

TOWN OF ROSENDALE  
TOWN BOARD MEETING  
January 10, 2024

Supervisor Walsh called the meeting to order at 7:00 PM followed by the pledge. A moment of silence was observed for the tragic accident with 3 High School students Dillon Gokey, Jack Noble and a recovery for Joseph Sepsi who is in the hospital.

Present:	Supervisor	Jeanne L. Walsh
	Councilmember	Timothy Craven
	Councilman	Joseph Havranek
	Councilmember	Ashley Sweeney
	Councilmember	Carrie Wykoff

Also present – Jill La Fera; Assistant to the Supervisor, Jeremy Baracca; Town Assessor, Joseph La Fera; RMC Building Manager; Kenneth Hassett; Deputy Supervisor; Benjamin Talutto; Youth Commission, Barabara Piombino; Elder Assistance and Judith Minissali; Elder Assistance.

The Town Clerk opened the Public Hearing for Accessory Dwelling Units at 7:02 PM.

Colby Harvish, resident – Colby asked if there was a rationality behind not letting ADU's have short term rentals in ADU units. Supervisor Walsh said the town is looking for housing and this would defeat the purpose. Colby said he does agree with the purpose and intent, but he thinks allowing the ADU to be used as short-term rentals serves several purposes. He said he bought a 2-family home in Rosendale that could possibly be rented. Supervisor Walsh said an ADU can be rented and bring in income as well. Supervisor Walsh said this is to amend the current code to make it easier for residents can have ADU's to provide housing for residents. Colby explained that there should be more housing units rather than short terms rentals.

Councilmember Wykoff said there are some comments from the Planning Board. The Planning Board asked can multiple dwelling units exist within a single ADU. Supervisor Walsh said no. Councilmember Wykoff said the feedback was an ADU shall contain a minimum of 350 square feet and shall not exceed the gross floor area of the principal dwelling unit and the recommendation was ADU shall meet all safety code requirements. Councilmember Wykoff said if the unit meets all the safety codes if it is 350 feet instead of 300 feet it is not a problem for her. Councilmember Sweeney said she agrees. Councilman Havranek said it is a lot to consider and understands the concern to try and make a lesser requirement. He asked if it must have a separate bathroom, kitchen, living area and bedroom. Supervisor Walsh said it has to have a kitchen and a bathroom and also a certain size bedroom whether it's a studio or not. Councilman Havranek said he doesn't know if it is possible to squeeze all that in within 350 feet. Councilmember Craven asked if it had to have a separate bedroom. Supervisor Walsh said no it must meet the footage in the code. Councilman Craven said he has 5 rentals that are 240 square feet and have a kitchen, bathroom and its one room so it's a studio. He said he has no problem renting them. Councilman Havranek said there may be no problem renting it, but they can be preexisting non-conforming, but if it passes with the Building Department, he will have no objection to it. Councilman

Havranek said he would like feedback from the Building Department. Councilmember Wykoff said the County is not putting a limit on minimum only gross. Supervisor Walsh said an ADU is always smaller than the main unit. Supervisor Walsh said if the Town Board wants to make a change, then the Board must wait to close the Public Hearing. Councilman Havranek said he would like to wait to hear feedback from the Building Department. The Board reviewed the code to and verbiage to be deferred to the Building Department.

Councilman Havranek said he thought there was supposed to be garbage removal similar to the short-term rental code. He said there should be a section 14 to add the removal. Supervisor Walsh said she doesn't know why that is in effect any different than the house that is there with removal. Supervisor Walsh said every single property is supposed to get rid of their garbage. Councilman Havranek said not to a specific requirement. Councilmember Wykoff asked if this was in the code for housing and property and she thinks it is excessive. Councilman Havranek said regular rentals do not have requirements, and this will require ADU's to get rid of their garbage and comply. The Town Board discussed if garbage removal should be added to the code. This will be referred to the Building Department as well.

The Town Clerk opened the Public Hearing for Short Term Rentals at 7:34 PM.

Robert Skerritt, resident – addressed his concerns with the short-term rentals in his area as it seems to be a vacation home in a small neighborhood. He said these permits shouldn't be given in small neighborhoods. There are house rules and no one there to enforce them. Supervisor Walsh said she understands what he is saying but doesn't know how to distinguish one from another. Councilman Havranek said they did change parts of the code for help these situations. Supervisor Walsh said that the Board did listen to the comments and tried to accommodate to those comments. Councilman Havranek said there should be something about a commercial event at the short-term rentals. Councilmember Wykoff said it is in the code for commercial use.

Althea Werner, resident – She said she thinks the part with complaints will help because they can revoke their permit. Supervisor Walsh said if the manager is called someone must come within 30 minutes that gives the town a ability to write a notice of violation but there needs to be a record.

The Town Board discussed changes to be addressed in the STR code.

The Town Clerk opened the Public Hearing for Adult Use Cannabis at 7:39 PM.

The Planning Board suggested adding festivals/mass gathering to the code. Supervisor Walsh said she is not in favor of that. Councilmember Wykoff said they are saying to not have this allowed at festivals/mass gatherings. The Board discussed changes to be made to the code.

These Public Hearing will remain open.

The Town Clerk opened the Public Hearing for Exemptions for Senior Citizens at 8:03 PM.

The Town Clerk opened the Public Hearing for Exemptions for Disabled persons at 8:04 PM.

Jeremy Baracca the Town Assessor said previously for the disability for low-income exemptions they had to take all gross income for each of the two exemptions. New York State has now changed it to where the Federal Adjusted income with an option for each taxing jurisdiction to adopt the provision to include the taxable portion of IRA's. He said the enhanced STAR, which is senior citizen exemption for anyone over 65 years of age and making less than \$98,700.00 adjusted gross income for 2024, already exempts IRA distributions from the income calculation. The low-income senior exemption which is an addition to the enhanced Star exemption for seniors making less than \$45,400.00 /year. The intent is to help low-income seniors stay in their home.

Supervisor Walsh made a motion to close the Public Hearing for Exemptions for Senior Citizens at 8:23 PM, 2<sup>nd</sup> by Councilmember Sweeney. ROLL VOTE: 5 YES.

Supervisor Walsh made a motion to close the Public Hearing for Exemptions for Disabled Persons at 8:24 PM, 2<sup>nd</sup> by Councilmember Sweeney: 5 YES.

1. Resolution 1-2024-#7 – Supervisor Walsh made a motion that the Town Board of the Town of Rosendale adopts Local Law #1 of 2024, a Local Law to Amend Chapter 63 pf the Code of the Town of Rosendale "Taxation" to amend Income limits for senior citizens and directs the Town Clerk to file same with NY Secretary of State, 2<sup>nd</sup> by Councilmember Sweeney. ROLL VOTE: 5 YES.
2. Resolution 01-2024-#8 – Supervisor Walsh made a motion that the Town Board of the Town of Rosendale adopts Local Law #2 of 2024, a Local Law to amend Chapter 63 "Taxation" to increase income limits for disabled persons with limited incomes and direct the Town Clerk to file same with the NY Secretary of State, 2<sup>nd</sup> by Councilmember Sweeney. ROLL VOTE: 5 YES.

Supervisor Walsh made a motion to approve the minutes from December 2<sup>nd</sup> by Councilman Havranek. ROLL VOTE: 5 YES.

#### Committee Reports:

##### Water/Sewer (Councilman Havranek):

There are no updates on the special projects.

Water took in \$5.70, and Sewer took in \$0.36 for December.

##### Highway (Councilman Havranek):

There were only a few minor repairs needing to be made with the last snowstorm.

70 tons of Salt was delivered.

Took in \$59,330.41 for December.

##### Police (Councilman Havranek)

Took in \$1,369.01 for December.

For the 2023 year they had 4,200 calls for service, 286 criminal cases, 139 arrests, 21 personal injury automobile accidents and 170 property damage automobile accidents.

Councilmember Craven has no reports currently.

Environmental (Councilmember Wykoff):

Councilmember Wykoff said she is no longer the liaison for them, but she did introduce them to Councilmember Craven.

Bookkeeper (Councilmember Wykoff):

Taylor is preparing for the annual audit.

Building Department (Councilmember Wykoff):

Took in \$5,809.00 for December with 22 permits. For the year 2023 they took in \$143,469.00.

Food Pantry (Councilmember Wykoff):

They are working on getting a couple of grants.

They are looking for volunteers and people with pickup trucks.

They thanked everyone who donated to the Boy Scouts and the Pickle Festival for purchasing all the Turkeys they needed.

Planning (Councilmember Wykoff):

There is no meeting in January.

ZBA (Councilmember Wykoff):

There was no meeting in December and there is no meeting in January.

Transfer Station (Councilmember Wykoff):

They will be closed January 16<sup>th</sup> because of the Monday Holiday.

Took in \$7,700.40 for December.

\$1,350.00 for permits and coupons and took in \$94,650.65 for the year of 2023.

Youth (Councilwoman Sweeney):

There will be an Art Lab starting January 20<sup>th</sup> which will run for 4 consecutive weeks and must be signed up.

After school the Youth Center has had 10-20 kids attending which has been an increase in attendance.

Summer camp registration will take place mid to late March. Matt will continue with two-week sessions.

Recreation (Councilmember Sweeney):

There was no meeting in December and the next meeting will be January 17<sup>th</sup>.

Tax Collector (Councilmember Sweeney):

The 2024 tax season has begun. The bills have gone out and people are trickling in.

Elder assistance (Councilmember Sweeney):

There was a senior holiday party at Park Heights on December 8<sup>th</sup>. The Committee would like to recognize Anne Coleman for her donation of mounted photos to all the seniors.

Barbara has been working with Pat Ryan’s office to bring resources to Veteran’s. They are planning to bring the C.A.R.E.S. van to Rosendale in the Springtime.

There will be a Veteran’s Luncheon on January 25<sup>th</sup> at the Tillson Legion.

Barabra is looking into putting together a Peace Pole Festival in the Spring and getting elders involved.

Supervisor Walsh made a motion to hire Debra Tierney as Court Clerk per diem from 1/10/24-3/1/24 at \$21.66 per hour, 2<sup>nd</sup> by Councilman Craven. ROLL VOTE: 5 YES.

Supervisor Walsh made a motion to hire Dave Plante as Town Planner at \$150.00 per hour effective 1/10/2024 per diem, 2<sup>nd</sup> by Councilmember Wykoff. ROLL VOTE: 5 YES.

Supervisor Walsh made a motion to re-appoint Darrell Hamlin to the Environmental Commission with a term ending 12/31/2026, 2<sup>nd</sup> by Councilmember Sweeney. ROLL VOTE: 5 YES.

Supervisor Walsh made a motion to re-appoint Joseph Hafner to the Police Commission with a term ending 12/31/2024, 2<sup>nd</sup> by Councilman Havranek. ROLL VOTE: 5 Yes.

Supervisor Walsh made a motion to re-appoint Anthony Stenta to the Police Commission with a term ending 12/31/2024, 2<sup>nd</sup> by Councilman Havranek. ROLL VOTE: 5 YES.

Supervisor Walsh made a motion to approve the Junk Yard Permit for Tyler’s Junkyard for the year 2024, 2<sup>nd</sup> by Councilmember Wykoff. ROLL VOTE: 5 YES.

3. Resolution 01-2024-#9 -Supervisor Walsh made a motion that the Town Board of the Town of Rosendale hereby authorizes the Supervisor to sign the agreement between the Town of Rosendale and the Marbletown First Aid Unit, Inc., 2<sup>nd</sup> by Councilman Havranek. Roll Vote: 5 YES.
4. Resolution 01-2024-#10 – Supervisor Walsh made a motion that the Town Board of the Town of Rosendale approves the contract for copier service maintenance with Toshiba Business Solutions, 2<sup>nd</sup> by Councilman Craven. ROLL VOTE: 5 YES.
5. Resolution 01-2024-#11 – Supervisor Walsh made a motion that the Town Board of the Town of Rosendale hereby approves the Youth Director to submit an application to apply for Stewart’s Shops holiday match campaign for the Rosendale Youth Center, 2<sup>nd</sup> by Councilmember Sweeney. ROLL VOTE: 5 YES.
6. Resolution 01-2024-#12 – Supervisor Walsh made a motion that the Town Board of the Town of Rosendale hereby authorizes the Supervisor to sign the contact with New York State Office of Children and Family Services for the 2024 program year, 2<sup>nd</sup> by Councilmember Sweeney. ROLL VOTE: 5 YES.
7. Resolution 01-2024-#13 – Supervisor Walsh made a motion that the Town Board of the Town of Rosendale hereby authorizes the Supervisor for the following budgetary transfers:

GENERAL FUND – Transfer the sum of:

Decrease		Increase		Amount
A1220.1	Supervisor P.S.	A1410.1	Town Clerk P.S.	\$1,179.00
A1220.1	Supervisor P.S.	A1620.1	Buildings P.S.	\$1,930.00
A1680.1	Data Processing P.S.	A1621.4	Building (GF to RMC)	\$9,700.00
A3389.4	OSHA C.E.	A3510.1	Dog Control P.S.	\$100.00
A3660.4	Schools of Instruction	A4020.1	Reg of Vital Stats	\$130.00
A3660.4	Schools of Instruction	A5010.1	Supt of Highway P.S.	\$3,800.00

A7150.2	Pool Eq	A7140.1	Playground/Rec. P.S.	\$700.00
A7320.1	Youth/Camp P.S.	A7310.1	Youth Programs P.S.	\$2,800.00
A7320.4	Youth/Camp C.E.	A8010.1	ZBA P.S.	\$141.00
A7320.4	Youth/Camp C.E.	A8020.1	Planning P.S.	\$150.00
A1620.4	Buildings C.E.	A3120.1	Police P.S.	\$4,000.00
A1680.1	Data Processing P.S.	A3120.1	Police P.S.	\$1,600.00
A3620.1	Safety Inspection P.S.	A3120.1	Police P.S.	\$8,400.00
A8020.2	Planning Eq.	A8020.4	Planning C.E.	\$38.00
A1010.4	Town Board C.E.	A1220.4	Supervisor C.E.	\$272.00
A1330.1	Tax Collector P.S.	A1330.4	Tax Collector C.E.	\$1.00
A1410.2	Town Clerk Eq.	A1410.1	Town Clerk P.S.	\$27.00
A1110.4	Justices C.E.	A1421.4	Legal Fees	\$1,094.00
A1680.1	Data Processing P.S.	A1680.4	Data Processing C.E.	\$382.00
A7150.1	Pool P.S.	A7140.2	Playground/Rec. Eq.	\$10,087.00
A7150.2	Pool Eq.	A7140.4	Playground/Rec. C.E.	\$2,210.00
A7310.2	Youth Programs Eq.	A7550.4	Celebrations C.E.	\$310.00
A8160.1	Refuse & Garbage P.S.	A8160.4	Refuse & Garbage C.E.	\$215.00
A6771.4	Programs C.E.	A3510.4	Dog Control C.E.	\$312.00
A9060.8	Emp Ben Med Ins	A3120.2	Police Eq.	\$19,534.00
A3310.2	Traffic Control Eq.	A3310.4	Traffic Control C.E.	\$102.00
A3120.4	Police C.E.	A3120.2	Police Eq.	\$71.00
A1110.4	Justices C.E.	A1680.2	Data Processing Eq.	\$250.00

HIGHWAY FUND – Transfer the sum of:

Decrease		Increase	Amount
DA5130.1	Machinery P.S.	DA5130.4	Machinery C.E. \$31,426.00

WATER FUND – Transfer the sum of:

Decrease		Increase	Amount
SW8320.2	Supply Eq.	SW8320.4	Supply C.E. \$790.00
SW8340.2	Trans/Distr Eq.	SW8340.4	Trans/Distr C.E. \$22.00
SW9030.8	Social Security	SW9060.8	Emp Ben Med Ins \$642.00

2<sup>nd</sup> by Councilmember Sweeney. ROLL VOTE: 5 YES.

Supervisor Walsh made a motion to pay bills, 2<sup>nd</sup> by Councilmember Wykoff. ROLL VOTE: 5 YES.

AUDIT OF BILLS:

GENERAL FUND	ABSTRACT 13	VO #680-691	\$26,153.29
	ABSTRACT 1	VO #1-13	\$16,943.11
HIGHWAY FUND	ABSTRACT 13	VO #242-244	\$647.68
WATER FUND	ABSTRACT 13	VO #177-178	\$7,178.28

SEWER FUND	ABSTRACT 13	VO #211-215	\$5,695.36
RMC FUND	ABSTRACT 13	VO #208-222	\$24,297.06

Supervisor Walsh made a motion to adjourn at 9:34 PM, 2<sup>nd</sup> by Councilmember Sweeney. ROLL VOTE: 5 YES.

Respectfully submitted,

Mandy Donald  
Town Clerk