



## **Town Board Regular Meeting**

**Tuesday, October 15, 2019**

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

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

**Absent:**

**Also, Present:** Heather Moody; Town Clerk/Tax Collector, Ali Stewart; Blue Stone Press; Max Freebern; Shawnagunk Journal, Tracy Kellogg; Attorney and George Dimler; Highway Superintendent

Supervisor Parete called the meeting to order at 7:02pm and Councilman Stewart lead the Pledge of Allegiance.

### **PUBLIC HEARING – PROPOSED LOCAL LAW #4-2019 ‘SHORT TERM RENTAL’**

- At 7:04 PM Councilman Stewart made a motion to open the Public Hearing on proposed Local Law # 4-2019 ‘Short Term Rental’.
- Town Clerk Moody stated that the public hearing was legally noticed in the Daily Freeman on Sunday, Oct. 6<sup>th</sup>. The legal notice was also posted on the town website, posted on the Community Bulletin board outside of the Town Clerk’s office and sent out to surrounding town clerk’s offices.

### **PUBLIC COMMENTS:**

- Ray & Vanessa Vargas, Home Sweet Hudson – Full-service company that will manage the responsibilities of Airbnb’s if hosts are not onsite. Their website is homesweethudson.com.
- Tracey Dewart – Resident who read a statement and stated she has a short-term rental on her property. She feels regulations should be set in place especially about setting a cap on the number of guests. She wanted to know who was on the committee to write the law? The supervisor has a rental property. She mentioned that former Supervisor Thomas Jackson had a conflict of interest and he stepped down because of it.
- Jacob Sherman – Resident who read a statement and commented that there were grammar and spelling errors on the copy of the law. He feels there have been no enforcement provisions or no fines/violations. What about a noise law, there is no noise law in town? He feels we should use the Rhinebeck law as guidance as it is very strict. Short term rentals happened fast but special events have gone away.
- Susan Sprachman – Resident who read a statement in support of the short-term rentals and applauds the effort but has concerns about the law. We should have a public forum so people can discuss. If fees are set where will the fee’s go? Rhinebeck limits the number of people in a short-term rental to 6. What about adults vs. children? What about complaints and violations? She would also like to see a proximity limitation. In Woodstock people have to be made aware if houses are short term rentals.
- Bill Terpening – Resident who read a statement and said that the law is unfriendly to our residents. He compared out law to Rhinebeck where there must be a primary resident on the property. Our law does not regulate how close they can be or how many lots. Marbletown can have 10 people vs. 6 in

Rhinebeck. What about a noise ordinance? He would like all town board members to disclose if they have or have had any short-term rentals.

- Janet Condon-Krieger – Resident who asked why is there such a rush on this law? Went to a forum at New Paltz about this topic. Feels too many short-term rentals will push out the younger generation because there will be no housing.
- Doug Adams – Resident who read a statement and who feels this law is a two-edged sword. He feels we need to guarantee the health and safety of people and property. He read statistics about room tax, bed tax and city and state tax in NYC. He also said that statistically, seniors have the most Air B-n-B's. On a final note he added that two of the town board members are real estate agents which could be a conflict.
- Stacy Sindt – Resident who has been sitting on the PZC and pointed out that every point that has been brought up has been discussed during the meetings and the planning of this law. So, why didn't these residents bring their concerns to the meetings, where everyone is welcome. The goal is to limit and to make safe.
- Eric Krieger – Resident who feels that safety is an issue.
- Daisy Foote – Resident who feels the law is problematic and vague. She pointed out that Woodstock's law was not set with specifics and they are now getting sued. She would like to see the town be involved and the go back to the committee.

- On advice of Attorney Kellogg Supervisor Parete held the public hearing open.

#### **PUBLIC HEARING – PROPOSED LOCAL LAW #5-2019 'PARKING REGULATION LAW**

- Councilman Stewart made a motion to open the Public Hearing on proposed Local Law # 5-2019 'Parking Regulation Law'.
- Town Clerk Moody stated that the public hearing was legally noticed in the Daily Freeman on Sunday, Oct. 6<sup>th</sup>. The legal notice was also posted on the town website, posted on the Community Bulletin board outside of the Town Clerk's office and sent out to surrounding town clerk's offices.

#### **PUBLIC COMMENTS:**

- Jack Boden – Resident who feels that the all parking regulations should be enforced throughout all of Marbletown and respectfully requests safety by the falls and in the town.
- Supervisor Parete held the public hearing open.

#### **PUBLIC COMMENTS:**

**Jack Boden:** Resident who read a letter from fellow resident, Jeanne Hunt regarding funding in the 2020 town budget for the Marbletown First Aid Unit. She states that the MFA unit has had a decrease in skilled volunteer staff and had to cut their budget and future ambulance equipment fund to pay the \$14/hour to fill the volunteer loss. Results have proved funding works because the response rate increased from 60% to approx. 93%. More than 85% of the dispatches are in our town. This nonpolitical dedicated organization can only function well with staff and funding.

**Rebecca Horner:** Chair of the Marbletown First Aid Unit who submitted a letter and a copy of the MFA 2020 budget. (Copy is on file in the town clerk's office). They are formally requesting funding for 2020 in the amount of \$242,974. She also stated their volunteerism is declining across the country. Their response rate has gone from 75% to 93%. They really need town funding. On 10/22/19 there will be a public forum for all residents.

**Chris Needen:** MFA Unit volunteer who has asked that the town please, increase the funding. It used to be \$40,000 a year and it has been decreased to \$20,000.

**Robert King:** MFA Unit volunteer who has asked for support for funding. MFA needs people with skills and that helps save lives. Please increase our funding.

**Peter Lamerson:** MFA Unit volunteer, trained to be a shift leader. Please increase the budget. He has asked that Supervisor Parete meet with other Supervisors to discuss increasing the funding and to make this a priority.

**Joe Vitti:** MFA Unit volunteer for 12 years. He thanks the town board for listening. He had to call 911 once and it inspired him to join.

**Carol Laurito:** Resident who thanked the MFA Unit for assisting when she had an accident.

**Bob Berry:** Resident who moved from Brooklyn. His neighbor had an issue and MFA Unit came to help. Mr. Berry complimented the MFA Unit. When he retires he hopes to become a volunteer.

### **APPROVAL OF VOUCHERS**

Town Clerk Moody submitted the following vouchers for approval:

#### **September 2019 Amendments** **Highway Fund**

**Vouchers**  
V#333

**Total Payments**  
\$30.46

New total amount of September vouchers

**\$92,694.79**

A motion was made by Councilman Sweeney and Seconded by Councilman Stewart to approve these amended vouchers 5-0 Aye, motion carried.

#### **High Falls Water Fund**

V#94

\$3,512.80

New total amount of September vouchers

**\$20,011.95**

A motion was made by Councilman Sweeney and Seconded by Councilman Stewart to approve these amended vouchers 5-0 Aye, motion carried.

#### **October 2019** **General Fund** **Highway Fund**

**Vouchers**  
#580-648  
#334-370

**Total Payment**  
\$92,748.97  
\$42,740.83

A motion was made by Councilman Sweeney and Seconded by Councilman LaFera to approve these vouchers 5-0 Aye, motion carried.

#### **High Falls Water District**

#95-107

\$5,810.71

A motion was made by Councilman Sweeney and Seconded by Councilman Stewart to approve these vouchers 5-0 Aye, motion carried.

#### **RMC September**

#137-154

\$23,351.96

A motion was made by Councilman Sweeney and Seconded by Councilman Stewart to approve these vouchers 5-0 Aye, motion carried.

#### **RESOLUTION #78-2019; TRIPLE J. VENDING LLC**

The following Resolution was offered by Councilman Borzumato, seconded by Councilman Sweeney to wit:  
**WHEREAS**, the Town of Marbletown and the Town of Rosendale wish to have vending machines at the Rondout Municipal Center, and

**WHEREAS**, the Blackboard Bistro closes around 3PM and there are youth and adult activities in the building after hours, and

**WHEREAS**, the Rondout Municipal Center will receive 12% of gross sales as commission, and

**NOW, THEREFORE, BE IT RESOLVED** that the Town Board of the Town of Marbletown authorizes the Supervisor to sign attached agreement with Triple J. Vending LLC, and

**FURTHER RESOLVED**, this contract is valid contingent on the Town of Rosendale approving.

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 Aye

Councilman Sweeney      Voting Aye

Councilman Stewart      Voting Aye

Councilman LaFera      Voting Aye

Supervisor Parete      Voting Aye

**5-0 Aye**; Resolution #78-2019 was thereupon adopted.

#### **RESOLUTION #79-2019; RESOLUTION CANCELING NOVEMBER 5, 2019 TOWN BOARD MEETING.**

The following Resolution was offered by Councilman Sweeney, seconded by Councilman Borzumato 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 is having a public hearing on Thursday November 7, 2019, and

**NOW THEREFORE BE IT RESOLVED** that the Town Board of the Town of Marbletown cancels the Town Board meeting on Tuesday November 5, 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 Aye

Councilman Sweeney      Voting Aye

Councilman Stewart      Voting Aye

Councilman LaFera      Voting Aye

Supervisor Parete      Voting Aye

**5-0 Aye**; Resolution #79-2019 was thereupon adopted.

#### **RESOLUTION #80-2019; TEMPORARY TRUCK DRIVERS HIGH FALLS WATER DISTRICT**

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

**WHEREAS**, the High Falls Water District has a need for temporary truck drivers to transport water from Rosendale Water District to High Falls Water District during the Aqueduct shutdowns, and

**WHEREAS**, Ulster County Personnel has deemed Robert Barnhart and Carl Hornbeck as eligible employees, and

**NOW THEREFORE BE IT RESOLVED**, the Town of Marbletown Town Board approves the hiring of Robert Barnhart and Carl Hornbeck as a Temporary HMEO at a rate of \$24.21 an hour.

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 Aye

Councilman Sweeney      Voting Aye

Councilman Stewart            Voting Aye  
Councilman LaFera            Voting Aye  
Supervisor Parete            Voting Aye  
**5-0 Aye**; Resolution #80-2019 was thereupon adopted.

**RESOLUTION #81-2019: SET PUBLIC HEARING FOR 2020 FINAL BUDGET**

The following Resolution was offered by Councilman Sweeney, seconded by Councilman LaFera to wit:  
**WHEREAS**, the Town Supervisor has prepared a preliminary budget for the year 2020 and will be submitted to the Town Board and the Town Clerk by October 15, 2019; and,  
**WHEREAS**, the Town Board, pursuant to Town Law Sec. 108, must have a public hearing on or before the Thursday immediately following the general election, and a notice of such public hearing must be published at least once in the Town's official newspaper at least five days before the hearing.

**NOW, THEREFORE, IT IS RESOLVED AS FOLLOWS:**

1. A public hearing on the 2020 preliminary budget of the Supervisor shall be held at the Town Hall at 7:00 p.m. on Thursday November 7, 2019 at which time the preliminary budget shall be made available for inspection by interested persons, upon passage of this resolution.

2. The proposed salaries of the Town Board members, Supervisor, Town Clerk, Tax Collector, Town Justices and the Town Superintendent of Highways are listed below:

TOWN BOARD (4 @ \$5,600)	\$22,400
SUPERVISOR	\$30,000
HIGHWAY SUPERINTENDENT	\$54,060
TOWN JUSTICE (2 @ \$15,000)	\$30,000
TOWN CLERK	\$49,833
TAX COLLECTOR	\$ 3,750

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>Aye</u>
Councilman LaFera	Voting <u>Aye</u>
Supervisor Parete	Voting <u>Aye</u>

**5-0 Aye**; Resolution #81-2019 was thereupon adopted.

**RESOLUTION #82-2019: SET PUBLIC HEARING FOR 2020 FINAL HIGH FALLS WATER BUDGET**

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

**WHEREAS**, the Town Supervisor has prepared a preliminary High Falls Water District budget for the year 2020 and will be submitted to the Town Board and the Town Clerk by October 15, 2019; and,

**WHEREAS**, the Town Board, pursuant to Town Law Sec. 108, must have a public hearing on or before the Thursday immediately following the general election, and a notice of such public hearing must be published at least once in the Town's official newspaper at least five days before the hearing.

**NOW, THEREFORE, IT IS RESOLVED AS FOLLOWS:**

A public hearing on the 2020 preliminary budget High Falls Water District Budget of the Supervisor shall be held at the Town Hall at 7:05 p.m. on Thursday November 7, 2019 at which time the preliminary budget shall be made available for inspection by interested persons, upon passage of this resolution.

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 Aye  
Councilman LaFera            Voting Aye  
Supervisor Parete            Voting Aye  
**5-0 Aye**; Resolution #82-2019 was thereupon adopted.

**RESOLUTION #83-2019: HALLOWEEN CURFEW**

The following Resolution was offered by Councilman Borzumato, seconded by Councilman Stewart to wit:  
**WHEREAS**, Youth and Recreation Director Jill McClean advised that the Halloween night curfew had worked very well in the past.

**IT IS HEREBY**, Supervisor Parete has offered the motion to set the 2019 Halloween night curfew at 9 pm for all persons 18 years of age and under unless accompanied by a parent or guardian.

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 Aye  
Councilman Sweeney            Voting No  
Councilman Stewart            Voting Aye  
Councilman LaFera            Voting No  
Supervisor Parete            Voting Aye

**3-2 Aye/No**; Resolution #83-2019 was thereupon adopted.

**RESOLUTION #84-2019; GRADY PARK RESTORATION**

The following Resolution was offered by Councilman Sweeney, seconded by Councilman LaFera to wit:  
**WHEREAS**, the Town is interested in expanding areas available for use and enjoyment by the residents of the Town of Marbletown, and

**WHEREAS**, the D&H Canal Historical Society and Museum (“the D&H”) and the Town of Marbletown agreed to a 99-year lease that allows the town to manage the property, and

**WHEREAS**, Grady Park is limited to four parcels of land owned by the D&H located within the Hamlet of High Falls; and

**WHEREAS**, those parcels are identified as parcels 70.2.4-1, 70.2.4-2, 70.2.4-3 and 70.2.4-4, together, (“That Certain Tract”); and

**WHEREAS**, that Certain Tract contains ruins of Lock 17 and Lock 18, a historically protected ruin of the Delaware and Hudson Canal, and subject to all government laws and restrictions thereon; and

**THEREFORE, BE IT RESOLVED**, that the Town of Marbletown Town Board authorizes the Town Supervisor to sign the attached contract with Poison Ivy Patrol for Phase 1 of Grady Park restoration at a cost of \$11,000.

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 Aye  
Councilman Sweeney            Voting Aye  
Councilman Stewart            Voting Aye  
Councilman LaFera            Voting Aye  
Supervisor Parete            Voting Aye

**5-0 Aye**; Resolution #84-2019 was thereupon adopted.

**RESOLUTION #85-2019; PERMANENT HIGHWAY DEPARTMENT WORKER**

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

**WHEREAS**, the Highway Superintendent has a need for a full-time employee, and

**WHEREAS**, Ulster County Personnel has deemed Travis Kreilick as an eligible employee, and **NOW THEREFORE BE IT RESOLVED**, the Town of Marbletown Town Board approves the hiring of Travis Kreilick as HMEO at a rate of \$20.58 an hour.

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>Aye</u>
Councilman LaFera	Voting <u>Ayew</u>
Supervisor Parete	Voting <u>Aye</u>

**5-0 Aye**; Resolution #85-2019 was thereupon adopted.

**OTHER TOWN BUSINESS:**

- Superintendent Dimler provided a list of surplus equipment to the town board that he would like to put up for sale and then the revenue would be put back into the budget. A motion was made by Councilman Sweeney and seconded by Councilman Borzumato to approve this request, 5-0 aye, motion carried.
- Councilman LaFera suggested we keep one truck for grounds/parks to use. Mr. Dimler will look into this.
- Superintendent Dimler also said our bus we had been using for summer camp no longer meets the requirements to continue to use.
- Supervisor Parete stated that Dave Allen, Code Enforcement Officer, has asked if the town could get a car for them to use while going out on inspections instead of using their own private cars.
- Supervisor Parete thanked resident, Grace Moone, for all of years sitting on the High Falls Water Board. She has moved out of the area. There is now a vacancy that will need to be filled.

**Motion to adjourn:** There being no further discussion Councilman Sweeney made the motion to adjourn the meeting, seconded by Councilman Borzumato; 5-0 Aye, motion carried. The meeting adjourned at 8:05pm.

Respectfully submitted,

Heather Moody  
Town Clerk/Tax Collector