

The regular meeting of the Village of Margaretville Board of Trustees was called to order by Mayor Hubbell at 5:00 pm on November 16, 2021 in the Village Offices, 773 Main Street, Margaretville, New York. The following members were in attendance:

John Hubbell	Mayor
Dave Budin	Trustee
Iris Mead	Trustee
Sarah Hubbell	Trustee
Jeffrey Warren	Trustee

Also in attendance was Mike Martin, Jesse Hilson and Code Enforcement Officer Christopher Plante.

\*All unanimous votes are unanimous without the Mayor voting unless otherwise noted\*

Those in attendance stood for the Pledge of Allegiance.

### **MINUTES**

A motion was made by Trustee Mead and seconded by Trustee Budin to accept the minutes of the September 21, 2021 meetings as presented. The motion passed unanimously.

### **PUBLIC COMMENT**

The Mayor asked those in attendance for public comment, there was none.

### **CODE ENFORCEMENT REPORT**

Code Enforcement Officer Christopher Plante was in attendance to bring the board up to date on various issues in the Village:

There have been many complaints to the CEO concerning an installed fence at 871 Main Street next to B&D Motors. B&D requested information regarding the fence and a Flood Plain Development Permit. They are concerned that the fence will obstruct and back up the water during a flood.

CEO Plante explained to the board that there is not a requirement for a building permit to install a fence in the Village. The panels on the fence are all breakaway panels. After the consideration of potential issues with the project, and as a small project under the authority of the Flood Plain Administrator, the fence was allowed. There are no violations against it at this time.

There have also been complaints from businesses to the CEO concerning the utilization of numerous parking spaces all along Main Street/State Route 30 by B&D Motors, which severely limits parking for customers of other businesses. CEO Plante agreed that the parking issue needs to be addressed, but in a way to not hinder B&D's business and to allow the other businesses use of the parking spaces in front of their buildings. He asked the board what kind of action the village could move forward with to rectify this situation.

When asked for suggestions, CEO Plante asked that the board send a letter to B&D stating that the village has serious concerns about their parking in front of other businesses and to try to work out a solution.

It was suggested to offer the use of the parking area in the Village Park previously used by the Catskill Watershed Corporation during the daytime hours with no overnight parking. This offer could be extended to both B&D Motors and Northhill Outdoors.

Mayor Hubbell will draft a letter for the board's review.

CEO Plante has also received complaints about the current building project at 51 West End Street. Plans were originally submitted and approved for a two-car garage with storage above next to the existing residence. It was brought to his attention that it appeared to be much more, and during an inspection, the homeowner was told that he could only build what was on the blueprint that had been submitted. CEO Plante went back a week later after another complaint and the building had transformed into a residence. A stop work order was issued. A new set of plans was then submitted to reflect the work being done.

As per zoning regulations, only one residence is allowed per lot. With the stop work order in effect, the owner will be allowed to put siding on the building to get it weather tight but nothing else is allowed to be done inside. The homeowner now has the following options: attach the building to the existing house to make it one residence, apply for a variance to allow a second residence or put the building back to the garage that the plans were originally submitted for. CEO Plante will be stopping by the site periodically to make sure no other work is being done while under a stop work order.

## **OLD BUSINESS**

### **NY RISING UPDATES**

Mayor Hubbell reported the following on the New York Rising projects:

#### **MFD and DPW Facility Improvements:**

Still not ready to go on the privacy fence and the façade wall. Have reached out to GOSR for assistance concerning how to proceed.

#### **Binnekill Bulkhead, Levee Repair and Improvement:**

A change order needs to be processed. The project needs to be resurveyed and regraded due to stormwater from the East Branch inundating the site during recent storm event.

A motion was made by Trustee Budin and seconded by Trustee Hubbell to approve payment in the amount of \$3,802.96 to SLR Engineering, Landscape Architecture and Land Surveying, P.C. for invoice #163281 dated 10/15/2021 for construction administration and construction inspection on the Binnekill Bulkhead, Levee Repair and Improvement project upon the approval of the Governor's Office of Storm Recovery. The motion passed unanimously.

#### **Gateway Study Implementation Plan:**

No change to the status of this project.

#### **Scotts Brook:**

Construction work has been completed. Paperwork still needs to be finalized.

## **Bull Run Channel Streambank Restoration and Retaining Wall Repair**

The project is about halfway done. Weather has been an issue, and an extension has been applied for through DEC to continue work in the stream. Work has been completed to just past the Jenkins residence.

A motion was made by Trustee Budin and seconded by Trustee Hubbell to approve payment in the amount of \$28,093.00 to MJ Engineering & Land Surveying, P.C. for invoice #17 dated 11/11/2021 for engineering services on the Bull Run Debris Removal and Retaining Wall Repair project upon the approval of the Governor's Office of Storm Recovery. The motion passed unanimously.

## **OLD BUSINESS**

### **DEP STREAMSIDE ACQUISITION PROGRAM**

The board has received no new information on this matter, and after discussion a motion was made by Trustee Budin and seconded by Trustee Mead to opt out of the SAP program. The motion passed unanimously.

### **SEASONAL PARKING RESTRECTIONS LOCAL LAW**

A motion was made by Mayor Hubbell and seconded by Trustee Mead to hold a Public Hearing on December 21, 2021 at 4:45 pm to hear comment on proposed Local Law #1 of the year 2021: A Local Law Establishing Parking Restrictions Within the Village of Margaretville. The motion passed unanimously.

### **MARIJUANA REGULATION & TAXATION ACT**

After discussion, a motion was made by Trustee Warren and seconded by Trustee Mead to opt out of allowing adult-use cannabis retail dispensaries or on-site consumption licenses. The vote was as follows:

Trustee Warren: Aye, Trustee Mead: Aye, Trustee Hubbell: Nay, Trustee Budin: Nay, Mayor Hubbell, Nay.

The motion to opt out of the Marijuana Regulation & Taxation Act was defeated.

### **NYS WATER ASSISTANCE PROGRAM (LIHWAP)**

There was discussion but the board would like more information, therefore no action was taken on this matter at this time.

### **INTERNATIONAL INSTITUTE OF MUNICIPAL CLERKS MEMBERSHIP APPLICATION**

A motion was made by Trustee Mead and seconded by Trustee Warren to approve payment of \$175.00 to the International Institute of Municipal Clerks for membership for Clerk Diana Fronckowiak. The motion passed unanimously.

### **APPLICATION FOR USE OF PARK AND PAVILION**

A motion was made by Trustee Budin and seconded by Trustee Hubbell to approve the application submitted by the MCS for a Halloween Parade on Main Street on October 30, 2021 during the hours of 1-2 pm as long as any Covid-19 restrictions in place at the time of the event including occupancy limits are adhered to. The motion passed unanimously.

A motion was made by Trustee Budin and seconded by Trustee Hubbell to approve the application submitted by the Margaretville Fire Department for a Holiday Parade on Main Street on November 27, 2021 during the hours of 4-7 pm as long as any Covid-19 restrictions in place at the time of the event including occupancy limits are adhered to. The motion passed unanimously.

## **OTHER**

Mayor Hubbell reported that the Christmas lights have been put up on Main Street, Blizzard Electric is still repairing outlets on some of the poles.

The 2011 Ford 1 ton truck may need to be replaced soon, there have been many repairs within the last six weeks. The Village may want to consider using CHIPS money for the purchase.

## **HANDOUTS**

### **WEBSITE HOSTING AND SUPPORT**

Information concerning this subject was handed out to the Trustees for their review, comments and consideration.

### **ELECTRONIC PAYMENT PROCESSING**

Information concerning this subject was handed out to the Trustees for their review, comments and consideration.

## **EXECUTIVE SESSION**

A motion was made by Trustee Budin and seconded by Trustee Hubbell to enter into Executive Session at 6:38 pm to discuss the employment history of one or more employees. The motion passed unanimously.

Executive Session ended at 6:55 pm and the following action was taken:

A motion was made by Mayor Hubbell and seconded by Trustee Mead to amend the salary of DPW Laborer John Paul Beers from his current salary to \$20.51 per hour effective January 1, 2022. The motion passed unanimously.

A motion was made by Mayor Hubbell and seconded by Trustee Mead to amend the salary of DPW Laborer Mitchell VanKeuren from his current salary to \$20.51 per hour effective January 1, 2022. The motion passed unanimously.

A motion was made by Mayor Hubbell and seconded by Trustee Mead to authorize a new hire as DPW Laborer at a rate of \$15.00 per hour with a \$1.00 increase once water certification is obtained. The motion passed unanimously.

**PAY BILLS**

Voucher #'s 119-151 in the amount of \$50,433.89 were audited and approved for payment.

**ADJOURN**

A motion was made by Trustee Budin and seconded by Trustee Hubbell to adjourn the meeting at 7:11 pm. The motion passed unanimously.

Karen McMurray  
Deputy Village Clerk