

FIRST MEETING OF THE MONTH
TOWN BOARD TOWN OF MARLBOROUGH
21 MILTON TURNPIKE, MILTON NY
APRIL 10, 2017 7:00 P.M.
MINUTES OF MEETING

Present: Supervisor Lanzetta
Councilman Molinelli
Councilman Corcoran
Councilman Baker

Absent: Colleen Corcoran, Town Clerk

Absent: Councilman Koenig

ITEM #1 Motion to approve agenda
Councilman Baker made a motion to approve the agenda. Motion seconded by Councilman Corcoran.

ITEM #2 Motion to approve minutes from the March 27, 2017 Town Board Meeting
Councilman Baker made a motion to approve minutes from the March 27, 2017 Town Board Meeting. Motion seconded by Councilman Molinelli.

*Yea: 3 Nays: 0 Abstain: 1 Carried
(Corcoran absent March 27, 2017)*

ITEM #3 Authorize payment of bills
Councilman Corcoran made a motion to authorize payment of the abstract in the amount of \$128,316.67. Motion seconded by Councilman Baker.

ITEM #4 Comments on the agenda

ITEM #5 Presentations

ITEM #6 Report of Departments and Boards

A) SUPERVISOR - ALPHONSO LANZETTA

Supervisor's Report April 2017

Met with Town of Newburgh Supervisor, Councilman Baker, Deputy Supervisor John DeMarco, Marlboro Central School District Superintendent Michael Brooks & Administrator Patrick Witherow to discuss impact of Power Plants on tax base.

Meeting with Highway Union Representative, Mike Wilson & Councilman Koenig to discuss employee issue.

Met with Grant Writer Mark Blaer and Robert Pollack to examine possible grant opportunities for economic development.

Met with Meet Me in Marlborough at Pearch Restaurant for their annual Kick-Off.

Attended a WKIP Radio interview at the Valley Diner in Middlehope to talk about the Town of Marlborough

Attended both Town Planning Board Meetings.

Met with members of Milton Landing Committee.

Hosted a Workshop Violence Training/ Fire Safety program for Town employees.

Met with Councilman Corcoran, Town Engineer Pat Hines, Joe DiPico, Justin Dates, Central School District Superintendent Michael Brooks, Administrator Patrick Witherow, & Asher Susmann to discuss proposed Bayside development.

Meeting with Chief Coccoca & Councilman Corcoran about PBA issues.

Rt. 9W Corridor Management Plan Kick-Off Meeting

Attended both LWRP Committee Meetings

Met with Kevin Casey to discuss possible donation of soil

Met with Code Enforcement Officer Tom Corcoran & Councilman Corcoran to add finishing touches to proposed sign law

Met with Code Enforcement Officer Tom Corcoran & Judge Jackson to discuss code enforcement issues

Respectfully submitted,

Supervisor Al Lanzetta

B) BUILDING INSPECTOR - THOMAS CORCORAN

**THOMAS CORCORAN/BUILDING INSPECTOR
MONTHLY REPORT/BUILDING DEPARTMENT
MONTH OF: MARCH 2017**

CERTIFICATE OF OCCUPANCY 1 STOP WORK ORDER 0REQUEST FOR INFORMATION 11 ZBA APPLICATION 0TRAILER PARK RENEWALS 1 ORDER TO REMEDY 21BUILDING EXTENSIONS 1 COMPLAINTS 37FIRE INSPECTIONS 2 BURN PERMITS ISSUED 10FIRE CALLS 1 CLOTHING BIN RENEWALS 1**BUILDING PERMITS 15**

<u>0</u> ONE FAMILY <u>0</u> TWO FAMILY <u>0</u> ELECTRICAL/GENERATOR <u>1</u> FURNACE/BOILER (INDOOR) <u>0</u> DEMOLITION <u>0</u> TANK INSTALLATION/REMOVAL <u>0</u> STOVES (WOODSTOVE, PELLET) <u>0</u> POOL/HOT TUB <u>1</u> SHED <u>2</u> ROOF	<u>1</u> CLOTHING BIN <u>1</u> SIGNS <u>0</u> REPAIRS/ALTERATIONS/CONVERSION <u>3</u> ADDITIONS/RENOVATIONS <u>1</u> COMMERCIAL STRUCTURE <u>0</u> DECKS/STAIRS <u>1</u> POLE BARN <u>0</u> MOBILE HOME <u>0</u> CARPORT/GARAGE <u>4</u> SOLAR PANELS
--	--

ESTIMATED COST OF BUILDINGS \$348,544.00

CERTIFICATE OF OCCUPANCY	\$ <u>150.00</u>
REQUEST FOR INFORMATION	\$ <u>1,100.00</u>
BUILDING EXTENSIONS	\$ <u>100.00</u>
TRAILER PARK RENEWALS	\$ <u>150.00</u>
BUILDING PERMITS	\$ <u>5,290.77</u>
FIRE INSPECTION FEES	\$ <u>120.00</u>
ZBA ESCROW FEES	\$ <u>0</u>
ZBA APPLICATION	\$ <u>0</u>
TOTAL MILEAGE: <u>961</u> MILES	
TOTAL GAS USAGE <u>69</u> GALLONS	
TOTAL MONTHLY ZONING FEES	\$ <u>0</u>
TOTAL MONTHLY RECEIPTS	\$ <u>6,910.77</u>

April 10, 2017

C) POLICE CHIEF - GERALD COCOZZA

**Police Department
Town of Marlborough**

MEMORANDUM

To: Town Board of the Town of Marlborough
From: Chief Cocozza
Date: April 10, 2017
Subject: Activity Summary for the Month of March 2017



Following is a summary of the activity of the Police Department for the month of March 2017

<u>MOTOR VEHICLE ACCIDENT</u>	March. 17	Yr. Date 17	March. 16	Yr. Date 16
Personal injury	4	16	3	6
Fatal	0	0	0	0
Property Damage	20	45	16	29
Report Not Required	5	7	0	0
Total	29	68	Total	19
				35

<u>SUMMONSES ISSUED</u>				
Vehicle and Traffic	129	392	244	409
Parking	3	12	1	4

<u>COMPLAINT ACTIVITY</u>				
Total Blotter Entries	367	989	321	848
Total Arrests	37	102	30	44

<u>TOTAL TELEPHONE CALLS</u>				
	1785	5307	1788	4991

POLICE DEPARTMENT OVERTIME HOURS payroll 6&7

Full Time Officer Overtime	(see attached)	(see attached)
Full Time Officer Grant O/T	(see attached)	(see attached)
Part Time Officer Overtime	(see attached)	(see attached)
Part Time Officer Gant O/T	(see attached)	(see attached)
Full Time Dispatchers Overtime	0 (\$0) 0	0 0
Part Time Dispatchers Overtime	.5 (\$11) 74.5	0 (\$0) 56

<u>Police Mileage</u>	12701	33069	13668	35807
-----------------------	-------	-------	-------	-------

Chief Cocozza added that he is continuing to work on the new identification cards for town employees; the department received \$2,310.00 out of a \$99,000.00 county grant to purchase armored vests and bullet proof helmets; the DWI grant will be coming up soon; Ulster County will bring the speed trailer to Marlborough soon and will train staff.

D) HIGHWAY SUPERINTENDENT - GAEL APPLER, SR.

HIGHWAY SUPERINTENDENT

Town of Marlborough
1650 Rt. 9W, P.O. Box 305
Milton, New York 12547



GAEL R. APPLER, Sr.
Superintendent of Highways

Supervisor Lanzetta
Town Clerk Colleen Corcoran
Town Board Members

Home: (845) 795-2469
Office: (845) 795-2272 ext. 6
Fax: (845) 795-6037

Monthly Report for March 2017

ROADS: We did cold patch patrols as needed. On 3/27 we sanded a fuel spill on South Rd., St. James St., Main St., and Route 9W. We notified Police Department and they alerted the proper agencies.

DRAINAGE: We repaired a cb at Mahoney and New Road. We installed a cb and 120 ft. of pvc pipe on Hudson Terrace. We did cb patrols after the blizzard to uncover snowed in cb's to allow melt off to run.

SNOW/ICE: On 3/6 we had to salt water runoff that had frozen during the night. On 3/13 we prepped all trucks for the forecasted blizzard. The snow started around 3 am and men were in at 4 am and on the road by 4:30 am. We plowed all day keeping the roads open as best we could with snowfall of 3-4 inches per hour. We had a couple of trucks off the road and stuck until we could get a 4 wheel drive unit to them to pull them out. After the snow stopped we opened the roads and went home. On 3/15 all men were back in at 4 am to clean up and plow back all roads. We had 24-30 inches of snow with high winds and drifts. Snow banks were 5 ft. high and we had some drifting of 6 ft. or better. On 3/16 we were removing snow from intersections. On 3/17 we started at 2 am cleaning up the hamlet of Marlboro and didn't finish this until around noon. We then went to Milton, worked until 3 pm and completed that clean up on Monday, 3/20.

TREES/BRUSH: We had a wind storm the night of 3/1 that had us chipping up downed trees and limbs on 3/2. On 3/9 we chipped up a dead fallen tree on Reservoir Rd. and on Old Indian Rd. On 3/23 we removed and chipped up a tree on Paula Dr. and North Rd.

TRAINING: We had three men attend a Dig Safe NY seminar on 3/22.

WATER DEPARTMENT: We assisted WD with a water main break on Old Post Rd. then repaired this excavation with cold patch on 3/30.

PARKS: We screened all the left over stone at the Community Garden. We made numerous yards of Item 4 and rip-rap out of the larger stone. We broke up the concrete pad at the Community Garden and hauled this away to the recycle plant.

FUEL USEAGE: Gas: 612.583 gallons Diesel: 2,025.054 gallons.

Gael R. Appler, Sr.
Highway Superintendent

GRA/cw

April 10, 2017

E) WATER SUPERINTENDENT - CHARLIE MUGGEO

**WATER SUPERINTENDENT
TOWN OF MARLBOROUGH
1650 ROUTE 9W, PO BOX 305
MILTON, NY 12547**

**CHARLES MUGGEO
WATER SUPERINTENDENT**

**FAX (845) 795-2031
PHONE (845) 795-5100**

DATE: 4/10/2017

**TO: SUPERVISOR AL LANZETTA
TOWN BOARD MEMBERS
TOWN CLERK**

RE: MONTHLY REPORT FOR MARCH

Water consumption totaled 12.4 million gallons which is a daily usage of 400,000. Compared to last month 10.3 million gallons which is a daily usage of 368,000. Compared to a year ago water consumption was 13.0 million for the month which is a daily usage of 421,000.

SUMMARY FOR THE MONTH:

HYDRANTS: Had to clean snow from around hydrants. Flushing will be starting on April 18th and continue for the next 2 to 3 weeks, you may encounter low pressure or dirty water. If the dirty water persists for a couple of days please let us know.

WATER MAINS: Had to repair six inch water main and valve on Old Post Rd. and Jonathon Pl. Also had to repair two service lines on Old Post Rd. with the help of the Highway Dept. We also had to rebuild a pressure valve on Orchard St.

CURB BOXES: Had to repair curb boxes on Lattintown Rd., North Rd., Hudson Terrace, South Rd., and Route 9W in Milton.

Attended meetings with the DEP about Land Usage at the Pump House, BAS Services about new software, 811 Dig Safe Seminar Course, and also Newburgh Consolidated Water Dist. and Orange County Heath Dept. for total coli forms testing.

SERVICE LINE INSPECTIONS:

CLOSINGS: 2

MARKOUTS: 20

Gallons of Gas: 350

Gallons of Diesel: 25

Mileage for the month: 2500

April 10, 2017

F) TOWN CLERK - COLLEEN CORCORAN

04/03/2017

Town Clerk Monthly Report Monthly Report
March 01, 2017 - March 31, 2017

Page 1

Account Description	Fee Description	Account#	Qty	Local Share
Conservation	Conservation	A1255	5	9.94
			Sub-Total:	\$9.94
Dog Licensing	Female, Spayed	A2544	20	100.00
Dog Licensing	Female, Unspayed	A2544	1	10.00
Dog Licensing	Male, Neutered	A2544	17	85.00
Dog Licensing	Male, Unneutered	A2544	1	10.00
			Sub-Total:	\$205.00
General Fund	Water Service	2144SW	1	175.00
			Sub-Total:	\$175.00
LANDFILL FEES	T/s Permits	00-2130	3	210.00
LANDFILL FEES	T/s Punch Cards	00-2130	32	1,585.00
			Sub-Total:	\$1,795.00
Marriage Lic.	MARRIAGE LICENSE FEE	00-1255	3	52.50
			Sub-Total:	\$52.50
Misc Fees	Building Fees\Building Dept	00-2110	2	3,778.61
Misc Fees	Youth Programs	00-3820A	2	191.00
Misc Fees	YRP Lifeguard	00-2025	4	800.00
Misc Fees	YRP Zumba	00-2025	2	340.00
			Sub-Total:	\$5,109.61
MISC. FEES	Accident Reports	00-1255	22	110.00
MISC. FEES	Burgular Permits	00-2590	1	20.00
MISC. FEES	Certified Copies	00-1255	7	390.00
MISC. FEES	Foi Requests	00-1255	2	2.00
MISC. FEES	Junkyard Licenses	00-2590	2	500.00
MISC. FEES	Park Fees	00-2001	5	1,400.00
			Sub-Total:	\$2,422.00
			Total Local Shares Remitted:	\$9,769.05
Amount paid to: NYS Ag. & Markets for spay/neuter program				43.00
Amount paid to: NYS Environmental Conservation				170.06
Amount paid to: State Health Dept. For Marriage Licenses				67.50
Total State, County & Local Revenues:	\$10,049.61		Total Non-Local Revenues:	\$280.56

To the Supervisor:

Pursuant to Section 27, Sub 1, of the Town Law, I hereby certify that the foregoing is a full and true statement of all fees and monies received by me, Colleen Corcoran Town Clerk, Town of Marlborough during the period stated above, in connection with my office, excepting only such fees and monies, the application of which are otherwise provided for by law.

Supervisor

Date

Town Clerk

Date

Colleen Corcoran added that from January 1st – March 31st 2017 the Transfer Station had taken in \$1,623.00 less for permits and punch cards compared to last year for the same time period.

April 10, 2017

G) WASTEWATER TREATMENT FACILITY- ANTHONY FALCO
No report

H) DOG CONTROL OFFICER - ANDREW MCKEE

21 Milton Turnpike
Marlborough, New York, 12547

Town of Marlborough Dog Control

Andrew McKee-Dog Control Officer

Saturday, April 1, 2017

March 2017 Monthly Report

Monthly Report - 3/1/2017 through 3/31/2017

Overview:

We received a total of **9** calls this month including 5 calls to service from Marlborough PD, State Police and Ulster County Sheriff

Responded to 2 active complaints and/or cases which are now closed or resolved

We currently have 0 open cases that have been addressed but are ongoing or un-resolved.

We Impounded **0** stray dog which was redeemed by its owner

No appearance tickets were issued this month

We currently have no dogs in the kennel

We had 0 Dog Bites reported this month

We have 1 case in the Marlborough Justice Court at this time.

April 10, 2017

I) ASSESSOR - CINDY HILBERT

Assessor's Office

Memo

To: Town Board
From: Cindy Hilbert
CC: Colleen Corcoran
Date: April 10, 2017
Re: April Report

Our office processed 21 real property transfers.

We worked on three tax estimates.

Our office is finishing up with the collection of the new construction and verifying the splits and merges.

The data collector is continuing his data verification of the residential properties within the town. He is currently working down in the South Street/Hillcrest Drive area of the town.

J) PLANNING - CHRIS BRAND

Town of Marlborough

Planning Board Review 4/10/17

Meeting: March 20, 2017 / 7:30 PM / Town Hall

ATTENDEES

Chris Brand, Manny Cauchi, Cindy Lanzetta, Joe Lofaro, Ben Trapani, Joel Truncali

AGENDA

Luvera Properties, 1987-1989 Route 9W, Marlboro: Public Hearing, Site Plan

- The applicant was in attendance and a Public Hearing was opened. There was limited participation, with two residents speaking at the hearing. Technical comments from Town Engineer Patrick Hines included access comments from the Ulster County Planning Board and the previously discussed curbing and sidewalks reviewed on site with representatives from the applicant, Town of Marlborough, and NYS DOT. The applicant stated he would not be installing sidewalks due to the prohibitive costs associated with their installation and suggested planting grass in the proposed curbing shown on his plans. The applicant was advised his previous submission to NYS DOT included sidewalks and derivation from these plans might negate NYS approval. Additional UC Planning comments included landscaping, signage and lighting. A Highway Work Permit from NYS DOT will be required from NYS DOT for improvements located in the NYS DOT right of way. It was indicated the applicant has chosen to appear before the ZBA for sign variances. A negative declaration was issued and the Public Hearing was adjourned until the second meeting in April, at which time all other agencies will have had time to weigh in on the application.

Chestnut Petroleum, 1417 Route 9W, Marlboro: Public Hearing, Site Plan

- Numerous representatives for the applicant were in attendance and the Public Hearing was opened in continuation from December 5, 2016. The applicant's attorney outlined several changes to the plans since their last appearance including corrected parking calculations, discussion of a height bar in the drive thru lane, and a flipped sign. The applicant's attorney also agreed to a mutually acceptable maintenance agreement with the town to monitor stormwater runoff from the site. Several residents in attendance spoke, both for and against, the project. Although not required by code, the Marlboro Fire Chief respectfully requested the applicant consider using sprinklers in the construction of the business. Town Engineer Patrick Hines technical comments included: NYS DOT final approval and Highway Work Permit are required, approval of septic systems plans were received by UC Health Department, and that the project was reviewed by the Town of Marlborough Traffic Consultant, Creighton Manning Engineers. The Public Hearing was closed and a Resolution of Conditional Approval was passed unanimously by the Board.

Mazzstock / Mazzola, 35 Hampton Road, Marlboro: Sketch, Site Plan

- The applicant reappeared for a full review of their application for a Special Use Permit. Technical comments included the solicitation from jurisdictional emergency services, hours of operation [including "push back" times], clarification regarding ticket sales and access control, water and sewer requirements, and power supplies. The applicant has requested for much of the required Site Plan data to be waived, including relief from the Town Noise Ordinance. Ulster County Planning Board referral is required. An Environmental Assessment Form to be completed by the applicant is also required. It was noted by the Town Code Enforcement Officer this event has had no previous complaints. A Public Hearing was scheduled for April 3, 2017.

April 10, 2017

Mark Cassalina: 138 New Road, Milton: Lot Line Change, Discussion w/o Attorney, Engineer, and/or Stenographer

- The applicant sought advice regarding the current lot lines on his property. He was advised to seek out a property survey to clarify uncertainties.

NEXT Deadline

Friday, March 24, 2017

NEXT Scheduled Meeting

Monday, April 3, 2017

Meeting: April 3, 2017 / 7:30 PM / Town Hall

ATTENDEES

Chris Brand, Manny Cauchi, Steve Clarke, Cindy Lanzetta, Joe Lofaro, Ben Trapani, Joel Truncali

AGENDA

Approval of Stenographic Minutes for 3-6-2017

The approval for the above minutes were approved unanimously.

Verizon Wireless, 1488 Route 9W, Marlboro [Jason Warden], 3 Young Ave., Marlboro [James Garafalo], 1024 Route 9W, Marlboro [Absolutely Automotive]: Sketch, Site Plan

- Although technically three distinct applications, for the sake of discussion, all three were discussed as one. The applicant for Verizon Wireless gave a brief overview of the installation of cell nodes along the Route 9W corridor in Marlboro. All three applications were rejected by Town Code Enforcement Officer for either Lot Size and Setbacks [152-14], and/or minimum lot size requirements. Planning Board Attorney Ron Blass indicated the Planning Board had the authority to provide waivers

to these constraints under the telecommunications portion of the Town Code. Town Engineer Patrick Hines noted the lack of indication from the property owners authorizing the applicant's submission. He suggested the applicant use surveyed maps versus the tax maps provided. This was seconded by members of the board. The engineer also recommended the applicant utilize the long form EAF provided online via the NYSDEC Environmental Navigator as substantial areas of information were either incorrect or lacked information. It was also noted the site located at 1024 Route 9W was in close proximity to the Gomez Mill House, a local historic landmark. Consultation from Mike Musso, Telecommunication Consultant for the Town of Marlborough, had not been received due to the applicant's late submission to that office. The project also requires submission to Ulster County Planning. The applicant will reschedule a later appearance when these outstanding issues have been addressed.

Aldrich & Tonsing, Milton Turnpike, Milton: Sketch, Subdivision

- The applicant's representative detailed a proposal to subdivide a 2.99 acre parcel from a 88.6 +/- acre parcel. Technical comments included the need for Ulster County DPW approval. The applicant sought to waive the requirements for a subsurface sanitary sewer disposal system and/or house and driveway depictions as there are no plans for development. A request was made to indicate this as a formal note on the map versus the need for a separate legal document. A Public Hearing was scheduled for May 1, 2017.

Kevin Casey, 134 Idlewild Road, Marlboro: Sketch, Subdivision

- The applicant's representative presented a proposal to subdivide a parcel resulting in one 1.13 acre parcel and one 8.63 acre parcel. Technical comments included the need for site distance to be depicted on the map for the proposed driveway, the removal of a tractor trailer body and shed. Approval by Ulster County Health Department is required for the subsurface sanitary sewer disposal system. Discussion ensued regarding the previous right way shown on a map filed in May, 2000, versus the need for the applicant to provide separate, legal documentation regarding rights of way. A public Hearing was scheduled for May 1, 2017.

April 10, 2017

NEXT Deadline

Friday, April 7, 2017

NEXT Scheduled Meeting

Monday, April 17, 2017

Respectfully Submitted,

Chris Brand, Chairman, Town of Marlborough Planning Board

ITEM #7 Report of Committees

A) RECREATION COMMITTEE

Kate Beare reported that the dates for the summer concert series will be Friday, July 7th, 14th, 21st, and 28th. She named some of the performers and also stated that they would prefer to do their own sound. She thanked the Board for her budget to continue to hold the concerts (the budget and donations go toward paying the bands and the sound person) and wanted to make it clear for the record that she does not get paid for this.

Councilman Corcoran announced that the town's Annual Easter Egg Hunt will be held on Saturday, April 15, 2017 from 2:00 p.m. – 4:00 p.m. at the Hudson Valley Sports Dome.

Supervisor Lanzetta thanked Councilman Corcoran for helping and they both thanked Tina Rosa for putting it all together.

Councilman Molinelli reported that there will be a bocce meeting at the end of April and they will begin to play in mid May.

B) EMERGENCY MANAGEMENT PREPAREDNESS COMMITTEE

No report

C) CONSERVATION ADVISORY COMMITTEE

Supervisor Lanzetta reported that the CAC had finished up working on the solar code. They are looking for direction from the Town Board as to what to work on next.

D) IT COMMITTEE

Councilman Corcoran reported that all the IT items that the Board approved were ordered and most have been installed.

There was a brief discussion regarding the internet speed before and after the switching board was installed.

E) MILTON TRAIN STATION FOUNDATION

Supervisor Lanzetta reported that they continue to hold many meetings there. He stated that he was told that the \$250,000.00 grant is in its final stage. The \$50,000.00 grant from Frank Skartados should be in its final stage as well.

F) MILTON LANDING CITIZENS COMMITTEE

Supervisor Lanzetta reported that the trail has been finished and stone was ordered for the kayak launch. Also, top soil was ordered to fill in an eroded area by the river.

G) MARLBORO HAMLET ECONOMIC DEVELOPMENT COMMITTEE

Supervisor Lanzetta reported that Brooks and Brooks will do a survey of the area by St. Mary's to see where the town can put a gateway sign and a stone wall.

H) MEET ME IN MARLBOROUGH

Supervisor Lanzetta reported that MMiM had a kickoff meeting at Perch Restaurant.

I) HAMLET OF MILTON ASSOCIATION COMMITTEE

Supervisor Lanzetta reported that the association will hold their Spring Fling on April 21st at The Barn at Buttermilk Falls from 6:30-8:30 p.m.

J) TRANSFER STATION REVIEW COMMITTEE

No report

ITEM #8 Old Business

A). Sale of TOMVAC Building

No new information

B). Municipal Parking in Hamlets of Marlboro and Milton

No new information

C). Milton Sewer Expansion 9W/Milton Turnpike Intersection

Supervisor Lanzetta stated that Dennis Larios will be meeting with the Department of Transportation.

D). Bayside Project

Councilman Corcoran stated that there was a meeting and a new design plan for parking and traffic flow has been done. The school and the town are content with the new plan.

E). Design Standards for RT 9W Corridor Overlay District

Councilman Baker stated that Ulster County had adopted design standards which can help with our planning. There is a seminar on April 23, 2017 that will help as well.

F). Sign Law-Zoning Changes

Supervisor Lanzetta stated that there is a resolution introducing the sign law.

G). Milton Train Station Grant Exterior Rehabilitation

Supervisor Lanzetta stated that they are still waiting for grants.

H). LWRP

Supervisor Lanzetta stated that things are progressing. Councilman Baker added that they are looking at economic development as a part of the LWRP. There are about twenty projects within the LWRP that they would like to go after funding for. Before the April 20th LWRP public meeting, there will be a meeting with the Department of State to discuss what projects would be suitable for funding.

Councilman Baker made a motion to add Letter I) Route 9W Corridor Study to Old Business on the agenda. Motion seconded by Councilman Corcoran.

I). Route 9W Corridor Study

ITEM #9 New Business

Councilman Baker made a motion to advertise for a health director for summer camp. Motion seconded by Councilman Corcoran.

ITEM #10 Correspondence

No correspondence

ITEM #11 Public Comment

Chief Cocozza stated that the entrance by the police station will be closed off for sidewalk repair on Tuesday and there will be signs so people can enter through the side door.

Mark Reynolds asked how much the budget is for concerts.

Supervisor Lanzetta said \$4,000.00.

Mr. Reynolds also asked if Bayside has finished the Final Environmental Impact Statement.

Supervisor Lanzetta said no-

Mr. Reynolds asked for clarification on what was discussed at the meeting regarding the power plant.

Supervisor Lanzetta stated that the school and the town met with the Town of Newburgh Supervisor about how the power plant is assessed and the pilot program which continues for about another four years.

Jeff Paladino of Milton Hardware stated that he is thankful for the opportunity to expand his business and he invited the Board to his Grand Opening on May 6, 2017. The ribbon cutting will be at 11:30 a.m.

ITEM #12 Resolutions

- A). Resolution # 48 To Authorize CP Certified Electrical Inspector Chris Peone, to perform electrical inspections in the Town of Marlborough
- B) . Resolution # 49 To establish standard work days for elected and appointed officials
- C). Resolution # 50 To appoint part time police officer
- D). Resolution # 51 To Introduce a local law of the year 2017, A LOCAL LAW OF THE TOWN OF MARLBOROUGH, ULSTER COUNTY, NEW YORK TO AMEND PROVISIONS IN CHAPTER 155 "ZONING", RELATED TO SIGNS.

ITEM #13 Adjournment

April 10, 2017

A). Resolution # 48 To Authorize CP Certified Electrical Inspector Chris Peone, to perform electrical inspections in the Town of Marlborough

Supervisor Lanzetta proposes the following

Whereas, CP Certified Electrical inspector, Chris Peone has requested to be added to the list of approved electrical inspectors for the Town of Marlborough, and

Whereas, Building Inspector, Thomas Corcoran has reviewed the company's certifications, Insurance, and resume, and

Whereas, Thomas Corcoran is satisfied with the documents submitted.

Be it resolved, that the Town Board of the Town of Marlborough hereby authorizes CP Certified Electrical Inspector Chris Peone to perform inspections in the Town of Marlborough.

And it moves for adoption

Councilman Corcoran	Yes
Councilman Molinelli	Yes
Councilman Koenig	Absent
Councilman Baker	Yes
Supervisor Lanzetta	Yes

April 10, 2017

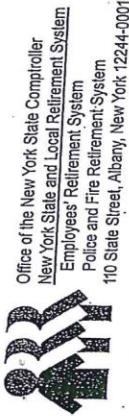
B) . Resolution # 49 To establish standard work days for elected and appointed officials

Supervisor Lanzetta proposes the following

See Attached

And it moves for adoption

Councilman Corcoran	Yes
Councilman Molinelli	Yes
Councilman Koenig	Absent
Councilman Baker	Yes
Supervisor Lanzetta	Yes



Standard Work Day and Reporting Resolution for Elected and Appointed Officials

RS 2417-A

(Rev. 8/15)

BE IT RESOLVED, that the Town of Marlboro / 2017 (Name of Employer) / 2017 (Location Code) hereby establishes the following standard work days for these titles and

will report the officials to the New York State and Local Retirement System based on their record of activities:

Title	Standard Work Day (Hrs/day) Min. 6 hrs Max. 8 hrs	Name (First and Last)	Social Security Number (Last 4 digits)	Registration Number	Tier 1 (Check only if member is in Tier 1)	Current Term Begin & End Dates (mm/dd/yy- mm/dd/yy)	Record of Activities Result*	Not Submitted (Check only if official did not submit their Record of Activities)
Elected Officials								
Town Clerk	8	Colleen Concolin		50581175	<input type="checkbox"/>	11/14-12/31/17	22	<input type="checkbox"/>
Town Judge	6	Daniel Jackson		61332505	<input type="checkbox"/>	11/16-12/31/19	6,00	<input type="checkbox"/>
Town Judge	6	Michael Krieger		60530111	<input type="checkbox"/>	11/19-12/31/20	7,11	<input type="checkbox"/>
Appointed Officials								
Deputy Clerk	6	Andrew McKee		5057105	<input type="checkbox"/>	11/19-12/31/17	11,44	<input type="checkbox"/>
Police Officer					<input type="checkbox"/>			<input type="checkbox"/>

SEE INSTRUCTIONS FOR COMPLETING FORM ON REVERSE SIDE

I, Colleen Concolin, secretary/clerk of the governing board of the Town of Marlboro, of the State of New York, (Name of Employer) do hereby certify that I have compared the foregoing with the original resolution passed by such board at a legally convened meeting held on the 10th day of Nov, 2017 on file as part of the minutes of such meeting, and that same is a true copy thereof and the whole of such original.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the Town of Marlboro on this 10th day of Nov, 2017. Colleen Concolin (Signature of the secretary or clerk)

Affidavit of Posting: I, Colleen Concolin, being duly sworn, deposes and says that the posting of the

Resolution began on 4/14/2017 (Name of secretary or clerk) and continued for at least 30 days. That the Resolution was available to the public on the

Employer's website at Town of Marlboro

Official sign board at Town of Marlboro

Main entrance secretary or clerk's office at Town of Marlboro

(seal)

April 10, 2017

Page 1 of 2 (for additional rows, attach a RS2417-B form).



Office of the New York State Comptroller
New York State and Local Retirement System
Employees' Retirement System
Police and Fire Retirement System
1100 State Street, Albany, New York 12244-0001

**Standard Work Day and Reporting Resolution
for Elected and Appointed Officials Continuation Form**

RS 2417-B

(Page 8)

REV. U.

April 10, 2017

C). Resolution # 50 To appoint part time police officer

Supervisor Lanzetta proposes the following:

Whereas, Matthew North was appointed as part time police officer for the purpose of attending the Ulster County Police Academy, and

Whereas, Matthew has completed and graduated ranking as 1st runner up as Top Shooter, and

Whereas, it is the recommendation of the Chief of Police along with the police committee to appoint Matthew North as part time police officer.

Be it resolved that, Matthew North be appointed as part time police officer effective May 1, 2017.

And it moves for adoption

Councilman Corcoran	Yes
Councilman Molinelli	Yes
Councilman Koenig	Absent
Councilman Baker	Yes
Supervisor Lanzetta	Yes

April 10, 2017

D). Resolution # 51 To Introduce a local law of the year 2017, A LOCAL LAW OF THE TOWN OF MARLBOROUGH, ULSTER COUNTY, NEW YORK TO AMEND PROVISIONS IN CHAPTER 155 "ZONING", RELATED TO SIGNS.

Supervisor Lanzetta proposes the following:

BE IT ENACTED by the Town Board of the Town of Marlborough that the Town Code is amended as follows:

Section 1. The following definitions in §155-1 of the Town of Marlborough Town Code are deleted:

Billboard
Sign
Sign Area
Sign, Directory

Section 2. Section 155-23C of the Town of Marlborough Town Code is amended to replace the section reference to "155-28B" to read "155-28".

Section 3. Section 155-12D (3)(b) of the Town of Marlborough Town Code is amended to read as follows:

(b) Signs.

Section 4. Section 155-12G (3)(b) of the Town of Marlborough Town Code is amended to read as follows:

(b) Signs.

Section 5. Section 155-28 of the Town of Marlborough Town Code is deleted in its entirety and replaced with the following new Section 155-28:

§155-28. Signs

A. Legislative intent and purpose.

The intent of this section of the Zoning Law of the Town of Marlborough is to define provisions applicable to the location, construction, design and placement of signs within Marlborough and the zoning districts thereof and to provide a reasonable period for replacement of nonconforming signs.

The purpose of the provisions herein is to regulate signs and related advertising materials in order to promote safety, health, economic development, community character and convenience. Among the objectives are, the reduction of or elimination of non-conforming signage, and the containment or curtailment of unauthorized postings. The following are additional purposes:

1. Provide a method for the implementation of this article reasonably related to the foregoing purposes and to objectives sought to be promoted by the community consistent with the guidelines and intent of the Comprehensive Master Plan of the Town;
2. Protect and enhance the unique visual qualities of Marlborough;
3. Encourage the installation of appropriate signs that harmonize with the buildings, neighborhood, and other signs in the area;
4. Eliminate excessive and unsightly competition for visual attention through signs;
5. Safeguard the general public by elimination of signs which may distract a motorist and/or contribute to the hazards of driving;
6. Safeguard objects having special aesthetic interest or value;
7. Preserve citizens' rights to a customary means of earning a living;
8. Facilitate the reasonable needs of businesses to identify themselves in ways harmonious with their landscapes.
9. Foster, encourage and provide uniformity and or continuity of visual characteristics within the community;

10. Maintain a standard of quality of all signs;
11. Regulate without regard to commercial or non-commercial content;
12. Ensure that the owner of any sign that is otherwise allowed under this section may substitute non-commercial copy in lieu of any other commercial or non-commercial copy. This substitution of copy may be made without any additional approval or permitting, except that provided in subdivision (C) (4)(a)(1). The purpose of this provision is to prevent any inadvertent favoring of commercial messages over any other non-commercial messages.

B. Word usage and definitions.

1. Except where specifically defined in this section or in §155-1 of this Chapter, all words shall carry their customary meanings. Any word that is defined in this section or in §155-1 shall have the meaning assigned by the definition in this section. Words used in the present tense include the future and the plural includes singular. The word "shall" is intended to be mandatory.
2. For the purposes of this section, 155-28, the following terms shall have the meanings indicated:

A-FRAME, EASEL SIGN or SANDWICH BOARD — A double-faced sign, with the two faces connected at the top and spaced at the bottom, so as to form the shape of the letter "A," and therefore being self-supporting on a flat surface; or a single-faced sign similarly self-supporting.

AGRICULTURAL SIGN — A sign identifying an agricultural operation including pick your own produce or pick your own plants and trees.

AWNING or CANOPIES — A roof-like covering consisting of any pliable material attached to a metal or other frame and supported entirely from a building or other structure and projecting from a structure.

AWNING SIGN — Any visual message, symbol, trade mark, insignia, pattern, color, lighting or letters on an awning.

BANNERS — A piece of cloth, plastic or similar pliable material attached at one or more points to a pole, staff, wire, rope or other support.

BENCH SIGN — Any sign painted on or otherwise attached to a bench or other seat meant to be seen by the public.

BILLBOARD — An off-premises sign which is leased or rented for profit.

BUSINESS SIGN — A sign that directs attention to a permitted business or profession conducted on the premises, including permitted home occupations.

COMMUNITY DIRECTORY SIGN — A freestanding off-premises sign, along a state or county highway, listing commercial establishments in the context of calling attention to the location of hamlets or neighborhood which are important to the Town. Community directory signs may be privately owned and maintained. They shall be subject to approval by resolution of the Town Board, and they shall be of a location, size, and content as the Town Board approves in the exercise of its discretion. The Town Board may impose conditions on the approval.

CONSTRUCTION PROJECT SIGN — A temporary non-illuminated sign denoting the architect, engineer and/or contractor when placed on a site under construction.

DIRECTIONAL SIGN — A sign located on premises which provides traffic flow information, such as "In," "Enter," "Out," "Exit," "Parking in Rear," "Crosswalk," "Watch for Pedestrians," etc.

DIRECTORY SIGN — A listing of two or more businesses for identification purposes consisting of two or more horizontal crosspieces on a common matrix or support.

EVENT SIGN — Temporary and nonpermanent signs covering dated activities such as sporting, religious, social, and entertainment events.

FREESTANDING SIGN — A sign not attached to or part of any building or screening surface but permanently affixed, by any other means, to the ground, including pole, post-and-arm, ladder and monument signs.

GROUND — Natural earth, soil or pavement surface at the sign location.

HOME OCCUPATION SIGN — A sign identifying a permitted home occupation on the property where the home occupation is located.

HISTORICAL MARKERS — Emblems, tablets, plaques, memorial signs or statues when cut into masonry surface or constructed of bronze, stainless steel, or other similar permanent material designating historical significance with direct connection to the Town of Marlborough.

INFLATABLE SIGN — A sign that is supported by any type of inflation and is either attached to a permanent structure, freestanding or tethered.

LADDER SIGN — A freestanding sign with two vertical supports with horizontal crosspieces serving as individual signs for identification.

LIGHTED SIGN — Any sign designed to give forth light or reflect artificial light directed at it.

- (1) **EXTERNALLY ILLUMINATED** — A sign illuminated with an artificial light which is separated from or is not an intrinsic part of the sign itself.

- (2) **FLASHING** — An illuminated sign on which the artificial lighting is not maintained stationary and/or constant in intensity and color at all times while in use, but specifically excluding time and temperature signs which display no other text or images.
- (3) **ELECTRONIC** — an L.C.D. or L.E.D. type sign displaying a scrolling, continuous, or changing message, but specifically excluding time and temperature signs which display no other text or images.
- (4) **ILLUMINATED** — A sign designed to give forth any artificial light or designed to reflect such light and on which the external lighting is an integral part of the sign, such as bulbs forming letters or logos.
- (5) **INTERNAL RADIATION** — A sign which is illuminated as a result of electrification or radioactivity of a gaseous material or substance, such as neon.
- (6) **INTERNALLY ILLUMINATED** — A sign illuminated by use of an artificial light which is located within the sign structure and which depends for its illumination on transparent or translucent material.
- (7) **PROJECTION** — A sign in which light projected on to a surface forms the sign.

MONUMENT SIGN — A freestanding sign with a base affixed to the ground.

MULTIPLE DWELLING SIGN — A sign identifying a building in a multiple dwelling complex.

NAMEPLATE — A business or professional sign identifying a professional tenant of the site. Each sign shall be affixed to the building exterior wall or door.

NONCOMMERCIAL SIGN — A sign containing copy that does not promote a business, commodity, service, or commercial entertainment.

OFF-PREMISES SIGN — A sign or structure which directs attention to any idea, product, business activity, service or entertainment which is conducted, sold or offered elsewhere than upon the lot on which such sign is situated.

PERSON — Shall include an individual, corporation, society, association, partnership, trust, organization or other entity, public or private.

POLE SIGN — A freestanding sign supported by a single vertical pole.

POLITICAL CAMPAIGN SIGN — A temporary sign which concerns candidates or issues before the voters in connection with any national, state, or local election.

PORTRABLE SIGN — A sign, whether on its own trailer, wheels or otherwise, designed to be movable and not permanently affixed to the ground, a building, structure or another sign.

POST-AND-ARM SIGN — A freestanding sign comprised of a vertical post to which perpendicular arm(s) may be attached and from which the sign hangs.

POSTER — Any temporary sign affixed, fastened, painted or otherwise attached to utility poles or to traffic control devices, trees, sidewalks, curbs, retaining walls, rocks or other public property.

PREMISES SIGN — A sign denoting either the name or address of the resident(s) of a residential premises or both name and address of the resident(s) of a residential premises.

PRIMARY SIGN — Principal sign that identifies the business or service to the passerby.

PRIVATE SALE SIGN — A non-illuminated residential "garage sale," "yard sale," "barn sale," "tag sale," or similarly descriptive sign located fully upon the residential property on which the sale is being conducted.

PROJECTING SIGN — A sign attached to the building wall or structure that projects horizontally or at a right angle more than 12 inches from the face of the wall over the traveled way.

REAL ESTATE SIGN — A sign advertising the sale, lease or rental of the premises on which the sign is located.

REVERSE CHANNEL SIGNS — A sign having individual letters and graphics constructed of a metal face and returns (sides), a clear plastic backing, an internal channel for neon glass and mounted one to two inches from the wall.

ROOF SIGN — A sign erected on a roof or that is part of the roof.

SIGN — Any material, structure or device, or part thereof, composed of lettered or pictorial matter displaying an advertisement, announcement, notice or name, and including any declaration, demonstration, display, representation, illustration or insignia used to advertise or promote the interests of any person or business or cause when such is placed in view of the general public. However, a sign shall not include any display of official court or public office notices nor any official traffic control device, nor shall it include the flag, emblem, or insignia of a nation, state, county, municipality, school, or religious group, nor shall it include any flag containing a noncommercial message.

SIGN AREA — The area of a sign measured as follows:

- (1) Sign measurement shall be based upon entire area of the sign with a single continuous perimeter enclosing the extreme limits of the actual sign surface, not including structural supports if they are not used for advertising purposes;
- (2) Unless otherwise stated, measurement of signs with two faces shall be taken as the area of either face, provided that the faces are either back to back or are attached at least on one side and the angle of the attachment does not exceed 30°. The gross area of such signs shall be determined by one side only. Both sides shall not be accumulated for purposes of measurement of size. Where faces are not back-to-back, or are attached at an angle exceeding 30°, each face shall be measured individually and the cumulative amount shall be used to determine gross area.

SUBDIVISION SIGN — A sign located at the entrance to a subdivision identifying the neighborhood or community by name.

TEMPORARY SIGN — Any sign that is displayed only for a specified period of time and is not permanently mounted.

WALL SIGN — A sign that is painted on or attached directly to the outside wall of a building or structural screening, with the face of the sign parallel to the wall and having a visible edge or border extending not more than 12 inches from the wall.

WINDOW SIGN — Any advertising sign displayed, affixed or painted on or within any window, show window, or window screen that is visible from the building exterior.

C. Permits.

1. General regulations. Except as otherwise provided herein, no sign or other advertising device shall be erected, constructed, displayed, moved, reconstructed, extended, enlarged or altered nor shall any person cause any sign or other advertising device to be erected, constructed, displayed or maintained within the Town of Marlborough, except in conformity with these regulations and, where applicable, without first having obtained a permit from the Building Inspector.
2. Applicants for site plan, special use permit or subdivision approval who intend to erect signs as part of a proposed project shall submit a separate application for a sign permit to obtain approval for any proposed signs. The signs are subject to approval by the Planning Board. No approval for said signs shall be given by the Planning Board unless the procedures of this section, 155-28, are followed.
3. Application and fees.
 - (a) A written application shall be submitted to the Code Enforcement Officer or Building Inspector on a form prescribed by the Town.

- (b) A plan drawing shall be included with the application showing the location of the building, structure, or land upon which the sign now exists or is to be erected.
- (c) An elevation drawing shall be included with the application providing a full description of the placement and appearance of the proposed sign showing:
 - (1) Sign construction details, including materials;
 - (2) Sign dimensions;
 - (3) Sign colors;
 - (4) Lettering and other matter on the sign;
 - (5) Method of illuminations, if any, and the position of lighting or other extraneous devices, and a copy of the wiring diagram(s) for the electrical connections.
- (d) Written consent from the land owner or authorized representative if the applicant is not the owner.
- (e) Payment of the application fee for the sign permit as established from time to time by resolution of the Town Board. The fee shall be waived for not-for-profit, charitable, civic and religious organizations, fire districts, and libraries.

4. Issuance of a permit.

- (a) Process. Upon receipt of a properly completed application for a sign permit and fee, the Code Enforcement Officer or Building Inspector shall examine such plans, specifications, locations and other data submitted and, if plans submitted meet the requirements of this section shall:
 - (1) If the submitted application is for a modification to an existing sign which is in compliance with all requirements of this section and the Code of the Town of Marlborough and does not constitute a change in size, location, type, or lighting, the Building Inspector shall, within 10 days, issue a permit for the proposed changes.
- (b) Condition. All sign permits shall carry the condition that the permitted sign shall be maintained in a safe and orderly condition. The Building Inspector may add such other conditions as may be necessary for the public safety and welfare.
- (c) Disapproval. In the event that plans submitted do not meet requirements of this section, the Building Inspector shall, within 10 days, deny the permit

application and notify the applicant, in writing, of the reason for refusal to issue a permit.

- (d) Time limit. If the authorized sign is not erected within six months of the date the sign permit is granted, the permit shall become null and void and a new application must be submitted. Notwithstanding any other provision of this section, if the sign for which a permit has been granted is part of a project for which site plan approval has been granted by the Planning Board pursuant to §155-31 of this chapter, the sign permit shall be valid if the sign is erected before the expiration of site plan approval pursuant to §155-31(K). If the sign is not erected prior to the expiration of site plan approval, the sign permit shall become null and void, and a new application must be submitted.
- (e) Violation. If, subsequent to inspection by the Code Enforcement Officer or Building Inspector, a sign is found in violation of the conditions specified in the sign permit, the owner shall be notified, by certified mail, return receipt requested, to bring the sign into compliance with specified conditions. Failure to comply within 30 days shall be cause for revocation of the permit and removal of the sign within 10 days after written notification from the Code Enforcement Officer or Building Inspector, and upon failure to comply with such notice within the time specified in such order, the Building Inspector is hereby authorized to cause removal of such sign, and the cost of removal may be recovered in accordance with § 155-28K.

D. General Provisions.

- 1. Prohibited in All Districts. Any sign type not listed in Table 1, 2, 3, or 4 is not permitted in the Town. Prohibited signs include but are not limited to:
 - (a) Flashing signs.
 - (b) Freestanding exterior directory signs listing business occupants of any building, unless part of a master sign plan approved by the Planning Board.
 - (c) Inflatable signs.
 - (d) Off-premises signs, including billboards, except that agricultural signs and signs erected by the Town of Marlborough shall be allowed.
 - (e) Portable signs.
 - (f) Posters.

- (g) Projection signs.
- (h) Signs which have any visible moving parts, including signs that achieve movement by action of wind currents.
- (i) Signs which, by reason of size, location, coloring, or manner of illumination, obstruct the vision of the drivers or obstruct or detract from the visibility or effectiveness of any traffic sign or control device on public streets and roads.
- (j) Signs which make use of words such as "stop," "look," "one-way," "danger," "yield," or similar words, phrases, symbols, lights or characters in such manner as to interfere with, mislead, or confuse vehicular or pedestrian traffic.
- (k) Signs on public property or a public right-of-way, other than signs erected by a governmental agency.
- (l) Signs obstructing any fire escape, means of ingress and/or egress, or other required exit way or window.
- (m) Signs obstructing any opening required for ventilation, venting or other access that may constitute a hazard to public health and safety.
- (n) Sign attached to utility poles, other than utility company informational signs.

2. Illumination.

- (a) Neon signs, except for reverse channel signs, are not permitted except as window signs.
- (b) Exposed lighting sources such as bulbs, tubes, and the like are prohibited. All ground level, external sources of illumination must be hidden from view by landscaping or improvements.
- (c) All lighting shall be installed so as to avoid glare. The illumination from any sign shall not cause any reflection or glare upon a public street, highway, sidewalk or adjacent property.

3. General rules by sign type.

- (a) Freestanding signs.
 - [1] No freestanding sign may be located less than 50 feet from any other freestanding sign.

- [2] Where the undisturbed ground elevation of a proposed sign location is lower than the adjoining road, street, or highway, a freestanding sign may be constructed so that the height of the sign is no greater than the allowed height, as measured from the elevation of the adjoining road, street, or highway.
- [3] For freestanding signs, height shall be measured from the ground to the top of the sign.
- [4] For freestanding signs, area shall be determined by the measurement of only one side, provided that the faces are either back to back or are attached at least on one side and the angle of the attachment does not exceed 30 degrees.

(b) Wall signs.

- [1] The visible edge or border of a wall sign may extend up to 12 inches from the face of the wall and may not extend beyond the walls of the building.

(c) All sign types.

- [1] Shall be constructed of durable materials and shall be maintained in a good condition. The use of cardboard, paper, canvas or similar impermanent material is prohibited

- [2] A sign is not an accessory structure

4. Landscaping.

- (a) The Planning Board and/or Building Inspector shall require that landscaping be used and maintained at the base of all freestanding signs.

E. Schedule of sign regulations.

- 1. Permanent Signs and Temporary Signs Permitted Without a Permit. The regulations for permanent signs allowed in all districts without a permit are listed in Table 1.
- 2. Permanent Signs Requiring a Permit. The regulations for signs requiring a permit in each zoning district are listed in Tables 2, 3, and 4 as follows:

- (a) Signs requiring a permit allowed in Residential District (R), Residential District (R-1), and for properties in the Rural Agricultural District (R-Ag-1), see Table 2.
- (b) Signs in the Highway Development District (HD), Industrial District (I), and for properties in the approved Business Corridor District (BC) see Table 3.
- (c) Signs in the Commercial District (C-1), Commercial 2 District (C-2), see Table 4.

3. Any sign not identified in a table for a specific zoning district or in Table 1 is not allowed in the zoning district to which the table refers, with the exception of signs with non-commercial messages.

F. Master sign plan for shopping centers, business centers and office buildings.

Where four or more business establishments are planned as integrated shopping center office or business center, the following sign criteria shall apply:

- 1. Requirement. A Master Sign Plan is required of establishments that share a zoning lot, parcel, or are part of a shopping or office or business center. The plan is a sign system to create visual unity among the signs within the plan area and ensures compatibility with surrounding establishments, landscaping and structures.
- 2. Process. (a) Before any individual sign permits for the plan area are approved, the Master Sign Plan must be reviewed and approved by the Planning Board and the Building Inspector. Once a master plan is approved, changes in individual signs, in conformance with the approved Master Sign Plan, shall be permitted by the Building Inspector through application.
- 3. Common sign. One common freestanding sign identifying the name and address of the shopping center, business center or office building, is permitted. Appropriate height and size shall be determined by the Planning Board based upon site conditions, size of lot and maximum area and height restrictions established in Tables 1, 2, 3 or 4.
- 4. Business signs. Freestanding signs may not be displayed by individual establishments located within the center. The types of signs displayed by each individual establishment shall adhere to a Master Sign Plan. Each commercial establishment may display up to two signs. The size of such signs shall be governed by the schedule of regulations for the zoning district in which the center is located.

G. Design objectives.

In reviewing sign applications, the Building Inspector or Planning Board (with respect to uses requiring site plan, special permit or subdivision approvals) shall determine that the sign will meet the following criteria:

1. Signs shall be a subordinate part of the streetscape;
2. Whenever feasible, multiple signs shall be combined into one to avoid clutter;
3. Signs shall be as close to the ground as possible, consistent with legibility considerations;
4. Sign design shall be consistent with the architectural character of the building on which it is placed and not cover any significant architectural features on the building;
5. Light lettering on dark background which enhances legibility is preferred for all signs;

H. Maintenance requirements.

1. With the exception of existing non-conforming billboards which are covered in (H)(2) of this subsection, all signs and other advertising structures, together with all supports, braces, hooks, guys and anchors, and exposed lighting sources, shall be of substantial and sturdy construction, shall be kept in good repair, and shall be painted or cleaned as often as necessary to maintain a clean, neat, safe and orderly appearance. If a property owner or sign permit holder fails to maintain a sign, the Building Inspector or Code Enforcement Officer shall notify the property owner and the permit holder, if any, of the violation in writing, by certified mail, return receipt requested. Within 30 days of notice of violation, the property owner or permit holder shall take steps to correct same. Failure to correct the specified maintenance requirements shall be a violation of this section. The Town shall be empowered, on 30 days additional notice to the sign owner, and to the owner of the real property if different, to enter upon the subject parcel and to remedy the violations of these maintenance standards, or the Town shall be empowered to remove the sign, and the resulting costs may be recovered under subdivision (K) of this section.
2. With respect to existing non-conforming billboards, the owner of the billboard and the owner of the real underlying real property, if different, shall register name and address on forms to be provided by the Building Inspector. The Building Inspector shall be entitled to issue notices to the owner and the owner of underlying real property, if different, of the billboard by certified mail, return receipt requested, at the address(es) included within the registration. All billboards together with all supports, braces, hooks,

guys and anchors, and exposed lighting sources, shall be of substantial and sturdy construction, shall be kept in good repair, and shall be painted or cleaned as often as necessary to maintain a clean, neat, safe and orderly appearance. All billboards shall be maintained and repaired in a fashion which preserves structural integrity. All vegetated and landscaped features of the parcel within a 50' radius of the billboard's foundation shall be maintained; grass shall not be allowed to reach a height higher than 10 inches. All components of billboards shall be painted with a frequency which avoids blistering, peeling, or exposed underlying wood or other materials. If the billboard owner fails to maintain the billboard in accordance with these standards, the Building Inspector or Code Enforcement Officer shall notify the billboard owner and the owner of the real property, if different, of the violation in writing, by certified mail, return receipt requested. Within 30 days of notice of violation, the billboard owner shall take steps to correct same. Failure to correct the specified maintenance requirements shall be a violation of this section. With the exception of correction or repair of the message component of the billboard, the Town shall be empowered, on 30 days additional notice to the billboard owner and owner of the real property if different, to enter upon the subject parcel and to remedy the violations of these maintenance standards. The resulting costs of the Town may be recovered under subdivision (K) of this section.

- (1) For any billboard leased or rented for profit, that if use of the sign is discontinued for a period of one year or more will lose its preexisting non-conforming status and the Town shall give notice of the removal requirement to the owner of the property where the billboard is located and to the permit holder, if any. Notice shall be given by certified mail, return receipt requested to the owner of the property where the preexisting nonconforming billboard is located and to the permit holder, if different.
- (2) If the billboard has not been removed, the Building Inspector or Code Enforcement Officer shall give written notice by certified mail, return receipt requested to the last owner of record of the real property where the sign is located and the permit holder, if any, that the billboard must be removed within 30 days from the date of the written notice. If no action is taken by the owner or permit holder within said time period, the Building Inspector or Code Enforcement Officer may cause the billboard to be removed, and the cost of removal may be recovered in accordance with § 155-28K.

I. Nonconforming signs.

1. Removal of nonconforming signs.

- (a) Nonconforming signs other than billboards.

- (1) Any sign other than a billboard leased or rented for profit, that does not conform to the provisions herein shall be deemed a nonconforming sign and shall be removed if use of the sign is discontinued for a period of one year or more.
- (2) The Town shall give notice of the removal requirement to the owner of the property where the sign is located and to the permit holder, if any. Notice shall be given by certified mail, return receipt requested to the owner of the property where the nonconforming sign is located and to the permit holder, if different.
- (3) If the sign has not been removed, the Building Inspector or Code Enforcement Officer shall give written notice by certified mail, return receipt requested to the last owner of record of the real property where the sign is located and the permit holder, if any, that the sign must be removed within 30 days from the date of the written notice. If no action is taken by the owner or permit holder within said time period, the Building Inspector or Code Enforcement Officer may cause the sign to be removed, and the cost of removal may be recovered in accordance with § 155-28K.

2. Replacement of nonconforming signs.

- (a) If there is a change in ownership in any property on which a nonconforming sign is located, the nonconforming sign may continue its use and shall be deemed to have existed on the effective date of the 2017 amendments to this section, so long as such sign usage has not been discontinued for a period in excess of one (1) year.
- (b) Any increase in size, illumination or flashing or other nonconformity of a sign shall not be permitted
- (c) Any nonconforming sign that is damaged or destroyed, for a loss of 50% or more of its value, as determined by the Code Enforcement Officer or Building Inspector, by fire or other casualty shall not be restored, reconstructed or replaced except by a sign that conforms to the requirements of this section.

3. Any sign erected on or before March 27, 1972 shall not be subject to the removal requirements of this subsection ("I") for nonconforming and discontinued signs.

J. Abandoned signs.

1. Any legal nonconforming sign which no longer advertises a bona fide business conducted or product available to purchase by the public on the premises shall be taken down by the owner, agent or person having beneficial use of the building or structure upon which the sign may be found within 10 days after notice of violation from the Code Enforcement Officer or Building Inspector to the property owner. Upon failure to comply within 10 days, the Code Enforcement Officer or Building Inspector is hereby authorized to cause removal of such sign. The costs of removal may be charged to the property owner pursuant to §155-28K.
2. Any conforming sign that no longer advertises a bona fide business conducted or product available to purchase by the public on the premises shall be allowed to remain to enhance resale or rental of the premises upon which the sign is located.
3. Posters are prohibited under this section. Notwithstanding any other provisions of this section, the Code Enforcement Officer and Building Inspector are authorized to remove any poster without notice. Any poster removed pursuant to this section shall be kept by the Code Enforcement Officer or Building Inspector for thirty days and then can be destroyed unless retrieved by the owner before the expiration of the thirty day period. The costs of such removal may be charged by the Town pursuant to §155-28K.

K. Costs of removal of signs.

At the sole discretion of the Town, the reasonable and necessary costs incurred by the Town for removal of any sign shall be charged against the real property from which the sign was removed by adding that charge to and making it a part of the next annual real property tax assessment roll of the Town. Such charges shall be levied and collected at the same time and in the same manner as Town-assessed taxes and shall be paid to the Town Clerk to be applied in reimbursing the fund from which the costs of sign removal were paid. Prior to charging such assessments, the owners of the real property shall be provided written notice to their last known address of record, by certified mail, return receipt requested, of an opportunity to be heard and object before the Town Board to the proposed real property assessment, at a date to be designated in the notice, which shall be no less than 30 days after its mailing.

L. Interpretation of provisions.

1. Legislative intent. In their interpretation and application, the provisions of this article shall be held to be minimum requirements adopted for the promotion of the public health, safety and general welfare.
2. If any portion of this section is found to be in conflict with any other provision of any other local law or ordinance of the Code of the Town of Marlborough, the provision that establishes the more restrictive standard shall prevail.

M. Severability.

If any section, clause, sentence or part of this section shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the section, clause, sentence or part thereof directly involved in the controversy in which such judgment was rendered.

Section 6. Section 158-42E(1) of the Town of Marlborough Town Code is amended to remove the word "sign" and the comma following it.

Section 7. Copies of Table 1, Table 2, Table 3 and Table 4 of Town Code Section 155-28, as referenced within Section 5 of this local law, are attached hereto as Exhibit "A".

Section 8. If any section of this local law shall be held unconstitutional, invalid, or ineffective, in whole or in part, such determination shall not be deemed to affect, impair, or invalidate the remainder of this local law.

Section 9. This Local Law shall take effect immediately upon filing with the Secretary of State.

April 10, 2017

WHEREAS, Supervisor Lanzetta has introduced this local law for the Town of Marlborough, to be known as Local Law No. __ of 2017 A LOCAL LAW OF THE TOWN OF MARLBOROUGH, ULSTER COUNTY, NEW YORK TO AMEND PROVISIONS IN CHAPTER 155 "ZONING", RELATED TO SIGNS.

RESOLVED, that a public hearing be held in relation to the proposed changes as set forth in the form of notice, hereinafter provided, at which hearing parties in interest and citizens shall have an opportunity to be heard, to be held at the Town Hall, 21 Milton Turnpike, Milton, New York on April 24, 2017, at 7 o'clock p.m., Prevailing Time, and that notice of said meeting shall be published in the official newspaper of general circulation in the Town of Marlborough, by the Town Clerk, at least five (5) days before such hearing and that such notice shall be in the following form:

April 10, 2017

NOTICE OF PUBLIC HEARING

TAKE NOTICE, that the Town Board of the Town of Marlborough will hold a public hearing at the Town Hall, 21 Milton Turnpike, Milton, New York on April 24, 2017 at 7 o'clock, p.m., prevailing time, on proposed Local Law No. __ of the Year 2017, A LOCAL LAW OF THE TOWN OF MARLBOROUGH, ULSTER COUNTY, NEW YORK TO AMEND PROVISIONS IN CHAPTER 155 "ZONING", RELATED TO SIGNS.

TAKE FURTHER NOTICE, that copies of the aforesaid proposed local law will be available for examination at the office of the Clerk of the Town of Marlborough, at the aforesaid Town Hall between the hours of 9:00 a.m. and 4:00 p.m. on all business days between the date of this notice and the date of the public hearing.

TAKE FURTHER NOTICE, that all person interested and citizens shall have an opportunity to be heard on said proposal at the time and place aforesaid.

DATED: Milton, New York

April 10, 2017

COLLEEN CORCORAN, TOWN CLERK

Councilman Molinelli made a motion to advertise for a public hearing at the Town Hall, 21 Milton Turnpike, Milton, New York on April 24, 2017 at 7 o'clock, p.m., prevailing time, on proposed Local Law No. __ of the Year 2017. Motion seconded by Councilman Baker.

Yea: 4

Nays: 0

Carried

April 10, 2017

The foregoing resolution was duly put to a vote which resulted as follows:

Supervisor Lanzetta	Yes
Councilman Corcoran	Yes
Councilman Molinelli	Yes
Councilman Koenig	Absent
Councilman Baker	Yes

DATED: Milton, New York
April 10, 2017

COLLEEN CORCORAN, TOWN CLERK

Councilman Molinelli made a motion to adjourn the meeting at 8:07 p.m. Motion seconded by Councilman Corcoran.

Yeas: 4 Nays: 0 Carried

*Respectfully submitted,
Danielle Cherubini
Deputy Town Clerk*

EXHIBIT A

TOWN OF MARLBOROUGH
Table 1
Signs Exempt from Permit Requirement

Sign Type	Maximum Area	Maximum Height	Maximum Number	Time Restriction	Other Requirements
Permanent Signs					
Historical markers					
Historical markers	4 square feet	5 feet	As needed	N/A	N/A
Nameplates in C-1, C-2 HD, BC & I Districts	4 square feet	N/A	N/A	N/A	N/A
Nameplates in R, R-1, R-Ag-1 Districts	2 square feet	N/A	1	N/A	N/A
Premises Signs	2 square feet	5 feet	1	N/A	Projecting, freestanding or wall sign only
Temporary Signs					
Agricultural Signs					
Agricultural Signs	9 square feet per face	5 feet	2 on premises and up to 4 off-premises signs	End of season/when product no longer available	May be located on private property with permission of the property owner, in locations which do not interfere with vehicle or pedestrian safety.
Construction signs	15 square feet	7 feet	2	1 week after construction is complete	N/A
Event signs	15 square feet	7 feet	2	1 week after the event is held	N/A
Noncommercial signs ¹	N/A	N/A	N/A	N/A	N/A
Political campaign signs ²	N/A	N/A	N/A	1 week after the election	N/A
Real Estate Signs	15 square feet	7 feet	2	1 week after the property is sold, leased or rented	N/A
Private sale Signs	15 square feet	7 feet	2 per lot	1 week after the sale	N/A
Temporary non-illuminated window advertising signs	20% of total window area of principal façade ³	N/A	N/A	1 week after the sale	N/A

¹ The regulations for noncommercial signs shall be the same as the least restrictive regulations for any temporary sign not requiring a permit in the same zoning district.

² The regulations for political campaign signs shall be the same as the least restrictive regulations for any temporary sign not requiring a permit in the same zoning district.

³ This shall be in addition to the percentage of coverage allowed for permanent signage in a window.

TOWN OF MARLBOROUGH
Table 2
Signs Requiring a Permit in the R District, R-1 District, and R-Ag-1 District

Sign Type	Maximum Area	Maximum Height ¹	Minimum Setback from Property Line	Maximum Number	Other Requirements
A-frame, easel or sandwich board ²	15 square feet	5 feet	10 feet	1	Permitted at lawful business establishment only while the business in front of which it is located is open and permitted
Directional sign	4 square feet	5 feet	N/A	As needed	Directional signs shall be allowed in addition to the other signage allowed for business establishments. Applicant must demonstrate necessity based on motorist safety.
Home occupation sign	4 square feet	5 feet	10 feet	1	Projecting, freestanding or wall sign only. A projecting home occupation sign shall not project more than three feet from the principal building on the lot
Monument sign for educational or instructional uses or houses of worship	32 square feet	6 feet	10 feet	1 per road on which the property containing the use fronts	N/A
Freestanding sign for lawful business establishment	24 square feet	6 feet	10 feet	1 sign total per establishment ^{3,4}	N/A
Wall sign for lawful business establishment	24 square feet	N/A	N/A	1 sign total per establishment ^{3,4}	N/A
Multiple Dwelling Signs	4 square feet	5 feet	10 feet	1 per building	Freestanding or wall sign only
Subdivision sign	15 square feet	6 feet	10 feet	1 per road from which there is subdivision access	Said sign shall not be placed in the Town right-of-way Sign shall be removed one week after last lot is sold

¹ Height is measured from the ground to the top of the sign, including the base for monument signs.

² Notwithstanding other provisions of this chapter and this table, A-frame, easel or sandwich boards shall be permitted in addition to other permitted signs on the site.

³ A lawful business establishment in the R, R-1 & R-Ag-1 District may have a total of one freestanding sign and one wall sign.

⁴ Business establishments on corner lots may have a total of one freestanding sign and one wall sign.

TOWN OF MARLBOROUGH
Table 3
Signs Requiring a Permit in the Approved BC District, HD District and I Districts

Sign Type	Maximum Area	Maximum Height ¹	Minimum Setback from Property Line	Other Requirements
A-frame, easel or sandwich board	15 square feet	5 feet	Established by Planning Board	Permitted at lawful business establishment only while the business in front of which it is located is open and permitted
Awning sign	Lettering may cover maximum of 50% of valance width	N/A	N/A	Maximum Projection over sidewalk: 7 feet Location of Lettering: Valance Only Maximum height of lettering: 12 inches
Directional sign	4 square feet	5 feet	N/A	Directional signs shall be allowed in addition to other signage allowed for business establishments. The number of allowed Directional signs shall be determined by the planning board during site plan approval
Ladder sign	64 square feet	20 feet	Established by Planning Board	Permitted only with Planning Board and Building Inspector / code enforcer approval
Monument sign	56 square feet	12 feet	Established by Planning Board	Permitted only with Planning Board and Building Inspector / code enforcer approval
Multiple dwelling sign	18 square feet	6 feet	Established by Planning Board	Permitted only with Planning Board and Building Inspector / code enforcer approval 1 per building Freestanding or wall sign only
Pole sign	32 square feet	15 feet	Established by Planning Board	Permitted only with Planning Board and Building Inspector / code enforcer approval
Post-and-arm sign	48 square feet	15 feet	Established by Planning Board	Permitted only with Planning Board and Building Inspector / code enforcer approval
Projecting sign	12 square feet	N/A	N/A	Maximum projection from building face: 4 feet Minimum Clearance: 8 feet Sign shall not extend over a public street or a public sidewalk

Wall sign	32 square feet	N/A	N/A	The number of allowed Wall signs shall be determined by the planning board during site plan approval
Window sign	12 square feet	N/A	N/A	Maximum height of lettering: 10 inches

1. In addition to the one common freestanding sign, each business establishment shall be permitted additional signs that are approved by the planning board. The combined maximum total area of these additional signs shall not exceed 64 square feet. Directional signs shall not be included in calculating the combined maximum total square feet of these additional signs.
2. The one common freestanding sign shall incorporate the street number(s) at the top center of the sign.
3. For freestanding signs, Height is measured from the ground to the top of the sign.
4. For two sided freestanding signs, the area shall be determined by the measurement of only one side, provided that the faces are either back to back or are attached at least on one side and the angle of the attachment does not exceed 30°. Both sides shall not be accumulated for purposes of measurement of size.
5. For single sided signs, area shall be determined by the measurement of the entire area of the sign with a single continuous perimeter enclosing the extreme limits of the actual sign surface, not including structural supports.
6. Notwithstanding other provisions of this chapter and this table, A-frame, easel or sandwich boards shall be permitted in addition to other permitted signs on the site

TOWN OF MARLBOROUGH
Table 4
Signs Requiring a Permit in the C-1 and C-2 Districts

Sign Type	Maximum Area	Maximum Height	Minimum Setback from Property Line	Other Requirements
A-frame, easel or sandwich board ¹	15 square feet	5 feet	Established by Planning Board	Permitted at lawful business establishment only while the business in front of which it is located is open and permitted
Awning sign	Lettering may cover maximum of 50% of valance width	N/A	N/A	Maximum Projection over sidewalk: 7 feet Location of Lettering: Valance Only Maximum height of lettering: 12 inches
Directional sign	4 square feet	5 feet	N/A	Directional signs shall be allowed in addition to other signage allowed for business establishments. The number of allowed Directional signs shall be determined by the planning board during site plan approval
Ladder sign	24 square feet	8 feet	Established by Planning Board	Permitted only with Planning Board and Building Inspector / code enforcer approval
Monument sign	24 square feet	6 feet	Established by Planning Board	Permitted only with Planning Board and Building Inspector / code enforcer approval
Multiple dwelling sign	12 square feet	6 feet	Established by Planning Board	1 per building Freestanding or wall sign only
Pole sign	24 square feet	8 feet	Established by Planning Board	Permitted only with Planning Board and Building Inspector / code enforcer approval
Post-and-arm sign	24 square feet	8 feet	Established by Planning Board	Permitted only with Planning Board and Building Inspector / code enforcer approval
Projecting sign	12 square feet	N/A	N/A	Maximum projection from building face: 4 feet Minimum Clearance: 8 feet Sign shall not extend over a public street or a public sidewalk
Wall sign	24 square feet	N/A	N/A	The number of allowed Wall signs shall be determined by the planning board during site plan approval
Window sign	12 square feet	N/A	N/A	Maximum height of lettering: 10 inches

1. In addition to the one common freestanding sign, each business establishment shall be permitted additional signs that are approved by the planning board. The combined maximum total area of these additional signs shall not exceed 48 square feet. Directional signs shall not be included in calculating the combined maximum total square feet of these additional signs.
2. The one common freestanding sign shall incorporate the street number(s) at the top center of the sign.
3. For freestanding signs, Height is measured from the ground to the top of the sign.
4. For two sided freestanding signs, the area shall be determined by the measurement of only one side, provided that the faces are either back to back or are attached at least on one side and the angle of the attachment does not exceed 30°. Both sides shall not be accumulated for purposes of measurement of size.
5. For single sided signs, area shall be determined by the measurement of the entire area of the sign with a single continuous perimeter enclosing the extreme limits of the actual sign surface, not including structural supports.
6. Notwithstanding other provisions of this chapter and this table, A-frame, easel or sandwich boards shall be permitted in addition to other permitted signs on the site