



Town Board Regular Meeting

Tuesday, June 16, 2020

This regular meeting was held via Zoom, at the Rondout Municipal Center began at 7:00pm

CALL TO ORDER

- Supervisor Parete called the meeting to order at 7:01pm and lead the Pledge of Allegiance.

ROLL CALL

Supervisor Parete took roll call:

Supervisor Parete – Present via Zoom

Councilwoman Foote – Present via Zoom

Councilman LaFera – Present via Zoom

Councilwoman Sprachman – Present via Zoom

Councilman Stewart – Present via Zoom

Also, Present: Heather Moody; Town Clerk/Tax Collector, Tracy Kellog; Attorney, and George Dimler;
Highway Superintendent

APPROVAL OF VOUCHERS

Town Clerk Moody submitted the following vouchers for approval:

May 2020 Amendments

Highway Fund

Vouchers

#172

Total Payment

\$33.80

Total

\$41,208.49

A motion was made by Councilwoman Sprachman and Seconded by Councilman LaFera to approve these vouchers.

Councilman Stewart

Voting Aye

Councilman LaFera

Voting Aye

Councilwoman Foote

Voting Aye

Councilwoman Sprachman

Voting Aye

Supervisor Parete

Voting Aye

5-0 Aye, motion carried.

June 2020

General Fund

Vouchers

#274-322

Total Payment

\$55,575.61

Highway Fund

#173-215

\$86,837.24

High Falls Water District

#52-71

\$24,815.14

RMC

#65-76

\$4,886.86

A motion was made by Councilman LaFera and Seconded by Councilwoman Sprachman to approve these vouchers.

Councilman Stewart	Voting <u>Aye</u>
Councilman LaFera	Voting <u>Aye</u>
Councilwoman Foote	Voting <u>Aye</u>
Councilwoman Sprachman	Voting <u>Aye</u>
Supervisor Parete	Voting <u>Aye</u>

5-0 Aye, motion carried.

MEETING MINUTES:

Councilman Stewart made a motion, seconded by Councilwoman Sprachman to approve the meeting minutes from the 6/2/2020 town board meeting.

Councilman Stewart	Voting <u>Aye</u>
Councilman LaFera	Voting <u>Aye</u>
Councilwoman Foote	Voting <u>Aye</u>
Councilwoman Sprachman	Voting <u>Aye</u>
Supervisor Parete	Voting <u>Aye</u>

5-0 Aye, motion carried.

Councilwoman Foote made a motion, seconded by Councilman LaFera to approve the meeting minutes from the 6/3/2020 special town board meeting/executive session.

Councilman Stewart	Voting <u>Aye</u>
Councilman LaFera	Voting <u>Aye</u>
Councilwoman Foote	Voting <u>Aye</u>
Councilwoman Sprachman	Voting <u>Aye</u>
Supervisor Parete	Voting <u>Aye</u>

5-0 Aye, motion carried.

SUPERVISOR'S STATEMENT

"This Friday, June 19 is Juneteenth, the celebrated commemoration of the ending of slavery in the United States. This board, as representative of Marbletown, would like to acknowledge this day and its fundamental and central importance in our nation and community. This is an opportunity to recognize the end of this shameful practice in our country and to call on all of us to remember that every day is an opportunity to treat our fellow human beings with respect, dignity and compassion."

RESOLUTION #61-2020; AUTHORIZING SUPERVISOR TO SIGN THE ATTACHED PILOT AGREEMENT BETWEEN THE TOWN OF MARBLETOWN AND CES MARBLETOWN SOLAR, LLC

The following Resolution was offered by Councilwoman Sprachman and seconded by Councilwoman Foote:

WHEREAS, Owner has submitted a Notice of Intent to the Taxing Jurisdiction that it plans to build and operate a "Solar Energy System" as defined in New York Real Property Tax Law ("RPTL") Section 487 (1)(b) (herein the "Project") with an expected nameplate capacity ("Capacity") of approximately three (3) Megawatts AC on a parcel of land located within the physical boundaries of the Taxing Jurisdiction within the Taxing Jurisdiction at Rte. 209, Tax Map ID # 62.1-4-2 and 62.1-4-1.100 as more particularly described in Exhibit A (herein the "Property"); and;

WHEREAS, the Taxing Jurisdiction has not opted out of RPTL Section 487; and

WHEREAS, pursuant to RPTL Section 487 (9)(a), the Taxing Jurisdiction has indicated its intent to require a Payment in Lieu of Taxes ("PILOT") Agreement with the Owner, under which the Owner (or any successor owner of the Project) will be required to make annual payments to the Taxing Jurisdiction for each year during the term of this Agreement; and

WHEREAS, the Owner has submitted or will submit to the assessor of the Town a RP-487 Application for Tax Exemption of Solar or Wind Energy Systems or Farm Waste Energy Systems, demonstrating its eligibility for a real property tax exemption pursuant to RPTL Section 487; and

WHEREAS, the Parties intend that, during the term of this Agreement, the Project will be placed on an exempt portion of the assessment roll and the Owner will not be assessed for any statutory real property taxes for which it might otherwise be subjected under New York law with respect to the Project.

NOW THEREFORE, for and in consideration of the mutual covenants hereinafter contained, the receipt and sufficiency of which are hereby acknowledged, the Parties hereby agree as follows:

THEREFORE, BE IT FURTHER RESOLVED, the Town Board of the Town of Marbletown authorizes Supervisor Parete to sign said agreement.

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

Councilman Stewart Voting Aye

Councilman LaFera Voting Aye

Councilwoman Foote Voting Aye

Councilwoman Sprachman Voting Aye

Supervisor Parete Voting Aye

5-0; Resolution #61-2020 was thereupon adopted.

RESOLUTION #62-2020 CES SOLAR DECOMMISSIONING BOND

The following Resolution was offered by Councilwoman Foote and seconded by Councilman Stewart:

WHEREAS, the **CES Marbletown Solar, LLC** and **Town of Marbletown** have entered into an agreement whereby principal agrees to complete decommissioning in accordance with the Town of Marbletown Zoning Board of Appeals Approved a Resolution, which said agreement, dated 10/3/2019, is hereby referred to and made a part hereof; and Whereas, said Principal is required under the terms of said agreement to furnish a bond for the faithful performance of said agreement; and

WHEREAS, **CES Marbletown Solar, LLC**, as Principal, and **Travelers Casualty and Surety Company of America**, a corporation duly authorized under the laws of the State of Connecticut, as Surety, are held and firmly bound unto the **TOWN OF MARBLETOWN** as Obligee in the full and just sum of **four-hundred and five thousand, forty-eight dollars and twenty cents (\$405,048.20)**, lawful money of the United States of America, to be paid to the said Obligee, successors or assigns; for which payment, well and truly to be made, we bind ourselves, our heirs, executors, successors, administrators and assigns, jointly and severally, firmly by these presents.

NOW THEREFORE, the Town Board of the Town of Marbletown authorizes the Town Supervisor to accept said bond and to cause his signature to be made to formalize this acceptance.

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

Councilman Stewart Voting Aye

Councilman LaFera Voting Aye

Councilwoman Foote Voting Aye

Councilwoman Sprachman Voting Aye

Supervisor Parete Voting Aye

5-0; Resolution #62-2020 was thereupon adopted.

RESOLUTION #63-2020; ACCEPTING CES MARBLETOWN SOLAR, LLC DONATION

The following Resolution was offered by Councilwoman Foote and seconded by Councilman Stewart:

WHEREAS CES Marbletown Solar, LLC has graciously agreed to donate \$5,000 towards senior recreation programs in the Town of Marbletown; and

WHEREAS, residents of Marbletown were playing Pickleball seven days a week in the Rondout Municipal Centers gymnasium; and

WHEREAS, the Town Board would like to support our senior recreation program by building a new court outside town hall, and

NOW THEREFORE BE IT RESOLVED, the Town Board of the Town of Marbletown does hereby accept this generous donation and authorizes the Town Supervisor to sign 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 Stewart Voting Aye

Councilman LaFera Voting Aye

Councilwoman Foote Voting Aye

Councilwoman Sprachman Voting Aye

Supervisor Parete Voting Aye

5-0; Resolution #63-2020 was thereupon adopted.

RESOLUTION #64-2020; CANCELING JULY 7, 2020 TOWN BOARD MEETING.

The following Resolution was offered by Councilman LaFera and seconded by Councilwoman Sprachman:

WHEREAS, Town of Marbletown Board meetings are held on the first and third Tuesday of each month, and

NOW THEREFORE BE IT RESOLVED that the Town Board of the Town of Marbletown cancels the Town Board meeting on Tuesday July 7, 2020.

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

Councilman Stewart Voting Aye

Councilman LaFera Voting Aye

Councilwoman Foote Voting Aye

Councilwoman Sprachman Voting Aye

Supervisor Parete Voting Aye

5-0; Resolution #64-2020 was thereupon adopted.

OTHER BUSINESS

- Councilwoman Sprachman announced that at the next town board meeting there will be a presentation from the Historic Preservation highlighting the grant received from SHIPO.
- Councilwoman Sprachman announced that the next Planning Board meeting will be held via Zoom on 6/22/2020 and will include a public hearing for the solar farm on Kripplebush Road.
- Councilwoman Sprachman reminded the public to please sign up online for Marbletown E-Alerts to get information on upcoming meetings, meeting minutes, etc.
- Councilman Stewart pointed out that a meeting to discuss the 'Creek Walk' would be better in person and they would hopefully, be setting something up at the fire house in the upcoming months, once things open up a bit more.
- Councilman LaFera brought up the issues that the Town is facing down by the creek in High Falls. He pointed out that they are not as far as long as they had hoped to be with enforcing no swimming, littering etc. with Central Hudson due to COVID. Supervisor Parete told the story of how a local business owner had his motorcycle stolen from his property after having a verbal confrontation with someone who had

parked in the municipal parking in High Falls after swimming. Supervisor Parete also stated he has been trying to communicate with Central Hudson in regard to the situation at the Falls and Central Hudson has been slow to respond and are hiding behind the FERC licensing (Federal Energy Regulatory Commission). Supervisor Parete has reached out to the Sheriff's office and they are hoping to schedule more patrols for the falls area. Councilwoman Foote has reached out to Representative Antonio Delgado's office to see if they can offer any assistance to the issues the town is having down by the creek. There is a group from High Falls that is also offering to volunteer to go down and help pick up garbage. Councilman Stewart reminded everyone that Riverkeeper has been testing the water and the bacteria count is extremely high and very unsafe to swim in.

- Highway Superintendent George Dimler gave an update on what the Highway Department has been working on. They had split crews early on during the COVID shut down but are back up to full crews and they are back to full time. They have completed 5 miles of chip sealing and are currently working on paving. Mr. Dimler reminded everyone to please be patient when approaching and driving around road work in town.
- Supervisor Parete stated Phase 2, which includes outside seating for restaurants, will begin this week.
- Councilman Stewart brought up the Christmas tree in High Falls and that the tree is on private property that is owned by the D&H Canal Museum and not the Town. What happens to the tree is their decision. Any comments, questions or concerns about the tree should be directed to the D&H Canal directly.

MARBLETOWN FIRST AID UNIT (MFAU)

The Marbletown First Aid Unit gave a status report during the June 2, 2020 Zoom meeting and as those final minutes have been approved I am adding this amendment to these minutes (June 16, 2020).

- **March 2020** response rate was 90% (Before MFAU transitioned to a 24/7 staffing schedule).
 - Total dispatches – 30
 - Got out total – 27
 - Transports – 27
 - Cancelled – 8
 - Standby – 0
 - RMA – 4
- **April 2020** response rate was 100% (Ulster County Emergency services requested MFAU cover 24/7 due to the Covid-19 crisis. The MFAU board made the decision to spend the money to do so. Operations was able to hire a few more people in addition to their volunteer staff to cover the night shifts.)
 - Total dispatches – 39
 - Got out total – 39
 - Transports – 27
 - Cancelled – 7
 - Standby – 0
 - RMA – 5
- **May 2020** response rate was 100%.
 - Total dispatches – 46
 - Got out total – 46
 - Transports – 22
 - Canceled – 13
 - Standby – 1
 - RMA – 10

Motion to adjourn: There being no further discussion Councilman LaFera made the motion to adjourn the meeting, seconded by Councilwoman Sprachman; 5-0 Aye, motion carried.

Councilman Stewart Voting Aye

Councilman LaFera Voting Aye

Councilwoman Foote Voting Aye

Councilwoman Sprachman Voting Aye

Supervisor Parete Voting Aye

5-0; motion carried. The meeting adjourned at 8:12pm.

Respectfully submitted,

Heather Moody
Town Clerk/Tax Collector

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 08-14-2018 BY 60322
SP1/BJL