



## **Town Board Regular Meeting**

**Tuesday, December 6, 2022**

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

### **CALL TO ORDER**

Supervisor Parete called the meeting to order at 6:05pm and Councilman LaFera 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; **\*arrived at 6:35pm**

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

### **PUBLIC COMMENT**

- Bill Terpening, resident, stated that the appraisal (Resolution on Hudson Valley Appraisal Corporation) seemed like a large amount of money for a space with small square footage. Attorney Tracey Kellogg responded all appraisals are more money now.
- Tom Konrad, Resident and ECC Chairman, commented on the Resolution for the boiler at the community center. Konrad sent out a cop-y of the 2019 resolution that was passed by the board that stated that the Town would have to do a calculation comparison before purchasing. Konrad mentioned they would be getting another quote the -next day and that would be sent to the town board.
- Lonnie Casman (spelling of the name was not provided for the record) resident, spoke on his support of heat pumps at the community center versus buying a new boiler. He built a new house about five years ago and it really has been a good choice.
- Joe Vitti, Board Chairman of the Marbletown First Aid Unit, provided the Town Board with a Response Report for the 3<sup>rd</sup> quarter plus October and November 2022. Per Mr. Vitti so far they have had a terrific year, response rates have been fantastic, support from the Town is great and they are fully staffed. The MFAU did bring in a little extra revenue from the Rosendale Street Festival and a few football games they provided service for. Full report is on file in the Town Clerk's Office.

### **APPROVAL OF VOUCHERS & AMENDMENTS**

Town Clerk Moody stated there were no amendments to the vouchers from 11/15/2022.

Town Clerk Moody submitted the following vouchers for approval:

<b><u>December 6, 2022</u></b>	<b><u>Vouchers</u></b>	<b><u>Total Payment</u></b>
<b>General Fund</b>	<b>V#785-815</b>	<b>\$64,943.11</b>
<b>Highway Fund</b>	<b>V#379-404</b>	<b>\$64,784.17</b>

<b>High Falls Water District</b>	<b>V#99-100</b>	<b>\$4,257.92</b>
<b>RMC</b>	<b>V#</b>	<b>\$</b>
<b>Marbletown Fire Protection District #1</b>	<b>V#</b>	<b>\$</b>

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>Absent</u>
Supervisor Parete	Voting <u>Aye</u>

**4-0; 1 absent; motion carried.**

#### **MEETING MINUTES:**

Councilwoman Foote made a motion, seconded by Councilman LaFera to approve the meeting minutes from 11/15/2022 with a small amendment on page 7, which will be in italics. **4-0; 1 absent, motion carried.**

#### **RESOLUTION #123-2022; SET PUBLIC HEARING FOR CONTRACT WITH STONE RIDGE FIRE DISTRICT AND COMPANY FOR PORTIONS OF MARBLETOWN FIRE PROTECTION DISTRICT NO. 1 (FORMER VLY-ATWOOD FIRE DISTRICT)**

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

**WHEREAS**, there has been duly established in the Town of Marbletown a Fire Protection District named “Marbletown Fire Protection District No. 1” as such territory is more fully described in the Resolution establishing such District as duly adopted by the Town Board of the Town of Marbletown on September 6, 2022, and **WHEREAS**, it is necessary that fire protection contracts between the Town of Marbletown and various fire companies within the Town be executed in order that fire protection may be continued in various areas of the Town; and

**WHEREAS**, it is a requirement of law that a public hearing be held by this Board to consider the proposed contracts.

**NOW, THEREFORE, BE IT RESOLVED** that a public hearing be held by this Board on December 20, 2022, at Rondout Municipal Center 1925 Lucas Ave. Cottekill NY 12419 at 6:00PM, for the purpose of considering fire protection contract with the Stone Ridge Fire District and Company for the attached area of the Marbletown Fire Protection District No. 1; and

**BE IT FURTHER RESOLVED** that the Town Clerk be and is hereby authorized and directed to publish a Notice of Hearing.

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>Absent</u>
Supervisor Parete	Voting <u>Aye</u>

**4-0 Aye; 1 absent; Resolution #123-2022** was thereupon adopted.

- Councilman LaFera and Supervisor Parete met with the County and Marbletown Fire Protection District No. 1 will have approximately 459 parcels from the Vly Atwood .

**RESOLUTION #124-2022; SET PUBLIC HEARING FOR CONTRACT WITH KRIPPLEBUSH FIRE DISTRICT AND COMPANY FOR PORTIONS OF MARBLETOWN FIRE PROTECTION DISTRICT NO. 1 (FORMER VLY-ATWOOD FIRE DISTRICT)**

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

**WHEREAS**, there has been duly established in the Town of Marbletown a Fire Protection District named “Marbletown Fire Protection District No. 1” as such territory is more fully described in the Resolution establishing such District as duly adopted by the Town Board of the Town of Marbletown on September 6, 2022, and **WHEREAS**, it is necessary that fire protection contracts between the Town of Marbletown and various fire companies within the Town be executed in order that fire protection may be continued in various areas of the Town; and

**WHEREAS**, it is a requirement of law that a public hearing be held by this Board to consider the proposed contracts.

**NOW, THEREFORE, BE IT RESOLVED** that a public hearing be held by this Board on December 20, 2022, at 1925 Lucas Ave. Cottekill NY 12419 at 6:05PM, for the purpose of considering fire protection contract with the Kripplebush Fire District and Company for the attached area of the Marbletown Fire Protection District No. 1; and

**BE IT FURTHER RESOLVED** that the Town Clerk be and is hereby authorized and directed to publish a Notice of Hearing.

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>Absent</u>
Supervisor Parete	Voting <u>Aye</u>

**4-0 Aye; 1 absent; Resolution #124-2022** was thereupon adopted.

- Supervisor Parete added that the remaining 159 parcels of the former Vly-Atwood fire district will be serviced by the Kripplebush Fire District.

**RESOLUTION #125-2022; SET PUBLIC HEARING FOR CONTRACT WITH STONE RIDGE FIRE DISTRICT AND COMPANY FOR NORTH MARBLETOWN FIRE PROTECTION DISTRICT NO. 2**

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

**WHEREAS**, there has been duly established in the Town of Marbletown a Fire Protection District named “North Marbletown Fire Protection District No. 2” as such territory is more fully described in the Resolution establishing such District as duly adopted by the Town Board of the Town of Marbletown on November 15, 2022, and

**WHEREAS**, it is necessary that fire protection contracts between the Town of Marbletown and various fire companies within the Town be executed in order that fire protection may be continued in various areas of the Town; and

**WHEREAS**, it is a requirement of law that a public hearing be held by this Board to consider the proposed contracts.

**NOW, THEREFORE, BE IT RESOLVED** that a public hearing be held by this Board on December 20, 2022, at Rondout Municipal Center 1925 Lucas Ave. Cottekill NY 12419 at 6:10PM, for the purpose of considering fire protection contract with the Stone Ridge Fire District and Company for the North Marbletown Fire Protection District No. 2; and

**BE IT FURTHER RESOLVED** that the Town Clerk be and is hereby authorized and directed to publish a Notice of Hearing.

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>Absent</u>
Supervisor Parete	Voting <u>Aye</u>

**4-0 Aye; 1 absent; Resolution #125-2022** was thereupon adopted.

- Supervisor Parete stated that Stone Ridge will service about 180 parcels from the Marbletown Fire District area.

**RESOLUTION #126-2022; TO SCHEDULE A PUBLIC HEARING ON PROPOSED LOCAL LAW OF 2022 RELATING TO THE ADOPTION OF 19 NYCRR Part 1203 Uniform Code and the Energy Code:**

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

**Minimum Standards for Administration and Enforcement**

**WHEREAS**, a proposed form of Local Law No. \_\_\_\_ of 2022 entitled **A LOCAL LAW ESTABLISHING Uniform Code and the Energy Code: Minimum Standards for Administration and Enforcement**

has been submitted to the Town Board of the Town of Marbletown on December 6, 2022;

**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 of the members of the Board) as follows:

1. The Town Board of the Town of Marbletown shall hold a public hearing on December 20, 2022, at 6:10 o'clock p.m. in the manner set forth in the attached notice of public hearing to hear all interested parties on said proposed local law and at which time and place it shall be determined by the said Town Board whether to adopt said local law.
2. The Town Clerk is hereby authorized and directed to publish a notice of said public hearing in the official newspaper of said Town which is not less than five days prior to the date of said public hearing.

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>Absent</u>
Supervisor Parete	Voting <u>Aye</u>

**4-0 Aye; 1 absent; Resolution #126-2022** was thereupon adopted.

- Attorney Tracy Kellogg stated this will replace the previous Chapter 99, which was done in 2008. Kellogg added that they have expanded the enforcement provisions and they have deleted information pertaining to parking garages. Supervisor Parete added that if something changes an amendment can be made.

- Councilwoman Foote asked what is the purpose of this law? Attorney Kellogg responded this law directs what the Building Inspector can do and how we administer the code. It's the general guide how the Building Department operates.
- Supervisor Parete said that the public hearing would be on the draft that was provided tonight and if the parking garages is added at a later it would be amendment.
- **6:35pm Councilman Hunt joined the meeting.**

#### **RESOLUTION#127-2022; HIRING HUDSON VALLEY APPRIASAL CORPORATION**

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

**WHEREAS**, the Town Marbletown would like to have the Marbletown Fire House appraised, and

**WHEREAS**, Hudson Valley Appraisal Corporation of 9W and Sunset Drive PO Box 1004 Port Ewen, New York 12446-1004 has presented such agreement to service the Rondout Municipal Center, and

**WHEREAS**, Hudson Valley Appraisal Corporation has provided a quote of \$3,500, said contract which is attached hereto and made of part hereof, and

**NOW, THEREFORE, BE IT RESOLVED** that the Town Board of the Town of Marbletown authorizes the Supervisor to sign said agreement on behalf of the Town of Marbletown;

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>No</u>
Councilwoman Foote	Voting <u>Aye</u>
Councilman Hunt	Voting <u>Aye</u>
Supervisor Parete	Voting <u>Aye</u>

**4 Aye-1 No;** Resolution #127-2022 was thereupon adopted.

- Supervisor Parete said that the Town will take ownership of the Marbletown Fire House as of 1/1/2023. The Town does not want to own the fire house and they will put it up for sale.
- Councilman LaFera said he is not sure we need to do an appraisal and that would be part of the process between the buyer and seller.
- Councilman Davenport added that he would never take an asset without an appraisal, especially with commercial property.
- Councilwoman Foote mentioned there were a couple ways of looking at this situation, but she would feel better if we went above board and got the appraisal that way there would be no questions.
- Councilman Hunt said he agreed with the appraisal process. Hunt asked if the Hudson Valley Appraisal Corporation is someone we have used before? Supervisor Parete responded 'yes' the town has used them before, and they do appraisals on a lot of commercial properties in the area.

#### **RESOLUTION#128-2022 BOILER FOR COMMUNITY CENTER AND RESOLUTION #129-2022 SETTING PUBLIC HEARING TO PAY REPAIR COSTS FROM REPLACE/REPAIR RESERVE FUND**

- After much discussion it was decided that Resolutions 128 and 129 would be pulled from the agenda as the next day, Dec. 7<sup>th</sup>, they would be getting another heat pump quote. Supervisor Parete said they would vote at the next meeting or call for a special meeting to take a vote on the resolution.
- Councilwoman Foote asked if we could use the existing vents with heat pumps. Councilman LaFera responded, "unfortunately no".
- Councilman Davenport asked about the usage of the Community Center? Would it be beneficial to close the community center during the winter?

- Councilman Hunt added that a review of the usage and *where* it fits with town business should be done.
- Supervisor Parete added that most of the programs are now held, here at the RMC.
- Councilwoman Foote wondered if we should be charging more money for the use of the community center.
- Supervisor Parete said the Community center is older and we've been doing a lot of work on it. The roof is leaking, and they received one quote for \$60,000.
- Councilwoman Foote asked if we could just add 2 more splits and not the 5 that was previously suggested and quoted? ECC Chairman Tom Konrad said he would look into this and forward any information he received to the board.

### **RESOLUTION#130-2022; MARBLETOWN FIRST AID UNIT (MFAU) CONTRACT**

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

**WHEREAS**, the Town of Marbletown (TOWN) desires to contract with Marbletown First Aid Unit (MFAU) for the provision of emergency and general ambulance services, Basic Life Support ("BLS"), and Advanced Life Support ("ALS") (hereinafter collectively "ambulance service(s)" or "EMS") for upon the terms and provisions set forth in this AGREEMENT and in various related written agreements and amendments that may follow; and **WHEREAS**, MFAU has represented to the TOWN that it cannot provide the manner and level of ambulance service availability desired by the Town in the absence of financial support in the form of a subsidy provided by the TOWN and revenue recovery by MFAU; and

**WHEREAS**, the TOWN levied an ad-valorem-based tax upon the taxable properties located within the TOWN and/or draw from existing revenues or provide such subsidy for ambulance services; and

**WHEREAS**, the TOWN desires to establish a uniform contractual arrangement for the provision of ambulance services with MFAU dependent upon MFAU complying with the terms of the AGREEMENT and pursuing revenue recovery for ambulances provided within the TOWN from users of the ambulance service with the expectation that revenue gained through revenue recovery is be used to lessen the tax burden for TOWN residents and further, to provide for the continuation and improvement of the provision of ambulance service within the TOWN by MFAU, and

**RESOLVED**, in consideration of the mutual promises recited herein and other good and valuable consideration, the receipt of which is hereby acknowledged, the TOWN does contract with MFAU to furnish ambulance services to said TOWN, and MFAU agrees to furnish such ambulance services, subject to the following provisions: and

**FURTHER RESOLVED**, the Town Board of the Town of Marbletown authorizes the Supervisor to sign the attached contract.

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 Aye**; Resolution #130-2022 was thereupon adopted.

- Supervisor Parete expressed his appreciation to the rescue squad said it has been a great success.
- Councilman Hunt thanked Mr. Joe Vitti for the presentation from the beginning of the meeting. Hunt inquired about a protocol for overdoses. Mr. Vitti responded that it's not up to them.

- Councilman Davenport added we've come a long way and going forward we would like to get more detailed information especially when it comes to the budget.

### **OTHER TOWN BUSINESS:**

- Supervisor Parete reported that they hope to have the new contract with Spectrum for the high-speed internet in the next few weeks, adding that there are three roads, Cantine, County Rt. 6 and Bowden Road, that do not have internet service and it would be approximately \$137,000.
- Supervisor Parete announced that on Thursday the DEP would be sending a remote vehicle down into the aqueduct to look for leaks. Parete said he had met with the DEP on Mr. Boice's property, and they walked down the rail trail where the trail is eroding. The Rondout Manufacturing Building is having issues too. Parete said a meeting would be set up in the future with the property owners that are having issues with the DEP.
- Councilman LaFera took a moment to remind all the businesses that are listening that we do have a sign law and if they have any questions to contact the building department.
- Councilman Hunt reported that the town park is now closed for the winter. Hunt also asked how everyone felt about the Youth and Recreation changing their name to the Parks and Recreation? Parete replied that everyone seems to be in favor so far, but we'll discuss further at the Organizational Meeting in January.
- Town Clerk Moody reminded everyone that the Light Up Marbletown luminaries and Parade are coming up on December 17<sup>th</sup>.
- Councilman Hunt brought up the speed limit on Rt. 209, after Marcott Road and past the Marbletown Inn, and the amount of speeding cars. Hunt asked if there was a chance there could be a traffic study done and maybe have the speed limit lowered. Supervisor Parete added that it can take up to 18 months for a speed study.

### **PUBLIC COMMENT**

- John Cirone, resident and former member of Vly Atwood Fire House, inquired what would happen with the Marbletown Fire House trucks? Supervisor Parete responded that the Stone Ridge Fire House might be getting one of the trucks as they will be covering some of that area.
- Bill Terpening, resident, pointed out that the Marbletown seal on the dais is crooked. Mr. Terpening also submitted to Town Clerk Moody a written statement which he also read out loud. Mr. Terpening commented on comments that Supervisor Parete made during the last public comment period. Mr. Terpening also pointed out that he has no influence over the press. Terpening added that he believes watchdogging of those who hold power and publicly pointing out problems is essential for accountability and transparency, regardless of whether those in power are annoyed, defensive and belittling.
- Rondout Valley High School student, Abby, stated that the Town Board talking about the Community Center and heating issues with the residents was a great discussion. Supervisor Parete thanked the students that were in attendance.

**Motion to adjourn:** There being no further discussion Supervisor Parete made the motion to adjourn the meeting, seconded by Councilman LaFera; 5-0 aye; motion carried. The meeting adjourned at 7:21pm.

Respectfully submitted,  
Heather Moody, Town Clerk/Tax Collector

FINAL