



Town Board Regular Meeting

Tuesday, September 5, 2023

This regular meeting was held in person and began at 6:02pm

CALL TO ORDER

Supervisor Parete called the meeting to order at 6:02pm and Councilman Hunt lead the Pledge of Allegiance.

ROLL CALL

Town Clerk Moody took roll call:

Supervisor Parete – Present

Councilwoman Foote – Present (arrived at 6:05pm)

Councilman LaFera – Present

Councilman Davenport – Present

Councilman Tim Hunt – Present

Also, Present: Heather Moody, Town Clerk/Tax Collector

MEETING MINUTES:

- Councilman Davenport made a motion, seconded by Councilman Hunt to approve the meeting minutes from 8/15/2023 5-0 Aye, motion carried.
- Councilman Hunt stated after the last meeting he and Supervisor Parete spoke about the purpose of and how to conduct public comments. Hunt encourages the community for their input but should focus on the issues and policies and avoid hearsay kind of things and making things less personal.
- Supervisor Parete stated at the last meeting someone told him to ‘shut up’ and that will not happen again. Public comment is not required, and we will take it off the agenda is people cannot follow the guidelines. Parete added the town board members are always here to discuss issues. Councilman LeFera agreed and said people can call or email them at any time. LaFera added that we can always go back to adding a time limit too. Councilman Davenport said if public comments are productive that’s great, but we do sometimes discuss things over and over.

APPROVAL OF VOUCHERS & AMENDMENTS

Town Clerk Moody stated there were no amendments to the vouchers submitted on August 15, 2023

Town Clerk Moody submitted the following vouchers for approval:

<u>September 5, 2023</u>	<u>Vouchers</u>	<u>Total Payment</u>
General Fund	V#591-622	\$16,555.86
Highway Fund	V#246-261	\$13,986.35
High Falls Water District	V#93-101	\$17,822.82
RMC	V#	\$
Marbletown Fire Protection District #1	V#17-18	\$2,637.76

A motion was made by Councilman Davenport and Seconded by Councilman Hunt to approve these vouchers.

Councilman Davenport	Voting <u>Aye</u>
Councilman LaFera	Voting <u>Aye</u>
Councilwoman Foote	Voting <u>Aye</u>
Councilman Hunt	Voting <u>Aye</u>
Supervisor Parete	Voting <u>Aye</u>

5-0, motion carried.

- Councilman Hunt asked about the Youth & Rec expenses and Supervisor Parete responded that the expenses Hunt questioned were for the camp season.

RESOLUTION #83-2023; REPLACE WATER PUMP AT THE RONDOUT MUNICIPAL CENTER

The following Resolution was offered by Councilman Davenport and seconded by Councilman LaFera

WHEREAS, the Rondout Municipal Center (RMC) has the need to replace the domestic water booster pump; and

WHEREAS, the RMC Building Manager Joe La Fera received three proposals:

Jeff Lowe Plumbing, Heating & Air Conditioning, Inc., in the amount of \$24,227.00

Jeff Lowe Plumbing, Heating & Air Conditioning, Inc., in the amount of \$27,654.00 &

Just Right Mechanical Systems, LLC in the amount of \$6,400.00 which have been attached and made a part hereof; and

WHEREAS, after review of all three proposals a decision was made to sign an agreement with Just Right Mechanical Systems, LLC in the amount of \$6,400.00 for the pump replacement with an additional \$1,300.00 for working on Saturday and additional \$400.00 to replace valve.

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Marbletown hereby authorizes the Supervisor to sign the Agreement with Just Right Mechanical Systems, LLC. For \$8,100.00 which has been attached and made a part hereof; and

BE IT FURTHER RESOLVED, that this resolution shall become effective upon its passage by both the Town Board of Rosendale and the Town Board of Marbletown.

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

Councilman Davenport	Voting <u>Aye</u>
Councilman LaFera	Voting <u>Aye</u>
Councilwoman Foote	Voting <u>Aye</u>
Councilman Hunt	Voting <u>Aye</u>
Supervisor Parete	Voting <u>Aye</u>

5-0, motion carried.

- Supervisor Parete stated there will be an extra charge for the company to do the work on a Saturday as the water will be turned off. Parete added they did not want to have to close the offices and the ARC office during the week. This bill will be split between Rosendale and Marbletown.

RESOLUTION #84-2023; APPOINTING CLERK TO JUSTICE

The following Resolution was offered by Councilwoman Foote and seconded by Councilman Davenport

WHEREAS, the Town of Marbletown has a vacancy for the position of Clerk to Justice; and

WHEREAS, the position is not a Civil Service position; and

WHEREAS, the Ulster County Department of Personnel must review a new hire for the Position of Clerk to Justice; and

THEREFORE BE IT RESOLVED to appoint Theresa Cain as Part Time Clerk to Justice at an hourly rate of \$19.00 an hour effective September 18, 2023.

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

Councilman Davenport	Voting <u>Aye</u>
Councilman LaFera	Voting <u>Aye</u>
Councilwoman Foote	Voting <u>Aye</u>
Councilman Hunt	Voting <u>Aye</u>
Supervisor Parete	Voting <u>Aye</u>

5-0, motion carried.

- Supervisor Parete said there is no relation between this hire, Theresa Cain, and our Deputy Town Clerk Joyce Cain. Parete added that Eleanor Tetta's last day will be Friday, Sept. 8th.
- Councilman Davenport mentioned that Theresa Cain had worked for someone he knew and gave a good reference.

RESOLUTION #85-2023; AUTHORIZE THE SUPERVISOR TO ACCEPT PERFORMANCE BOND FROM HASBROUCK HOUSE HOMES.

The following Resolution was offered by Councilwoman Foote and seconded by Councilman LaFera

WHEREAS, the owner of Hasbrouck House Homes has received conditional approval from the Town of Marbletown Planning Board: and

WHEREAS, the proposed project includes stormwater work, road work, and removal work, and

WHEREAS, the applicant is complying with the Town of Marbletown Regulations; and

NOW THEREFORE BE IT RESOLVED, by the Town Board of the Town of Marbletown authorizes the Town Supervisor to accept a bond in the amount of \$392,307, and

BE IT FURTHER RESOLVED, by the Town Board of the Town of Marbletown authorizes the Town Supervisor to take necessary steps to formally accept bond from Hasbrouck House Homes.

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

Councilman Davenport	Voting <u>Aye</u>
Councilman LaFera	Voting <u>Aye</u>
Councilwoman Foote	Voting <u>Aye</u>
Councilman Hunt	Voting <u>Aye</u>
Supervisor Parete	Voting <u>Aye</u>

5-0, motion carried.

- Supervisor Parete explained that if the Hasbrouck House does not do all of the required work (removal of work, road, storm water measures and miscellaneous) this bond will cover the cost of finishing the project plus a percentage of increasing the budget.

OTHER BUSINESS :

- Supervisor Parete gave the floor to Bruce Fallon, Veteran's Committee member who asked about the moving of the veteran's monuments from the Community Center property to the Stone Ridge Fire House. Supervisor Parete responded that the town board has had discussions but have not made any final decisions. Parete added maybe the monuments could be moved to the Osterhoudt property. Pete Davis, member of the Stone Ridge Fire House said that everyone at the Stone Ridge Fire House is okay with having the monuments moved there and the fire house had discussed possible ways to make sure it is accessible to everyone. Councilman Hunt asked if the town board could get something in writing, maybe a bit more formal. Hunt also mentioned clarifying who owns the monuments which is first and foremost. Councilman Davenport added this is definitely worth more of a discussion as the board is not ready to make a decision.
- Councilwoman Foote indicated she would like to revisit the Short-Term Rental Law and as a few things have come up that need more clarification. One issue is the rules of private roads and how issues are

handled. Foote would also like to discuss the number of short-term rentals in town, Parete added right now the town has about 80 registered. Foote stated she feels a portion of the people doing STR's are doing it to help pay for their taxes and another portion bought them as an investment and there needs to be balance. Supervisor Parete and the town board agreed to revisit the STR law.

- Supervisor Parete announced that the new shed at the transfer station will be delivered and thank you to the Highway Department for getting rid of the old shed.
- Supervisor Parete said the Marbletown Fire House is emptied out and will now be cleaned and next week it will go on the market.
- Supervisor Parete said that the town has started working on the 2024 budget and he is meeting with department heads. Adding salaries will be going up and healthcare is going up about 9%.

PUBLIC COMMENT:

- Wendy Saul, resident, appreciates the invitation for public comments and values transparency. Saul asked what was happening with the community center. Supervisor Parete responded they are waiting for the final report from Peak Engineering and as soon as it is received he will share. Saul also stated she had sent Parete an email containing information about her thoughts on a new committee. Parete forwarded to the town board and added that the current Youth & Recreation Commission by-laws need to be updated. Councilman Hunt added that this is a good opportunity to revisit the by-laws and focus on specifics and coordination of grants and contributions.
- Bill Terpening, resident, submitted a statement to Town Clerk Moody, which is now on file in the town clerk's office, as a follow up to what he had previously submitted, maintaining the local law which increase the term of office of Town Supervisor from two to four years, which law is subject to mandatory referendum. Terpening's concerns are not about the argument for or against a four-year term, instead his concerns are the need for repeal of this law due to its problematic employment of an initial operative date if 1/1/2024, rather than two years later on 1/1/2026, as set forth under town law. Terpening is certain that the earlier date will solely benefit Supervisor Parete since he will be the only candidate on the November ballot. That Councilman LaFera and Councilman Davenport may have been the ones to initially suggest a four-year is irrelevant to the questionable choice of and reason for the earlier operative date. Before the November election the Board has three regularly scheduled meeting dates in which the Board can legally repeal this law and meet the Town law's fifteen-day deadline for repeal before an election. If the law is not repealed, this matter leaves the unseemly aspects of favoritism of opportunism instead of ethicality of using official position for self-interest. Consequently, I believe that the board is impelled to do the right thing, to use the remedy of repeal to correct what is inherently wrong with this law. I continue to ask the Board to do so. For the sake of public accountability, I ask the Board the following question: Before the draft of this law was initially presented to the Board at its April 18th meeting, who was involved in deciding to employ the operative date of January 1, 2024?

Motion to adjourn: There being no further discussion Councilman Davenport made the motion to adjourn the meeting, seconded by Councilman LaFera 5-0 Aye, motion carried. The meeting adjourned at 7:11pm.

Respectfully Transcribed and Submitted,
Heather Moody
Town Clerk/Tax Collector

FINAL