



Town Board Regular Meeting

Tuesday, February 21, 2023

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 Councilwoman Foote 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 TO PROVIDE TAX EXEMPTION FOR VOLUNTEER FIREFIGHTER AND AMBULANCE PERSONNEL

- At 6:03pm a motion was made by Councilman LaFera, seconded by Councilman Davenport to open the public hearing on the proposed Local Law # of 2023 ‘To Provide Tax Exemption for Volunteer Firefighter and Ambulance Personnel’, 5-0 Aye, motion carried.
- Supervisor Parete stated Town Clerk Moody had legally noticed the public hearing in the Daily Freeman on February 12th. The legal notice as also posted on the town website and the Town Clerk’s Community Board.
- Nancy Birdsall, resident for 15 years, pointed out that there has always been trouble getting volunteers to the fire districts. Firefighters dedicate a lot of their time in order to save lives and homes. Right not they get \$200.00 off their income taxes. Ms. Birdsall is hoping the town supports this local law.
- At 6:08pm there being no more comments or questions on the proposed local law To Provide Tax Exemption for Volunteer Firefighter and Ambulance Personnel, Councilwoman Foote, seconded by Councilman LaFera to close the public hearing on the proposed local law, 5-0 Aye, motion carried.

PRESENTATION; LAURIE WHEELOCK, PUBLIC UTILITY LAW PROJECT

- Laurie Wheelock shared, via Zoom, a presentation of information on the Public Utility Law Project which includes the Department of Public Service’s Investigation and Report, what they found and their recommendations.
- This presentation is on file in the Town Clerk’s office and has been shared on the Town of Marbletown website and Facebook page.

MEETING MINUTES:

- Councilwoman Foote made a motion, seconded by Councilman Davenport to approve the meeting minutes from 2/7/2023 5-0 Aye; motion carried.

APPROVAL OF VOUCHERS & AMENDMENTS

Town Clerk Moody stated there were no amendments from the 2/7/2023 vouchers.

Town Clerk Moody submitted the following vouchers for approval:

<u>February 21, 2023</u>	<u>Vouchers</u>	<u>Total Payment</u>
General Fund	V#72-108	\$26,737.78
Highway Fund	V#33-60	\$100,056.71
High Falls Water District	V#10-17	\$6,947.86
RMC	V#	\$0.00
Marbletown Fire Protection District #1	V#	\$0.00

A motion was made by Councilman Davenport and Seconded by Councilwoman Foote 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; 1 motion carried.

- Councilman Davenport asked what the 'Mercedes Benz' voucher covered? Supervisor Parete responded it was for the two highway trucks bought in 2019, stating we make one payment a year.

PUBLIC COMMENT:

- Laura Cunningham, resident of 41 years, gave a round of applause to all those that came out tonight in support of the senior citizen tax exemption. Cunningham stated that we deserve the maximum limit.
- Celia Seupel, resident, said there should be more information from the town about the exemptions. Maybe have a hotline to help people over 65 so they know what to bring if they are confused.
- Bill Terpening, resident, read a prepared statement, which was also submitted to Town Clerk Moody for the record and review if anyone would like. Mr. Terpening emphasized that the Town Board proposed increase to the Town's existing maximum income for a 50% exemption is only 38% of what the State now allows: namely the Board has proposed adding 8,000 when the State allows 21,000 to be added. Adding the Board's proposed increase in income does not even meet the Cost-of-Living Adjustments that cover the 13-year period since the State's previously allowed increase established in 2009. Mr. Terpening went on to give a couple of examples of exemptions. Mr. Terpening then requested that each town board member state what they believe the maximum amount should be, then average those five amounts and adopt that amount for the 50% exemption with the other scale levels adjusted accordingly. Mr. Terpening concluded knowing where each town board member stands on this issue would result in better informed voters and more open government.
- Barbara Goodwin, resident, stated she had done a deep dive into the numbers adding the town should be giving seniors as much help as we can. It would be great if we could do the 50%. Goodwin pointed out that back in 2010 they adopted the maximum of what was allowed so let's do that same thing.
- Vivi Hlavsa, resident, pointed out that there are other people besides seniors and assuming they are working people, making a salary, adding that seniors are on a fixed income and that can be scary when looking down the road. We have to take care of our old ones and the disabled.

- Nina Shengold, resident for 35 years, would like to speak on behalf of the Vly neighborhood who are retired, semi-retired or can't afford to retire. Many of them are self-employed. Let's try to let people know what they are entitled to.
- June Mastropietro, resident who has lived here for 60 years, she has not struggled yet but with the cost of food and heat going up, which we can not do anything about that. She's just telling the facts and we are being squeezed. Adding if the town could afford us some help.
- Joyce Szuflita, 7 year resident, who is not 65 yet, but in 100% support of this. She pointed out that this is humble thoughtful way to take care of the seniors.
- Mary Louise Wilson, resident who is 91 years old, said this town supports children and we all pay for school education and the other end should be supported with help.

RESOLUTION #36-2023 WALDEN ENVIRONMENTAL ENGINEERING AGREEMENT

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

WHEREAS, New York City Department of Environmental Protection (DEP) has identified leaks in the Rondout Pressure Tunnel portion of the Catskill Aqueduct located within the High Falls area and has committed capital funds to address such leaks, and

WHEREAS, some properties in the High Falls area are experiencing impacts suspected to be linked to leaks from the Catskill Aqueduct, and

WHEREAS, the Town of Marbletown and DEP are working on an Intergovernmental Agreement (IGA) to address the impacts of the leaking Tunnel, and

WHEREAS, the proposed IGA allows the town to hire a consultant to prepare Exhibit B, "Designated Area for Neighborhood Support Project" at a cost not to exceed \$5,000, and

NOW, THEREFORE, BE IT RESOLVED, that the Town Board authorize the attached Agreement with Walden Environmental Engineering at 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 #36-2023 was thereupon adopted.

- Supervisor Parete explained that there had been a presentation back in Nov. 2022 about the leaks in the pressure tunnels and the water tables are dropping. NYC will be repairing the leaks. NYC DEP will be working with property owners to fix the leaks.

RESOLUTION #23-2023; LOCAL LAW TO AMEND CHAPTER 172 "TAXATION" AMEND IN-COME LIMITS FOR EXEMPTIONS FOR SENIOR CITIZENS

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

WHEREAS, the Town Board of the Town of Marbletown (the "Town Board") has determined that amending Chapter 172 (Taxation) of the Town Code to increase the maximum income levels at which senior citizen (age sixty-five years or over) are eligible to receive an exemption on real estate taxes levied by the Town is necessary and in the best interest of the Town to protect the health, safety, and welfare of its' citizens; and

WHEREAS, the action to adopt this proposed Local Law is a Type II Action under the New York State Environmental Quality Review Act regulations for which no environmental review is required.

WHEREAS, this proposed Local Law is adopted pursuant to Municipal Home Rule Law § 10 and Real Property Tax Law § 467; and

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Marbletown adopt Local Law #1, a Local Law to Amend Chapter 172 “Taxation” Amend Income Limits for Senior Citizens. 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 #23-2023 was thereupon adopted.

- Supervisor Parete reminded everyone that this effects the town taxes only, not the county taxes and it has nothing to do with school taxes.
- Councilman LaFera added that the tax rate in our town is very good and have been fair. Passing this law does not change the tax rate.
- Councilman Hunt pointed out that we have the second lowest tax rate in the County. In 2022 we were the lowest and it then went up because of the ambulance service being added. Hunt added he appreciates all the comments and the accounting that have been presented.
- Councilwoman Foote suggested going forward maybe having an information session at the community center to review what would be required when it comes to signing up for the exemptions.
- Supervisor Parete reviewed the three options provided by Real Property. Supervisor Parete made a motion, seconded by Councilman Hunt to go with option 3 provided by Parete. 5-0 aye, motion carried. The tax schedule will go into effect July 1, 2023.

RESOLUTION #24-2023; LOCAL LAW TO AMEND CHAPTER 172 "TAXATION" AMEND IN-COME LIMITS FOR EXEMPTIONS FOR DISABLED PERSONS WITH LIMITED INCOMES

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

WHEREAS, the Town Board of the Town of Marbletown (the “Town Board”) has determined that amending Chapter 172 (Taxation) of the Town Code to increase the maximum income levels at which Disabled Persons with Limited Incomes are eligible to receive an exemption on real estate taxes levied by the Town is necessary and in the best interest of the Town to protect the health, safety, and welfare of its’ citizens; and

WHEREAS, the action to adopt this proposed Local Law is a Type II Action under the New York State Environmental Quality Review Act regulations for which no environmental review is required.

WHEREAS, this proposed Local Law is adopted pursuant to Municipal Home Rule Law § 10 and Real Property Tax Law § 467; and

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Marbletown adopt Local Law #2, a Local Law to Amend Chapter 172 “Taxation” Amend Income Limits Disabled Persons with Limited Incomes.

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 #24-2023 was thereupon adopted.

- Supervisor Parete made a motion, seconded by Councilman LaFera to go with option 3, same as what was passed with Resolution #23. 5-0 aye, motion carried. The tax schedule will go into effect July 1, 2023.

RESOLUTION #37-2023; ADOPTING LOCAL LAW NO. 3, A LOCAL LAW PROVIDING FOR A PARTIAL TAX EXEMPTION UPON REAL PROPERTY BASED UPON THE OWNER'S VOLUNTEER MEMBERSHIP IN A TOWN OF MARBLETOWN FIRE DEPARTMENT OR MARBLETOWN FIRST AID UNIT PURSUANT TO SECTION 466-a OF THE REAL PROPERTY TAX LAW

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

WHEREAS, members of volunteer fire companies, fire departments and voluntary ambulance services provide invaluable services to the people of Marbletown, and

WHEREAS, these volunteers must undertake numerous hours of training to be certified and re-certified, on their own time and frequently at their own personal expense, and

WHEREAS, these volunteers discharge their duties, which are often dangerous and come at great personal sacrifice, without the expectation of personal recognition or reward, and

WHEREAS, a public hearing is required regarding Proposed Local Law No. of 2023, (A Local Law To Allow Enrolled Volunteer Firefighters And Volunteer Ambulance Workers To Be Eligible For A Real Property Tax Exemption Under Real Property Tax Law (RPTL) § 466-a); a public hearing was held on Tuesday, February 21, 2023, at 6:00 PM at the Rondout Municipal Center, 1925 Lucas Avenue, Cottekill New York 12419; now, therefore be it

RESOLVED, that Local Law No. 3 of 2023 is hereby adopted as follows:

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 #37-2023 was thereupon adopted.

- Supervisor Parete said that the State passed this in December, and it would be a 10% property tax reduction. You would have to volunteer in the district that you live in. The district would then provide a rooster of names. Adding that this law will not be ready until 2024.
- Councilwoman Foote asked what the requirement of service would be. Parete stated the law says they have to be 'active volunteer'.

RESOLUTION #38-2023; APPOINTMENT TO ZONING BOARD OF APPEALS

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

WHEREAS, the Town has a vacancy for alternate on the Zoning Board of Appeals, and

WHEREAS, Nancy Birdsall has expressed an interest in being appointed as an alternate to the Zoning Board of Appeals, and

NOW THEREFORE BE IT RESOLVED that the Town Board of the Town of Marbletown appoints Nancy Birdsall as an alternate for a term to expire on December 31, 2023.

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 Aye

5-0; Resolution #38-2023 was thereupon adopted.

- Supervisor Parete pointed out that Brendan Masterson had moved up with the ZBA so this left the vacancy. Nancy Birdsall retired from the State, and she is a good fit and eager to jump in and start working.
- Councilwoman Foote said thank you very much for volunteering.

RESOLUTION #31-2023 BROADBAND FUNDING AND DEVELOPMENT AGREEMENT

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

WHEREAS, the Town of Marbletown seeks to provide broadband internet service to the Town and all the unserved/ underserved residents and businesses in the Town (“Project”); and,

WHEREAS, Archtop and the Town agree on the objectives of the Project and desire to further make available broadband service (“Service”) to the unserved/underserved areas within the Town via the System (defined below); and,

WHEREAS, there are multiple, overlapping programs at the federal and State level that support broadband access as their main purpose, including Federal Communications Commission, Rural Utility Services, US Department of Commerce and National Telecommunications and Information Administration programs, creating difficulty in determining the most effective approach to securing public funding for the Project; and

WHEREAS, Archtop is willing to assist the Town’s efforts to secure public funding from all available sources for the Project if all funding which the Town derives from this joint effort is dedicated to the maximum extent legally permissible to support infrastructure within portions of the Town for Archtop to provide broadband internet service (“System”), and if applicable permit and inspection fees on Town property and rights-of-ways required for the construction of the System are waived; and

WHEREAS, the Town of Marbletown is willing to assist in such efforts as part of the Project, under the terms of this Broadband Agreement.

NOW THEREFORE RESOLVED, for value received and in consideration of the covenants and conditions set forth below, the Parties agree to the attached agreement:

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 #31-2023 was thereupon adopted.

- Supervisor Parete reminded everyone that this resolution had been tabled from the last meeting. Parete added this would be providing broadband funding and development to the town and the unserved residents and businesses in town.

RESOLUTION #39-2023; APPOINTMENT TO THE BOARD OF ASSESSMENT REVIEW

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

WHEREAS, Diane Silverberg has expressed an interest in being reappointed to a position on the Board of Assessment Review; now, therefore be it

RESOLVED, that the Town Board of the Town of Marbletown does hereby designate and appoint Diane Silverberg to the Board of Assessment Review, to fill the term as follows: Appointment Term Expires September 30, 2027.

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 #39-2023 was thereupon adopted.

- Supervisor Parete mentioned Diane Silverberg has been a member of the Board of Assessment Review for a few years and would like to be reappointed. They go through training, and they receive \$50.00 per review session.

PUBLIC COMMENT:

- Barbara Goodwin, resident, mentioned she would like to see a music program get started. She attended a concert at the Community Center and wondered if that would be possible at the RMC. Parete stated that would have to be approved by both Marbletown and Rosendale.
- Claudine Brenner, resident, took a moment to thank everyone that worked on getting the information out about the Senior Citizen exemption.
- Vivi Hlavsa, resident, questioned why don't we let the front lawn, at the RMC, become a meadow? It would be cheaper than mowing, and it would be a good example to set.
- Barbara Goodwin, resident, would like to know when the new senior exemptions would go into effect? Supervisor Parete will speak with the Assessor. Goodwin pointed out that the decision made by the town board show that the town cares about our seniors.
- Bill Terpening, resident, thanked the town board for having the town seal straightened out on the front of the dais.

OTHER TOWN BUSINESS:

- Supervisor Parete stated the town had received a couple applications for the Grounds/Maintenance worker. Parete added that we probably don't need someone 40 hours a week, possibly part time. He will speak with the Highway Superintendent to help develop a plan. This position will have to be posted for 14 days, per the Union.
- Councilman Hunt asked about looking at the usage of the Community Center. Parete responded that the Community Center brought in about \$6,000-\$7,000 in rentals/parties last year. The just received a quote to fix the roof and that was approximately \$60,000.
- Supervisor Parete reminded the group that the Blackboard Bistro moved out of the RMC and have moved to UCCC. Last week someone came to look at it but decided against it.
- Supervisor Parete said the Marbletown Fire House was up for sale and there has been a lot of interest. They are unable to find the septic and the well.
- Supervisor Parete announced that the Real Estate Transfer Tax brought in \$10,200 for the month of January. This money can be used for preservation, like purchasing easements, roads, maintain properties and farmland. It cannot be mixed with the General Fund.

Motion to adjourn: There being no further discussion Councilman LaFera made the motion to adjourn the meeting, seconded by Councilman Davenport; 5-0 Aye, motion carried. The meeting adjourned at 7:50pm.

Respectfully submitted,
Heather Moody
Town Clerk/Tax Collector

FINAL