



Town Board Regular Meeting

August 1, 2017

This regular meeting was held at the Rondout Municipal Center and began at 7:00pm

Present: Supervisor Michael Warren and Town Board members Joe Borzumato, Douglas Adams, and Patricia Clarke

Absent: Tim Sweeney

Also, Present: Heather Moody; Town Clerk/Tax Collector, Tom Konrad; ECC Chairman, Jodi LaMarco; Blue Stone Press, Maggie Colan; Zoning Secretary, Rich Lanzarone; Planning Board Chairman, Dan Proctor, Planning Board member and Chris Rowley; Shawangunk Journal.

Supervisor Warren called the meeting to order at 7:00 pm with the Pledge of Allegiance and a welcome to all those in attendance.

MEETING MINUTES

Supervisor Warren made a motion, seconded by Councilman Adams, to approve the meeting minutes from 07/18/2017. 4-0 Aye, Councilwoman Sweeney absent motion carried. Supervisor Warren directed Town Clerk Moody to post the approved meeting minutes on the town website.

PROPOSED LOCAL LAW #5-2017

- Maggie Colan, ZBA secretary, gave a review of proposed local law #5-2017 which is now local laws #5 #6-2017 combined. Public hearings were held on July 18th for both #5 and #6 and with direction from our town attorney they have been combined into local law #5-2017, relating to the creation of industrial/business ("I/B") districts, uses within those districts, and other related zoning law amendments.
- A letter from Carl Chipman, manager Kithkin Corp and Town of Rochester Supervisor was read for the record in support of proposed local law #5 along with an e-mail from resident Dan Kelly supporting the rezoning. Both correspondences will be included in the packet submitted to the Secretary of State with the local law.
- Councilwoman Clarke will submit grammatical changes to Town Clerk Moody by Friday August 4th for filing with the state.

#48-2017; RESOLUTION AUTHORIZING ADOPTION BY THE TOWN BOARD OF LOCAL LAW 5 OF 2017 RELATING TO THE CREATION OF INDUSTRIAL/BUSINESS ("I/B") DISTRICTS, USES WITHIN THOSE DISTRICTS, AND OTHER RELATED ZONING LAW AMENDMENTS

WHEREAS, owners of two of the Town's Light Industrial Districts notified the Town they considered the uses permitted in those districts to be overly restrictive, and therefore requested that the Town review the scope of uses within those districts; and

WHEREAS, the Planning and Zoning Committee conducted such a review and determined both that the

boundaries of those Light Industrial Districts did not properly reflect the existing uses, and that some of the requested uses by the owners were already allowed in the Town's Business Districts; and

WHEREAS, the Town Board has proposed amending the Official Zoning Map of the Town by the creation of two new districts called the Industrial/Business ("I/B") Districts; and

WHEREAS, the Town Board, after receiving input from the owners of the affected parcels, has considered possible allowed uses within those districts; and

WHEREAS, the proposed local law would create two new I/B districts, define the uses to be permitted in those districts, and modify other related provisions of the Zoning Law; and

WHEREAS, the proposed law was reviewed by and referred from the Planning and Zoning Committee which recommends adoption; and

WHEREAS, the proposed law was referred to the Town Planning Board and Zoning Board of Appeals who offered suggestions that have been incorporated in the proposed Local Law annexed to this Resolution; and

WHEREAS, as required under GML-239, the proposed law was referred to the Ulster County Planning Board (hereafter "UCPB") and neighboring Municipalities for comment. The "UCPB" had required modifications: 1) state how the proposed law supports the goals of the Comprehensive Plan and 2) submit a revised Zoning Map to UCPB; and

WHEREAS, in response to the required modifications from UCPB, the purpose and intent section of the proposed law has been modified to include appropriate references to the Comprehensive Plan related to the stated goals and objectives of the proposed law; and a modified Zoning map will be sent to UCPB upon completion; and

WHEREAS, after holding a duly noticed public hearing on July 18, 2017 and allowing additional written comments on said Local Law until July 28, 2017; and

NOW, THEREFORE, BE IT RESOLVED as follows:

1. That the Town Board of the Town of Marbletown, upon a majority vote of the members, hereby adopts the attached Local Law 5 of 2017, pending grammar modifications by Thursday August 3rd; and
2. That the required modifications from UCPB have been addressed; and
3. That the Town Clerk is hereby directed to enter said Resolution of adoption in the minutes of this meeting.

The following resolution was offered by Councilman Borzumato seconded by Councilman Adams to wit:

The question of the adoption of the foregoing Resolution was duly put to a vote on roll call which resulted as follows:

Tim Sweeney	Voting <u>Absent</u>
Michael Warren	Voting <u>Aye</u>
Doug Adams	Voting <u>Aye</u>
Joe Borzumato	Voting <u>Aye</u>
Pat Clarke	Voting <u>Aye</u>

4-0 Aye, Councilman Sweeney absent, motion carried.

This Local Law shall become effective upon filing with the Secretary of State.

PROPOSED LOCAL LAW #6-2017

- Maggie Colan gave a review of what is now proposed local law #6-2017, Solar Generation Law. A public hearing was held on July 18th, at which time this was proposed local law #7-2017.
- Maggie and Supervisor Warren thanked Tom Konrad, ECC Chairperson, for all of his assistance with the language of the law and reviewing all the comments submitted pertaining to the proposed law.

#49-2017; RESOLUTION AUTHORIZING ADOPTION BY THE TOWN BOARD OF THE TOWN OF MARBLETOWN OF LOCAL LAW 6 OF 2017: SOLAR GENERATION LAW.

WHEREAS, the Town Board has proposed amending Chapter 200: Zoning to create regulations for the use of Solar for both personal and commercial use; and

WHEREAS, the proposed law was reviewed by and referred from the Planning and Zoning Committee which recommends adoption; and

WHEREAS, the proposed law was referred to the Town Planning Board and Zoning Board of Appeals who offered minor suggestions that have been incorporated within the version of the Local Law annexed to this Resolution of adoption; and

WHEREAS, as required under GML-239, the proposed law was referred to the UCPB and neighboring Municipalities for comment and review. The UCPB had no comments or recommendations on the proposed law

WHEREAS, after holding a duly noticed public hearing on July 18, 2017 and allowing additional written comments on said Local Law until July 28, 2017; and

WHEREAS, having received written comments from Cypress Creek Renewables and having incorporated any applicable comments in the annexed version of the proposed local law; and

NOW, THEREFORE, BE IT RESOLVED as follows:

1. That the Town Board of the Town of Marbletown, upon a majority vote of the members, hereby adopts the attached Local Law 6 of 2017; and

2. That the Town Clerk is hereby directed to enter said Resolution of adoption in the minutes of this meeting.

The following resolution was offered by Councilman Borzumato seconded by Councilman Adams to wit:

The question of the adoption of the foregoing Resolution was duly put to a vote on roll call which resulted as follows:

Tim Sweeney Voting Absent

Michael Warren Voting Aye

Doug Adams Voting Aye

Joe Borzumato Voting Aye

Pat Clarke Voting Aye

4-0 Aye, Councilman Sweeney absent, motion carried.

This Local Law shall become effective upon filing with the Secretary of State.

PROPOSED LOCAL LAW #7-2017

- Maggie Colan provided a review of proposed Local Law #7-2017, which was originally Local Law #8-2017 at the public hearing held on July 18th. This law is to be known as the 2017 Amendment to the Zoning law to amend the applicable sections to the allow multiple one family dwellings on one lot. The purpose it to allow a variety of accessory housing options as noted in the Action Plan of the Comprehensive Plan while accounting for public health, safety and welfare of the Town and its residents.
- At the public hearing on the 18th Supervisor Warren gave residents and the Planning Board until July 28th to provide comments on the proposed zoning law amendment. Comments were not received until late on the 28th so were unable to be reviewed until 7/31/2017. This did not allow enough time for full review for the law to be brought to the Town Board for a vote. A vote on this proposed law will be on the agenda for the next town board meeting on August 15th.

- Rich Lanzarone, Planning Board Chairman has said he feels the review of applications, for the permits for the additional single family dwelling, should be managed by the Planning Board, not the Code Enforcement Officer, as stated in the proposed local law.
- A few wording changes will be made to the proposed local law and provided to Town Clerk Moody to put on the website.

ECC UPDATE (Tom Konrad)

- Tom Konrad, ECC Chairperson, provided an update on the streetlights in town. He is waiting for an audit by Central Hudson which could provide the town with a \$2,000-\$3,000 refund.
- Konrad is looking into a possible solar installation at the Rondout Municipal Center.
- There was a second audit for lighting at the Community Center and the Highway garage.
- There has been usage of the new EV Charging Station at the Community Center which does have to be tracked as part of the grant that was received.
- Konrad is looking into a possible 2nd EV Charging Station to be installed in High Falls. He is looking for an interested business with a parking space near an electrical panel.

RESOLUTION #50-2017: FUNDING RESOLUTION FOR BUILDING RESERVE FUND TOWN OF MARBLETOWN

Whereas, the Town of Marbletown establishing the Buildings Replace/ Repair Reserve fund for the purpose of financing Replace/Repairs and capital improvements to the seven buildings (Rondout Municipal Center, Community Center, Annex, Park Pavilion, old Town Hall, Highway Garage and Transfer Station) owned by the Town of Marbletown, as same become necessary;

IT IS HEREBY RESOLVED that the sum of \$350,000.00 be transferred from the Town of Marbletown savings account to the Town of Marbletown Buildings Replace/ Repair Reserve Fund.

The following resolution was offered by Supervisor Warren, seconded by Councilman Adams to wit:

The question of the adoption of the foregoing Resolution was duly put to a vote on roll call which resulted as follows:

Tim Sweeney Voting Absent

Michael Warren Voting Aye

Doug Adams Voting Aye

Joe Borzomato Voting Aye

Pat Clarke Voting Aye

4-0 Aye, Councilman Sweeney absent, motion carried.

#51-2017; A Resolution to Request that Ulster County research traffic patterns and consider lowering the Speed Limit on Lucas Avenue and Lucas Avenue Extension approximately .5 miles, in both directions, approaching the 213 intersections in High Falls.

Whereas, the speed limit on Ulster County Route 1 (north and south) approaching the 213 intersections in High Falls is currently 55 mph, and

Whereas, the intersection at Lucas Avenue and 213 is heavily traveled, and

Whereas, the north approach to the 213 intersection there is a limited sight distance and a curve and hill which has 12 driveways and two side roads (Leggett, Hobsons Choice) as well as a bus stop. The County has placed a suggested 45 MPH sign and curve sign to indicate a potentially difficult area just before this area. This is the suggested start for a 45 MPH zone to the intersection, and

Whereas, the Town Supervisor's Office has received several complaints from residents located on Lucas Avenue extension, in proximity to the 213 intersection and Leggett Road, regarding excess speeding, and
Whereas, police agencies cannot, under current conditions, require motorists to slow down in this area, and
Whereas, as a County Road the Town of Marbletown has no authority to lower said speed limits

Now, be it therefore resolved that the Town Board of the Town of Marbletown hereby requests that Ulster County research traffic patterns and consider lowering the speed limit on Lucas Avenue and Lucas Avenue Extension, approximately .5 miles, in both directions, approaching the Route 213 intersection in High Falls.

The following resolution was offered by Supervisor Warren, seconded by Councilman Borzumato to wit:

The question of the adoption of the foregoing Resolution was duly put to a vote on roll call which resulted as follows:

Tim Sweeney Voting Absent

Michael Warren Voting Aye

Doug Adams Voting Aye

Joe Borzumato Voting Aye

Pat Clarke Voting Aye

4-0 Aye, Councilman Sweeney absent, motion carried.

RESOLUTION #52-2017: STANDARD WORK DAY RESOLUTION

WHEREAS, Regulation 315.4 of the New York State & Local Retirement System requires the Governing Body of the town to establish a Standard Workday and Reporting system for all elected and appointed town officers that were elected or appointed after September 12, 2009, and

WHEREAS, persons affected are those that are enrolled in the New York State Retirement System as either Tier 2, 3, 4, 5 or 6 members, and

WHEREAS, the persons affected are those that receive monetary compensation for their duties and do not use the town's Time Clock nor use Time Sheets to document their work hours; now therefore be it

RESOLVED, that eight (8) hours for Marbletown Highway and (7) for the General unit is established as the Standard Workday; and be it further

RESOLVED, that the recording of time worked consists of a three-month Time/Work log starting on January 1, 2017. This Time/Work log shall be created and maintained by the affected worker; and be it further

RESOLVED, that once passed, this Resolution shall be posted on the Town's Website and the Official Sign Board for a period of at least 30 days; and be it further

RESOLVED, that the Marbletown Town Clerk shall submit a certified copy of the resolution and affidavit of it's posting to the Office of State Comptroller; and be it further

RESOLVED, that once the three-month time period Time/Work log is completed, the affected person shall sign and submit their Time/Work log to the Marbletown Town Clerk; and be it further

RESOLVED, that the Governing Body of the Town shall utilize the Time/Work logs to calculate the percentage of the Standard Workday worked over the 3-month time period and report the findings to the New York State & Local Retirement System so that the New York State & Local Retirement System may determine pension credits; and be it further

RESOLVED, that the Marbletown Town Clerk shall retain the Time/Work logs submitted for a period of ten years.

Elected or Appointed Officers affected by regulation 2 NYCRR 315.4

<u>Name</u>	<u>Title</u>	<u>Term of Office</u>	<u>Days/Months</u>
(Based on Record of Activities)			
Mark Glick	Town Justice	2016-2019	
Claudia Davenport	Town Justice	2016-2019	

The following resolution was offered by Supervisor Warren seconded by Councilman Adams to wit:

The question of the adoption of the foregoing Resolution was duly put to a vote on roll call which resulted as follows:

Tim Sweeney Voting Absent

Michael Warren Voting Aye

Doug Adams Voting Aye

Joe Borzomato Voting Aye

Pat Clarke Voting Aye

4-0 Aye, Councilman Sweeney absent, motion carried.

OTHER TOWN BUSINESS (Supervisor Warren)

- The Stone Ridge Library is holding its next election on Monday, August 8th from 2:00pm – 8:00pm. At issue are approval of the annual budget and election of trustees. Supervisor Warren encouraged everyone to get out and show their support of the library by voting.
- Supervisor Warren confirmed that state is performing an audit of the town financials.

Motion to adjourn: There being no further discussion Councilwoman Clarke, made the motion to adjourn the meeting, seconded by Councilman Borzomato; 4-0 Aye, Councilman Sweeney absent, motion carried. The meeting adjourned at 8:45pm.

Respectfully submitted,

Heather Moody
Town Clerk/Tax Collector