



**Town Board Regular Meeting
Tuesday, May 7, 2019**

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

Present: Supervisor Rich Parete and Town Board members Eric Stewart, Tim Sweeney, and Don LaFera

Absent: Joe Borzumato

Also, Present: Heather Moody; Town Clerk/Tax Collector, Heidi Haynes; Ulster County Legislator and Ali Stewart; Blue Stone Press.

Supervisor Parete called the meeting to order at 7:02 pm and Town Clerk Moody lead the Pledge of Allegiance.

Supervisor Parete took a moment to welcome and thank Ulster County Legislator for attending the meeting this evening.

PRESENTATION FROM MALCARNE CONTRACTING:

- John Pfeiffer from Malcarne Contracting presented the energy, site and structural improvements for the Community Center. He reviewed the proposed work and prices for the; insulation, air sealing measures, the HVAC system, hot water heater & pump, lighting and the roof. The Community Center was awarded a \$50,000 grant which would pay for a portion of this work. Councilman Stewart asked Mr. Pfeiffer if this work would be done in stages? It was explained that it would be more cost effective to do all the work at once. The Town Board will review the quote further.

PUBLIC HEARING; PROPOSED LOCAL LAW #2-2019, EXTENSION OF TERMS FOR ELECTED OFFICIALS:

- Town Clerk Moody confirmed that the legal notice for the public hearing was published in the Daily Freeman on April 24th. The public hearing notice was also posted on the official town website (www.marbletown.net) and sent to surrounding area Town Clerk offices.
- Councilman Sweeney made a motion, seconded by Councilman LaFera to open the public hearing on proposed Local Law #2-2019 'Extension of Terms for Elected Officials'. 4-0, 1 absent, motion carried.
- Supervisor Parete asked if the audience if anyone had a comment.
- There be no comments Councilman Sweeney made a motion, seconded by Councilman LaFera to close the public hearing. 4-0, 1 absent, motion carried.
- The final local law will be sent to the State for filing and the County for the November election ballot.

PUBLIC COMMENTS:

KATE REESE HURD: Resident who provided handouts to the town board discussing an important, long-needed lawsuit that was filed in 2018 to protect our health and environment relative to wireless radiation infrastructure placement.

BILL TERPENING: Resident who had filed a complaint with the Town about the Accessory Apartment law. Supervisor Parete stated his complaint had been sent on to our town attorney. Supervisor Parete also told Mr. Terpening he should come in and make an appointment to discuss further.

MEETING MINUTES:

- Councilman Sweeney made a motion, seconded by Councilman Stewart to approve the meeting minutes from 04/16/2019. 4-0 Aye, 1 absent, motion carried.
- Supervisor Parete presented resolution #36-2019, proposing to extend the terms of office for Town Clerk and Highway Superintendent. It was discussed to change the language of the resolution to state Town Clerk/Tax Collector and not just Town Clerk. Supervisor Parete made a motion, seconded by Councilman Stewart to make the change to the resolution, 4-0 Aye, 1 absent, motion carried. Town Clerk Moody will make the changes to the resolution.

RESOLUTION #36-2019; EXTEND TERMS OF OFFICE TOWN CLERK/TAX COLLECTOR AND HIGHWAY SUPERINTENDENT

The following Resolution was offered by Councilman LaFera seconded by Councilman Sweeney to wit:

WHEREAS, proposed Local Law No. 2 of the year 2019 entitled, "A local law for extension of terms for elected officers" was introduced to the Town Board at a meeting held May 7, 2019, at the Town Hall, 1915 Cottekill, New York 12419, to consider said proposed local law, and said public hearing having been held and all persons appearing at said public hearing deeming to be heard having been heard; and,

WHEREAS, said local law was duly adopted after a public hearing.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Marbletown, New York, does hereby enact and adopt proposed Local Law No. 2 for the year 2019, Town of Marbletown, State of New York, which local law is annexed hereto and made a part hereof; and,

THEREFORE, BE IT FURTHER RESOLVED, that the term of office of the Town Clerk/Tax Collector and Town Superintendent of Highways shall be four (4) years commencing with and continuing after the term to begin on January 1st, 2020 and thus, this local law shall cover the outcome of the General Election of November 5th, 2019; and,

BE IT FURTHER RESOLVED, that this local law shall be subject to Mandatory Referendum pursuant to Section 23 of the Municipal Home Rule Law of the State of New York; and,

BE IT FURTHER RESOLVED, that this local law shall take effect immediately upon filing with the New York State Secretary of State, which filing shall await and be conditioned upon, the outcome of the aforesaid Mandatory Referendum.

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

Councilman Borzumato	Voting <u>Absent</u>
Councilman Sweeney	Voting <u>Aye</u>
Councilman Stewart	Voting <u>Aye</u>
Councilman LaFera	Voting <u>Aye</u>
Supervisor Parete	Voting <u>Aye</u>

4-0 Aye, 1 absent, motion carried.

Resolution #36-2019 was thereupon adopted

RESOLUTION #37-2019; ESTABLISHING A CAPITAL RESERVE FUND TO FINANCE A NEW HIGHWAY GARAGE

The following Resolution was offered by Councilman Sweeney seconded by Councilman LaFera to wit:

RESOLVED, that pursuant to section 6-c of the General Municipal Law, as amended, there is hereby established a capital reserve fund to be known as the

“New Highway Garage Reserve Fund” (hereinafter: Reserve Fund). The purpose of this Reserve Fund is to accumulate moneys to finance the cost of a new highway garage.

The chief fiscal officer is hereby directed to deposit and secure the moneys of this Reserve Fund in the manner provided by section 10 of the General Municipal Law. The chief fiscal officer may invest the moneys in the Reserve Fund in the manner provided by section 11 of the General Municipal Law, and consistent with the investment policy of the Town of Marbletown. Any interest earned or capital gains realized on the moneys so deposited or invested shall accrue to and become part of the Reserve Fund. The chief fiscal officer shall account for the Reserve Fund in a manner, which maintains the separate identity of the cash and investments of the Reserve Fund.

Except as otherwise provided by section 6-c of the General Municipal Law, expenditures from this Reserve Fund shall be made only for the purpose for which the Reserve Fund is established. No expenditure shall be made from this Reserve Fund without the approval of this governing board and without such additional actions or proceedings as may be required by section 6-c of the General Municipal Law, including a permissive referendum if required by subdivision 4 of section 6-c.

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

Councilman Borzumato	Voting <u>Absent</u>
Councilman Sweeney	Voting <u>Aye</u>
Councilman Stewart	Voting <u>Aye</u>
Councilman LaFera	Voting <u>Aye</u>
Supervisor Parete	Voting <u>Aye</u>

4-0 Aye, 1 absent, motion carried.
Resolution #37-2019 was thereupon adopted

RESOLUTION # 38-2019; A RESOLUTION TO MOVE MONEY FROM THE TOWN OF MARBLETOWN GENERAL UNAPPROPRIATED FUND BALANCE TO THE NEW HIGHWAY GARAGE CAPITAL RESERVE FUND

The following Resolution was offered by Councilman Sweeney seconded by Councilman Stewart to wit:

WHEREAS, the “New Highway Garage Capital Reserve Fund” was established for the purpose of financing the cost of a new highway department garage; and

WHEREAS, at the end of fiscal 2018 the Town of Marbletown had unspent money in its general fund; and

NOW THEREFORE BE IT RESOLVED, that \$100,000.00 will be transferred from the General unappropriated fund balance to the above-named Reserve Fund for the purposed for which this Reserve Fund was established, and

FURTHER RESOLVED, that any expenditure from these reserve funds be and hereby are subject to permissive referendum under the terms of the establishment of said reserve funds.

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

Councilman Borzumato	Voting <u>Absent</u>
Councilman Sweeney	Voting <u>Aye</u>
Councilman Stewart	Voting <u>Aye</u>
Councilman LaFera	Voting <u>Aye</u>
Supervisor Parete	Voting <u>Aye</u>

4-0 Aye, 1 absent, motion carried.
Resolution #38-2019 was thereupon adopted

RESOLUTION # 39-2019; RESOLUTION CANCELING JUNE 4, 2019 TOWN BOARD MEETING AND RESCHEDULING TO JUNE 8, 2019

The following Resolution was offered by Councilman Sweeney seconded by Councilman Stewart to wit:

WHEREAS, Town of Marbletown Board meetings are held on the first and third Tuesday of each month, and **WHEREAS**, the Town Board of the Town of Marbletown would like for residents who can't make the first and third Tuesday of each month to have an opportunity to attend Town Board meetings, **NOW THEREFORE BE IT RESOLVED** that the Town Board of the Town of Marbletown cancels the Town Board meeting on Tuesday June 4th and reschedules it for Saturday June 8, 2019 at 9AM.

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

Councilman Borzumato	Voting <u>Absent</u>
Councilman Sweeney	Voting <u>Aye</u>
Councilman Stewart	Voting <u>Aye</u>
Councilman LaFera	Voting <u>Aye</u>
Supervisor Parete	Voting <u>Aye</u>

4-0 Aye, 1 absent, motion carried.

Resolution #39-2019 was thereupon adopted

RESOLUTION #40-2019; ADOPTING CLIMATE SMART TASK FORCE

The following Resolution was offered by Councilman Sweeney seconded by Councilman Stewart to wit:

WHEREAS, the Town of Marbletown adopted the New York State Climate Smart Communities Pledge; and **WHEREAS**, the Town wishes to obtain certification under the Climate Smart Communities Program and is desirous of determining how climate change will affect the Town of Marbletown and take further steps toward reducing greenhouse gas emissions; and

WHEREAS, a task force or committee can provide local government decision makers with information about establishing and implementing climate smart initiatives, propose new ideas to its local government, and can identify funding sources for projects.

WHEREAS, The Marbletown Environmental Conservation Commission (ECC) and Marbletown's Climate Smart Coordinator have been working together since 2015 to gather information on the Town and community's energy use, to formulate plans and targets to reduce energy use, and have guided the Town through significant energy use and greenhouse gas reductions to date.

THEREFORE, BE IT RESOLVED, the Town Board officially designates the Town of Marbletown Environmental Conservation Commission together with the Climate Smart Coordinator as the Climate Smart Community Task Force for the Town of Marbletown.

BE, IT FURTHER RESOLVED, The Climate Smart Task Force shall have the following mission:

Develop a strategy and work plan for establishing a baseline for the town's and community's current emissions, for recommending reduction targets, for identifying new strategies for reductions and energy efficiency, for recommending ways in which these strategies can be incorporated into the town's economic development and planning efforts, and for recommending ways for the town to implement these strategies.

BE, IT FURTHER RESOLVED, This Resolution shall be retroactive to the beginning of 2016 in recognition of the past and ongoing work of the ECC and CSC Coordinator in implementing this.

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

Councilman Borzumato Voting Absent
Councilman Sweeney Voting Aye
Councilman Stewart Voting Aye
Councilman LaFera Voting Aye
Supervisor Parete Voting Aye
4-0 Aye, 1 absent, motion carried.
Resolution #40-2019 was thereupon adopted

RESOLUTION #41-2019; APPOINTMENT TO CUSTODIAL WORKER

The following Resolution was offered by Councilman Sweeney seconded by Councilman LaFera to wit:

WHEREAS, the Town of Marbletown has a vacancy for the position of Part Time Custodial Worker

WHEREAS, the position is a Civil Service position; and

WHEREAS, the Town needs a cleaner for the Community Center and Highway Offices, and

NOW THEREFOR BE IT RESOLVED, to appoint Calista Cain as Provisional Custodial Worker at the Union contract rate of \$14.31 an hour. Effective 5/1/2019.

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

Councilman Borzumato Voting Absent
Councilman Sweeney Voting Aye
Councilman Stewart Voting Aye
Councilman LaFera Voting Aye
Supervisor Parete Voting Aye
4-0 Aye, 1 absent, motion carried.
Resolution #41-2019 was thereupon adopted

OTHER TOWN BUSINESS:

- Supervisor Parete discussed a resolution, that was on the agenda for this evening, having to do with amending solar permit fees. Councilman LaFera and ECC Chairman, Tom Konrad would like to discuss this topic further with Code Enforcement Officer, Dave Allen. This resolution will be postponed until they have had time to discuss further.
- The solar farm project/application in North Marbletown is moving along and the Zoning Board would like to be lead agency. Supervisor Parete suggested that they be lead agency. Councilman Sweeney made a motion, seconded by Councilman LaFera to make the Zoning Board lead agency on this project, 4-0, 1 absent, motion carried.

Motion to adjourn: There being no further discussion Councilman Sweeney made the motion to adjourn the meeting, seconded by Councilman Stewart; 4-0 Aye, 1 absent, motion carried. The meeting adjourned at 8:02pm.

Respectfully submitted,

Heather Moody
Town Clerk/Tax Collector

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