



Town Board Regular Meeting

Tuesday, September 3, 2019

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

Present: Supervisor Rich Parete and Town Board members Tim Sweeney, Joe Borzumato and Don LaFera

Absent: Eric Stewart

Also, Present: Heather Moody; Town Clerk/Tax Collector, Tracy Kellogg; Attorney, Ali Stewart; Blue Stone Press and Max Freeberrn; Shawangunk Journal Reporter.

Supervisor Parete called the meeting to order at 7:02pm and Liam Sell, local Boy Scout, lead the Pledge of Allegiance.

CENSUS PRESENTATION:

- Carol Reiser, Census Partnership Specialist, presented information pertaining to the upcoming census in 2020. The census is mandated every ten years. The Census Bureau cannot release any identifiable information about individuals, households or businesses, even to law enforcement agencies.
- The official website is 2020census.gov. You can also find information about jobs on this website.
- Every household will have the option of responding to the census questions online, by mail or by phone. You should expect invitations to respond online to the 2020 Census in March of 2020.
- Information to be collected will be name, sex, age and date of birth, Hispanic, Latino or Spanish origin, race, whether a person lives or stays somewhere else and relationship of each person in a household.

7:05pm Councilman LaFera arrived at meeting.

PUBLIC COMMENTS:

Carol Laurito: Resident who thanked the town board for doing a good job. She also wanted to encourage more people to come to the bi-weekly meetings.

Kate Reese Hurd: Resident who expressed her concern about 5G and the rights of municipalities. Saugerties recently passed a resolution against 5G. *Supervisor Parete said he would reach out to the Supervisor and inquire about the 5G resolution.*

MEETING MINUTES:

- Councilman LaFera made a motion, seconded by Councilman Sweeney to approve the meeting minutes from 08/20/2019. 4-0 Aye, 1 absent, motion carried.

RESOLUTION # 63-2019; APPOINTMENT TO PLANNING BOARD ALTERNATE

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

WHEREAS, there is a vacancy on the Planning Board for the alternate position, and

WHEREAS, David Warren has indicated a desire to be appointed to the Town of Marbletown Planning Board, and **NOW THEREFORE BE IT RESOLVED** that the Town Board of the Town of Marbletown appoints David Warren to the Planning Board as an alternate for a term to expire on 12/31/2019.

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

4-0 Aye, 1 absent, motion carried.

Resolution #63-2019 was thereupon adopted

RESOLUTION #64-2019; REAL PROPERTY TAX AGREEMENT WITH NYC

WHEREAS, the City of New York filed petitions under Article 7 of the New York Real Property Tax Law to review certain assessments which were fixed and imposed by The Town of Marbletown for the indicated years on certain premises owned by the City of New York and located in the Town of Marbletown on Stone Church Road, tax map parcel id #46.4-1-29 (the "Property"); and

WHEREAS, the assessed value of the Property in each year of the Pending Matters was as follow:

<u>Assessment Year</u>	<u>Assessed Value</u>
2012	\$47,317,325
2013	\$47,317,325
2014	\$47,317,325
2015	\$47,317,325
2016	\$47,317,325
2017	\$47,317,325

WHEREAS, the City of New York alleged the assessment of the Property was excessive by reason of overvaluation and further that the Property failed to receive all or a portion of an exemption, and

WHEREAS, the parties have reached an agreement as to the way the Pending Matters are to be resolved without the necessity of further litigation, and

IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned, that the Pending Matters are hereby settled, compromised, and amicably resolved, and

NOW THEREFOR BE IT RESOLVED, the Town Board of the Town of Marbletown approve the Supervisor to sign the attached agreement with the City of New York.

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

4-0 Aye, 1 absent, motion carried.

Resolution #64-2019 was thereupon adopted

RESOLUTION #65-2019; SETTING THE PUBLIC HEARING DATE FOR THE PROPOSED LOCAL LAW NUMBER 4 OF 2019, A LOCAL LAW TO REGULATE SHORT TERM RENTALS

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

WHEREAS, the Town Board finds it to be in the best interests of the residents of the Town of Marbletown to adopt Local Law 4 of 2019, Short Term Rental Registration Law, in order to achieve the purposes and objectives set forth in the Local law.

NOW THEREFORE, BE IT RESOLVED as follows:

1. Schedule a Special Meeting of the Town Board, Town of Marbletown on October 15, 2019 for the purpose of holding a Public Hearing.

2. A public hearing will be held by the Town Board on October 15, 2019 at 7:00 PM local time at the Rondout Municipal Center, 1915-1925 Lucas Avenue, Cottekill, NY, to hear all interested parties on the proposed Local Law #4 of 2019 entitled “**A Local Law #4 of 2019 Short Term Rental Registration Law**”

3. The Town Clerk is directed to advertise such public hearing in the official newspaper of said Town, on the website of said Town and is directed to refer the proposed local law to all municipalities adjacent to the Town and any other applicable entities as required.

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

4-0 Aye, 1 absent, motion carried.

Resolution #65-2019 was thereupon adopted

RESOLUTION #66-2019; TRANSFER STATION RETAINING WALL

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

WHEREAS, the Town of Marbletown Transfer Station needs a new retaining wall, and

WHEREAS, Peak Engineering developed engineered details for a new retaining wall including specific backfill material type and installation procedure, and

WHEREAS, the Town of Marbletown safety officer recommends repairing the retaining wall, and

WHEREAS, the Town of Marbletown obtained prices off state bid, and

WHEREAS, LHV Precast, Inc bid \$8349 for wall blocks and the highway department will perform the work.

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Marbletown authorizes the Supervisor to sign attached agreement with LHV Precast, Inc for \$8349.

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

4-0 Aye, 1 absent, motion carried.

Resolution #66-2019 was thereupon adopted

RESOLUTION #67-2019; RESOURCE RECOVERY AGENCY AGREEMENT—TUB GRINDER

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

WHEREAS, the Town of Marbletown Transfer Station accepts brush and small trees, and

WHEREAS, the Ulster County Resource Recovery Agency (RRA) supplies an employee and grinder to chip the wood, and

WHEREAS, the Town of Marbletown supplies employee, front end loader, excavator and fuel, and

WHEREAS, the Town of Marbletown will transport the mulch to RRA facilities, and

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Marbletown authorizes the Supervisor to sign attached agreement with the Resource Recovery Agency.

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

4-0 Aye, 1 absent, motion carried.

Resolution #67-2019 was thereupon adopted

RESOLUTION #68-2019; REAPPOINTMENT OF ASSESSOR, MICHAEL DUNHAM

WHEREAS, the Town of Marbletown shares an Assessor with the Towns of Rochester and Rosendale; and

WHEREAS, the current Assessor Michael Dunham's term ends September 30, 2019, and

WHEREAS, Michael Dunham has indicated a desire to be reappointed to a new six-year term; and

WHEREAS, the Marbletown Board values the work of Michael Dunham; now therefore be it

RESOLVED, that the Marbletown Town Board authorizes the Supervisor to sign the attached contract reappointing Michael Dunham, and

BE IT FURTHER RESOLVED, that this agreement is valid only if the Towns of Rochester and Rosendale vote in support of 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 Borzumato	Voting <u>Aye</u>
Councilman Sweeney	Voting <u>Aye</u>
Councilman Stewart	Voting <u>Absent</u>
Councilman LaFera	Voting <u>Aye</u>
Supervisor Parete	Voting <u>Aye</u>

4-0 Aye, 1 absent, motion carried.

Resolution #68-2019 was thereupon adopted

RESOLUTION #69-2019; MUNICIPALITY SOFTWARE UPGRADE

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

WHEREAS, the Town of Marbletown currently contracts with Muncity to provide software for our Assessor, Building, Planning and Zoning Departments, and

WHEREAS, the current version of Muncity the town is using has not been upgraded since 2012, and

WHEREAS, the Town of Marbletown upgraded our computers in 2018 and the current version of Muncity operates better with our old computers, and

WHEREAS, Muncity 5 upgrade will help the Town of Marbletown become more efficient, secure, and better communicate with residents, and

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Marbletown authorizes the Supervisor to sign attached agreement with Software Consultants, Inc for a cost not to exceed \$10,500.

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

4-0 Aye, 1 absent, motion carried.

Resolution #69-2019 was thereupon adopted

RESOLUTION #70-2019; TECHNICAL BUSINESS SERVICES (TBS) MAINTENANCE AGREEMENT

WHEREAS, the towns of Rosendale and Marbletown jointly manage the Rondout Municipal Center,

WHEREAS, the RMC requires a maintenance agreement for the heating and air control systems, and

WHEREAS, TBS has been the provider of the systems maintenance for many years, and

WHEREAS, TBS has submitted a new maintenance contract beginning on the 1st day of September 2019, and shall continue for a period of 1 year and from year to year thereafter until terminated, and

WHEREAS, that this agreement is valid only if the Towns of Rosendale votes in support of the attached agreement.

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Marbletown authorizes the Supervisor to sign the attached service agreement.

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

4-0 Aye, 1 absent, motion carried.

Resolution #70-2019 was thereupon adopted

OTHER TOWN BUSINESS:

- Councilman Borzumato made a public statement. A copy of the statement is on file in the Town Clerk's office.
- Supervisor Parete announced there will be a Community meeting at the High Falls Fire House on Thursday 9/12 at 6:00pm to discuss the parking and littering issue down at the falls.
- Town Clerk Moody stated we are still collecting donations of school supplies for the school district.
- Supervisor Parete stated our sales tax was 4% ahead of what it was last year.

Motion to adjourn: There being no further discussion Councilman LaFera made the motion to adjourn the meeting, seconded by Councilman Sweeney; 4-0 Aye, 1 absent motion carried. The meeting adjourned at 8:07pm.

Respectfully submitted,

Heather Moody
Town Clerk/Tax Collector

