

FIRST MEETING OF THE MONTH
TOWN BOARD TOWN OF MARLBOROUGH
21 MILTON TURNPIKE, MILTON NY
FEBRUARY 16, 2015 7:00 PM
MINUTES OF MEETING

PRESENT: SUPERVISOR OSBORN
COUNCILMAN MOLINELLI
COUNCILMAN CORCORAN
COUNCILMAN BAKER
COUNCILMAN KOENIG

COLLEEN CORCORAN, TOWN CLERK

ITEM #1 Call to order - Pledge of Allegiance

ITEM #2 Moment of Silence

ITEM #3 Motion to approve agenda

Councilman Baker made a motion to approve the agenda. Motion seconded by Councilman Koenig.

*Y*eas: 5 *N*ays: 0 *C*arried

ITEM #4 Motion to approve minutes from the January 29, 2015 Town Board Meeting
Councilman Corcoran made a motion to approve the minutes from the January 29, 2015 Town Board Meeting. Motion seconded by Councilman Koenig.

*Y*ea*s*: 5 *N*ay*s*: 0 *C*arried

ITEM #5 Authorize payment of bills

Councilman Koenig made a motion to approve payment of the abstract in the amount of \$1,774,863.09. Motion seconded by Councilman Corcoran.

*Y*ea*s*: 5 *N*ay*s*: 0 *C*arried

ITEM #6 Comments on the agenda

No comments on the agenda.

ITEM #7 Executive Session

Councilman Corcoran made a motion to enter executive session to discuss union contracts. Motion seconded by Councilman Baker.

*Y*ea*s*: 5 *N*ay*s*: 0 *C*arried

Executive session began at 7:02PM

Councilman Corcoran made a motion to end executive session and resume the regular meeting. Motion seconded by Councilman Koenig.

Executive session ended at 8:15PM.

ITEM #8 Presentations

Supervisor Osborn said they are going to use this time to authorize the signing of the two Memorandum of Agreement's that were discussed in executive session. One of the MOA's was for the Highway Department.

Ralph Walters asked what the contract will state

Councilman Corcoran said the contract is a five year contract beginning January 1, 2015 so there will be retro pay. They will get a 2% raise each year. Each new hire will pay 10% toward their health insurance premium and must have twenty years of service to have healthcare after retirement and will pay the premium percentage they paid on their last day of service. Corcoran added that longevity pay increased and also explained vacation time and sick time.

Councilman Corcoran made a motion to allow Supervisor Osborn to sign the Memorandum of Agreement for the United Public Service Employees Union - Highway Department. Motion seconded by Councilman Molinelli.

Yeas: 5 Nays: 0 Carried

Supervisor Osborn asked for a motion to allow him to sign the MOA for the dispatchers.

Councilman Corcoran explained that the agreement is for full time dispatchers and it is a five year contract. For the year 2015, their raise will be 1.75% and for the remaining 4 years it will be 2%. Some changes include the buyout for medical insurance. After January 1, 2015, each new hire will pay 10% toward their health insurance premium and must have twenty years of service to have healthcare after retirement and will pay the premium percentage they paid on their last day of service. The current head dispatcher will be receiving a \$5,500.00 stipend instead of 7.75% of her pay. When her employment ceases, any newly appointed head dispatcher's stipend will have to be renegotiated. Supervisor Osborn added that is because the head dispatcher goes above and beyond her abilities and also acts a secretary to the Chief.

Councilman Corcoran said their salary table was changed from 9 steps to 6 steps. He explained raises and shift line differential. Their longevity pay after 10 years of service is \$900.00 and \$50.00 for each subsequent year with a maximum of \$1,500.00.

Councilman Corcoran made a motion to allow Supervisor Osborn to sign the Memorandum of Agreement for the United Federation of Police Officers, Dispatcher Unit Local 627. Motion seconded by Councilman Molinelli.

Years: 5 Nays: 0 Carried

ITEM #9 Report of departments

A) SUPERVISOR- STEPHEN OSBORN

Supervisor Osborn said that it has been really cold and he is glad that there haven't been any heat emergencies. He reminded everyone to stay safe and he also thanked the Highway Department for clearing the roads and moving the snow. He thanked the Town employees who have come in to work even though there was some time off because of the weather.

B) TOWN CLERK – COLLEEN CORCORAN

Colleen Corcoran said she was approached by Eleanor Spagnola asking to waive the \$10.00 non-resident fee for a Circle Line trip planned for July for the seniors because she may not be able to fill the bus with only Marlboro residents.

The Board discussed if they should waive the fee.

Supervisor Osborn asked if Mrs. Corcoran would let Mrs. Spagnola know that if the bus is not full by a date closer to the trip, then the Board can decide then.

Account Description	Fee Description	Account#	Qty	Local Share
Dog Licensing	Female, Spayed	A2544	5	25.00
Dog Licensing	Male, Neutered	A2544	7	35.00
Dog Licensing	Male, Unneutered	A2544	4	40.00
			Sub-Total:	\$100.00
General Fund	Water Service	2144SW	1	150.00
			Sub-Total:	\$150.00
LANDFILL FEES	T/s Permits		15	775.00
	T/s Punch Cards		38	1,892.00
			Sub-Total:	\$2,667.00
Marriage Lic.	MARRIAGE LICENSE FEE	00-1255	1	17.50
			Sub-Total:	\$17.50
MISC. FEES	Accident Reports		6	30.00
	Burgular Permits		1	25.00
	Foi Requests		1	0.50
	Park Fees		3	750.00
			Sub-Total:	\$805.50
			Total Local Shares Remitted:	\$3,740.00
Amount paid to: NYS Ag. & Markets for spay/neuter program				24.00
Amount paid to: State Health Dept. For Marriage Licenses				22.50
Total State, County & Local Revenues:	\$3,786.50			Total Non-Local Revenues: \$46.50

C) POLICE CHIEF – GERALD COCOZZA

Following is a summary of the activity of the Police Department for the month of January 2015

<u>MOTOR VEHICLE ACCIDENT</u>	Jan. 15	Yr. Date 15	Jan. 14	Yr. Date 14
Personal injury	2	2	3	3
Fatal	1	1	0	0
Property Damage	17	17	15	15
Report Not Required	7	7	5	5
Total	27	27	23	23

SUMMONSES ISSUED

Vehicle and Traffic	138	138	158	158
Parking	2	2	0	0

COMPLAINT ACTIVITY

Total Blotter Entries	356	356	333	333
Total Arrests	33	33	22	22

<u>TOTAL TELEPHONE CALLS</u>	1611	1611	1653	1653
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POLICE DEPARTMENT OVERTIME HOURS payroll 2 & 3

Full Time Officer Overtime	127	(\$5900)	127	58.5	(\$2630)	58.5
Part Time Officer Overtime	135.25	(\$4800)	135.25	169.5	(\$5638)	169.5
Full Time Dispatchers Overtime	0	(\$0)	0	8	(\$296)	8
Part Time Dispatchers Overtime	48	(\$1000)	48	48	(\$1124)	48

<u>Police Mileage</u>	12377	12377	9894	9894
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D) HIGHWAY SUPERINTENDENT – GAEL APPLER, SR.

Monthly Report for January 2015

SNOW/ICE: On Saturday, 1/3 we had 3 inches of snow throughout the Town. We pretreated all roads at 7AM then called all men in at 1PM to plow off and sand/salt all runs. Snow changed to freezing rain then rain. On 1/6 we had a forecast of 1-2 inches. We pretreated at 7AM and plowed off and sand/salt all roads at 2PM. On 1/9 had a forecast for 1-3 inches. Had all men in at 5AM to plow off and treat all roads. Went back out at 8AM, then finished cleaning up at 12:30PM. On 1/11 we had 1-2 inches with ice mix. All roads plowed and bare by 7:30AM. On 1/13 we had light rain turning to ice that we had to sand/salt at 5:30AM. On 1/18 we had a terrible ice storm. Forecast was for rain with temps in the 40's. We got 1 ½ inches of rain but temp never rose above freezing. We spent a lot of man hours and material to keep the roads open until Monday. When the sun came out and temps rose in the 30's. On 1/20 we had all trucks out for icing due to runoff from the 18th. On 1/21 we had 2 inches overnight and had all trucks out at 5 AM to plow off and sand/salt. On 1/23 we had a couple of inches of snow with some icing. We had all trucks out at 5 PM to sand/salt all roads. On 1/26 we had a forecast for a Nor'easter of 24-30 inches. Fortunately this missed us by 50 miles to the East. We ended up with 4-6 inches of snow with high winds. On 1/30 we had 3 inches overnight and came in at 5 AM to plow off and sand/salt. We did numerous spot sanding runs throughout the month.

ROADS: We did Xmas tree pick up in January. We cleaned out a frozen ditch line on Old Indian Road. We put up the new road signs on Mt. Rose Rd.

WATER DEPARTMENT: On 1/15 we assisted WD with digging out and cold patching some excavation spots. We assisted WD with 4 water or service line breaks this month.

FUEL USEAGE: Gas: 607.7 gallons Diesel: 2718.0 gallons.

Gael R. Appler, Sr.
Highway Superintendent

CW

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: 1/9/2015

**TO: SUPERVISOR STEPHEN OSBORN
TOWN BOARD MEMBERS
TOWN CLERK**

RE: MONTHLY REPORT FOR JANUARY

Water consumption totaled 13.0 million gallons that is a daily usage of 424,000. Compared to last month 13.0 million gallons and a 428,000 daily usage. Compared to a year ago water consumption was 20.3 million for the month which is a daily usage of 655,000. The total use for the year of 2014 was 203.3 million gallons which is an average of 16.9 million gallons a month. Where in 2013 we used 184.7 million gallons, which is 15.9 million gallons a month.

SUMMARY FOR THE MONTH:

WATER MAINS: Had to repair an eight inch water main on the corner of South Rd. & Maple Ave, on the corner of Sands Dock Rd. & South Rd. and a 6 inch on Youngs Ave.

CURB BOXES: Had to repair curb boxes on West St. in Marlboro.

METERS: We had to turn off water at various houses throughout the towns because of frozen meters. Frozen meters were replaced on West St., Old Post Rd., and Western Ave. Had to repair and rebuild a meter on South Rd. in Milton. Bills were sent out this month. If there are any problems with your bills feel free to give us a call.

SERVICE LINE: Had to repair service lines on West St. and Western Ave. in Marlboro.

CLOSINGS: 3

MARKOUTS: 25

Gallons of Gas: 350

Gallons of Diesel: 0

Mileage for the month: 1960

F) BUILDING INSPECTOR – THOMAS CORCORAN

THOMAS CORCORAN/BUILDING INSPECTOR
MONTHLY REPORT/BUILDING DEPARTMENT
MONTH OF: JANUARY 2015

CERTIFICATE OF OCCUPANCY 6 STOP WORK ORDER _____
 REQUEST FOR INFORMATION 6 ZBA APPLICATION _____
 TRAILER PARK RENEWALS _____ ORDER TO REMEDY _____
 BUILDING EXTENSIONS _____ COMPLAINTS 38 _____
 FIRE INSPECTIONS _____ BURN PERMITS ISSUED 11 _____
 FIRE CALLS 2 _____

BUILDING PERMITS 9

<u>1</u> ONE FAMILY	<u>1</u> GENERATOR
<u>1</u> ELECTRICAL	<u>1</u> REPAIRS/ALTERATIONS
<u>1</u> FURNACE/BOILER (INDOOR)	<u>1</u> ADDITIONS/RENOVATIONS
<u>1</u> DEMOLITION	<u>1</u> FIRE DOOR INSTALL
<u>1</u> TANK INSTALLATION/REMOVAL	<u>1</u> DECKS/STAIRS
<u>1</u> STOVES (WOODSTOVE, PELLET)	<u>1</u> CONVERSION
<u>1</u> POOL/HOT TUB	<u>1</u> MOBILE HOME
<u>1</u> SHED	<u>1</u> CARPORT/GARAGE
<u>1</u> ROOF	<u>6</u> SOLAR PANELS

ESTIMATED COST OF BUILDINGS \$185,455

CERTIFICATE OF OCCUPANCY	\$ <u>300.00</u>
REQUEST FOR INFORMATION	\$ <u>500.00</u>
BUILDING EXTENSIONS	\$ _____
TRAILER PARK RENEWALS	\$ _____
BUILDING PERMITS	\$ <u>2018.65</u>
FIRE INSPECTION FEES	\$ _____
ZBA ESCROW FEES	\$ _____
ZBA APPLICATION	\$ _____
TOTAL MILEAGE: 905 MILES	
TOTAL GAS USAGE: 66 GALLONS	
TOTAL MONTHLY ZONING FEES	\$ _____
TOTAL MONTHLY RECEIPTS	\$ <u>\$2,818.65</u>

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

February 3, 2015

January 2014 Monthly Report

Monthly Report - 1/1/2015 through 1/31/2015

Overview:

Total number of Calls - 14

Number of Police Calls (from Marlborough PD and Ulster County Sheriff) - 11

Number of open cases - 3

Number of Stray Dogs Impounded and/or Seized - 0

Number of dogs redeemed - 0

Dogs adopted or Transferred to Rescues - 0

Number of appearance Tickets issued - 2

We currently have 0 dogs in the kennel

We currently have no cases in the Marlborough Justice Court

We performed a number of Welfare Checks during the 1st week in January and want to urge residents to keep their pets indoors during inclement weather.

The Ulster County Legislature has passed a new law regarding the keeping of pets outdoors. I urge anyone interested in the details of this law to go to the Ulster County Website or contact me if you have any questions.

I) ASSESSOR – CINDY HILBERT

No report

J) PLANNING-MIKE LOGUE

No report

ITEM #10 Report of Committees

A) RECREATION

Supervisor Osborn said there is a Recreation meeting this Thursday.

B) SOUTHERN ULMSTER ALLIANCE

No report

C) EMERGENCY MANAGEMENT PREPAREDNESS COMMITTEE

No report

D) CAC

No report

E) IT COMMITTEE

Supervisor Osborn said a company had presented information about our website and the Town may be expanding the website.

Councilman Baker said the company is Civic Plus who specializes in municipal websites. They gave three proposals, one was over \$20,000.00 and the other two were under \$20,000.00. He feels the Town needs to update its website. He let the Board know that he can contact the website administrator who does the Meet Me in Marlborough website to get another quote.

The majority of the Board felt that it is something to look into so the public can pay bills, download forms, and internally approve forms.

Tom Corcoran said BAS has been in the office to start the process of setting up and creating all of what he needs for the Building Department and fire inspections. He has contacted Danny Brooks so he and BAS can collaborate on what IT work needs to be done. The whole process should be done by May.

F) MILTON TRAIN STATION FOUNDATION

Supervisor Osborn said the bids packages for the roof will likely go out in March.

G) MILTON LANDING CITIZENS COMMITTEE

Councilman Koenig said they have a meeting on February 26th with B & L in regard to their DEC application. He and Supervisor Osborn also have a meeting with CSX, NYSDOT, and Barton & Loguidice on March 10th in Albany about the crossing.

Councilman Koenig asked Supervisor Osborn if he spoke to anyone about the dirt for Sands Avenue.

Supervisor Osborn said that he spoke with Yonkers Construction and they have dirt set aside and when the weather improves it will be coming.

H) ZONING OVERVIEW COMMITTEE/ECONOMIC DEVELOPMENT

Supervisor Osborn said they have a reintroduction of a resolution on the agenda.

I) RIVITALIZATION/ECONOMIC DEVELOPMENT COMMITTEE

Supervisor Osborn said he and Councilman Baker have been working with the Marlboro Hamlet group to work on the Hamlet Plan. Along with Barton & Loguidice they figure that they will need to spend another \$4,000.00 on top of the \$25,000.00 to extend the Hamlet Plan to the north (to Purdy Ave.) and south (to St. Mary's parking lot) on 9W. In order to get granting, they need a solid plan. He thanked Michelle Doran for keeping on top of Barton & Loguidice.

Councilman Baker added that the plan would include the waterfront trail, trees, a gateway sign on either end of the Hamlet, streetlights, and sidewalks. Barton & Loguidice will have a list of deliverables by March-April including a public hearing on the proposed changes and come up with a written document that the Town can use to get granting. The Town was also awarded an \$8,000.00 transportation grant to do a corridor study of Route 9W. B & L was the lead in getting the grant and the funding comes from the federal government. He found out about the grant from the Ulster County Transportation Council which he is a member of. The money is for planning and the Ulster County Transportation Council will work with the Town and help put out an RFP and help with the selection process.

Councilman Koenig asked if the money can be used for engineering for infrastructure.

Supervisor Osborn said they might be able to ask for reimbursement for the plans for the engineering for the gateways to the Hamlet.

Councilman Baker said he can ask to see if that can be done.

Councilman Baker added that the Ulster County Transportation Council is still talking about the 3-4 foot wide shoulder from the High School down to Prospect Street.

Supervisor Osborn asked for a motion to spend up to \$4,000.00 for the extension of the Marlboro Hamlet Plan out to the gateways. The Town will attempt to get the money back from the transportation grant but if that is not feasible it will come out of the \$50,000.00 of planning money the Board set aside.

Councilman Baker made a motion to spend up to \$4,000.00 for the extension of the Marlboro Hamlet Plan out to the gateways. The Town will attempt to get the money back from the transportation grant but if that is not feasible it will come out of the \$50,000.00 of planning money the Board set aside. Motion seconded by Councilman Corcoran.

Yeas: 5

Nays: 0

Carried

J) MEET ME IN MARLBOROUGH

Councilman Corcoran said that he and Councilman Baker met with Sheila Mannese and Meet Me in Marlborough would like to put up banners through the Hamlets.

Councilman Corcoran said Central Hudson came to look at lighting for the road by the Police Department. They have lights that look almost like the ones in the parking lot. He is going to get estimates for lighting for the Hamlets.

Tom Corcoran suggested that the Town Board correct the sign law because if the banners are not Town sponsored then there may be an issue with someone who was not included on a sign. Councilman Corcoran also said that Ms. Mannese was asking if she and/or the Town will be doing the Easter Egg Hunt this year. If the Town is going to do it then we will need to get flyers out to the schools, figure out the location, and get the bunny suit.

K) HAMLET OF MILTON ASSOCIATION COMMITTEE

Councilman Koenig said the committee is going to get together with all who have helped in the past and they are going to plan what to plant for the spring.

L) WATER COMMITTEE

Councilman Koenig said that Mr. Muggeo spoke with the DEP and he still needs to meet with them.

M) TRANSFER STATION REIVIEW COMMITTEE

Councilman Baker said the committee is made up of a good cross section of people. They met recently and everyone has a homework assignment. They want to look at what other Town's are doing in regards to transfer stations and garbage district establishment. He thinks that everyone agrees that something different needs to be done regarding garbage pickup because of the multiple companies driving their trucks on the roads and garbage pails all over every day. The committee will meet monthly and they hope to have some recommendations for the Board by the end of the year.

Councilman Koenig said that he was at the Transfer Station with Mr. Falkenberg and he has a lot of information that he can email to the Board and committee members.

Councilman Corcoran asked if the committee might be able to have recommendations by budget time.

Councilman Baker said they could try. He also said that the Town needs to follow up on the monitoring of the landfill wells.

Councilman Corcoran said that it will be followed up on this week.

ITEM #11 Old Business

A). Wyms Heights

Tom Corcoran said that he spoke with the maintenance company that the bank hired and they said that the home has not been foreclosed on. The bank has an interest in the home because they hold the mortgage. The maintenance company boarded up the house and got information from him to let them know what needs to be done in order to maintain the property. The maintenance company will begin clean up in the spring to bring the property back to code.

B). TOMVAC

No new information

C). McLaughlin Drive

No new information

D). Labor Negotiations

Already discussed

E). Survey of St. Andrews property for purchase

No new information

F). Municipal Parking

Supervisor Osborn said he is meeting with the bakery in the morning to start negotiations.

G). Proposed agreement with Newburgh

No new information

H). Vault Organization

No new information

I). Fence around the Basketball court

No new information

J). Playground equipment

No new information

K). Milton Sewer Expansion

Supervisor Osborn said that they are waiting to hear from Dennis Larios.

L). Roof Biding Train Station

Already discussed

M). Bayside

Supervisor Osborn said that Bayside is working on another proposal.

ITEM #12 New Business

Chief Cocozza said that he gave the Board information regarding a telephone line and radio transmission and reception recording device. He received quotes from three companies with purchase and lease options. The company Goosetown is offering a 5 year lease for \$250.00 per month. The unit would be used and not made anymore but still supported. With the lease option you can upgrade after 5 years and they guarantee it even if it "grenades". Their purchase price is \$6,000.00 with a monthly service agreement charge of \$100.00 which does not cover the unit if it "grenades" and cannot be repaired. NYCOMCO is offering a seven year lease for \$330.00 per month and everything is covered. Their purchase option would be \$12,864.00 with a one year warranty and after the one year a service agreement would need to be purchased. The third company BEI does not offer a lease option but their purchase price would be \$13,000.00 and their warranty costs \$1,200.00 per year.

After the Board discussed these options with Chief Cocozza, he was asked to clarify the service agreement with Goosetown and call NYCOMCO to renegotiate.

Councilman Corcoran said the glass door at the Water Department (the old Police entrance) will need to be replaced. He has three quotes for a new metal door, block work around the door, and labor. The quotes are \$3,580.00, \$3,230.00, and the lowest is \$2,900.00 from ADM Contracting.

Councilman Corcoran made a motion to accept the lowest quote of \$2,900.00 from ADM Contracting to replace the door at the entrance to the Water Department. Motion seconded by Councilman Koenig.

Years: 5 Nays: 0 Carried

Councilman Corcoran said that St. James Church is scheduled to close soon. Some of the residents who belong to the church are meeting once a week with the Bishop. Frank Taddeo had asked the Board if they would write a letter to the Archdiocese. Supervisor Osborn said that he already wrote a letter to the Archdiocese.

ITEM #13Correspondence

Supervisor Osborn said he had a letter from the Unified Court System rewarding the court a JCAP award.

Councilman Corcoran added that it is for \$1,380.00 and it will be used for desks, supplies, and IT. He originally asked for \$30,000.00 so they could use it to fix the HVAC for the clerk's office/judge's chambers.

Supervisor Osborn said that he also received a letter from the Ulster County Resource Recovery Agency stating that the Town needs to stop compacting their garbage. He spoke with Walt Falkenberg and they have not compacted in almost four years. He called UCRRA and they said they had information that we were still compacting and they will look into it.

Supervisor Osborn read the following letter from Marlboro Youth Baseball and Softball which is incorporated into the minutes as follows:

Mrs. Colleen Corcoran

2/9/2015

Marlborough Town Clerk
Town Hall
P.O. Box 305
Milton NY 12547

The Town of Marlborough plays a key part in the success of Marlboro Youth Baseball and Softball by allowing use of town facilities and fields for the recreation of our youth program. In addition to our field use request, we are asking permission to utilize the Pavilion and surrounding area at the town park for our 2015 Baseball and Softball Opening Day Festivities. While this event is still in the planning stages, we are considering having vendors and/or sponsors participating. We understand and will communicate to any potential vendors / sponsors that proof of insurance must be submitted to the Town of Marlborough.

We would like to reserve the Pavilion and surrounding area on
Saturday April 18, 2015
8:00 am to 3:00 pm

Thank you for your consideration.

Sincerely,

Rick Schmelz

The Board had a brief discussion with Colleen Corcoran regarding the park fee for MYB&S.

*Ms. Corcoran stated that they haven't been charged in the past.
The Board decided that MYB&S would need to pay the \$100.00 refundable deposit.*

Supervisor Osborn read the following letter from Marlboro Youth Baseball and Softball which is incorporated into the minutes as follows:

Mrs. Colleen Corcoran

2/9/2015

Marlborough Town Clerk
Town Hall
P.O. Box 305
Milton NY 12547

The Town of Marlborough plays a key part in the success of Marlboro Youth Baseball and Softball by allowing use of town facilities and fields for the recreation of our youth program. We are again asking permission to utilize the fields at the town park for the 2015 Baseball and Softball Season.

We would like to reserve the dates / times for use of the town fields:

March 21, 2015 to August 1, 2015:

Monday – Friday evenings 5:00 pm to 8:00 pm

Saturday 9:00 am to 5:00 pm

Exceptions: Saturday June 6, 2015 – Fit Day

In addition we would require August 2, 2015 to October 31, 2015:

Monday, Tuesday, and Wednesday evenings 5:00 pm to 7:30 pm

Saturday and Sunday afternoons 11:00 am to 4:00 pm

Exceptions: Saturday October 3rd (rain date Oct. 4th) – Bounty Fest.

Once our practice and game schedules are finalized, we anticipate there will be unused slots which we would make available if another group or organization is looking for field time. We are looking for another successful season where our children are playing as much as possible. The towns help makes this a reality.

Sincerely,

ITEM #14 Public Comment

Ralph Walters asked Tom Corcoran if he has ever been asked to check on the house on the corner of Ivy Lane and Barbara Jean Drive because someone told him that they were in the house and the door is unlocked and there is rotten food in the refrigerator.

Tom Corcoran said no and he is not permitted to go inside a house.

Mr. Walters said he is concerned that there might eventually be rats or a homeless person living there.

Councilman Molinelli said he is aware that a company from Port Jervis won the bus bid for the school and he asked what was happening with the gas/diesel.

Councilman Koenig said they were dry bids.

Councilman Corcoran said the school would like to use our facility which is at the Highway Department because we have the permits already and it is centrally located. The school would upgrade the system and the Town's system is very antiquated. Patrick Witherow from the district will be getting together a proposal for the Town Board. The school would pay for the tanks and there are granting opportunities. When you buy gas in bulk it wouldn't be taxed which would be a big savings to the school.

Councilman Molinelli said he heard two different theories about where the buses would park and where they would get fuel.

Councilman Corcoran said he just shared with the Board all of what he knows so far.

ITEM #15 Resolutions

A). Resolution #36 To re- introduce a Local Law of the year 2015

ITEM #16 ADJOURNMENT

February 16, 2015

A). Resolution #36 To re- introduce a Local Law of the year 2015

Supervisor Osborn proposes the following:

RESOLUTION OF INTRODUCTION

Supervisor Osborn introduced the following proposed local law, to be known as Local Law No. ___ of 2015, A LOCAL LAW OF THE TOWN OF MARLBOROUGH, ULSTER COUNTY, NEW YORK AMENDING SECTION 155-12(H) OF THE TOWN CODE TO ADD TO THE TYPE OF PROPERTIES WHICH ARE ELIGIBLE FOR ESTABLISHMENT OF A BUSINESS CORRIDOR OVERLAY DISTRICT.

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

Section 1. Section 155-12(H) of the Town Code of the Town of Marlborough is amended as set forth below (additions are underscored and deletions are stricken through):

H. BC - Business Corridor Overlay District

(1) Purpose. The Town of Marlborough is bisected along a north to south axis comprising New York State Route 9W which parallels the Hudson River. Historically, the Route 9W corridor has served the Town of Marlborough as both a significant transportation facility and the location of mixed residential, commercial, and light industrial land uses. There are various

zoning district designations along the Route 9W corridor, including the HD, R, C-1, R-1, and RAG-1 districts. Within the areas of the Route 9W corridor which are zoned R-1 or R-Ag-1, there exist various improved or unimproved parcels with frontage on the state highway and which are currently, or previously have been, devoted to use for commercial or light industrial activities of the type which are currently allowable within the HD zoning district. Some of the existing structures are devoted to commercial or light industrial activities as non-conforming uses in the R-1 or R-Ag-1 zones. Some of these existing structures are not currently put to commercial or light industrial uses, and may be devoted to residential uses which, nonetheless, exist as meaningful opportunities for readaptation to commercial or light industrial uses for the benefit of public commerce and the generation of municipal revenues for the community depending upon the content and nature of a specific concept plan of development. The Town Board concludes that a Business Corridor Overlay District, in the nature of a floating zone, is an appropriate device to encourage readaptation of existing structures, business use of unimproved parcels, or to eliminate non-conformities of active uses, within eligible properties within the Route 9W corridor.

(2) The Business Corridor Overlay District is a floating zone which may be established by the Town Board by potential amendment of the Zoning Map, through the exercise by the Town Board of the procedures stated herein, with respect to properties located within eligible areas along the transportation corridor of Route 9W in the Town of Marlborough, as such areas of eligibility are more particularly defined within sub-section (3) of this Section 155-12(H).

(3) Eligible areas. Parcels located within the R-1 or R-Ag-1 zoning districts within the Town of Marlborough are eligible locations for establishment of a Business Corridor Overlay District if they (a) enjoy highway frontage useable for access to and from Route 9W, and (b) are within 250 feet of the right of way line of NYS Route 9W and currently devoted to, or previously devoted to, residential, commercial or light industrial use and which are deemed an acceptable site for corridor overlay districting by the Town Board in order to implement a specific concept plan of development for commercial or light industrial activity.

(4) Permitted uses. In the event that the Town Board establishes a Business Corridor Overlay District designation, the principal permitted uses, the permitted accessory uses, and the permitted special uses of the property shall be those uses which are allowable within the HD - Highway Development district, subject to the same lot, height, yard and any supplemental regulations applicable to the subject use of the property in the event that it had been situated within the HD district. However, new and used car sales, and adult entertainment uses, shall be prohibited in a BC district.

(5) Procedure for establishment.

(a) Petitions for the establishment of a Business Corridor Overlay District by amendment of the Zoning Map shall be made in writing to the Town Board. Applications shall be made by the owner or owners of the land proposed to be included in such district or by a person or persons possessing written contract or option rights to purchase such lands. In the event that an application is made by a person or persons holding contract or

option rights to purchase the lands, the application shall be accompanied by a statement signed by the owner or owners granting authority on the part of such applicant to make the application. Upon submission of a complete application, the Town Board shall refer the application to the Planning Board for recommendation.

(b) Application materials. The applicant shall submit a conceptual development plan of sufficient detail as shall be determined by the Town Board. The conceptual development plan shall consist, at a minimum, of the following:

- (1) A metes and bounds description of the proposed district;
- (2) A survey of the land prepared and certified by a licensed land surveyor;
- (3) A map drawn to scale showing existing conditions of the parcel, including:
 - [i] The name and address of the owner of record and, if the applicant is not the owner, then also the applicant;
 - [ii] The name of the person or firm preparing the plan;
 - [iii] The date, north arrow and scale of the plan;

[iv] The names, addresses and tax map parcels of owners of all parcels within 500 feet of the subject property. The applicant shall include mailing labels for all property owners of parcels within 500 feet of the subject parcel;

[v] The acreage of the parcel and the tax number or numbers;

[vi] The location and width of existing and proposed state, county or town highways or streets and rights-of-way abutting or within 200 feet of the parcel;

[vii] The approximate location and outline of existing structures both on the parcel and within 100 feet of the property line;

[viii] The location of any existing storm or sanitary sewers, culverts, water lines, hydrants, catch basins, manholes and other visible infrastructure as well as other utilities within or adjacent to the parcel;

[ix] The existing zoning of the parcel;

[x] The approximate location and outline of existing water bodies, streams, marshes or wetland areas and their respective classification as determined by the appropriate governmental regulatory body;

[xi] The approximate boundaries of any areas subject to flooding or stormwater overflows;

[xii] The location and outline of existing vegetation clusters (for a distance of 50 feet onto adjoining property);

[xiii] The identification of any other significant natural features.

(4) The conceptual development plan, drawn approximately to scale, shall clearly show the following:

[i] The approximate location and dimension of proposed principal and accessory buildings on the site and their relationship to one another, and to other structures in the vicinity;

[ii] The approximate location and dimensions of vehicular traffic circulation features of the site, including proposed roadways, internal driveways, parking and loading areas, and proposed access to the site;

[iii] The proposed source of water supply and method of delivery to the site;

[iv] A general plan for the collection and disposal of sanitary waste from the site;

[v] A general plan of proposed stormwater management facilities;

[vi] Preliminary identification of areas which will be disturbed and areas which will remain undisturbed by project implementation.

(5) A vicinity map showing the proposed use in relationship to adjoining uses, transit services, food stores, community facilities, social service facilities, medical facilities and pharmacy and religious institutions.

(6) Preliminary architectural treatment of any readapted or new buildings.

(c) Initial Review:

(1) In its review of the application, the Town Board may suggest such changes in the conceptual plan as are found to be necessary or desirable by the Town Board in order to meet the requirements of this section. The Town Board may notify the applicant of such changes and may discuss such changes with the applicant. The suggestion of changes by the Town Board shall not constitute a waiver of its legislative discretion to reject or deny the rezoning application.

(d) Town Board review.

(1) Upon receipt of a recommendation from the Planning Board, the Town Board may schedule and hold a public hearing. Alternatively, the Town Board may reject the application.

(2) Following completion of the public hearing, the Town Board may act to approve, approve with modifications or conditions, or disapprove the rezoning application in the exercise of its sole legislative discretion. Approval shall result in amendment of the Zoning Map established by this chapter.

(e) Criteria for rezoning to Business Corridor Overlay District. In determining whether or not amend the Zoning Map for a BC district, the Town Board shall consider, together with the intent and objectives of this section, whether the proposed district and conceptual development plan meet the following criteria:

(1) How the site be served by potable water and sanitary sewer facilities, and whether such facilities will be adequate to accommodate any additional demand placed upon them by the proposed development or readaptation;

(2) Whether the site is well drained, and stormwater generated by development of the site shall not place an undue burden on existing facilities or contribute to downstream flooding;

- (3) Whether the site is located in an area suitable for the proposed elimination of non-conformity or readaptation of buildings and site development so as to be reasonably free of objectionable conditions such as odors, noise, dust, air pollution, traffic volumes beyond the capacity of the existing road system or proposed road improvements, and other environmental constraints;
- (4) The site shall be located in a manner that allows access to the site from a public street with adequate site distances and that meets current engineering standards of the Town;
- (5) The architectural style of any proposed readaptation or modification of development and exterior materials, finish and color shall be consistent with the character of nearby properties;
- (6) The readaptation or modification of the site shall not produce undue adverse effects on the surrounding neighborhood;
- (7) The extent to which the scope and design of the project will establish a worthwhile asset for this segment of the community and the community as a whole.

(f) Time limit on validity of rezoning. Any zoning permitted by this section shall be null and void and the zoning of the parcel shall revert back to its original zoning classification by a ministerial designation on the Zoning Map by the Town Clerk, when directed by the Town Board, unless actual construction, pursuant to an approved site plan and a valid building permit is commenced within two (2) years from the date of adoption by the Planning Board of a resolution of site plan approval following the rezoning.

(g) Fee. An application fee shall be charged in the amount provided for in the relevant fee schedule prevailing at the time of application. Actual consultant expenses incurred by the Town at all stages of processing a project under this section shall be defrayed by the applicant as provided within this chapter.

(h) Site plan approval. Following a zoning amendment to create a BC district, site plan and or special use permit review and approval by the Planning Board shall be required prior to the issuance of a building permit for any readaptation or modification of development of the property to the same degree, and to the same extent, that such activity would be subject to site plan or special use permit review if it was located within the HD district.

(i) Conformity to conceptual development plan. The Planning Board shall not approve any site plan or special use permit within a BC district unless said Board finds that the plan is in substantial conformance with the conceptual development plan that was

submitted to the Town Board and that served as the basis for the zone change to a BC district.

Section 2. This local law shall take effect upon filing with the New York State Secretary of State.

BE IT FURTHER 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 facilities at 21 Milton Turnpike, Milton, New York on February 23, 2015, at seven 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 same or similar following form:

NOTICE OF PUBLIC HEARING

TAKE NOTICE, that the Town Board of the Town of Marlborough will hold a public hearing at the Town Hall facilities at 21 Milton Turnpike, Milton, New York on February 23, 2015 at seven o'clock, p.m., prevailing time, on proposed Local Law No. ____ of the Year 2015 for the purpose amending 155-12(H) of the Town Code by adding to the type of properties which are eligible for the establishment of a Business Corridor Overlay District.

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, 21 Milton Turnpike, Milton, New York, 12547 between the hours of 8:00 a.m. to 12:30 p.m. and 1:30 p.m. to 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
 February 16, 2015

COLLEEN CORCORAN, TOWN CLERK

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

Supervisor Osborn	Yes
Councilman Molinelli	Yes
Councilman Corcoran	Yes
Councilman Baker	Yes
Councilman Koenig	Yes

DATED: Milton, New York
February 16, 2015

COLLEEN CORCORAN, TOWN CLERK

Councilman Koenig made a motion to adjourn the meeting at 10:00PM. Motion seconded by Councilman Corcoran.

Yeas: 5 Nays: 0 Carried

*Respectfully submitted,
Danielle Cherubini
Deputy Town Clerk*