



Town Board Regular Meeting

Tuesday, September 20, 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 Town Clerk Moody 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 “ETHICS CODE”

- Supervisor Parete reminded everyone that the public hearing on the proposed Local Law “Ethics Code” from September 6th had remained opened.
- Supervisor Parete again, stated Town Clerk Moody had legally noticed the public hearing in the Daily Freeman on Sunday, August 28th. The legal notice as also posted on the town website and the Town Clerk’s Community Board.
- Supervisor Parete asked the audience if anyone would like to speak on the proposed law.
- Bill Terpening, resident, read a prepared statement and also submitted his comments to Town Clerk Moody, which are on file in the Town Clerk’s office. Mr. Terpening’s comments included:
 - The draft of the proposed revision of the Code of Ethics was not posted on the town’s website at least 24 hours before the 9/6/22 meeting.
 - The file name on the PDF of the draft lists the date as 8/18/22, which was 19 days before the 9/6 meeting.
 - No audio for the video on the town’s Facebook page. The public that viewed the meeting online was left uninformed about what may have taken place during the public hearing and whether there was any related discussion by the Town Board. No information was subsequently provided on the Town’s website to inform the public about the situation.
 - In the drafts §24-4, Conflict of Interest, subsection 1, paragraph 3, one sentence was removed from the otherwise identical paragraph that is in the present law “In addition, no elected official or any chairperson of any Town committee, commission or board shall hold office in any political party, political club or association, society or committee.” This prohibition is necessary to prevent conflict of interest and undue favoritism in either direction.
 - The drafts §24-7, Establishment, Composition, Removal, and Operation of Board of Ethics, subsection A, states in part: “shall serve at the pleasure of the appointing authority.” However, the “appointing authority” is not defined. Instead, I believe that it should state: “shall be appointed by

the Town Board.” This same subsection limits only the chairperson and vice chairman of a political organization from also being a member of the Board of Ethics. But all members of a political organization are similarly vulnerable to bringing associated bias and favoritism to membership on the Board of Ethics.

- The drafts §24-8, Powers and Duties of the Board of Ethics, in its first paragraph states: “The opinions of the Board of Ethics shall be advisory and confidential.” In contrast, this section’s subsection A, paragraph 5 and, effectively, its subsection B, paragraph 9, provide that the Board of Ethics advisory opinions and records are subject to the FOIL Law’s regulations.
 - If the Board of Ethics opines that an ethical violation was committed, and the Town Board concurs, the Board of Ethics findings and recommendations to the Town Board should be made available to the public. Otherwise, undue confidentiality is detrimental to public confidence that ethical violations committed by our government officials will be publicly exposed.
 - The drafts §24-9, Administration of the Code of Ethics, has disarrayed alphabetization of its subsections.
- There being no further comments or questions on the proposed local law “Ethics Code” Supervisor Parete made a motion to close the public hearing, seconded by Councilman Hunt, **5-0; 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 9/6/2022.

Town Clerk Moody submitted the following vouchers for approval:

<u>September 20, 2022</u>	<u>Vouchers</u>	<u>Total Payment</u>
General Fund	V#595-634	\$37,098.43
Highway Fund	V#290-311	\$26,173.52
High Falls Water District	V#81-85	\$9,369.04
RMC	V#104-117	\$8,309.21
Vly Atwood Fire Protection District	V#10-13	\$9,717.37

A motion was made by Councilman Davenport and Seconded by Councilman LaFera 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; motion carried.

- Councilwoman Foote questioned if the highway was done paving and is that what the Callahan voucher is for? Supervisor Parete responded the highway is done paving and we should not see so many invoices from them.
- Councilman Davenport asked what the total for the Vly Atwood Fire Protection covered? Supervisor Parete responded that due to the last storm there had been a lot of trees down at the fire house and they had hired LW Tree Service who did \$9,500 worth of tree work.

MEETING MINUTES:

Councilman Hunt made a motion, seconded by Councilwoman Foote to approve the meeting minutes from 9/6/2022. **5-0; motion carried.**

RESOLUTION #91-2022; SERVICE AGREEMENT WITH LEAD DATA TECHNOLOGIES

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

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, 2022, to October 2, 2023, for \$563, 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 Davenport Voting Aye

Councilman Lafera Voting Aye

Councilwoman Foote Voting Aye

Councilman Hunt Voting Aye

Supervisor Parete Voting Aye

5 Aye; Resolution #91-2022 was thereupon adopted.

- Supervisor Parete stated that this will be split between both Rosendale and Marbletown. The bill went up \$60.00 since last year.

RESOLUTION #92-2022; SET A PUBLIC HEARING FOR THE HISTORIC DESIGNATION OF 74 RIDGELY DRIVE IN THE TOWN OF MARBLETOWN

The following Resolution was offered by Councilman Hunt and seconded by Councilman Davenport:

WHEREAS, the Marbletown Historic Preservation Commission held a public hearing on the historic designation of 74 Ridgely Drive, Stone Ridge New York, 12484 on September 8, 2022 and voted unanimously to approve the Designation and recommended to the town board to hold a public hearing for designation in accordance with the Historic Preservation Law, Chapter 128 and the related proposed local law entitled "A Local Law Amending Appendix "A" of Chapter 128 "Heritage Preservation" of the Town of Marbletown Code by adding 74 Ridgely Drive as a Designated Landmark".

NOW THEREFORE BE IT RESOLVED that the Town Board of the Town of Marbletown hereby schedules a public hearing, on October 18, 2022, at 6:00 PM at the Rondout Municipal Center, 1925 Lucas Avenue Cortekill, NY 12419 to hear all interested parties.

BE IT FURTHER RESOLVED that the Town Clerk of the Town of Marbletown is hereby directed and authorized to legally advertise same.

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 Aye; Resolution #92-2022 was thereupon adopted.

- Supervisor Parete stated the Historic Preservation Commission held a public hearing on September 8th to review the application submitted by Laura Cunningham for a landmark designation for 74 Ridgely Drive. By motion and unanimous approval, the HPC agrees the application stands as a historic property.
- Councilman Hunt would like the language of the application possibly changed and more history of the people be added. He also thought the name should be changed. Supervisor Parete and Councilman Hunt stated they would discuss further with the HPC.

RESOLUTION#93-2022: SCOPING STUDY APPLICATION FEE

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

WHEREAS, community heat pump systems a.k.a thermal energy networks are the most efficient way to heat and cool buildings with current power-to-heat technology while enabling the shift to renewable electricity generated by renewables,

WHEREAS, The Town of Marbletown has adopted a 100% Renewable Action Plan to shift the Town (both government operations and community energy use) to 100% renewable energy as quickly as is practical,

WHEREAS, Community heat pump systems deliver significant benefits to the electric grid in the form of reduced peak loads, and more predictable load curves,

WHEREAS, the Federal Inflation Reduction Act provides significant tax credits (some of which can be used by municipal and other non-taxable entities) for heat pump systems,

WHEREAS, Fossil fuel heating in the Town of Marbletown is limited to relatively expensive fuels such as propane and fuel oil, which greatly enhances the economic benefits of heat pump systems,

WHEREAS, Most residences in the Hamlet of High Falls have unused water wells which can potentially be repurposed for thermal exchange,

WHEREAS, The Town is planning on expanding the High Falls Water district to the hamlet of Stone Ridge, which will result in numerous additional residences in the hamlet with unused water wells that can be repurposed for thermal exchange,

WHEREAS, in addition to residences and businesses, three town buildings, the Stone Ridge Library, and the Stone Ridge Fire Department, and the High Falls Fire Department all have the potential to benefit from a community thermal network,

WHEREAS, The Rondout Valley Business Association, Stone Ridge Library, and the Ulster County Department of Public Works have all signed letters of support for the scoping study,

WHEREAS, the State Utility Thermal Energy Network and Jobs Act directs the Public Service Commission to develop a regulatory structure for utility thermal energy networks and requires the state's seven largest utilities (including Central Hudson) to pilot at least one and as many as five thermal energy networks as a test in the short term.

RESOLVED, The Town of Marbletown commits to pay \$3000 of Egg Geo's \$6,000 fee to apply for "COMMUNITY HEAT PUMP SYSTEMS CATEGORY A: SITE-SPECIFIC SCOPING STUDY ON BEHALF OF THE TOWN OF MARBLETOWN," provided that Ulster County, SUNY Ulster, or some other outside source of funding is found for the balance.

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 Aye; Resolution #93-2022 was thereupon adopted.

- Tom Konrad, ECC Chairman, stated that Rosendale endorsed the study but did not commit to providing any additional funds. SUNY Ulster has endorsed also, but no commitment of funding. Konrad also stated they would like ten businesses each from Stone Ridge and High Falls to commit to be part of the study. Home owners would be good too. If anyone is interested they should contact the town board or Tom Konrad.

OTHER TOWN BUSINESS:

- Supervisor Parete reported that he is finishing up the 2023 budget and it has to be submitted to Town Clerk Moody by 9/30/2022. Town Clerk Moody will present the budget to the board at the 10/4 meeting for review. The board will have a couple of weeks to review the budget and at the 10/18 meeting the board can make recommendations for changes. The public hearing for the budget will most likely be on 11/1. Parete added the highway department salaries have gone up, insurance has gone up and all employees will get raises.
- Supervisor Parete stated that he and Councilman LaFera met with the Marbletown Fire District, and they are going to dissolve which would be effective 12/31/22. The Town will get their fire house and three fire trucks.
- Supervisor Parete and Councilwoman Foote met with the DEP to discuss the aqueduct that runs from Pine Bush Rd to Lower 27 Knolls and the leaking that is occurring. According to the DEP there are approximately fifty-one properties that are impacted, and they would like to work with the town to identify these properties. There is a fund set up that will assist with the claims. The DEP will help facilitate the fund and make recommendations but will probably not happen until late 2023 or early in 2024.
- Councilwoman Foote reported that Ted Fink, who was the planner for Warwick for thirty-one years, will be reviewing the town zoning code to help make more sense and make recommendations. Councilwoman Foote will invite Mr. Fink to a town board meeting to let the town know what we need to do going forward.
- Councilman Davenport told the board that he had seen an eBike on the Rail Trail and they go approximately 20-25 miles per hour. Davenport suggested putting up a courtesy sign that says eBikes are motorized vehicles and they are prohibited on our rail trail.
- Tom Konrad, ECC Chairman, pointed out that if two of the fire districts are going away we should look into taking out the streetlights by each of those buildings. Konrad has the pole numbers and the forms, and he will start the process. Removing a streetlight could save the town \$15.00-\$20.00 a month per light.

Motion to adjourn: There being no further discussion Councilman LaFera made the motion to adjourn the meeting, seconded by Councilman Davenport; 5 Aye; motion carried. The meeting adjourned at 7:08pm.

Respectfully submitted,
Heather Moody
Town Clerk/Tax Collector