



Town Board Regular Meeting

Tuesday August 2, 2022

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

CALL TO ORDER

Supervisor Parete called the meeting to order at 6:00pm and Councilman Hunt lead the Pledge of Allegiance.

ROLL CALL

Town Clerk Moody took roll call:

Supervisor Parete – Present

Councilwoman Foote – Present

Councilman LaFera – Present

Councilman Davenport – Present

Councilman Tim Hunt – Present

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

PUBLIC HEARING ON A PROPOSED LOCAL LAW KNOWN AS STRETCH ENERGY CODE

- At 6:01pm a motion was made by Councilwoman Foote, seconded by Councilman LaFera to open the public hearing on the proposed Local Law # of 2022 ‘A Local Law Known as Stretch Energy Code’, 5-0 Aye, motion carried.
- Supervisor Parete stated Town Clerk Moody had legally noticed the public hearing in the Daily Freeman on July 24th. The legal notice as also posted on the town website and the Town Clerk’s Community Board.
- At 6:03pm there being no comments or questions on the proposed local law known as stretch energy code Councilman Hunt made a motion, seconded by Councilwoman Foote to close the public hearing on the proposed Stretch Energy Code, 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 to the vouchers from 7/19/2022.

Town Clerk Moody submitted the following vouchers for approval:

<u>August 2, 2022</u>	<u>Vouchers</u>	<u>Total Payment</u>
General Fund	V#498-520	\$26,719.82
Highway Fund	V#253-260	\$6,410.95
High Falls Water District	V#69-71	\$2,865.73
RMC	V#	\$

Vly Atwood Fire Protection District**V#4****\$60.63**

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

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 Aye; motion carried.

- Councilman Hunt inquired what the \$60.63 for the Vly Atwood Fire Protection District was for? Town Clerk Moody responded it was for the legal notice for the public hearing on the dissolution.

MEETING MINUTES:

Councilman Davenport made a motion, seconded by Councilman LaFera to approve the meeting minutes from 7/19/2022. **5-0 Aye; motion carried.**

RESOLUTION#79-2022: ADOPTING LOCAL LAW 8-2022 AN AMENDMENT TO LOCAL LAW NUMBER 5 OF 2021, A LOCAL LAW KNOWN AS STRETCH ENERGY CODE

The following Resolution was offered by Councilman Davenport and seconded by Councilwoman Foote **WHEREAS**, the Town Board found it to be in the best interests of the residents of the Town of Marbletown to amend Local Law #5 of 2021, as it has been determined by NYS DOS and NYSERTA that the NYSTRETCH Energy Code required modification to be made to the Local Law as language that was provided, creating exemptions for certain sections of the NYS Energy Code and Building Code.

WHEREAS, Local Law #5 of 2021 was adopted following Local Law #4 of 2021 when it was determined by NYS DOS that the NYSTRETCH Energy Code needed modification.

WHEREAS, the New York State Energy Research and Development Authority (NYSERDA) developed the NYStretch Energy Code – 2020 (NYStretch);

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 August 2, 2022, 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. 8 of 2022 amending Local Law #5 2021 is hereby adopted as follows:

LOCAL LAW NO. 8 OF 2022

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

BE IT ENACTED by the Town Board of Marbletown as follows:

See attached 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 #79-2022 was thereupon adopted.

- Supervisor Parete said the State was conflicted with the wording of the last two versions of the Stretch law that were submitted. Parete added thanks to Dave Allen, Code Enforcement Officer for all the work he did on all versions of this local law.
- Councilman Hunt asked if there had been any pushback from contractors. Councilwoman Foote explained she had made some call to a few contractors, and they were good with it, if the architects were good with it. No one had any issues with the language of the law.

RESOLUTION#80-2022: HUMAN RESOURCE SERVICES CONTRACT

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

WHEREAS, the Town of Marbletown last updated its Personnel Policy in 2011, and

WHEREAS, Marshall & Sterling provides insurance coverage to the town and offers Human Resource Services, and

WHEREAS, the Town would like to update its Personnel Policy to reflect current laws policies, and

NOW THEREFORE BE RESOLVED, that the Town Board of the Town of Marbletown authorize the Supervisor to sign the attached Human Resources Services 2022 Addendum A for a cost not to exceed \$5,000.

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 #80-2022 was thereupon adopted.

- Supervisor Parete stated that Marshall & Sterling will work with our Human Resources to update the Town employee handbook. The last time it was updated was 2011.
- Councilman Hunt asked if the new employee handbook would be able to be edited and will they get feedback from staff? Supervisor Parete responded that we'll get to approve everything before it is final.
- Councilman Hunt would like to make sure the conflict-of-interest policy is included.

RESOLUTION#81-2022: RELEASE ESCROW OAKWOOD ESTATES

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

WHEREAS, John Russell as the owner of Oakwood Estates, a Two Phase Subdivision that has received Phase II Conditional Subdivision Approval on 6/14/2021, from the Town of Marbletown Planning Board; and

WHEREAS, the owner of Oakwood Estates Subdivision Phase I & II provided to the Town of Marbletown in the amount of \$48,400, that was deposited in escrow for the completion of all site work required under the Subdivision approval: and

WHEREAS, Oakwood Estates submission was in accordance with subsection 9 of Section 277 and subsection 4 of Section 279 of Town Law; and

WHEREAS, the Town Board of the Town of Marbletown has determined that Oakwood Estates has met all Planning Board requirements and final approvals have been given by the Town of Marbletown Engineer, Highway Superintendent and Code Officers and that the road shall be Privately Owned and not for Dedication to the Town of Marbletown; and

NOW, THEREFORE BE IT RESOLVED, by the Town Board of the Town of Marbletown authorizes the Town Supervisor to return escrow money in the amount of \$48,400.

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 #81-2022 was thereupon adopted.

- Supervisor Parete stated that Dave Allen had received a notice of completion and Highway Superintendent George Dimler also went out and met with the owner and everything looks good.

RESOLUTION#82-2022: TOWN OF MARBLETOWN CHIPPER PURCHASE

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

WHEREAS, the Marbletown Highway Department is responsible for maintenance and repair of town highways and bridges along with the removal of obstructions caused by brush and snow, and

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

WHEREAS, the Highway Superintendent requests to purchase a 2023 Morbark Eeger Beaver 1821 Brush Chipper, and

WHEREAS, the highway department will fund the purchase with money from savings, and

THEREFORE, BE IT RESOLVED, that the Marbletown Town Board authorizes the purchase of 2023 Morbark Eeger Beaver 1821 Brush Chipper at a cost of \$74,463.50.

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 #82-2022 was thereupon adopted.

- Highway Superintendent George Dimler discussed the recent macroburst that touched down in the Vly, Lomontville and the Lapla Road area and he had never seen destruction like that. The highway department had to move about 150 trees before Lapla Road was passable. They have spent approximately 3 weeks cleaning up with the help of surrounding towns and the State DOT. Highway has a chipper that has a lot of hours on it due to ice storms. The old chipper is harder to find parts for so a new chipper would be a great asset to the highway fleet. Dimler explained that they had extra money on the materials line of the budget, or they would take a little money out of their savings fund. Dimler spoke with the town accountant, Brian Picard and that looked good.

OTHER TOWN BUSINESS:

- Supervisor Parete reported that anyone who was in the CCA program has now been sent back to Central Hudson and letters should have been sent out. Parete said he might try to schedule a conference call with Joule to see what other programs might be out there.
- Supervisor Parete said that the grand opening of the pickleball court had a nice turnout. Parete also said thank you to Highway Superintendent George Dimler and the highway department for all of their work and a big thanks also went out to Jill McLean, Youth and Recreation Director and Jess Phelan, Youth and Recreation Assistant Recreation Director for all their hard work that went into the pickleball court.
- Councilman LaFera mentioned there is an Eagle Scout, Liam Sell that would like to some landscaping in front of the Rondout Valley Food Pantry (old town hall). Liam would like to remove large trees, remove existing plants, remove existing landscaping timber, refresh parking blocks and create a flat spot for trash cans. LaFera asked Highway Superintendent Dimler if they highway would be able to assist with some of the removal of the bigger plants and trees. Dimler said he would be happy to help just send the information.
- Supervisor Parete stated that John Kotsides from the Planning Board has resigned so there is now a vacant opening. Councilwoman Foote said she would ask the alternate if he would like to fill that opening and will follow up.
- Councilman Hunt reminded everyone that there is still an opening on the Board of Ethics Commission. Hunt also mentioned that the revisions to the Ethics Law have been sent to everyone for review. He will forward the community complaint form and procedure to the board for review along with a copy of the proposed financial disclosure form. Supervisor Parete asked if everyone could please forward their comments to him in the next week. Once the revised law has been reviewed a public hearing will be scheduled.
- Councilwoman Foote said the town board has been working on a newsletter to send out. Foote would like input before sending out.
- Tom Konrad, ECC Chairman, had presented a request to apply for a geothermal scoping study at the last town board meeting and had thought it would not cost the town anything. Since then, he learned that the company would like \$10,500 for the study. The Town Board thought this was too much and asked if Konrad could get them down to \$6,000. Supervisor Parete, along with the board asked if more homework could be done between now and the next town board meeting.

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 7:15pm.

Respectfully submitted,
Heather Moody
Town Clerk/Tax Collector