

FIRST MEETING OF THE MONTH  
TOWN BOARD TOWN OF MARLBOROUGH  
AUGUST 11, 2014 7:00 PM  
MINUTES OF MEETING

Present: Supervisor Osborn  
Councilman Molinelli (Arrived 7:17PM)  
Councilman Corcoran  
Councilman Koenig  
Councilman Baker

Patricia Haidaoui, Deputy Supervisor  
Colleen Corcoran, Town Clerk  
Danielle Cherubini, Deputy Town Clerk

ITEM #1 Call to order - Pledge of Allegiance

ITEM #2 Moment of Silence

*A moment of silence was observed for Mason DeCosmo and Major General Harold Greene who was the highest ranking officer killed on duty since Vietnam.*

ITEM #3 Motion to approve agenda

***Councilman Baker made a motion to amend the agenda to add Letter C) Letters for Board of Assessment Review to New Business. Motion seconded by Councilman Corcoran.***

***Yeas: 4                      Nays: 0                      Carried***

*Supervisor Osborn asked for a motion to remove Resolution #66 because there is a time constraint with the county and it should be able to be voted on at the next meeting.*

***Councilman Baker made a motion amend the agenda to remove Resolution #66. Motion seconded by Councilman Corcoran.***

***Yeas: 4                      Nays: 0                      Carried***

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

***Yeas: 4                      Nays: 0                      Carried***

ITEM #4 Motion to approve minutes from the July 28, 2014 Meeting

*Councilman Koenig made a motion to approve minutes from the July 28, 2014 meeting. Motion seconded by Councilman Baker.*

*Yeas: 4*

*Nays: 0*

*Carried*

ITEM #5 Authorize payment of bills

*Councilman Baker made a motion to approve payment of the abstract in the amount of \$415,030.05. Motion seconded by Councilman Koenig.*

*Yeas: 4*

*Nays: 0*

*Carried*

ITEM #6 Comments on the agenda

*James Garofalo said it would be better if there weren't abbreviations on the agenda. Also, for future agendas, he suggested shuffling items around so public employees can get done with their items first.*

*Pat Greaven asked if he could discuss his property situation at this time. Supervisor Osborn said yes.*

*Pat Greaven of Mahoney Road said his road was repaved a while back and a 30 inch ditch was created and he would like it fixed because it is very unsafe and dangerous. He and his son have slid into the ditch while mowing. He said Supervisor Osborn visited the site and said it was unsafe as well and said he would speak to Mr. Appler. Mr. Greaven spoke with Mr. Appler and he said he couldn't move a large rock on the bottom of his property and there was nothing he could do. He came to the Board meeting tonight to ask one last time for the Town to fix the problem they created.*

*Gael Appler said they could meet at the site to look at the problem and see what can be worked out.*

*Mark Reynolds asked if the county has officially weighed in on the proposed zoning changes.*

*Supervisor Osborn replied that at the last county meeting they didn't have a quorum. The Town Attorney said the county has a certain amount of time that they have to weigh in within and that time runs out prior to the county's next meeting, therefore, the Town can act before their comments.*

*Councilman Baker added that prior to the change the county did officially weigh in. The county, in general, is very supportive of the proposed zoning changes. The Town had to go back to the Ulster County Planning Board because one parcel was excluded in the original proposal.*

ITEM #7 Presentations

*No presentations*

ITEM #8 Report of departments

A) SUPERVISOR- STEPHEN OSBORN

*Supervisor Osborn said he met with the president of the company that is now running Danskammer, Larry She, and the acting Supervisor in Newburgh, the Deputy Orange County Executive, and Ray Castellani. The meeting was to discuss Danskammer's revaluation and taxation. Orange County would like to do a pilot payment in lieu of taxes for the Danskammer project which means they would freeze the current tax level for the next 10 years. The Town and the school doesn't have a say in this and the school would be the largest receiver in the amount of about 1.2 million dollars of the 1.7 million dollars per year for the next 10 years. We do not have a reciprocal agreement with the Orange County IDA, therefore, cannot be involved in the discussion and are looking to solve that problem before the pilot program is put into effect. They are hoping to get this solved by having a veto power on Orange County IDA actions that affect us. There will be Public Hearings and Supervisor Osborn urged the public to go because this will affect our taxes. He further explained that the pilot program would dissolve if Danskammer did an infrastructure improvement that would increase their output capacity capability. Larry She says that the plant is running at 25%. They run at 100%, 25% of the time. Larry She has convinced Orange County that the plant will not run more than 25% of their current capability. Mr. She said he proposed to the Orange County IDA to use a sliding scale so if they operate more of the time the pilot would go up so they would pay more in taxes. The county rejected that because they would rather have a sure payment. Councilman Koenig suggested that the Board contact New York State Elected Officials to see if they can have an influence on the Orange County IDA. Supervisor Osborn said they could write a letter to state officials stating the Town needs veto power.*

***Councilman Koenig made a motion to allow Supervisor Osborn to draft a letter to the local state officials stating that the Town needs veto power over this pilot program. Motion seconded by Councilman Baker.***

***Yeas: 5***

***Nays: 0***

***Carried***

# B) TOWN CLERK – COLLEEN CORCORAN

08/12/2014

## Town Clerk Monthly Report Monthly Report July 01, 2014 - July 31, 2014

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Account Description	Fee Description	Account#	Qty	Local Share	
Conservation	Conservation	A1255	8	10.50	
			<b>Sub-Total:</b>	<b>\$10.50</b>	
Dog Licensing	Female, Spayed	A2544	12	60.00	
Dog Licensing	Female, Unspayed	A2544	3	30.00	
Dog Licensing	Male, Neutered	A2544	19	95.00	
Dog Licensing	Male, Unneutered	A2544	4	40.00	
			<b>Sub-Total:</b>	<b>\$225.00</b>	
LANDFILL FEES	T/s Permits		3	75.00	
	T/s Punch Cards		51	2,446.50	
			<b>Sub-Total:</b>	<b>\$2,521.50</b>	
Marriage Lic.	MARRIAGE LICENSE FEE	00-1255	4	70.00	
			<b>Sub-Total:</b>	<b>\$70.00</b>	
MISC. FEES	Accident Reports		9	45.00	
	Burgular Permits		2	50.00	
	Certified Copies		7	270.00	
	Foi Requests		2	47.44	
	Park Fees		5	550.00	
			<b>Sub-Total:</b>	<b>\$962.44</b>	
<b>Total Local Shares Remitted:</b>				<b>\$3,789.44</b>	
Amount paid to:	NYS Ag. & Markets for spay/neuter program			52.00	
Amount paid to:	NYS Environmental Conservation			179.50	
Amount paid to:	State Health Dept. For Marriage Licenses			90.00	
<b>Total State, County &amp; Local Revenues:</b>		<b>\$4,110.94</b>	<b>Total Non-Local Revenues:</b>		<b>\$321.50</b>

*Colleen Corcoran added that the total for the year for the Transfer Station is \$15,608.00.*

### C) POLICE CHIEF – GERALD COCOZZA

Following is a summary of the activity of the Police Department for the month of July 2014.

<u>MOTOR VEHICLE ACCIDENT</u>	July 14	Yr. Date 14	July 13	Yr. Date 13
Personal injury	3	35	8	31
Fatal	0	0	0	0
Property Damage	12	100	12	78
Report Not Required	6	36	1	23
Total	21	171	Total 21	132

<u>SUMMONSES ISSUED</u>				
Vehicle and Traffic	111	938	292	1263
Parking	1	9	5	15

<u>COMPLAINT ACTIVITY</u>				
Total Blotter Entries	375	2485	417	2826
Total Arrests	21	164	42	176

<u>TOTAL TELEPHONE CALLS</u>	1708	11748	1785	11599
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#### POLICE DEPARTMENT OVERTIME HOURS payroll 15 & 16

Full Time Officer Overtime	55	\$2333	522	46	\$1964	421.40
Part Time Officer Overtime	71.5	\$2537	586.25	85	\$2626	625.50
Full Time Dispatchers Overtime 0	\$0	8	0	0		
Part Time Dispatchers Overtime 24	\$648	96	26	\$498	145	
<u>Police Mileage</u>	11088	77530	14267	93405		

Chief Cocozza added that the Police Department has moved to their new location at 21 Milton Turnpike the former Milton Elementary School (lower level) as of August 7, 2014. All systems are up and running except for the fax line which will be fixed shortly.

Councilman Koenig asked about the shed that is now by the Police Station.

Chief Cocozza said they needed to move the evidence shed that needs to be near the station because they need to be able to keep an eye on it.

Councilman Baker asked how the playground situation was being addressed.

Chief said one of the options is putting up a fence but that doesn't prevent people from walking on the driveway to get into the playground.

Councilman Corcoran said they could put up a fence or move it. He agreed with Chief about the fence. The problem with moving it is that it would cost \$30,000.00 because the company who

*installed it would need to move it for insurance reasons. It would be moved to Marlboro Elementary School.*

*Councilman Corcoran said that neither the Town nor the school want to pay \$30,000.00 to move the playground. The playground was put in with 100% grant money and it would have to be moved to the Marlboro Elementary School. The Superintendant is looking into getting a grant to move the playground.*

*Chief Coccozza stated that he thinks it should be moved and that area could be additional parking because there won't be enough parking when court moves in.*

*Tom Corcoran agreed that there will not be enough parking.*

*Councilman Corcoran feels that there should be enough parking without creating another parking area.*

*Councilman Baker said the concern right now is what to do with the playground.*

*Councilman Corcoran said another option is to shut it down completely.*

*Councilman Koenig was not comfortable with idea of moving or closing the playground because it's where the children in Milton walk to go play and he wouldn't want anyone to cross four lanes on 9W to go to the Town Park.*

*Chief Coccozza added that he would like it moved also because there will be judicial problems if a sex offender has to come to court, they can't be within a certain amount of feet of a playground.*

*Councilman Corcoran said he would like to set up a meeting with himself, Ray Castellani, Supervisor Osborn, and Chief Coccozza to see what can be done.*

*Chief Coccozza thanked the public and the Town Board for the new police station.*

*Councilman Corcoran said that Chief Coccozza saved a lot of tax payers dollars by doing a lot of work at the new station himself and also getting people to volunteer to move the whole police department.*

D) HIGHWAY SUPERINTENDENT – GAEI APPLER, SR.

**Monthly Report for July 2014**

**ROADS:** We worked with Reclamation grinding and reclaiming Conklins Hill and Jackson Ave. on 7/18, 7/21 and 7/23. We worked with Avello Brothers 7/17, 7/18, 7/21, and 7/22 in preparation for blacktopping. The rest of the month we worked with Avello Brothers blacktopping Paula Dr., Evy Lane, Green Tree Lane, Jackson Ave., Bills Lane, 1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> Sts. We purchased over 3,200 tons of asphalt. Made several blacktop repairs on road cuts.

**DRAINAGE:** We cleaned out drainage ditches on Shari and Fellicello Drives. Made culvert repairs on Barbara Jean. In preparation of road paving we did installations and/or replacements of the following pipes: 20' x 8" and 180' x 15" on Bills Lane, 60' x 18" on Conklins Hill, 45' x 8", 60' x 12", 300' x 15" and 5 c.b.s on Green Tree Lane, 520' x 15" and 3 c.b.s on Jackson Ave., and a c.b. on 2<sup>nd</sup> Street.

**BRUSH/WEEDS:** On 7/8 we cut up trees on Old Post Rd., Wildflower and South St. Extension. On 7/14 we had crews out cleaning up after a storm. On 7/16 and 7/17 we trimmed back brush on Conklin Hill Rd., Jackson Ave., 1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> Sts. preparing for road paving

**SHARED SERVICES:** We hauled asphalt to assist Town of New Paltz with three trucks for 2 days. We also assisted the Towns of Esopus and Kingston each with three trucks for 2 days hauling asphalt. We received assistance from the Towns of Lloyd, Plattekill, Esopus, Ulster and New Paltz with our paving projects.

**WATER DEPARTMENT:** We assisted the WD installing a tap on Hope Lane.

**FUEL USAGE:** Gas: 534.6 gallons Diesel: 3128.8 gallons.

Respectfully submitted by Deputy Superintendent John Alonge.

Gael R. Appler, Sr.  
Highway Superintendent

CW

E) WATER SUPERINTENDENT – CHARLIE MUGGEO

**RE: MONTHLY REPORT FOR JULY**

Water consumption totaled 16.6 million gallons that is a daily usage of 536,000. Compared to last month 17.9 million gallons and a 596,000 daily usage. Compare to a year ago water consumption was 18.9 million for the month which is a daily usage of 612,000 .

**SUMMARY FOR THE MONTH:**

**Hydrants: We continued weed whacking and herbicideing**

**WATER MAINS:** We performed two taps on Mahoney RD.

**SERVICE LINES:** We had repair service lines on DuBois and Grand St.

**TANKS:** Repaired road going up to the tank in Milton, also flushed and chlorinated water in the tanks. Maintained the valves in the tanks.

**METERS:** Repaired and rebuilt two inch meter on Sands Ave. in Milton.

Cooper and Lead test were taken throughout the system

Assisted the court in picking up their furniture.

CLOSINGS: 3

MARKOUTS: 45

Gallons of Gas: 220

Gallons of Diesel: 30

Mileage for the month: 1800



F) BUILDING INSPECTOR – THOMAS CORCORAN

**THOMAS CORCORAN/BUILDING INSPECTOR  
MONTHLY REPORT/BUILDING DEPARTMENT  
MONTH OF: JULY 2014**

CERTIFICATE OF OCCUPANCY 26 STOP WORK ORDER \_\_\_\_\_  
 REQUEST FOR INFORMATION 9 Z.BA APPLICATION \_\_\_\_\_  
 MOBILE HOME PERMITS \_\_\_\_\_ TRAILER PARK RENEWALS \_\_\_\_\_  
 ORDER TO REMEDY 5 BUILDING EXTENSIONS 8  
 COMPLAINTS 43 FIRE INSPECTIONS 13  
 BURN PERMITS ISSUED 23 FIRE CALLS 2  
**BUILDING PERMITS 28**

ONE FAMILY	1 SIGN
1 ELECTRICAL	REPAIRS
FURNACE/BOILER (INDOOR)	1 ADDITIONS/RENOVATIONS
2 DEMOLITION	CHIMNEY INSTALLATION
4 TANK INSTALLATION/REMOVAL	3 DECKS/STAIRS
1 STOVES (WOODSTOVE, PELLET)	1 CONVERSION
6 POOL/HOT TUB	1 GENERATOR
SHED	CARPORT/GARAGE
1 ROOF	6 SOLAR PANELS

**ESTIMATED COST OF BUILDINGS \$286,621.00**

CERTIFICATE OF OCCUPANCY	\$ <u>450.00</u>
REQUEST FOR INFORMATION	\$ <u>900.00</u>
BUILDING EXTENSIONS	\$ <u>800.00</u>
TRAILER PARK RENEWALS	\$ _____
BUILDING PERMITS	\$ <u>3525.00</u>
FIRE INSPECTION FEES	\$ <u>240.00</u>
ZBA ESCROW FEES	\$ _____
ZBA APPLICATION	\$ _____
TOTAL MILEAGE: 1140 MILES	
TOTAL GAS USAGE: 90 GALLONS	\$ _____
TOTAL MONTHLY ZONING FEES	\$ _____
TOTAL MONTHLY RECEIPTS	\$ <u>\$5,915.00</u>

*Tom Corcoran added that solar panels are becoming popular and he makes sure that the police and fire departments are aware so they know that there is a secondary auxiliary power.*

*Tom Corcoran reported that the Wyms Heights case is now with the Town Attorney, Mr. Kovacs. Mr. Kovacs will contact himself and the Board as to what the next steps are. In the interim, Mr. Corcoran said that he put an "Unsafe Building" sign on the building, and the house is now vacant. Since the house is vacant, he was able to go into the house along with other agencies. The Town would possibly be able to clean up the property after the legal proceedings at the Supreme Court level but it will take some time and it will be costly. It is unknown if the home is in foreclosure and if it is, it's unlikely the bank will clean up the property. There was also a report of an abandoned dog in the house a few days after it was vacated and the dog warden took the dog. He also contacted some of the Wyms Heights residents so they are aware of what is going on and that the property will look the same for a while because the property is vacant and the Town can't clean it up.*

G) WASTEWATER TREATMENT FACILITY – ANTHONY FALCO

*No report*

H) DOG CONTROL OFFICER – ANDREW MCKEE

*No report*

I) ASSESSOR – CINDY HILBERT

*No report*

J) PLANNING-JOE PORCO

*No report*

K) BOARD OF ETHICS-DAVE BALLOU

*No report*

ITEM #9 Report of Committees

A) RECREATION

*Patricia Haidaoui said a few people have asked her about an adult swim program. She asked the recreation director if he has looked into a swim program. There was a gentleman who said he spoke with the director about swim therapy. She said she could speak to the adult education director for the school as well.*

*Pierre Ferguson said there is a program right now that is for young students which is paid for by the participants. The gentleman who wanted to use the pool as therapy was told he needed a lifeguard but he said he was a taxpayer and should be able to use the pool. The Town does not have an adult program but the school usually offers adult swimming through their adult ed program and there is a cost involved because a lifeguard has to be there and they get paid.*

*Patricia Haidaoui said she spoke to Eleanor Spagnola who is the head of the senior citizen group. Ms. Spagnola told her that currently she has to charge out of town seniors a*

*surcharge for bus trips. She wanted to know if they could waive the surcharge if a trip is not full and as long as it is opened up to all Marlboro/Milton seniors first. The Board briefly discussed this and decided to continue with the surcharge for out of town seniors.*

*Kate Beare reported that there have been four concerts so far and she is hoping to reschedule the August 1<sup>st</sup> cancellation to August 29<sup>th</sup>.*

*The raffle total was \$728.00 which will be deposited.*

*Councilman Corcoran thanked Kate for all of her work and said she stayed within budget. He has heard the concerts have been very successful.*

*Ms. Beare added that August 24<sup>th</sup> will be the Youth Music Festival. Clear Channel radio is donating advertisements for the event on all five of their radio stations which is worth about \$5,000.00. She has also contacted local restaurants to serve food at the event.*

**B) SOUTHERN ULSTER ALLIANCE**

*No report*

**C) EMERGENCY MANAGEMENT PREPAREDNESS COMMITTEE**

*No report*

**D) CAC**

*No report*

**E) IT COMMITTEE**

*No report*

**F) MILTON TRAIN STATION FOUNDATION**

*Supervisor Osborn said the roof bid is underway.*

**G) MILTON LANDING CITIZENS COMMITTEE**

*Councilman Koenig said they are working on another grant for signage. He asked the Highway Department for a No Parking sign because people are parking on the campground.*

*Councilman Baker asked if Mr. Appler could get No Parking signs for the north side of the pavilion where people are frequently parked on the grass.*

*Mr. Appler said he could get signs but let the Board know that people will park in between the signs because that's what happens up at the ball field. The Board discussed this with Chief Coccozza and Gael Appler and there were different suggestions about what to do.*

*Councilman Baker asked again if Mr. Appler could put up two No Parking on Grass signs.*

**H) ZONING OVERVIEW COMMITTEE/ECONOMIC DEVELOPMENT**

*No report*

**I) RIVITALIZATION/ECONOMIC DEVELOPMENT COMMITTEE**

*No report*

**J) MEET ME IN MARLBOROUGH**

*No report*

ITEM #10 Old Business

A). Wyms Heights

*See Reports of Committees-Building Inspector*

B). Town Healthcare benefits

*Councilman Corcoran said the Reis Group presented a high deductible healthcare plan through CDPHP. There could be a significant savings to the Town but both unions would need to agree. The Highway union showed interest in this plan. There wouldn't be any co-pays and the deductible for a single plan would be \$2,500.00 and for a double or a family it would be \$6,000.00 and it would be like a MasterCard type of system. The Town could pick up a majority of or all of the deductible. They would like the employee to pay part of the deductible but that will need to be negotiated. Also, under the new healthcare law the Town could have multiple insurance companies. CDPHP does not currently cover retirees under the age of 65 that are not on Medicare, but those retirees can be covered under the MVP plan. Other Town's are using this type of plan and also the Reis Group said they can begin enrollment in December so the Town can pay the 4<sup>th</sup> quarter rate instead of the 1<sup>st</sup> quarter rate in January which is a higher rate.*

*Supervisor Osborn said they have been getting really good information from the Reis Group. Also, they can integrate all of this in as they continue talks with the unions. The Memorandum of Agreement with UPSEU (Highway Union) that is under New Business is saying that they are not going to conclude negotiations in this calendar year and agree to give them 1 1/2 % for this calendar year, but they think they will decide on healthcare before December.*

C). TOMVAC

*Kate Beare asked if the Town could rent out the TOMVAC building.*

*Tom Corcoran said that the Town could get some tables and chairs and make some money until it's sold. If there is a decent amount of money coming in, the Town might not want to sell it. There is no additional insurance needed and the clerk's office could have a separate book for rentals. The Board would need to come up with a price and a plan for when people ask to rent it for free.*

*Councilman Corcoran said work needs to be done in the building and the Board can consider this during budget time.*

D). New Town Hall

*Councilman Corcoran said the new meeting hall might be ready for the next meeting. There was a brief discussion and the Board decided to hold off until September 8<sup>th</sup>.*

***Councilman Corcoran made a motion to hold the September 8, 2014 Town Board Meeting at the New Town Hall. Motion seconded by Councilman Baker.***

***Yeas: 5***

***Nays: 0***

***Carried***

E). McLaughlin Drive

*No new information*

F). Labor Negotiations

*Already discussed*

G). Survey of St. Andrews property for purchase

*No new information*

H). Ethics Board Open Position

*Supervisor Osborn said there was one interview but will need to have a second interview to finalize it.*

I). water connection to Highland

*No new information*

J). Ulster County URGENT task force

*No new information*

K). 9W Cross Walk at Pizza Town

*No new information*

L). Business Corridor Overlay district

*Supervisor Osborn asked the Board to start thinking about design guidelines to add to the overlay district.*

M). Municipal Parking

*Supervisor Osborn said that Mr. Kraiza doesn't want to allow the Town to have access to the back of his building. Therefore, the entrance and exit will need to be on the east side of the bakery, but that's not a good idea. He would like to meet with Mr. Kraiza and has brought up the idea that the Town would like to buy the building. The Town could then put in a parking lot closer to the road so there will be less police issues. Councilman Koenig suggested talking to the state about previously approved parking spaces along 9W. The state would pay for the parking spaces which could create revenue to procure property for a parking lot.*

*Councilman Baker asked if the east side of the bakery could be widened.*

*Supervisor Osborn said there is a lot going on in that area and he would like to let the parking idea progress and see what happens.*

N). Barton and Loguidice engineering services Agreement groundwater exploration  
*Councilman Corcoran asked if the Town is talking to Dennis Larios about the plans that he's done in the past.*

*Supervisor Osborn said that those plans precede the plans that Barton & Loguidice did in 2010. Barton & Loguidice would like to put the water policy together in one package for \$10,000.00.*

*Councilman Koenig said that once he has the water committee in place that he spoke about at the last meeting, they would like to go through old water studies in the vault to compile the information.*

*Councilman Baker suggested that the new committee and/or the Board invite Dennis Larios to give his input.*

*Councilman Molinelli added that Mr. Larios was the engineer who was involved in the talks with Highland when Mr. Lanzetta was Supervisor.*

*Supervisor Osborn said Mr. Larios would be the one who might have an area of expertise on building a filtration plant and he would be the person who knows about the water tap being closed.*

*Councilman Corcoran stated that he just doesn't want to duplicate water studies.*

O). Proposed agreement with Newburgh

*No new information*

P). Open position of the Board of Assessment Review

*Supervisor Osborn said there are two resumes and he asked the Board who would do the interviews.*

*Councilman Molinelli and Councilman Koenig agreed to conduct the interviews.*

ITEM #11 New Business

A). Summer camp recommendations

*Supervisor Osborn said the Board will review the recommendations and discuss this at the next meeting.*

B). MOA with UPSEU

*Supervisor Osborn reiterated that the MOA is to increase compensation by 1 ½% for 2014 which was already in the budget. Highway employees seem interested in the high deductible healthcare plan that will not cost them any more money and will save the Town money. Supervisor Osborn asked for a motion to sign the MOA.*

***Councilman Molinelli made a motion to allow Supervisor Osborn to sign the Memorandum of Agreement with UPSEU. Motion seconded by Councilman Corcoran.***

***Yeas: 5***

***Nays: 0***

***Carried***

C). Letters for Board of Assessment Review

*See Letter P under Old Business*

ITEM #12 Correspondence

*Supervisor Osborn read a letter from Pastor Jody Spiak requesting use of the Train Station which is incorporated into the minutes as follows:*

**Dear Supervisor Osborn,**

**I am writing on behalf of the United Methodist Church congregation serving Milton and Marlboro. We are requesting a fee waiver for use of the Cluett-Schantz Town Park on Sunday, September 7th, from 8-2pm. We would like to hold our 10am morning worship service there, after which we will celebrate Rally Day(the beginning of our Sunday School program) with a church picnic. We have met at the park in years past and it is always a fun and meaningful experience for us. We sincerely hope the Town Board will approve this request and afford us this opportunity again this year. Thank you for your consideration.**

**Peace,  
Pastor Jody Spiak**

*Margie Horton asked the Town Board if it would be okay to use the Train Station and invited them to come as well. She realizes that food is not allowed in the Train Station but they would like to sell apple pies and possibly grill hot dogs outside. The church would like to use the Train Station to make people aware that it's there so more people will visit. Supervisor Osborn suggested that they put up a sign stating that there is no food allowed in the Train Station.*

*Councilman Corcoran said the Train Station Committee gave the Town Board a policy that hasn't been adopted yet, so as of now there isn't an official rental policy. He added that he would like to get together with another Board member to look over the policy and get the policy in place. Councilman Koenig said he would help Councilman Corcoran with the policy.*

***Councilman Corcoran made a motion to allow the Marlboro/Milton United Methodist Church to use the Milton Train Station for a silent auction at no charge. Motion seconded by Councilman Molinelli.***

***Yeas: 5***

***Nays: 0***

***Carried***

*Ms. Horton thanked the Board.*

*Supervisor Osborn stated that Patti Haidaoui and her husband do a great job of keeping the Town website up to date. The website is becoming a lot of work for Ms. Haidaoui. He would like to give her a stipend for doing the website.*

*Councilman Baker added that maybe the technology for the website could be change so it is easier to manipulate.*

*Councilman Molinelli said at budget time they can add a line for that.*

*Patricia Haidaoui said it has been discussed that more pages be added to the website and she will discuss launching social media on the web as well.*

#### **ITEM #13 Public Comment**

*Ralph Walters said that the Community Bulletin Board on Channel 23 still lists Councilman Affuso and Councilman Pascale.*

*Mr. Greaven asked when he will hear from the Board about the ditch on his property. Councilman Koenig, Councilman Molinelli, and Gael Appler agreed to meet Mr. Greaven at 10:00AM on Wednesday.*

*Ralph Walters commented that Barbara Jean Drive has been repaved a few times over the last 40 years and is higher than it was and he suggested milling down the roads before repaving. If material is added when paving then the ditch line gets deeper.*

ITEM #14 Resolutions

- A) Resolution #64 To authorize transfer of funds from Key Bank to Orange County Trust
- B) Resolution #65 Negative Declaration under SEQRA for proposed zoning amendments

ITEM #15 ADJOURMENT

August 11, 2014

- A) Resolution #64 To authorize transfer of funds from Key Bank to Orange County Trust

Supervisor Osborn proposes the following:

Whereas, the Town of Marlborough desires to transfer funds from Key Bank Town of Marlboro Building Account to Orange County Trust Building Money Market Account in the amount of \$500,000.00.

Be it resolved, that the following designation be added and approved for 2014:

Repository of funds-Orange County Trust.

Be it resolved, to authorize transfer of funds from Key Bank Town of Marlboro Building Account to Orange County Trust Building Money Market Account in the amount of \$500,000.00.

Now therefore be it resolved, that the funds are transferred immediately.

And moves for its adoption

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



August 11, 2014

B) Resolution #65 Negative Declaration under SEQRA for proposed zoning amendments

### **TOWN OF MARLBOROUGH TOWN BOARD**

Local Law No. \_\_\_\_ of 2014, A LOCAL LAW OF THE TOWN OF MARLBOROUGH, ULSTER COUNTY, NEW YORK AMENDING VARIOUS PROVISIONS OF CHAPTER 155, "ZONING", OF THE TOWN CODE, INCLUDING ADDING A NEW SECTION 155-12(H) ESTABLISHING A BUSINESS CORRIDOR OVERLAY DISTRICT; AND AMENDING EXISTING SECTIONS 155-12(A) PERTAINING TO PROFESSIONAL OFFICES IN THE R DISTRICT; AND AMENDING 155-12(B) PERTAINING TO PROFESSIONAL OFFICES AND MULTIPLE DWELLINGS IN THE R-1 DISTRICT; AND AMENDING 155-12(D) PERTAINING TO RESIDENTIAL DWELLINGS, MULTIPLE DWELLINGS, BED-AND-BREAKFASTS, MOTELS, AND HOTELS IN THE C-1 DISTRICT; AND AMENDING 155-12(E) PERTAINING TO AUTOMOBILE SERVICE, REPAIR AND FILLING STATIONS IN THE HD DISTRICT; AND AMENDING 155-12(G) PERTAINING TO BED-AND-BREAKFASTS AND MULTIPLE DWELLINGS IN THE C-2 DISTRICT; AND DELETING SECTIONS 155-30(A)(2) AND 155-30(A)(3) PERTAINING TO MULTIPLE DWELLINGS, AND ADDING A NEW SUBDIVISION 155-30(A)(2), PERTAINING TO THE MULTIPLE DWELLINGS; AND ADDING A NEW SECTION 155-33 PERTAINING TO DISPLAY OF MOTOR VEHICLES FOR SALE; AND AMENDING THE ZONING MAP TO CHANGE VARIOUS DESIGNATED PARCELS FROM THE C-1 DISTRICT TO THE R DISTRICT.

### **SEQRA NEGATIVE DECLARATION AND NOTICE OF DETERMINATION OF NON-SIGNIFICANCE**

**Whereas**, the Town of Marlborough Town Board proposes to adopt Local Law No. \_\_\_\_ of 2014, a Local Law of the Town of Marlborough, Ulster County, New York amending various provisions of Chapter 155, "Zoning", of the Town Code, including adding a new section 155-12(H) establishing a Business Corridor Overlay District; and amending existing sections 155-12(A) pertaining to professional offices in the R district; and amending 155-12(B) pertaining to professional offices and multiple dwellings in the R-1 district; and amending 155-12(D) pertaining to residential dwellings, multiple dwellings, bed-and-breakfasts, motels, and hotels in the C-1 district; and amending 155-12(E) pertaining to automobile service, repair and filling stations in the HD district; and amending 155-12(G) pertaining to bed-and-breakfasts and multiple dwellings in the C-2 district; and deleting sections 155-30(A)(2) and 155-30(A)(3) pertaining to multiple dwellings, and adding a new subdivision 155-30(A)(2), pertaining to the

multiple dwellings; and adding a new section 155-33 pertaining to display of motor vehicles for sale; and amending the zoning map to change various designated parcels from the C-1 district to the R district; and

**WHEREAS**, this determination of non-significance, i.e. negative declaration, is prepared in accordance with Article 8 of the Environmental Conservation Law: the NY State Environmental Quality Review Act ("SEQRA") and its implementing regulations set forth in 6 NYCRR Part 617 ("Regulations"); and

**WHEREAS**, the Town Board is directly undertaking the Action and is the only involved agency and is therefore the lead agency for the environmental review of the Action pursuant to SEQRA and its implementing Regulations; and

**WHEREAS**, the name and address of the lead agency is: Town of Marlborough Town Board, P.O. Box 305, 1650 Route 9W, Milton, NY 12547 and the Responsible Officer is Stephen Osborn, Town of Marlborough Town Supervisor, with a telephone number at (845) 795-5100; and

**WHEREAS**, the Town of Marlborough Town Board, as lead agency, has classified this Action as a Type 1 action pursuant to 6 NYCRR § 617.6 of the Regulations; and

**WHEREAS**, the Town of Marlborough Town Board has caused the preparation of a Full Environmental Assessment Form (EAF) for review of the Action; and

**WHEREAS**, the Town of Marlborough Town Board, as lead agency for the environmental review of the Action, has reviewed the Action and all relevant supporting information and documentation, has identified the relevant areas of environmental concern, has compared the reasonably expected results of the Action with the criteria set forth in 6 NYCRR § 617.7 and has determined that there will be no significant adverse environmental impacts associated with the Action; and

**WHEREAS**, this negative declaration is supported and substantiated by the following conclusions of the Lead Agency:

The proposed Town of Marlborough zoning amendment establishing a new 155-12(H) and the potential for Business Corridor Overlay zones is related to the existing R-1 and R-Ag-1 district in the Town. Professional Office use is proposed to be removed in the R district and R-1 district. Multiple dwelling use is proposed to be added for the R-1 district. The C-1 district is

proposed to be changed to remove one-family or two-family dwellings as a permitted use, to remove multiple dwellings and bed and breakfast use as permitted special uses, and to change the use of motels to hotels. There is a change in the HD district for automobile service, repair and filling stations. There is a change in the C-2 district to remove bed and breakfast and multiple dwelling use. The R-1 district is affected by changes in standards for multiple dwellings. All zoning districts are affected by new limitations on display of motor vehicles for sale. A cluster of 28 parcels in the C-1 district are changed to the R district.

The proposed zoning amendments included in this action are not inconsistent with the existing Comprehensive Plan of the Town of Marlborough. Rather, they serve to implement growth and development policies established by the Town Board, none of which have any actual physical impact on the environment. Consequently, the proposed zoning changes do not rise to the level of creating any adverse physical impacts in those areas of the Town for which they are intended to be implemented. In the policy judgment of the Town Board, the proposed zoning amendments will create positive and beneficial impacts to those areas of town for which they are intended. The regulations will offset existing unfavorable impacts caused by outdated land use regulations.

The proposed local law does not, of itself, cause or invite any new action to occur.

To a significant degree, the zoning amendments remove non-single-family residential uses from allowable uses in various zoning districts, as summarized above. The effect is to reduce impacts from future development.

There is an addition of multi-family uses to the R-1 district, but only as a special use requiring Planning Board approval of each specific future proposal which, in turn, must satisfy particular standards established by amendments to Section 155-30(A)(2).

The establishment of the Business Corridor Overlay District is an exercise in creating potentiality for re-adaptation of prior commercial and light industrial uses only along Route 9W

within the current R-1 or R-Ag-1 zones, and only after future legislative and administrative review of each specific proposal for drop-down of the floating zone.

Reduction of visual blight, and inconsistency of land uses, is promoted by new Section 155-33 regulating display of motor vehicles for private sale.

The amendments recategorize the zoning district designation of a cluster of 28 parcels from the C-1 district to the R district, thereby reducing intensity of land use, and attendant environmental impacts, in this area of the Town.

The act of adopting the proposed local law will not result in any direct or physical adverse environmental impact. It may result in indirect or secondary effects in the event of future applications received by the Town that employ the standards or opportunities set forth in the legislation. Each application will involve a unique and individual set of circumstances. The particular nature of the secondary impacts resulting from the future applications is not currently ascertainable and will not be ascertainable until site-specific proposals are received. Each individual proposal will be subject to the standards established by this local law or elsewhere set forth in the Town's land use regulations. The evaluation of individual proposals involves the exercise of future legislative or administrative discretion upon a full and complete analysis of the conditions and impacts related to the individual proposal, including SEQRA review of specific actions and their actual impacts.

The potential for these secondary effects do not support the conclusion that the legislation may create a significant adverse environmental impact requiring preparation of an environmental impact statement. Further, the potential secondary impacts do not give rise to any currently identifiable potential adverse environmental effects of significance.

The proposed amendments to Marlborough's local zoning law will not propose any actions or land uses that may be different from, or in sharp contrast to current surrounding land use patterns (Full EAF, Part 2, 17[a]). They will not cause the permanent population of the Town to grow by more than 5% (Full EAF, Part 2, 17[b]). They are not inconsistent with the

current local land use plan (Full EAF, Part 2, 17[c]). They are not inconsistent with any County plans, or other regional land use plans (Full EAF, Part 2, 17[d]). They will not cause a change in density of development that is not supported by existing infrastructure or is distant from existing infrastructure (Full EAF, Part 2, 17[e]). They are not in an area characterized by low density development that will require new or expanded public infrastructure (Full EAF, Part 2, 17[f]). They may give rise to secondary development impacts, in the nature of residential or commercial development, but such impacts are not currently ascertainable and will not be ascertainable until site-specific proposals are received, at which time they will be subject to legislative or administrative review, as well as review under SEQRA addressing the actual identity and nature of such proposals.

**NOW, THEREFORE, BE IT RESOLVED**, that the Town of Marlborough Town Board makes the following findings based upon the conclusions identified above:

1. The Action will not result in a substantial adverse change in existing air quality, ground or surface water quality, traffic or noise levels, a substantial increase in solid waste production; or a substantial increase in potential for erosion, flooding, leaching or drainage problems;
2. The Action will not result in the removal or destruction of large quantities of vegetation or fauna; substantial interference with the movements of any resident or migratory fish or wildlife species; impacts on a significant habitat area; substantial impacts on a threatened or endangered species of animal or plant or the habitat of such a species or other significant adverse impacts to natural resources;
3. The Action will not create a material conflict with the community's current plans or goals as officially approved or adopted;
4. The Action will not result in the impairment of the character or quality of important historical, archeological, architectural or aesthetic resources of the existing community or neighborhood character;
5. The Action will not create a hazard to human health;
6. The Action will not cause a substantial change in the use or intensity of use of land, including agricultural, open space or recreational resources or in its capacity to support existing uses;

7. The Action will not result in the creation of a material demand for other actions that would result in one of the above consequences; and

8. The Action does not involve changes in two or more elements of the environment, no one of which has a significant impact on the environment, but when considered together result in a substantial adverse impact on the environment; and

**BE IT FURTHER RESOLVED**, that the Town of Marlborough Town Board, acting as lead agency, has examined the impacts which may be reasonably anticipated to result from the Action, and has determined that it will not have any significant adverse impact on the environment and that therefore a Draft Environmental Impact Statement need not be prepared; and

**BE IT FURTHER RESOLVED**, that the Town of Marlborough Town Board hereby issues this Negative Declaration and notice thereof pursuant to the requirements of SEQRA and its implementing Regulations; and

**BE IT FURTHER RESOLVED**, that the Town of Marlborough Town Board hereby authorizes the filing this Negative Declaration and notice thereof pursuant to the requirements of SEQRA and 6 NYCRR § 617.12 of its implementing Regulations.

The foregoing resolution was voted upon with all councilmen voting as follows:

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

This Negative Declaration is adopted this 11th day of August, 2014 and is ordered into the record of the Town of Marlborough Town Board with respect to the adoption of Local Law No. \_\_\_\_ of 2014.

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COLLEEN CORCORAN, TOWN CLERK

Contact Person:  
Colleen Corcoran, Town Clerk  
Town of Marlborough  
P.O. Box 305  
21 Milton Turnpike  
Milton, NY 12547  
845-795-5100

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*Councilman Corcoran made a motion to adjourn the meeting. Motion seconded by Councilman Molinelli.*

*Yeas: 5*

*Nays: 0*

*Carried*

*Meeting adjourned at 9:12PM.*

*Respectfully submitted,  
Danielle Cherubini  
Deputy Town Clerk*