



Town Board Regular Meeting

Tuesday, February 6, 2024

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 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 (Arrived 6:15pm, left 6:50pm)

Councilman Tim Hunt – Present, via Zoom (Left meeting at 6:40pm due to technical difficulties)

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

PUBLIC HEARING ON PROPOSED LOCAL LAW AMENDING THE ZONING LAW CHAPTER 200-5

- At 6:02pm a motion was made by Councilman LaFera, seconded by Councilwoman Foote to open the public hearing on proposed Local Law Amending the Zoning Law Chapter 200-5, 4-0 Aye, 1 absent, motion carried.
- Supervisor Parete stated Town Clerk Moody had legally noticed the public hearing in the Daily Freeman on Saturday January 27, 2024. The legal notice as also posted on the town website and the Town Clerk's Community Board.
- Jim Economos, resident, said that back in the 1990's the Ulster County Planning Board wanted to prohibit certain businesses along the Rt. 209 corridor leading up to the Trooper Barracks and this should be questioned and looked into.
- Ed Croswell, resident, said that he is concerned about the advertisement that the real estate agent used for the Marbletown Fire House, and it was misleading. It did not mention it was an old historic schoolhouse from the 1940's. There are people out there that specialize in buying historic properties. Adding there are only two old schoolhouses left in town, one was totally destroyed and the Marbletown Fire House. Mr. Croswell would like the board to rethink the changes for the zoning of the Marbletown Fire House. He asked that a vote be put on hold. He also asked how much influence does the Historic Preservation Commission have? Croswell added they have failed to preserve this property. He does not think this property should be rezoned and feels it should remain as is. Mr. Croswell does not want the firehouse to be commercially zoned and it should be preserved.
- Laura Cunningham, resident, applauds what Mr. Croswell said. Cunningham would like to see the firehouse made into a museum. Adding to the town board the please hold off and think about it before doing anything.
- Ferris Cook, resident, would like the town board to delay the vote. Cook would like to see the firehouse used as a garage or as an outpost for the Stone Ridge Fire House.

- Ida Economos, resident, pointed out that when the Marbletown Inn sold their building it became the Café and now it's just a sports bar, all the sewage issues, with a huge septic next to the fire house causes concern. She added that we need to preserve some of the history. If more commercial businesses come in it will be more dangerous.
- Roberta Gould, resident, said that when you come into the area we don't want to see a motel. Adding the Fire House should set a precedent and you never know what is going to happen with traffic and what kind of business you are going to get.
- Tom Konrad, resident, added that he does not necessarily agree with the other comments.
- Stuart Leigh, resident, stated he would like to be more informed.
- Supervisor Parete took a moment to say there would be no vote on the proposed Zoning amendments tonight. Parete added that this topic is on the agenda for the Ulster County Planning Board, and we hope to hear back from them soon.
- At 6:25pm there being no more comments or questions on the proposed zoning amendments, Councilman LaFera made a motion seconded by Councilwoman Foote to close the public hearing on proposed zoning amendment. 5-0 Aye, motion carried.

PUBLIC HEARING ON THE PROPOSED 2024 UPDATE TO THE 2005 TOWN PLAN

- At 6:26pm a motion was made by Councilwoman Foote, seconded by Councilman Davenport to open the public hearing on the proposed 2024 update to the 2005 Town Plan. 5-0 Aye, motion carried.
- Supervisor Parete stated Town Clerk Moody had legally noticed the public hearing in the Daily Freeman on Saturday January 27, 2024. The legal notice as also posted on the town website and the Town Clerk's Community Board.
- Stuart Leigh, resident, questioned about the retention of a town planner? Leigh asked what are the exact amendments and where is the work of the town planner? Councilwoman Foote responded that there was not much that has been changed. Foote added the reason we are doing this is because when we apply for grants the town plan needs to be updated to include recent information.
- At 6:29pm there being no more comments or questions on the proposed 2024 update to the 2005 plan, Councilman Davenport made a motion seconded by Councilman LaFera to close the public hearing on the proposed 2024 update to the 2005 town plan. 5-0 Aye, motion carried.

MEETING MINUTES:

Councilwoman Foote made a motion, seconded by Councilman Davenport to approve the meeting minutes from 1/16/2024 5-0 Aye; motion carried.

APPROVAL OF VOUCHERS & AMENDMENTS

Town Clerk Moody stated there were no amendments from the 1/16/2024 vouchers.

Town Clerk Moody submitted the following vouchers for approval:

<u>2/6/2024</u>	<u>Vouchers</u>	<u>Total Payment</u>
General Fund	V#26-58	\$26,894.65
Highway Fund	V#7-21	\$30,620.33
High Falls Water District	V#3-11	\$26,208.99
RMC	V#1-4	\$1,460.74
Marbletown Fire Protection District #1	V#3	\$277.36

A motion was made by Councilwoman Foote 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 Aye
Supervisor Parete Voting Aye

5-0; motion carried.

- Councilman Hunt asked what the Orac bill was for? Supervisor Parete responded that it was for the High Falls water bond council.
- Councilman Hunt asked what the Crown Castle bill covered? Supervisor Parete told them it is the company that manages the cell towers in the area. Covers damage to the equipment and antenna.

PUBLIC COMMENT:

- There were no public comments on the resolutions for this evening's meeting.

RESOLUTION #25-2024; TOWN OF MARBLETOWN JUSTICE COURT AUDIT

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

WHEREAS, the Town of Marbletown Court submitted its 2023 Cash Books, Bank Statements, Year End Report of closed cases and balanced check books from Town Justice Lawrence Menkes and Town Justice Claudia Davenport for Audit to Marbletown Town Board on January 17, 2024.

THEREFORE LET IT BE RESOLVED, to accept records as presented.

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 #25-2024 was thereupon adopted.

- Supervisor Parete explained that Brian Pickard, Town Accountant, audits the departments every year and the court turned over all of their records and bank statements in January. This year everything looked good, and Mr. Pickard provided a letter to the town, and it will be forwarded to the state court offices.

RESOLUTION #26-2024; TOWN OF MARBLETOWN AUDIT CASH ACCCOUNTS

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

WHEREAS, Brian Pickard, CPA has conducted audits of the cash accounts of the following town offices for the year ending in December 2023, Town Clerk, Tax Collector, Transfer Station, Planning and Zoning, Justice Court, Safety, and Building. This audit was conducted to render assurance that all cash receipts and disbursements were properly recorded by the individuals in these departments; and

WHEREAS the audit also verified that the Town Justices are current in their reporting to the Department of Motor Vehicles for the TSLE&D program and their handling of their cases; and

THEREFORE, BE IT RESOLVED that all records of all departments in the Town of Marbletown for 2023 appear correct and there are no adjustments necessary.

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 #26-2024 was thereupon adopted.

- Supervisor Parete explained that along with auditing the court records Mr. Pickard audits all the departments that handle cash on a yearly basis and this year everything looked good, and he will provide a letter to the town stating the same.
- Councilman Davenport stated that he is involved in a couple other towns and in Marbletown we should be happy because it is clear with our record keeping that we have the best interest of the town in what we do.

RESOLUTION #27-2024; HIGH FALLS WATER DISTRICT WATER METER AND VALVE REPLACEMENT CONTRACT

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

WHEREAS, the High Falls Water District has the need to replace water meters and defective valve boxes; and **WHEREAS**, the High Falls Water District received the attached proposal to replace approximately two hundred and ten (210) water meters with shut off valves, for a cost of \$168,000. The attached proposal also requires the contractor to replace approximately forty (40) defective valve boxes for a cost of \$1,900 each; and

WHEREAS, after review of the proposal a decision was made to sign an agreement with BigJosh, LLC. PO Box 63 High Falls NY 12440 in the amount of \$168,000 for water meters. Shut off valve replacement at \$1,900 each to replace valve boxes that are defective. Line Freezing as needed at \$275.00 each; and

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Marbletown hereby authorizes the Supervisor to sign the Agreement with BigJosh, LLC. which has been attached and made a part hereof; and

BE IT FURTHER RESOLVED, that this resolution shall become effective upon its passage by both the Town Board of Rosendale and the Town Board 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>Aye</u>
Councilwoman Foote	Voting <u>Aye</u>
Councilman Hunt	Voting <u>Absent</u>
Supervisor Parete	Voting <u>Aye</u>

4-0; 1 absent; Resolution #27-2024 was thereupon adopted.

- Supervisor Parete explained that the town would be rescinding Resolution #102-2023 where the town made a decision to sign an agreement with EZ Does It Plumbing and Heating to replace the water meters in the High Falls Water District. After reaching out to EZ Does It Plumbing a number of times and no return phone calls the town made a decision to look for a different vendor. Councilman LaFera spoke with a local plumber and he, Josh Landsberg, agreed to come in and meet to discuss the job. Supervisor Parete met with Mr. Landsberg, and he actually lowered the price of the job, and he is ready to start the process of putting in the water meters in High Falls.
- Councilman Hunt added that getting no bids is a bit concerning and agreed the town just needs to get the job done.
- 6:40pm Councilman Hunt, via Zoom, started having technical difficulties and left the meeting.
- Supervisor Parete made a motion, seconded by Councilwoman Foote to rescind Resolution #102-2023, 4-0, 1 absent; motion carried.

RESOLUTION #28-2024; ESTABLISHING A DATE FOR A PUBLIC HEARING REGARDING THE PROPOSED 2024 UPDATE TO THE 2005 TOWN PLAN

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

WHEREAS, the Town Board of the Town of Marbletown is considering adoption of a set of amendments to the 2005 Town

Plan entitled 2024 Update, in the Town of Marbletown, Ulster County, New York; and

WHEREAS, in consideration of the requirements of Section 272-a of New York State Town Law, the participation of citizens in an open, responsible, and flexible planning process is essential to the designing of the optimum town comprehensive plan; and

WHEREAS, the Town Board initiated a review of the 2005 Town Plan in 2023, appointed a Marbletown Housing Committee to identify existing housing resources and future housing needs, including affordable housing, and retained a professional Town Planner to assist it with such review process; and

WHEREAS, certain events have occurred since 2005 that affect natural and cultural resources in the Town including the establishment of a community preservation program related to preparation of a Community Preservation Plan and appointment of a Community Preservation Plan Advisory Board to ensure that Marbletown's community character and its natural and cultural resources are protected in the future; and

WHEREAS, the Town Board's review of the 2005 Town Plan identified several amendments related to protection of natural and cultural resources that are appropriate given the need to ensure new housing development in the Town, including affordable housing, will occur in a manner that protects the character of the community; and

WHEREAS, in connection with such Town Plan reviews, the Town Board members independently reviewed the Town Plan's general statements of goals, objectives, and policies in the 2005 Town Plan and considered such goals, objectives, and policies for the immediate and long-range enhancement, growth and development of the Town; and

WHEREAS, the Town Board has called for a public hearing for the purpose of assuring full opportunity for citizen participation in the preparation of such Town Plan amendments.

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 February 20, 2024, at 6:00 o'clock P.M. at the Town Hall, 1925 Lucas Avenue, Stone Ridge, New York, to hear all interested parties on the proposed 2024 Town Plan Update; and
2. The Town Clerk is hereby authorized and directed to publish notice of said public hearing in the official newspaper of the Town, on February 10, 2024, which is not less than ten (10) calendar 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; 1 absent; Resolution #28-2024 was thereupon adopted.

RESOLUTION #29-2024; COMMUNITY SOLAR SUBSCRIPTION

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

WHEREAS, , the Town of Marbletown wishes to transition its community to using electricity that is generated entirely from renewable non-carbon emitting sources;

WHEREAS, CCA provides a mechanism for municipalities in the State of New York potentially to, among other things, take control of their energy supply and consumption, reduce costs, reduce carbon emissions, and move to 100% renewable sources of electricity;

NOW THEREFORE BE IT RESOLVED, that the Supervisor is authorized to sign the attached agreement from Fork In the Road Solar LLC, on behalf of the Town of Marbletown in relation to Community Solar Program.

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; 1 absent; Resolution **#29-2024** was thereupon adopted.

RESOLUTION #30-2024; HIRING HUDSON VALLEY APPRIASAL CORPORATION

The following Resolution was offered by Councilman Davenport and seconded by Councilwoman Foote
WHEREAS, the Town Marbletown received a \$500,000 NYS Parks, Recreation, and Historic Preservation grant to help the town purchase the Osterhoudt Flats property from Open Space Institute, and
WHEREAS, the grant requires the town to have two updated appraisals to be eligible to be reimbursed the \$500,000, and

WHEREAS, Hudson Valley Appraisal Corporation of 9W and Sunset Drive PO Box 1004 Port Ewen, New York 12446-1004 has presented a quote of \$3,800 to appraise the Osterhoudt property, and
NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Marbletown authorizes the Supervisor to sign the attached agreement with Hudson Valley Appraisal Corporation for \$3,800 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>Aye</u>
Councilwoman Foote	Voting <u>Aye</u>
Councilman Hunt	Voting <u>Absent</u>
Supervisor Parete	Voting <u>Aye</u>

4-0; 1 absent; Resolution **#30-2024** was thereupon adopted.

- Supervisor Parete explained that for the grant for the Osterhoudt Flats property we got an appraisal and that is now outdated so we have to get another appraisal, which will be paid out of the Community Preservation Fund.

RESOLUTION #31-2024; HIRING ACKERLY & HUBBELL APPRAISAL CORP.

The following Resolution was offered by Councilwoman Foote and seconded by Councilman LaFera
WHEREAS, the Town Marbletown received a \$500,000 NYS Parks, Recreation, and Historic Preservation grant to help the town purchase the Osterhoudt Flats property from Open Space Institute, and
WHEREAS, the grant requires the town to have two updated appraisals to be eligible to be reimbursed the \$500,000, and

WHEREAS, Ackerly & Hubbell Appraisal Corp of 1072 Main Street Fishkill, NY 12524 has presented a quote of \$3,500 to appraise the Osterhoudt property, and
NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Marbletown authorizes the Supervisor to sign the attached agreement with Ackerly & Hubbell Appraisal Corporation for \$3,500 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>Aye</u>
Councilwoman Foote	Voting <u>Aye</u>

Councilman Hunt Voting Absent

Supervisor Parete Voting Aye

4-0; 1 absent; Resolution #31-2024 was thereupon adopted.

- Supervisor Parete explained that for the grant for the Osterhoudt Flats property we got an appraisal and that is now outdated so we have to get another appraisal, which will be paid out of the Community Preservation Fund. Parete added that this will be the second appraisal to meet the requirements of the grant.

RESOLUTION #32-2024; AUTHORIZING THE SALE OF SURPLUS HIGHWAY EQUIPMENT

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

WHEREAS, the Town of Marbletown Highway Department sells surplus vehicles and equipment, and

WHEREAS, the Town Board of the Town of Marbletown supports a vehicle replacement program, and

NOW, THEREFORE BE IT RESOLVED, the Town Board of the Town of Marbletown authorizes the Highway Superintendent to sell a 1968 Komatsu Track Loader, Katolight Generator, a 2005 International Dump Truck and miscellaneous plows, buckets, and attachments.

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 Absent

Supervisor Parete Voting Aye

4-0; 1 absent; Resolution #32-2024 was thereupon adopted.

RESOLUTION #33-2024; RECYCLING COORDINATOR

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

WHEREAS, the town of Marbletown applied for and received funding from the Municipal Waste Reduction and Recycling Program-Recycling Coordination/Education (MWRC) State Assistance Program, for a Recycling Coordinator, and

WHEREAS, the Marbletown town board wishes to increase recycling in the town and implement composting and diversion programs, and

WHEREAS, the Recycling Coordinator supervises and participates in the operation of Marbletown's recycling program, and will train staff and volunteers in procedures and issues with respect to recycling, and

WHEREAS, the Recycling Coordinator will conduct community education programs in schools and with other groups concerning municipal recycling, and

NOW THEREFORE BE IT RESOLVED, the Town of Marbletown Town Board approves the hiring of Don LaFera as full time Recycling Coordinator at \$25.00 an hour effective February 7, 2024.

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 Abstain

Councilwoman Foote Voting Aye

Councilman Hunt Voting Absent

Supervisor Parete Voting Aye

3-0; 1 absent, 1 abstain; Resolution #33-2024 was thereupon adopted.

- Supervisor Parete stated the town advertised the position and we received a few applicants. All of the resumes were sent to the County for approval. Don LaFera was the only applicant that was approved by the County. LaFera will have to take a County test and he will have to resign from the town board. This position will be working with the staff at the transfer station and creating some new programs, for example creating a composting program, having household hazardous waste days and he will do some programs in the schools.
- Councilwoman Foote said she would miss working with Councilman LaFera on the town board and wished him luck.
- Councilman Davenport agreed and wished Councilman LaFera good luck!
- Councilman Davenport left the meeting at 6:50pm.

OTHER TOWN BUSINESS:

- Supervisor Parete handed out the town Credit Card Use Policy that was created. Employees that use the credit card will be asked to sign the acknowledgement form.
- Supervisor Parete stated that the town commits to use the \$5,000 Clean Energy Communities action grant that was awarded on 12/4/23 to replace the area lighting at Marbletown Town Park consisting of (1) 400W HPS, (2) 250W HPS and (1) 70W HPS fixtures with (1) 190W, (2) 110W and (1) 21W LED and buy or replace poles owned by Central Hudson with town-owned poles.
- Highway Superintendent Lou Cardinale took a moment to thank the town board and the staff as he got through his first month in his new position. Cardinale is taking some time to go through all of the equipment at the highway garage and he is working on a plan for CHIPS money. Cardinale added he encourages town board members to come over to the garage and take a walk around. Councilwoman Foote said she would like to go out during a snowstorm and ride along in one of the plow trucks.
- Supervisor Parete said that there was an employee from the State Comptroller's office in the offices doing a Risk Analysis and he'll be meeting with different departments.
- Town Clerk/Tax Collector Moody said that the office has been very busy processing tax payments and reminded everyone that the tax bills were mailed on January 4th and if you have not received your tax bill to call the office so we can email them.
- Supervisor Parete said he had spoken with the town Assessor, Jeremy Baraca, who has been keeping track of people that have come in for their senior exemption with IRSs. At the halfway point there were 12 people that came in, 7 or 8 of them the IRA did not affect them. Baraca added he was confident it was not going to really hurt anyone when the law changed.

Motion to adjourn: There being no further discussion Supervisor Parete made the motion to adjourn the meeting, seconded by Councilman LaFera; 3-0 Aye, 2 absent; motion carried. The meeting adjourned at 7:05pm.

Respectfully submitted,
Heather Moody
Town Clerk/Tax Collector

FINAL