a significant effect on the environment.

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>No</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>

4-1; Resolution #67-2022 was thereupon adopted.

RESOLUTION #68-2022; ADOPTING A SEORA DETERMINATION OF SIGNIFICANCE FOR LOCAL LAW NO. 4 (PROPOSED) OF 2022, LOCAL LAW NO. 5 (PROPOSED) OF 2022 AND LOCAL LAW NO. 6 (PROPOSED) OF 2022

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

WHEREAS, the Town Board of the Town of Marbletown is considering the adoption of **Local Law No. 4 of 2022**, entitled “A LOCAL LAW ADOPTING A COMMUNITY PRESERVATION PLAN” and **Local Law No. 5 of 2022** “A LOCAL LAW ESTABLISHING A COMMUNITY PRESERVATION FUND AND CREATING A COMMUNITY PRESERVATION FUND ADVISORY BOARD AS AUTHORIZED BY GENERAL MUNICIPAL LAW § 6-s FOR THE PURPOSE OF PRESERVING NATURAL, SCENIC, HISTORIC AND OPEN SPACE RESOURCES WITHIN THE TOWN” and **Local Law No. 6 of 2022**, entitled “A LOCAL LAW IMPOSING A ONE PERCENT REAL ESTATE TRANSFER TAX ON THE CONVEYANCE OF INTERESTS IN REAL PROPERTY IN THE TOWN, WITH THE REVENUES

DERIVED FROM THIS TAX TO BE DEPOSITED IN THE TOWN OF MARBLETOWN COMMUNITY PRESERVATION FUND FOR THE PURPOSE OF PRESERVING NATURAL, SCENIC, HISTORIC, AND OPEN SPACE RESOURCES FOER THE PRESERVATION OF COMMUNITY CHARACTER WITHIN THE TOWN” (the “Proposed Local Laws”) in the forms on file with the Town Clerk; and **WHEREAS**, on June 21, 2022, the Town Board classified the Proposed Local Laws as Type I actions under SEQRA and declared its intent to serve as lead agency in a review of the Proposed Local Laws as it is the only involved agency: and

WHEREAS, the Proposed Local Laws will be applicable throughout the Town; and

WHEREAS, the Town Board has prepared a Full Environmental Assessment Form (FEAF) for the Proposed Local Laws; and

WHEREAS, the Town Board has considered the criteria contained in 6 NYCRR 617.7 and thoroughly analyzed all identified relevant areas of environmental concern disclosed in the FEAF; and

WHEREAS, the Town Board has reviewed Parts 2 and 3 of the FEAF setting forth reasons supporting a determination that the proposed actions will not have a significant adverse impact on the environment; and

NOW THEREFORE BE IT RESOLVED that the Town Board of the Town of Marbletown, Ulster County, New York (by the favorable vote of not less than a majority of all the members of the Board) hereby

1. Adopts a negative declaration and determines that the adoption of the Proposed Local Laws will not result in any significant adverse environmental impacts and that a Draft Environmental Impact Statement will not be prepared; and

2. Authorizes and directs the Town Clerk to distribute a copy of this resolution to all involved and interested agencies, the Town Supervisor, and any person that has requested a copy and to make all other filings 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 Davenport	Voting <u>No</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>

4-1; Resolution #68-2022 was thereupon adopted.

RESOLUTION #69-2022:AUTHORIZING THE ADOPTION BY THE TOWN BOARD OF THE TOWN OF MARBLETOWN OF LOCAL LAW NO. 4 OF 2022 FOR A LOCAL LAW ADOPTING A COMMUNITY PRESERVATION PLAN

The following Resolution was offered by Councilman Hunt and seconded by Councilman LaFera

WHEREAS, a proposed form of Local Law No. 4 of 2022 entitled “**A LOCAL LAW ADOPTING A COMMUNITY PRESERVATION PLAN**” (the “Proposed Local Law”) was presented to the Town Board of the Town of Marbletown at a regular meeting held on June 21, 2022; and

WHEREAS, on June 21, 2022, the Town Board reviewed a Full Environmental Assessment Form (FEAF) and classified the Proposed Local Law as a Type I action under SEQRA and declared its intent to serve as lead agency: and

WHEREAS, a resolution was duly adopted by the Town Board of the Town of Marbletown on June 7, 2022, setting a public hearing to be held by said Town Board on June 21, 2022, at 6:00 p.m. at the Rondout Municipal Center, 1925 Lucas Ave. Cottekill NY 12419 to hear all interested parties on a proposed local law; and

WHEREAS, notice of said public hearing was duly advertised in the Kingston Daily Freeman, the official newspaper of said Town, on or before June 15, 2022, which is not less than five days prior to the date of said public hearing; and

WHEREAS, said public hearing was duly held on June 21, 2022, at the Rondout Municipal Center, 1925 Lucas Ave. Cottekill NY 12419, and all parties were permitted an opportunity to comment on behalf of or in opposition to said Proposed Local Law, or any part thereof as set forth in the Notice of Public hearing; and

WHEREAS, on June 21, 2022, the Town Board adopted a negative declaration determining that the proposed adoption of the Proposed Local Law will not have a significant adverse effect on the environment; and

WHEREAS, the Town Board of the Town of Marbletown, after reviewing the comments received and after due deliberation, finds it in the best interests of the Town to adopt said Proposed Local Law, in the form attached hereto.

NOW THEREFORE BE IT RESOLVED, by the Town Board of the Town of Marbletown (by the favorable vote of not less than a majority of all the members of the Board) as follows:

1. That the Town Board hereby adopts said Local Law No. 4 of 2022, now referred to as Local Law No. 4 of 2022, entitled “**A LOCAL LAW ADOPTING A COMMUNITY PRESERVATION PLAN**”, a copy of which is attached hereto and made a part of this resolution.
2. That the Town Clerk is directed to enter said Local Law in the minutes of this meeting and in the Town Code of the Town of Marbletown, to give due notice of the adoption of said local law to the Secretary of State of New York and 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 Davenport	Voting <u>No</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>

4-1; Resolution #69-2022 was thereupon adopted.

- Councilman Davenport pointed out that he is voting against the whole situation to keep consistent, and it has nothing to do with the work that was put into the Community Preservation Plan.
- Councilman Hunt asked if the interactive map would be part of the plan? Supervisor Parete responded that the interactive map would be included with the plan. Hunt also expressed that the plan is valuable and hopes that everyone will use it.

RESOLUTION#70-2022: AUTHORIZING THE ADOPTION BY THE TOWN BOARD OF THE TOWN OF MARBLETOWN OF LOCAL LAW NO. 5 OF 2022 ESTABLISHING A COMMUNITY PRESERVATION FUND AND CREATING A COMMUNITY PRESERVATION FUND ADVISORY BOARD AS AUTHORIZED BY GENERAL MUNICIPAL LAW § 6-s FOR THE PURPOSE OF PRESERVING NATURAL, SCENIC, HISTORIC AND OPEN SPACE RESOURCES WITHIN THE TOWN

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

WHEREAS, a proposed form of Local Law No. 5 of 2022 entitled “**A LOCAL LAW ESTABLISHING A COMMUNITY PRESERVATION FUND AND CREATING A COMMUNITY PRESERVATION FUND ADVISORY BOARD AS AUTHORIZED BY GENERAL MUNICIPAL LAW § 6-s FOR THE PURPOSE OF PRESERVING NATURAL, SCENIC, HISTORIC AND OPEN SPACE RESOURCES WITHIN THE TOWN**” (the “proposed Local Law”) was presented to the Town Board of the Town of Mar-
bletown at a regular meeting held on June 7, 2022; and

WHEREAS, on June 7, 2022, the Town Board reviewed a Full Environmental Assessment Form (FEAF) and classified the Proposed Local Law as a Type I action under SEQRA and declared itself lead agency as it is the only involved agency; and

WHEREAS, a resolution was duly adopted by the Town Board of the Town of Marbletown on June 7, 2022, setting a public hearing to be held by said Town Board on June 21, 2022, at 6:05 p.m. at the Rondout Municipal Center, 1925 Lucas Ave. Cottekill NY 12419; and

WHEREAS, notice of said public hearing was duly advertised in the Kingston Daily Freeman, the official newspaper of said Town, on or before June 15, 2022, which is not less than five days prior to the date of said public hearing; and

WHEREAS, said public hearing was duly held on June 21, 2022, at the Rondout Municipal Center, 1925 Lucas Ave. Cottekill NY 12419, at said time, and all parties were permitted an opportunity to comment on behalf of or in opposition to said proposed Local Law, or any part thereof as set forth in the Notice of Public Hearing; and

WHEREAS, on June 21, 2022, the Town Board adopted a negative declaration determining that the proposed adoption of the Proposed Local Law will not have a significant adverse effect on the environment; and

WHEREAS, the Town Board of the Town of Marbletown, after reviewing the comments received and after due deliberation, finds it in the best interests of the Town to adopt said Proposed Local Law, in the form attached hereto;

NOW THEREFORE BE IT RESOLVED, by the Town Board of the Town of Marbletown (by the favorable vote of not less than a majority of all the members of the Board) as follows:

1. That the Town Board hereby adopts Local Law No. 5 of 2022, now referred to as Local Law No. of 2022, entitled “**A LOCAL LAW ESTABLISHING A COMMUNITY PRESERVATION FUND AND CREATING A COMMUNITY PRESERVATION FUND ADVISORY BOARD AS AUTHORIZED BY GENERAL MUNICIPAL LAW § 6-s FOR THE PURPOSE OF PRESERVING NATURAL, SCENIC, HISTORIC AND OPEN SPACE RESOURCES WITHIN THE TOWN**”, a copy of which is attached hereto and made a part of this resolution.

2. That the Town Clerk is directed to enter said Local Law in the minutes of this meeting and in the Town Code of the Town of Marbletown, to give due notice of the adoption of said local law to the Secretary of State of New York and 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 Davenport	Voting <u>No</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>

4-1; Resolution #70-2022 was thereupon adopted.

- Supervisor Parete said that residents can donate land or funds into the fund.
- Councilman Davenport asked how members of the advisory board will be chosen and qualifications? Supervisor Parete responded that the town board will pick the board and the plan is for the board to be a diverse group. It has been suggested that they have at least one farmer on the board.

RESOLUTION#71-2022: AUTHORIZING THE ADOPTION BY THE TOWN BOARD OF THE TOWN OF MARBLETOWN OF LOCAL LAW NO. 6 OF 2022 RELATING TO A REAL ESTATE TRANSFER TAX FOR THE COMMUNITY PRESERVATION FUND

The following Resolution was offered by Councilman LaFera and seconded by Councilman Hunt
WHEREAS, a proposed form of Local Law No. 6 of 2022 entitled “**A LOCAL LAW IMPOSING A ONE PERCENT REAL ESTATE TRANSFER TAX ON THE CONVEYANCE OF INTERESTS IN REAL PROPERTY IN THE TOWN, WITH THE REVENUES DERIVED FROM THIS TAX TO BE DEPOSITED IN THE TOWN OF MARBLETOWN COMMUNITY PRESERVATION FUND FOR THE PURPOSE OF PRESERVING NATURAL, SCENIC, HISTORIC, AND OPEN SPACE RESOURCES FOR THE PRESERVATION OF COMMUNITY CHARACTER WITHIN THE TOWN**” (the “Proposed Local Law”) was presented to the Town Board of the Town of Marbletown at a regular meeting held on June 21, 2022; and

WHEREAS, on June 21, 2022, the Town Board reviewed a Full Environmental Assessment Form (FEAF) and classified Local Law 6 of 2022 as a Type I action under SEQRA and declared its intent to serve as lead agency; and

WHEREAS, after resolution duly adopted by the Town Board June 7, 2022, a public hearing was duly held by said Town Board on June 21, 2022, at 6:10 p.m. at the Rondout Municipal Center 1925 Lucas Ave. Cottekill NY 12419, to hear all interested parties on a proposed local law 6 of 2022 providing for a one percent real estate transfer tax; and

WHEREAS, notice of said public hearing was duly advertised in the Kingston Daily Freeman, the official newspaper of said Town, on or before June 15, 2022, which is not less than five days prior to the date of said public hearing; and

WHEREAS, said public hearing was duly held on June 21, 2022, at the Rondout Municipal Center 1925 Lucas Ave. Cottekill NY 12419 at said time, and all parties were permitted an opportunity to comment on behalf of or in opposition to said Proposed Local Law, or any part thereof as set forth in the Notice of Public hearing; and

WHEREAS, on June 21, 2022, the Town Board adopted a negative declaration determining that the proposed adoption of the Proposed Local Law will not have a significant adverse effect on the environment; and

WHEREAS, the Town Board of the Town of Marbletown, after due deliberation, finds it in the best interest of the Town to adopt said Proposed Local Law subject to mandatory referendum;

WHEREAS, the Town Board of the Town of Marbletown, after reviewing the comments received and after due deliberation, finds it in the best interests of the Town to adopt said Proposed Local Law, in the form attached hereto;

NOW THEREFORE BE IT RESOLVED, by the Town Board of the Town of Marbletown (by the favorable vote of not less than a majority of all the members of the Board) as follows:

1. That the Town Board hereby adopts said Local Law No. 6 of 2022, entitled “**A LOCAL LAW IMPOSING A ONE PERCENT REAL ESTATE TRANSFER TAX ON THE CONVEYANCE OF INTERESTS IN REAL PROPERTY IN THE TOWN, WITH THE REVENUES DERIVED FROM THIS TAX TO BE DEPOSITED IN THE TOWN OF MARBLETOWN COMMUNITY PRESERVATION FUND FOR THE PURPOSE OF PRESERVING NATURAL, SCENIC, HISTORIC, AND OPEN SPACE RESOURCES FOR THE PRESERVATION OF COMMUNITY CHARACTER WITHIN THE TOWN**”, a copy of which is attached hereto and made a part of this resolution, subject to mandatory referendum.
2. That the Town Clerk is hereby directed to take all actions necessary or convenient to provide for the placing of such proposition before the voters at the general election to be held on November 8, 2022, in accordance with law; and
3. That upon the approval of such proposition at said election, the Town Clerk be and she hereby is directed to enter said Local Law in the Town Code of the Town of Marbletown, to give due notice of the adoption of said

local law to the Secretary of State of New York, file a copy of the Local Law with the Commissioner of Taxation and Finance within 20 days of the approval by electors, and 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 Davenport	Voting <u>No</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>

4-1; Resolution #71-2022 was thereupon adopted.

- Councilwoman Foote pointed out that New Paltz passed a 1.5% RETT and Gardner passed a 1.25% RETT.
- Councilman Hunt said he would agree to 1.5% RETT. Councilman LaFera said we should do the 1% as an entry level in case we need to raise other taxes.
- Councilman Hunt added that he had spoken with several realtors, and they do not feel this will deter people from buying property.

OTHER TOWN BUSINESS:

- Supervisor Parete announced that the public hearing for the Vly Atwood Fire District Dissolution will be held at the Vly Atwood Fire House on Sunday, June 26th. Once that public hearing is over there will be a legal notice posted in the newspaper in case there are liens or outstanding bills that will need to be forwarded on to the Town to take care of.
- Town Clerk Moody stated she had met with the County to settle up the 2022 property taxes. She will update the final numbers for the next meeting.
- Councilman Hunt and Ethics Commission member Kathy Schultz said they had recommended revisions to the Ethics Law and forwarded them on to the town board members. They have also worked on the complaint form. Ms. Schultz asked about the schedule for a public hearing and Supervisor Parete explained the process and stated once the public hearing is set the proposed law has to be available for review. Councilman Davenport said he had forwarded his comments to Councilman Hunt and feels that a two-day turnaround time is not enough time, maybe give a week for turn around time.
- Councilman Hunt provided an update from the Youth and Rec Department:
 - Summer camp is starting soon and there is a waiting list for all of the sessions.
 - The outdoor pickleball courts will be finished by the end of the month.
 - The 50th running of the 4th of July race will take place in July.
 - Registration for the basketball program will start in July.
 - The rail trail looks great.
- Councilwoman Foote stated that the Housing Commission recently had a meeting recently and they will be coming up with a presentation that will outline their next steps.

Motion to adjourn: There being no further discussion Councilman LaFera made the motion to adjourn the meeting, seconded by Councilwoman Foote; 5-0 Aye; motion carried. The meeting adjourned at 7:31pm.

Respectfully submitted,
Heather Moody
Town Clerk/Tax Collector

FINAL