



## **Town Board Regular Meeting**

**Tuesday, October 4, 2016**

**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 and Douglas Adams

**Absent:** Town Board members Tim Sweeney and Patricia Clarke

**Also Present:** Heather Moody; Town Clerk/Tax Collector, Jason Zimmerman; ECC, and Nicholas Tantillo; 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.

### **PUBLIC HEARING**

#### **LOCAL LAW #1 -2016 "A LAW FOR FLOOD DAMAGE PREVENTION AS AUTHORIZED BY THE NEW YORK STATE CONSTITUTION, ARTICLE IX, SECTION 2, AND ENVIRONMENTAL CONSERVATION LAW, ARTICLE 36."**

- Town Clerk Moody provided proof of publication in the Daily Freeman on Sunday, Sept. 25, 2016.
- A Motion was made by Supervisor Warren, seconded by Councilman Adams, to open the public hearing for public comments on 'LOCAL LAW #1 -2016 "A LAW FOR FLOOD DAMAGE PREVENTION AS AUTHORIZED BY THE NEW YORK STATE CONSTITUTION, ARTICLE IX, SECTION 2, AND ENVIRONMENTAL CONSERVATION LAW, ARTICLE 36. 3-0 Aye; 2 absent; motion carried.
- Supervisor Warren asked three times if there were any public comments. There being no public comments Supervisor Warren made a motion, seconded by Councilman Adams to close the public hearing. 3-0 Aye; 2 absent; motion carried.

- **RESOLUTION; #42-2016; of the Town Board of the Town of Marbletown FOR ADOPTION OF LOCAL LAW NO. 1 OF 2016**

**WHEREAS**, the Town Board has determined that **A local law for Flood Damage Prevention as authorized by the New York State Constitution, Article IX, Section 2, and Environmental Conservation Law, Article 36 to enable the residents of Marbletown to obtain flood insurance;** and **WHEREAS**, the proposed revisions to the Zoning Code are annexed hereto as proposed Local Law No. 1 of 2016; and **WHEREAS**, the proposed law has been referred to the Town Planning Board, the Ulster County Planning Board and all required agencies for recommendation; and **WHEREAS**, the recommendations of the Town Planning Board and the Ulster County Planning Board have been received and considered by the Town Board; and **WHEREAS**, the proposed law was the subject of a public information session held before the Town Board on October 4, 2016; and **WHEREAS**, the Town Board considered the suggestions made and comments offered at the public information session; and **WHEREAS**, the Town Board has issued a negative declaration pursuant to SEQRA; and **WHEREAS**, on October 4, 2016, the Town Board held a properly noticed public hearing regarding the proposed law, at which public comment was received; and **WHEREAS**, the Town Board has reviewed and considered the public comment received at the public hearing on October

4, 2016; and **WHEREAS**, the Town Board is desirous of amending the Code of the Town of Marbletown (Zoning) as described in proposed Local Law Number 1 of 2016 annexed hereto; and **WHEREAS**, the amendments to the Zoning Code encompassed in proposed Local Law No. 1 are consistent with the Town's Comprehensive Plan, and other related plans proposed and adopted in recent years. **NOW, THEREFORE, BE IT RESOLVED** that the Town Board of the Town of Marbletown, hereby adopts Local Law No. 1 of 2016, amending the Code of the Town of Marbletown and directs the Town Clerk to file said Local Law with the Office of the New York Secretary of State. Supervisor Warren made a motion, seconded by Councilman Adams. 3-0 Aye; 2 absent; motion carried.

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

**ROLL VOTE:**

Councilman Adams	<u>Aye</u>
Councilman Borzumato	<u>Aye</u>
Councilman Sweeney	<u>Absent</u>
Councilwoman Clarke	<u>Absent</u>
Supervisor Warren	<u>Aye</u>

**MEETING MINUTES:**

Supervisor Warren made a motion, seconded by Councilman Adams, to approve the meeting minutes from 09/20/16. 3-0 Aye; 2 absent; motion carried. Supervisor Warren directed Town Clerk Moody to post the approved meeting minutes on the town website.

**TENTATIVE BUDGET:**

- The 2017 tentative budget has been submitted to the Town Clerk. There are a few fire districts that have yet to turn in their budgets. Town Clerk Moody will follow up with those fire districts.
- A motion was made by Supervisor Warren, seconded by Councilman Borzumato to set the public hearing for the final budget on Tuesday, November 1<sup>st</sup>. 3-0 Aye; 2 absent; motion carried. Town Clerk Moody will provide the legal notice for publication in the Daily Freeman.
- Copies of the tentative budget are available in the Town Clerk's Office.

**RESOLUTION: #39-2016; TOWN OF MARBLETOWN GUIDELINES FOR SIZING LED REPLACEMENT STREETLIGHTS:**

WHEREAS under Central Hudson Gas & Electric Company ("Central Hudson")'s Blanket Authority which replaced streetlamps in accord with the size of the lights currently in use that are often brighter than is typically recommended by either international guidelines or the American Medical Association; and WHEREAS few municipalities were signing on to the Blanket Authority proposal, Central Hudson adopted a policy of replacing all streetlights that allow towns to size replacement streetlamps; and WHEREAS Central Hudson has agreed to follow Town guidelines on streetlamp sizing if the Town Board adopts a resolution on sizing; and WHEREAS Under Special Provision 8.2 of the current Public Service Commission (PSC) approved Central Hudson for Electric Service for Service Classification No. 8, Public Street and Highway Lighting, "The Company, [Central Hudson] at the customer's [the Town's] request, will change the type or size of lights at existing locations, install lights at new locations and remove existing lights provided that the design of all new lights and supports must be approved by the Company," and WHEREAS the Town shall only be required to pay the undepreciated book value of a removed light if that light is "a non-LED light fixture under Rate A for replacement with a LED light fixture as per the PSC's Number 15 Electricity Leaf 223 dated November 1, 2015: and WHEREAS Central Hudson has agreed to follow the Town's guidelines on streetlamp sizing in all replacements of streetlamps within the Town of Marbletown. **NOW THEREFORE BE IT RESOLVED** that the Town of Marbletown directs Central Hudson to use 39 watt LED lamps when replacing streetlamps with LEDs EXCEPT in the following cases:

- Any replacement lamp at the intersection of a state or county road with another state or county road shall be replaced with an 82 watt LED lamp;
  - Streetlamps currently larger than 10,000 lumens located at Fire Departments shall be replaced with an 82 watt LED lamp;
  - Streetlamps at Tongore Park shall be replaced with sizing in accord with the Blanket Resolution.
- Motion made at a regular meeting by Councilman Adams, seconded by Councilman Borzumato. 3-0 Aye; 2 absent; motion carried.

**ROLL VOTE:**

Councilman Adams	<u>Aye</u>
Councilman Borzumato	<u>Aye</u>
Councilman Sweeney	<u>Absent</u>
Councilwoman Clarke	<u>Absent</u>
Supervisor Warren	<u>Aye</u>

Resolution: #39-2016 will be forwarded to Central Hudson.

**RESOLUTION #40-2016; CREDIT CARD POLICY FOR THE TOWN OF MARBLETOWN:**

**PURPOSE:**

Internet or in-store purchases for the purpose of best pricing and/or expedited receipt of items, as well as the elimination of personal credit card use and reimbursements, are the major reasons to use a credit card for certain purchases.

**SCOPE:**

- . Any purchases over \$500. using the credit card MUST have the written approval of the Town Supervisor.
- . When placing an order, the vendor MUST be aware that we are tax exempt and NOT charge sales tax.
- . The Town Credit Card will be in the custody of the Town bookkeeper.

**RESPONSIBILITIES:**

Anytime a credit card is used, an email for each transaction should be sent to the bookkeeper the same day for tracking purposes.

A voucher for these purchases must be completed with a designated expenditure code and submitted with the following back-up documentation:

- any prior approval(s)
- vendor invoice(s)
- vendor receipt(s) / delivery ticket(s)

Detailed receipts associated with the card purchases must be signed by the person using the card and turned in to the Bookkeeper within seven (7) days of the receipt, with details of the charges. In the event that a computer receipt is generated, the person using the card must sign the receipt before giving to the Bookkeeper.

It is understood that any unauthorized expenditures to the credit card will be the responsibility of the person ordering the item(s) and must be reimbursed to the Town within seven (7) days of the receipt, with noted details of the charges. The Town Board will audit all expenses submitted for payment via the regular voucher audit process at each board meeting.

THEREFORE, BE IT RESOLVED that the Town Board of the Town of Marbletown adopts the guidelines for the use of the Town credit card set forth above; and Motion made at a regular meeting by Supervisor Warren, seconded by Councilman Adams. 3-0 Aye; 2 absent; motion carried. The question on the adoption of the foregoing Resolution was duly put to a vote on roll call, the results of which are as follows:

**ROLL VOTE:**

Councilman Adams	<u>Aye</u>
Councilman Borzumato	<u>Aye</u>
Councilman Sweeney	<u>Absent</u>
Councilwoman Clarke	<u>Absent</u>

**RESOLUTION #41-2016; TO AUTHORIZE THE TOWN OF MARBLETOWN JUSTICE COURT TO APPLY FOR THE 2017 JUSTICE COURT ASSISTANCE PROGRAM (JCAP) GRANT.**

The following Resolution was offered by Councilman Borzumato, seconded by Councilman Adams, 3-0 Aye; 2 absent; motion carried. to wit:

**Whereas**, State of New York in 1999 established the Justice Court Assistance Program (JCAP) Grant in order to provide State assistance to Town and Village Courts, and **Whereas**, the maximum JCAP award is \$30,000 and may be used for a variety of purposes, including office and security equipment, furniture, courtroom renovations, and **Whereas**, the Town of Marbletown Justice Court has received JCAP assistance in past years and has been invited by New York State to apply for the 2017 program. **Therefore, be it resolved that the Town Board of the Town of Marbletown hereby authorizes the Town of Marbletown Justice Court to apply for the 2017 Justice Court Assistance Program (JCAP) Grant.** The question on the adoption of the foregoing Resolution was duly put to a vote on roll call, the results of which are as follows:

**ROLL VOTE:**

Councilman Adams	<u>Aye</u>
Councilman Borzumato	<u>Aye</u>
Councilman Sweeney	<u>Absent</u>
Councilwoman Clarke	<u>Absent</u>
Supervisor Warren	<u>Aye</u>

**OTHER TOWN BUSINESS**

- Jason Zimmerman, ECC member, composting has started at the transfer station and there was discussion on how to get more transfer station permit members to use the new service. Add to the newsletter or put on kiosk?
- The Board of Assessment review still has an open position. Town Clerk Moody will put the information on the kiosk.
- Town Clerk Moody made mention of a new local law she received from the County of Ulster. Local Law #5 – 2016, “A Local Law Prohibiting the Sale and Use of Sky Lanterns in Ulster County”. She will forward on to the other departments and copies will be available in the Town Clerk’s Office.

**Motion to adjourn:** There being no further discussion Councilman Borzumato made the motion to adjourn the meeting, seconded by Councilman Adams; 3-0 Aye; 2 absent; motion carried. The meeting adjourned at 7:45pm.

Respectfully submitted,

Heather Moody  
Town Clerk/Tax Collector