

# Local Law Filing

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

County  City  Town  Village  
(Select one.)

of MARBLETOWN

FILED  
STATE RECORDS  
JAN 20 2021

DEPARTMENT OF STATE

Local Law No. 1 of the year 2021

A local law AMENDING APPENDIX "A" OF CHAPTER 128 "HERITAGE PRESERVATION" OF THE  
(Insert Title)  
TOWN OF MARBLETOWN CODE BY ADDING THE ROOSA FARMHOUSE AS A  
DESIGNATED LANDMARK

Be it enacted by the TOWN BOARD of the  
(Name of Legislative Body)

County  City  Town  Village  
(Select one.)

of MARBLETOWN

as follows:

(See attached Local Law)

(If additional space is needed, attach pages the same size as this sheet, and number each.)



## TOWN OF MARBLETOWN

LOCAL LAW NO. 1 OF 2021

A LOCAL LAW AMENDING APPENDIX "A" OF CHAPTER 128 "HERITAGE PRESERVATION"  
OF THE TOWN OF MARBLETOWN CODE BY ADDING THE ROOSA FARMHOUSE  
AS A DESIGNATED LANDMARK

Be it enacted by the Town Board of the Town of Marbletown as follows:

### SECTION 1. PURPOSE

This Local Law is intended to revise Appendix "A" of Chapter 128 "Heritage Preservation" of the Town Code of the Town of Marbletown by adding the Roosa Farmhouse at 200 Bone Hollow Road, Accord, New York as a designated landmark.

### SECTION 2.

Appendix "A" of Chapter 128 "Heritage Preservation" of the Town Code of the Town of Marbletown is hereby amended by addition of the following:

#### DESIGNATED LANDMARKS:

1. Roosa Farmhouse  
200 Bone Hollow Road  
Accord, New York 12404

### SECTION 3. SEVERABILITY

If any part or provision of this local law or the application thereof to any person or circumstance be adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part of the provision or application directly involved in the controversy in which such judgment shall have been rendered and shall not affect or impair the validity of the remainder of this Local Law or the application thereof to other persons or circumstances, and the Town Board of the Town of Marbletown hereby declares that it would have passed this Local Law or the remainder thereof had such invalid application or invalid provision been apparent.

### SECTION 4. REPEAL

All ordinances, local laws, and parts thereof inconsistent with this Local Law, are hereby repealed.

### SECTION 5. EFFECTIVE DATE

This Local Law shall take effect immediately upon filing with the Secretary of State.



(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)

**1. (Final adoption by local legislative body only.)**

I hereby certify that the local law annexed hereto, designated as local law No. 1 of 2021 of the (County)(City)(Town)(Village) of MARBLETOWN was duly passed by the TOWN BOARD on JANUARY 5 2021, in accordance with the applicable provisions of law.

**2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer\*.)**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_, and was (approved)(not approved) (repassed after disapproval) by the \_\_\_\_\_ and was deemed duly adopted on \_\_\_\_\_ 20\_\_\_\_, in accordance with the applicable provisions of law.

**3. (Final adoption by referendum.)**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_, and was (approved)(not approved) (repassed after disapproval) by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_.

Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on \_\_\_\_\_ 20\_\_\_\_, in accordance with the applicable provisions of law.

**4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_, and was (approved)(not approved) (repassed after disapproval) by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of \_\_\_\_\_ 20\_\_\_\_, in accordance with the applicable provisions of law.

\* Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

**5. (City local law concerning Charter revision proposed by petition.)**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20 \_\_\_\_ of the City of \_\_\_\_\_ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on \_\_\_\_\_ 20\_\_\_\_, became operative.

**6. (County local law concerning adoption of Charter.)**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20 \_\_\_\_ of the County of \_\_\_\_\_ State of New York, having been submitted to the electors at the General Election of November \_\_\_\_\_ 20\_\_\_\_, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

**(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)**

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph \_\_\_\_\_ above.

\_\_\_\_\_  
Clerk of the county legislative body, City, Town or Village Clerk or officer designated by local legislative body

(Seal)

Date: \_\_\_\_\_

**5. (City local law concerning Charter revision proposed by petition.)**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the City of \_\_\_\_\_ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on \_\_\_\_\_ 20\_\_\_\_, became operative.

**6. (County local law concerning adoption of Charter.)**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the County of \_\_\_\_\_ State of New York, having been submitted to the electors at the General Election of November \_\_\_\_\_ 20\_\_\_\_, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

**(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)**

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph \_\_\_\_\_ above.

*Rebecca Moody, Town Clerk*  
Clerk of the county legislative body, City, Town or Village Clerk or officer designated by local legislative body

Date: January 11, 2021

(Seal)



## TOWN OF MARBLETOWN

A regular meeting of the Town Board of the Town of Marbletown operating under New York State Executive Order 202.1 was convened Via the phone and internet, New York on January 5, 2021 at 6:00 o'clock P.M. local time. The meeting was called to order by Supervisor Rich Parete, and, upon roll being called, the following were:

**PRESENT:** Rich Parete, Don LaFera, Daisy Foote, Eric Stewart and Tim Hunt

**ABSENT:**

The following Resolution was offered by Councilman Hunt and seconded by Councilman LaFera:

**RESOLUTION #8-2021; AUTHORIZING AN AMENDMENT TO  
CHAPTER 128 HERITAGE PRESERVATION ADOPTED BY THE TOWN  
AS LOCAL LAW #1 -2007 AMMENDING APENDIX A DESIGNATION OF  
AN IDENTIFIED TOWN HISTORIC STRUCTURE**

**WHEREAS**, a resolution was duly adopted by the Town Board of the Town of Marbletown for a public hearing to be held by said Town Board on November 17, 2020 at 6:05 o'clock P.M. local time, by the Marbletown Town Board via Zoom to hear all interested parties on a proposed local law entitled "A LOCAL LAW AMENDING APENDIX "A" OF CHAPTER 128 "HERITAGE PRESERVATION" OF THE TOWN OF MARBLETOWN CODE BY ADDING 200 Bone Road known as THE ROOSA FARM HOUSE AS A DESIGNATED LANDMARK"; and

**WHEREAS**, notice of said public hearing was duly advertised in the Daily Freeman, the official newspaper of said Town, on November 8, 2020; and

**WHEREAS**, said public hearing was duly held on November 17, 2020 at 6:05 o'clock P.M local time, Via Zoom and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said proposed local law, or any part thereof; and

**WHEREAS**, the Town Board has circulated said amendment of the local law to the Ulster County Planning Board; and

**WHEREAS**, the Town Historic Preservation Commission pursuant to the Marbletown Code Chapter 128 has recommended the designation of the property as a landmark and the Town Board may make such designation if such property

- (1) Possesses special character or historic or aesthetic interest or value as part of the cultural, political, economic, or social history of the locality, region, state or nation; or
- (2) Is identified with historic personages; or

- (3) Embodies the distinguishing characteristics of an architectural style for landmark characteristics eligibility; or
- (4) Is the work of a designer whose work has significantly influenced an age; or
- (5) Embodies a unique location or singular physical characteristic, represents an established and familiar visual feature of the neighborhood; or
- (6) Is listed on the State and/or National Registers of Historic Places, or which is the subject of a pending application for listing, where such property meets one or more of the criteria of this section; and

**WHEREAS**, the Marbletown Historic Preservation Commission recommended the designation of **The Roosa Farmhouse**, 200 Bone Hollow Road as a landmark based upon their finding of facts, and

**WHEREAS**, the Town Board has considered the Historic Preservation Commission's recommendation and findings, as well as any comments made during the Public Hearing, and the criteria concerning such designation as set forth in the Heritage Preservation Law and agrees that the Roosa Farmhouse should be designated as a local landmark; and

**WHEREAS**, the Town Board, after due deliberation, finds it in the best interest of the Town of Marbletown to adopt the amendment to Appendix A of said Local Law;

**NOW, THEREFORE, BE IT RESOLVED as follows:**

1. The Town Board of the Town of Marbletown hereby amends Chapter 128 "Heritage Preservation" of the Marbletown Code by adopting said Local Law No. 1 of 2021 entitled "A LOCAL LAW AMENDING APPENDIX "A" OF CHAPTER 128 "HERITAGE PRESERVATION" OF THE TOWN OF MARBLETOWN CODE BY ADDING ROOSA FARMHOUSE AS A DESIGNATED LANDMARK."
2. The Town Clerk is hereby directed to enter said Local Law in the minutes of this meeting and in the Local Law book of the Town of Marbletown, and to give due notice of the adoption of said Local Law to the Secretary of the State of New York.

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 <u>Absent</u>
Councilman Lafera	Voting <u>Aye</u>
Councilman Foote	Voting <u>Absent</u>
Councilman Hunt	Voting <u>Aye</u>
Supervisor Parete	Voting <u>Aye</u>

Resolution #8-2021 was thereupon adopted.

*Heather Moody, Town Clerk/Tax Collector*

Dated: January 5, 2021



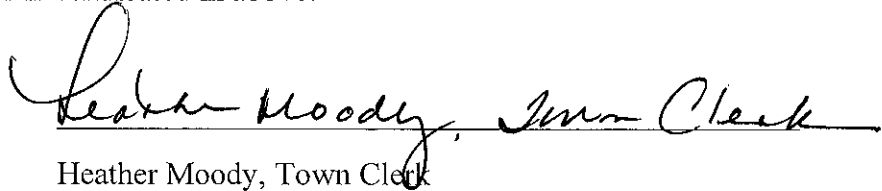
**Effective Date of this Local Law**

This Local Law shall be effective upon filing with the office of the Secretary of State, and the Town Clerk is directed to immediately file a copy of this Local Law with the New York State Secretary of State as required by law.

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I hereby certify that the local law annexed hereto, designated as Local Law No. 1 of 2021 of the Town of Marbletown, was duly passed by the Town Board on January 5, 2021 in accordance with the applicable provisions of law.

I further certify that I have compared the preceding local law with the original on file in this office and the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in above.



(Seal)

Heather Moody, Town Clerk

Date: January 11, 2021

STATE OF NEW YORK

COUNTY OF ULSTER