

July 27, 2015

WORKSHOP MEETING
TOWN BOARD TOWN OF MARLBOROUGH
21 MILTON TURNPIKE, MILTON NEW YORK
JULY 27, 2015
MINUTES OF MEETING

Present: Deputy Supervisor Corcoran
Councilman Molinelli
Councilman Baker

Colleen Corcoran, Town Clerk

Absent: Supervisor Osborn
Councilman Koenig

ITEM #1 Call to order - Pledge of Allegiance

ITEM #2 Moment of Silence

A moment of silence was observed for all the men and women who serve our country and the members of our Armed Forces and their families who were killed in Chattanooga, Tennessee.

ITEM #3 Motion to approve agenda

Deputy Supervisor Corcoran made a motion to amend Resolution #64 to include a 4th sentence that reads Whereas, at the Town Board meeting of July 13, 2015 the Town Board by motion appointed and approved Steve Clark by unanimous vote to fill the vacant Planning Board seat of Walter Falkenberg. Motion seconded by Councilman Molinelli.

Councilman Baker made a motion to amend the agenda to include Letter B) Advertise for a part time secretary under New Business. Motion seconded by Councilman Molinelli.

Yeas: 3 Nays: 0 Carried

Councilman Molinelli made a motion to approve the agenda as amended. Motion seconded by Councilman Baker.

Yeas: 3 Nays: 0 Carried

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ITEM #4 Motion to approve minutes from the July 13, 2015

*Councilman Baker made a motion to approve minutes from the July 13, 2015 meeting.
Motion seconded by Councilman Molinelli.*

ITEM #5 Authorize payment of bills

Councilman Baker made a motion to authorize payment of the abstract in the amount of \$328,486.39. Motion seconded by Councilman Molinelli.

ITEM #6 Presentation

No presentations

ITEM #7 Comments on the agenda

Mark Reynolds asked if Resolution #65 would be explained.

ITEM #8 Workshop topics

A). Design Standards for the overlay district

Deputy Supervisor Corcoran said that they will wait until they have a full Board to discuss design standards any further.

ITEM #9 Old Business

A). Wyms Heights

No new information

B). TOMVAC

Deputy Supervisor Corcoran said that the TOMVAC building is still for sale, there haven't been any recent offers. The buses should only be parked at TOMVAC for a few more weeks while the old George M. Carroll parking site is renovated.

C). Survey of St. Andrews property for purchase

No new information

D). Municipal Parkin

No new information

E). Proposed agreement with Newburgh

Deputy Supervisor Corcoran said that they are working on this. They started negotiating with Newburgh regarding the contract and what Marlboro would like to see in the contract and we are waiting to hear back from Newburgh.

F). Milton Sewer Expansion 9W

Deputy Supervisor Corcoran asked for a motion to close the permissive referendum period regarding Resolution #62 (proposed Milton sewer expansion) because there was not a petition filed with the Town Clerk.

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Councilman Baker made a motion to close the permissive referendum period regarding Resolution #62 for the proposed Milton sewer extension. Motion seconded by Councilman Molinelli.

Yea: 3

Nays: 0

Carried

Deputy Supervisor Corcoran said that now they can begin to borrow for the soft costs which will be paid back by the land owners once the project is started will be rolled over into one bond and also paid back by the land owners.

G). Bayside

No new information

H). Town Wide Historical Survey

No new information

I). Highway garage

Deputy Supervisor Corcoran said the holes are drilled for the pole barn. The pre fabricated concrete pillars were delivered and should be concreted into the ground soon. Materials should be delivered on Monday so they can start to build on Tuesday. Work will begin on the salt shed after the pole barn is finished.

J). Local Waterfront Revitalization Program Grant

Councilman Baker explained that Barton & Loguidice is done with the grant (cost \$5,000.00) for the CFA process to establish a plan for the Town of Marlborough from the Hudson River to just west of 9W. It is a \$135,000.00 grant that would need to be matched by the Town. The Town has the match, a \$101,000.00 Ulster County Transportation Council Grant and money they would get toward the Master Plan update. Also, Barton & Loguidice is almost finished with writing a \$50,000.00 no match grant application (cost \$3,500.00) for the planning for development of a trail from the Hudson River up through the Hamlet of Marlboro. A Greenway Grant is being sought after for a trail from the Milton Landing up to the Sands Avenue Park.

Deputy Supervisor Corcoran thanked the Board and committee members for their hard work and support.

K). Design Standards for Overlay District

See Workshop Topics

L). Fueling System for the Town

Deputy Supervisor Corcoran explained that they are waiting for final costs from the engineer. The current unit is up against the salt shed and the new pumps will be between the salt shed and the Highway building. There will be 2 pumps to the north and each pump will have 2 nozzles, one gas and one diesel so 4 vehicles can pump simultaneously. The unit will be pre-fabricated and the Highway Department will excavate the site. They will likely have the pad poured. The whole system will be computerized with cameras and automated swipe cards. The school will pay back the Town within 10 years with money the school has in an account for capital projects. The school will likely get state aid for fuel as well.

The bus company is currently using our pumps, which is being monitored and the school reimburses the Town for the gas.

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M). Town Wide Clean up Day

No new information

N). Milton Playground

Deputy Supervisor Corcoran stated that Councilman Koenig had a good presentation at the last meeting with a lot of good points that they are trying to verify. The Town's risk management advisor is coming to the site on August 11, 2015 to let the Town know what can be done if the playground stays at the current site. He spoke with the Town's insurance agent they said we could add a policy to insure a third party (the school) but no cost was given. He asked the agent to check with the underwriter to make sure the information is accurate. The additional policy will need to be review by the Town attorney. There is a cost to move the playground anywhere although it would be more of a cost to move it to the south end of the current property. Also, the Town Park has been cleaned up. Chief Cocozza stated that measurements were taken in consideration of moving the playground 500 feet away from sex offenders that come in to the station and there isn't enough property to do that. He is going to check with the county and the state to see how many offenders have the probation restriction (to stay so many feet away from a playground) and how it can be mitigated if they move the playground to the south which would be about 350 feet away.

There was discussion about moving the playground to Sands Avenue.

There was a brief discussion about agendas.

Deputy Supervisor Corcoran read correspondence from the Board of Education regarding the districts position on the playground.

Julie Amodeo suggested to the Board that they get an amendment to the lease from the insurance company with an out of possession clause which should indemnify the school.

There was a disagreement about the playground being on the agenda.

There was a discussion and disagreement about what has been said about the playground in the past.

Town residents spoke about their opinions on the safety of the playground being by the police station.

ITEM #10 New Business

A) Board of Assessment Review open position

Councilman Molinelli made a motion to advertise for the open position on the Board of Assessment Review. Motion seconded by Councilman Baker.

Yea: 3

Nays: 0

Carried

B) Advertise for a part time secretary

The Board discussed having a substitute secretary to cover vacations and sick days in some of the offices and the possibility of using the schools list of substitutes.

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Councilman Baker made a motion to advertise for a part time substitute secretary. Motion seconded by Councilman Molinelli.

Years: 3 Nays: 0 Carried

ITEM #11 Correspondence
Deputy Supervisor Corcoran read a resignation letter from Anthony Vacca.

Councilman Molinelli made a motion to accept the resignation of Anthony Vacca. Motion seconded by Councilman Baker.

Yeas: 3 Nays: 0 Carried

ITEM #12 Public Comment

James Garofalo asked if the Town owns the mulch around the playground. He also commented that the playground issue concerns the whole Town of Marlborough because everyone pays the bills and it serves all the children of Marlborough not just Milton.

Julie Amodeo agreed and said that Marlboro residents use the playground as well. She also clarified the date that the risk management officer is coming to inspect and the date of the next Board meeting and suggested that this matter not be discussed until all information is collected and the whole Town Board is present.

The Board discussed with Ms. Amodeo who will be meeting with the insurance company and when.

John McElrath, town resident asked the Board what will happen when the water is shut off at the aqueduct.

Deputy Supervisor Corcoran explained that the water isn't scheduled to be shut off until about 2020 and he explained all the avenues that the Town has been taking to find a backup or primary source of water. He said they had a meeting with the NYSDEC a few months ago and they assured Marlboro that we would have a backup supply of water. It isn't in the current contract because it is still being negotiated with Newburgh.

A brief discussion was held with a Town resident regarding the contract with Newburgh and the idea of Marlboro having their own filtration plant.

James Garofalo suggested having monuments put in when the St. Andrews property is surveyed so it's the property lines are defined.

Mark Reynolds asked if the CFA grant application was in conjunction with Highland.

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Councilman Baker said no the CFA grant is a LWRP (Local Waterfront Revitalization Program) grant for the Town of Marlboro only.

Deputy Supervisor Corcoran explained that at the last meeting we attached on to a grant that Highland applied for.

Mr. Reynolds also asked if any of the design standards are in writing.

Councilman Baker said that some are but they are still being worked on.

Mr. Reynolds also asked for clarification on the payback from the school and the savings regarding the fueling station.

Deputy Supervisor Corcoran explained.

Mr. Reynolds asked if the cost to enter the sewer district for Bayside was still about \$400,000.00.

Deputy Supervisor Corcoran said he believes so.

Mr. Reynolds asked if the sewer extension will service anyone else besides Young's Motors and Dean-Paul Properties.

Deputy Supervisor Corcoran said not at this time.

Ralph Walters said that more rocky dirt is being delivered to the Sands Avenue property and asked if top soil is going to be delivered. He also asked if the dirt being delivered was tested.

Deputy Supervisor Corcoran said the dirt has been tested. They got about 1 million dollars worth of fill for free and the property is going to need more dirt but there is no more dirt available from the site.

Ralph Walters and Deputy Supervisor Corcoran had a brief discussion about the water contract with Newburgh.

ITEM #13 Resolutions

A). Resolution #64 To appoint a member to the Town of Marlborough Planning Board
Councilman Molinelli made a motion to amend Resolution #64 to read Whereas, the Town of Marlborough Planning board has an open position due to the resignation of member *Walter Falkenberg*, and. ***Motion seconded by Councilman Baker.***

Yea: 3

Nays: 0

Carried

B) Resolution #65 To introduce A LOCAL LAW OF THE TOWN OF MARLBOROUGH, ULSTER COUNTY, NEW YORK AMENDING CHAPTER 33, "PLANNING BOARD", OF THE TOWN CODE TO INCREASE MEMBERSHIP FROM FIVE TO SEVEN MEMBERS.
Deputy Supervisor Corcoran explained that the Board passed a Local Law earlier this year to decrease the number of Planning Board member from seven to five. The Planning Board is getting a little busier and they haven't had the attendance at the meetings to make decisions so the Town Board is increasing the number of members back to seven.

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Deputy Supervisor Corcoran made a motion to change the last sentence in Section 2 of Resolution #65 to read Each Planning Board term shall expire after five years. Motion seconded by Councilman Molinelli.

Yeas: 3 *Nays: 0* *Carried*

Councilman Molinelli made a motion to hold the Public Hearing in relation to the proposed changes as set forth in Resolution #65 on August 10, 2015 at 7:00PM. Motion seconded by Councilman Baker.

Yeas: 3 *Nays: 0* *Carried*

C). Resolution # 66 To appoint part time dispatcher

ITEM #14. Adjournment

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A). Resolution #64 To appoint a member to the Town of Marlborough Planning Board

Supervisor Osborn proposes the following

Whereas, the Town of Marlborough Planning board has an open position due to the resignation of member Walter Falkenberg, and

Whereas, the Planning Board Committee has interviewed for the position of Planning Board Member, and

Whereas, it is the recommendation of the Committee to appoint Steve Clark, and

Whereas, at the Town Board meeting of July 13, 2015 the Town Board by motion appointed and approved Steve Clark by unanimous vote to fill the vacant Planning Board seat of Walter Falkenberg, and

Be it resolved that Steve Clark be appointed to the Town of Marlborough Planning Board effective immediately with a term ending date of December 31, 2018

And moves for its adoption

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

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B) Resolution #65 To introduce A LOCAL LAW OF THE TOWN OF MARLBOROUGH, ULSTER COUNTY, NEW YORK AMENDING CHAPTER 33, "PLANNING BOARD", OF THE TOWN CODE TO INCREASE MEMBERSHIP FROM FIVE TO SEVEN MEMBERS.

Supervisor Osborn proposes the following:

A LOCAL LAW OF THE TOWN OF MARLBOROUGH, ULSTER COUNTY, NEW YORK AMENDING CHAPTER 33, "PLANNING BOARD", OF THE TOWN CODE TO INCREASE MEMBERSHIP FROM FIVE TO SEVEN MEMBERS.

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

Section 1. Section 33-1 of Chapter 33 of the Marlborough Town Code is amended to read as follows:

The Town Board of the Town of Marlborough, in accordance with Section 271(1) of the Town Law of the State of New York, is authorized to appoint a Planning Board of seven members to (a) recommend to the Town Board, upon request of the Town Board, such action as may be advisable to further the orderly development of the Town of Marlborough, and (b) to carry out such administrative reviews, and to make such administration determinations, as may be delegated to the Planning Board by local law or ordinance of the Town of Marlborough.

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Section 2. The purpose of this local law is to increase the membership of the Town of Marlborough Planning Board from five members to seven members each of whom shall serve a term which ends at the end of a calendar year. The two additional members shall be first appointed by resolution of the Town Board. Each Planning Board term shall expire after five years.

Section 3. An additional member of the Planning Board shall be empowered to review and to make determinations on matters filed with the Planning Board prior to the appointment of the additional member.

Section 4. Supercession.

Pursuant to Section 22 of this state's Municipal Home Rule Law, the provisions of this law are intended to supercede any inconsistent provisions of state or local law, including those of the following sections of New York State Town Law governing Planning Boards: Town Law Section 271.

Section 5. This local law shall take effect immediately upon filing with this state's Secretary of State.

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 August 10,

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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:

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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 August 10, 2015 at seven o'clock, p.m., prevailing time, on proposed Local Law No. ____ of the Year 2015 for the purpose of increasing membership in the Planning Board from five to seven members.

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
July 27, 2015

COLLEEN CORCORAN, TOWN CLERK

July 27, 2015

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

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

DATED: Milton, New York
July 27, 2015

COLLEEN CORCORAN, TOWN CLERK

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C). Resolution # 66 To appoint part time dispatcher

Supervisor Osborn proposes the following:

Whereas, the Police Committee has interviewed for the position of part time police dispatcher, and

Whereas it is the recommendation of the police committee as well as the Chief of Police to appoint Tyler Choate, as part time police dispatcher.

Now therefore be it resolved, that Tyler Choate be appointed effective immediately.

And moves for its adoption

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

Councilman Molinelli made a motion to adjourn the meeting at 8:56PM. Motion seconded by Councilman Baker.

Yea: 3

Nays: 0

Carried

*Respectfully submitted,
Danielle Cherubini
Deputy Town Clerk*