

WORKSHOP MEETING
TOWN BOARD TOWN OF MARLBOROUGH
JULY 28, 2014 7:00 PM
MINUTES OF MEETING

Present: Supervisor Osborn
Councilman Molinelli
Councilman Baker
Counciman Koenig

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

Also Present: Glen Gidaly, Engineer, Barton & Loguidice
Richard Straut, Engineer, Barton & Loguidice

Absent: Councilman Corcoran

ITEM #1 Call to order - Pledge of Allegiance

ITEM #2 Moment of Silence

ITEM #3 Motion to approve agenda

Councilman Koenig made a motion to amend ITEM #12 Resolutions to read Resolution #63 To appoint part time police dispatcher. Motion seconded by Councilman Molinelli.

Yeas: 4 *Nays: 0* *Carried*

Councilman Koenig made a motion to amend the agenda to include ITEM #6.5 Eagle Scout Presentation. Motion seconded by Councilman Molinelli.

Councilman Koenig made a motion to amend the agenda to include ITEM #11A Executive Session to discuss Labor Negotiations and the DiBlanca legal matter. Motion seconded by Councilman Baker.

Councilman Baker made a motion to amend the agenda to include under ITEM #4 Motion to approve the minutes from the July 14, 2014 Public Hearing. Motion seconded by Councilman Koenig.

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

*Yea*s: 4 *Nay*s: 0 *Carried*

ITEM #4 Motion to approve minutes from the July 14, 2014 meeting

Councilman Baker made a motion to approve minutes from the July 14, 2014 regular meeting. Motion seconded by Councilman Molinelli.

*Yea*s: 4 *Nay*s: 0 *Carried*

Motion to approve minutes from the July 14, 2014 Public Hearing

Councilman Baker made a motion to approve the minutes from the July 14, 2014 Public Hearing. Motion seconded by Councilman Koenig.

*Yea*s: 3 *Nay*s: 0 *Abstain*: 1 (Molinelli-Absent) *Carried*

ITEM #5 Authorize payment of bills

Councilman Molinelli made a motion to approve payment of the abstract in the amount of \$207,492.90. Motion seconded by Councilman Koenig.

*Yea*s: 4 *Nay*s: 0 *Carried*

ITEM #6 Comments on the agenda

No comments on the agenda.

ITEM #6.5 Eagle Scout Presentation

Robert Ahlers gave a Power Point presentation for the idea of building a dog park at the Milton waterfront park on Sands Avenue for his Eagle Scout Project. He said he has done some research on other dog parks. Robert included photos of Thomas Bull Memorial Park and Gardiner Dog Park and would like to implement some of the rules and guidelines they have. Most dog parks seem to have two sections, one for small dogs and one for all dogs. He feels that the front of the park should be a split rail with box wire and the other three sides should be chain link fence with a maintenance gate. He would also like to include a sitting area with a pergola and "clean up" stations. Robert is 13 years old and will need to finish his Eagle Scout project by age 18. He plans to figure out exactly where the dog park will go and judge the size of it and then come up with a budget which he will fundraise for.

The Board liked the idea and Supervisor Osborn suggested that Robert attend the waterfront committee meeting on Thursday at the waterfront property and present the idea to them as well because they are still in the design stage.

ITEM #7 Workshop topics

A). Water Supply

Supervisor Osborn said the Town has received notice from Newburgh regarding the new filtration plant and how they are proposing we pay for it. The contract for water ran out in 2010 and Newburgh's proposal for the new contract clearly states that there is no secondary supply of water that the Health Department requires. The Town will need a secondary supply of water for a possible shutdown of the aqueduct around 2018.

Supervisor Osborn introduced Richard Straut and Glen Gidaly of Barton & Loguidice. The Board has been looking for other sources of water from wells and from Lloyd. The contract from Newburgh has a lot of conflict in it so it's time to act.

Councilman Molinelli questioned how the wells would be backed up and what backup does Lloyd have.

Councilman Koenig said that Lloyd's backup is the river.

Richard Straut said if you have a well system the Health Department will require the capacity needed if one well is out of service. A lot of surface water supplies don't have a backup source but they need to have backup pumps.

Councilman Koenig believes that they are shutting down the Delaware tap around year 2021 for repairs and the shutdown will last approximately a few months to a year. There is a leak near Dansammer where you can see the water bubbling in the river. It is unknown if they will abandon that tap or fix it.

Councilman Baker asked if it is a law to have a backup.

Richard Straut said he saw a reference to it being in the DEP agreement from the attorney. It's not necessarily a law, but the Health Department has standards.

Councilman Baker said we have an aqueduct tap and asked Mr. Straut if he thinks the DEP is required to provide us backup.

Richard Straut said the agreement with DEP will need more scrutinizing.

Councilman Baker asked if we have an agreement with DEP.

Supervisor Osborn said we have an independent agreement from 1907 that states they have to supply a certain number of gallons. They don't have to supply the connection, but if you build a connection they have to supply the water. The attorney is trying to locate the agreement.

Councilman Molinelli said he believes in the last 25 to 30 years there may have been another agreement of some sort because Newburgh had the smaller tap and we gave up the larger tap to them. He would like to look into that.

Mr. Straut suggested contacting the DEP for the files.

Councilman Baker asked if Newburgh's backup is Chadwick Lake.

Councilman Koenig said Newburgh can only use Chadwick as a backup in the cooler months because there is biological matter that grows in the warmer months that cannot be filtered to meet drinking standards. Now they are interconnected with the City of Newburgh and New Windsor.

Richard Straut said all three are interconnected and they use Washington Lake and Brown's Pond and a backup through the aqueduct.

Ralph Walters said, referring to Councilman Molinelli's comment earlier, from what he remembers the Marlboro had the smaller tap and Newburgh put in a bigger tap. Newburgh said they would cut off our tap and provide us with water.

James Garofalo stated that the wording in the DEP agreement should be looked at very closely because if it states that Marlboro gets a certain number of gallons per day then but not necessarily where its coming from they may have to provide us with water.

Supervisor Osborn said that is part of what they will be talking to the DEP about.

Mr. Straut said that is also what the attorney is looking into.

Councilman Koenig said it may be that they give us water but it could be untreated.

James Garofalo asked if the well water would need to be treated.

Supervisor Osborn said it would need to chlorinated but not filtered.

Councilman Koenig shared some of his concerns with the new contract from Newburgh: no backup, we can't sell the water, it restricts us from interconnecting, if Marlboro signs off they are paying 4.2 million dollars for 1 million gallons per day for 30 years. Currently, we use 600,000 gallons per day. We would be paying for and they are giving us 1 million gallons per day and we can't sell the remaining 400,000 gallons.

Supervisor Osborn said he would like to know if we could build our own filtration plant for 4.2 million dollars that uses our current tap and supply us so we don't have to agree to the new agreement.

Mr. Straut said they will still need to think about what they will do during the shutdown.

Supervisor Osborn said that when goes into negotiations with Newburgh he would like to know all the facts and let them know they are exploring wells for backup and we could also connect to Lloyd.

Councilman Baker said that the drilling of wells would be a multi-million dollar project.

Mr. Straut said yes, in 2010 one well was going to cost about 1 million dollars, but the Town would need multiple sites.

Supervisor Osborn said the Board seems unconvinced that wells could be the Town's main supply because of the gallons per minute and the spacing of the wells.

Mr. Straut agreed that it would be marginal, but if the Town were to develop wells as a primary source of water, they could possibly develop the aqueduct as a secondary source. Water from the aqueduct can be used to supplement the wells and can just run it at certain times. A less expensive treatment system could be built using disposable cartridges.

Councilman Molinelli said the wells would also need infrastructure to get the water to where it needs to go.

Councilman Baker asked how it would work if there were 10 wells along the aquifer.

Mr. Straut said if there were 10 wells they might be on 4 sites. On each site the wells would need to be brought to a point where it would be chlorinated and would then need to piped down into the system.

Councilman Molinelli added that the Town would need to purchase the properties and get easements.

The Board discussed the agreement with Newburgh some more.

Mr. Straut said it is clear what Marlboro's share of the capital would be (4.5 million). Newburgh is saying it will cost an additional 15% surcharge for administration fees. It is unclear what the actual operation and maintenance costs will be.

Councilman Koenig said the contract also states that we would be responsible for a percentage of any upgrade or maintenance.

Supervisor Osborn said now the amount is close to 5 million which we could bond out and have our own water.

Mr. Straut said that if the cost of constructing wells is favorable, they are less expensive to operate than a treatment plant.

James Garofalo suggested creating a Water Board so that we have some representation and meet with Newburgh and DEC.

Councilman Molinelli feels that if the Town could build a water treatment plant for our main source of water for around the same amount of money or even a little more than Newburgh is charging us, we should. And then have the wells for a backup source. This way we would have control over our own water and Newburgh's agreement is for 30 years he would like to think about the next 50 or 100 years.

Glen Gidaly added that by having your own facility you also control the maintenance of the facility and also interest rates are low.

Supervisor Osborn said if we were to do build a treatment facility then the Town can build the wells at a pace that is comfortable for them.

James Garofalo asked what the time frame would be to construct a plan. He also feels that the Town wouldn't be able to wait to do the wells because the Town would need a backup.

Councilman Molinelli said they could also connect to Lloyd which wouldn't take as much time and money as it would to do the wells.

Mr. Straut said that Marlboro can sell water to Lloyd but for Lloyd to be the backup there would need to be a certain type of pumping system because their pressure is lower.

Supervisor Osborn asked if the Town owns enough property to build a treatment plant at the tap.

Ralph Walters said he thinks our tap is in the Town of Newburgh. Marlboro had to purchase a piece of property where the chlorination building was, so he doesn't think there is enough land in that particular spot.

Councilman Baker asked what it means that we have a tap.

Mr. Straut said it means there is a connection to the aqueduct, there are shafts that go down into the aqueduct and you tap at the shaft.

Councilman Koenig said he is very interested in this project and he knows others that are interested as well and asked if he can head a committee to report back to the Town and he will have a name for the committee at the next meeting.

Councilman Molinelli said he would like to be on that committee.

Supervisor Osborn asked Mr. Straut what it would cost the Town to do an analysis to build a filtration plant.

Councilman Molinelli also asked to see if we can even build one.

Councilman Koenig asked if they could wait until the committee is formed because there may be some information they can come up with.

Mr. Straut said he could give an estimate based on a 1 million gallon per day plant they did a few years ago and add inflation costs.

Councilman Molinelli said if they construct a plant, they should make it bigger than 1 million gallons per day.

Supervisor Osborn asked Mr. Straut if he could look into the other plant he did for a minimal charge and the Town can look up other information in the meantime.

Councilman Baker asked where we are with Newburgh right now.

Supervisor Osborn said Newburgh called the other day and he wanted to wait to discuss anything with them until after talking to the Board tonight. He will let them know what the plan may be and that we will need about another month to do anything.

Councilman Baker said if we decide to build our own plant it would be a few years away. Supervisor Osborn said we would need an interim agreement if the Town plans to build their own plant.

Mr. Straut said it will take a minimum of 4 years to complete the whole process of building a filtration plant. It would take a couple of years to figure out what to build, to obtain property, and get plans. Then it will take another couple of years to get it built.

Mr. Straut suggested that they need to get the actual dollar amount of the operation and maintenance cost from Newburgh so it is translated into a water rate.

Councilman Molinelli asked Mr. Straut and Mr. Gidaly what their opinion is about using the tap for our main source of water.

Mr. Straut said he thinks it is a good idea. He reminded the Board to keep in mind that they need to operate the plant and need someone who is a certified filtration operator. There are ways to minimize those costs though. Conceptually, he feels shared services is a good idea but you need a good agreement.

The Board feels that the agreement is ambiguous and they don't really feel comfortable with it.

Supervisor Osborn said they just received an updated map from the engineers today for the Sands Avenue riverfront park with the updates. He asked the Board if they were satisfied with the conceptual drawing so they can present it to DOT so they can get signaled crossing there. Councilman Koenig said he will bring this to committee meeting on Thursday.

Supervisor Osborn said if they approve then the Town Board can approve and then present it to DOT.

Councilman Baker referred to the map and asked Councilman Koenig what parts were done and what parts are proposed.

Councilman Koenig said the public fishing pier, the Blueway Landing, and the camping area are done. They are planning a trail to the river which will probably be done by Eagle Scouts, they are also planning a hilltop gazebo that will probably be built with donations. They are going after a grant for restrooms at the pump station. They can incorporate the dog park near the community gardens because there is already some chain link fencing. Also, an old river liner is being restored called the SS Columbia and it will be sailing out of Manhattan for tours into the Hudson Valley. The Highland Landing is already involved and has a deep water port.

Councilman Koenig is researching this to see if Milton can be another deep water port. The other pier needs improvements. The proposed parking lot can be done with grants and the bandstand area is idea but there isn't a building or structure there at this time. Also, the gated pedestrian crossing has been moved south because there is better sight distance.

ITEM #8 Old Business

A). Wyms Heights

Tom Corcoran said Mr. Kovacs (Town Attorney) is reviewing the reports from the last six months.

B). Town Healthcare benefits

No new information

C). TOMVAC

Supervisor Osborn said there are a couple of potential buyers. The Town proposed counter offers and asked for a motion to add financial proposals for TOMVAC to executive session.

Councilman Koenig made a motion to add financial proposals for TOMVAC to executive session. Motion seconded by Councilman Molinelli.

Yea: 4

Nays: 0

Carried

D). New Town Hall

Supervisor Osborn reported that the Police Department did not move last Friday as planned because there was a problem moving the phones.

E). Terwilliger Hoffman 384D Retirement

Councilman Molinelli made a motion to remove Letter E) Terwilliger Hoffman 384D Retirement from the agenda. Motion seconded by Councilman Koenig.

Yeas: 4 *Nays: 0* *Carried*

F). McLaughlin Drive

No new information

G). Labor Negotiations

Supervisor Osborn said this will be discussed in executive session.

H). Survey of St. Andrews property for purchase

Councilman Molinelli said he needs exactly how much property the Town wants for an easement in writing.

I). Ethics Board Open Position

Supervisor Osborn said they have an interview set up for Wednesday.

J). Water Connection to Highland

See workshop topics

K). Ulster County URGENT Task Force

Councilman Koenig said they are still waiting to meet with Ulster County.

L). 9W Cross Walk at Pizza Town

Supervisor Osborn said he will be meeting with the DOT soon.

M). Business Corridor Overlay district

Supervisor Osborn said the second Public Hearing will be on August 11, 2014 at the old Town Hall at 6:30PM.

N). Municipal Parking

Supervisor Osborn said that he has been working on securing the property owners.

O). Barton and Loguidice engineering services Agreement groundwater exploration

See workshop topics

P). Proposed agreement with Newburgh

See workshop topics

Q). Open position of the Board of Assessment Review

Supervisor Osborn said the position is still available and they have not received any applications.

ITEM #9 New Business

Patricia Haidaoui stated that regarding camp, Ulster County requires that the Town have a certain level of medical personnel. Maggie McVeigh has many certifications but she isn't an EMT. The county requires that an EMT is available. The Camp Directors weren't sure who their contact person was. The Recreation Director said it was Keith Festa. The paperwork that goes to the county lists Curt Fulton who is an EMT. The Camp Directors are now aware that the EMT on call is Curt Fulton. She will be recommending a camp handbook for the future.

Councilman Baker asked Chief Cocozza if he spoke with Sheila Mannese regarding the church yard sale that will be in conjunction with the next Farmer's Market.

Patricia Haidaoui said she had a meeting with Patti Brooks and Sheila hadn't shared the particulars about the yard sale with Ms. Brooks.

Councilman Baker said as long as the Board is ok with the yard sale taking place and Chief Cocozza is ok with it, it will be fine.

Chief Cocozza said that he will speak to Ms. Mannese, he doesn't see an issue but he just needs to know how big and where the yard sale will be. He also wants to make sure that Ms. Mannese has the traffic officers that she needs.

Tom Corcoran asked the Board what the process is now if a non-profit organization asks him if they can have a yard sale at the Town Park.

Supervisor Osborn said in this particular case the yard sale is in conjunction with Meet Me in Marlborough but other organizations would need to get permission from the Town Board on an individual basis.

Supervisor Osborn said Yonkers Construction will begin to bring top soil to cover the rock at the waterfront park. They will need a bulldozer for one month to spread the top soil and it will cost \$4,000.00.

Councilman Koenig made a motion to rent a bulldozer for one month to spread top soil at the waterfront park for \$4,000.00. Motion seconded by Councilman Baker.

Yea: 4

Nays: 0

Carried

ITEM #10Correspondence

Supervisor Osborn read the following letter from Senator Bill Larkin which is incorporated into the minutes as follows:

WILLIAM J. LARKIN, JR.
SENATOR, 39TH DISTRICT

MAJORITY WHIP

PLEASE RESPOND TO:
ROOM 502 CAPITOL
ALBANY, NY 12247
(518) 455-2770

□ 1009 LITTLE BRITAIN ROAD
NEW WINDSOR, NY 12593
(845) 567-1270

E-MAIL ADDRESS:
LARKIN@NYSSENATE.GOV

WEB ADDRESS:
HTTP://LARKIN.NYSSENATE.GOV



THE SENATE
STATE OF NEW YORK

COMMITTEES
CORPORATIONS, AUTHORITIES & COMMISSIONS
FINANCE
HEALTH
INSURANCE
RULES
TRANSPORTATION
VETERANS, HOMELAND SECURITY & MILITARY AFFAIRS

July 14, 2014

Gerald T. Cocozza, Jr.
Chief of Police
Town of Marlborough Police Department
1650 Route 9W
Milton, New York 12547

Dear Chief Cocozza:

I am writing to confirm that I have secured a grant for the Town of Marlborough Police Department in the amount of \$25,000. This funding can be used towards anti-drug initiatives, anti-violence initiatives, crime control & prevention programs, equipment, vehicles, canine units, training, etc., and will be administered by the New York State Division of Criminal Justice Services (DCJS).

To begin the initial paperwork, I have included a Senate Initiative Form that needs to be completed and return to my Albany office at your earliest convenience. The information from this form will be sent to DCJS who will contact you directly to begin the contract process.

If you have any questions concerning this grant, please contact Jennifer Downs in my Albany office at 518-455-2770 or at downs@nysenate.gov for assistance.

Best wishes.

Sincerely,


William J. Larkin, Jr.
Senator

Enclosure

Supervisor Osborn congratulated Chief Cocozza.

Supervisor Osborn read the following letter from Pastor Jody Spiak 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

Councilman Baker made a motion to allow the United Methodist Church to use the pavilion at no charge on September 7, 2014. Motion seconded by Councilman Molinelli.

ITEM #11 Public Comment

Ralph Walters asked how much it will cost the Town to pay for the Terwilliger/Hoffman 384D Retirement and when will it be paid.

Supervisor Osborn said about \$80,000.00 and he believes it will be paid in one lump sum at the end of December.

Ralph Walters suggested to the Board that if Curt Fulton is not available at any time to cover the camp as an EMT, Mobile Life can be called. They have an EMT and a paramedic.

Councilman Koenig said he already brought that up and Tina Rosa spoke to the county and they said no. The Town will do what the county is asking and call Curt Fulton, if there is an emergency the camp directors or counselors will know to call 911.

James Garofalo thanked the Board for listening to him. He also asked if he could get the proposed zoning changes emailed to him in a Word Document.

Steve Jennison, 18 Woodcrest Lane, said there is quite a bit of wastewater coming off of 9W onto Woodcrest Lane and washes away his neighbor's driveway. Gael Appler and his men have put in new culverts and a new drainage system. The Town has done everything they could do and he feels this should be addressed by the state because the problem starts near Eckerson's on 9W.

Supervisor Osborn said that he will be speaking to the DOT about multiple items and he will speak to them about this as well.

Mr. Jennison said that the stockpiles at 1650 Route 9W seem to be getting bigger, he feels they should be moved to Bailey's Gap Road where the Town also owns property because it is an eyesore.

Councilman Koenig said that the Highway Department used to be able to deliver "spoils" (material from digging up a culvert pipe) to residents if they wanted them. They have been filling in at the Sands Avenue property but they can't fit anymore and Mr. Appler is running out of room.

Mike Dovich asked if there was going to be clear cutting to obtain a river view from Sands Avenue.

Supervisor Osborn said yes the plan is to have a river view but Scenic Hudson called the process selective removal of trees to allow for viewscape.

ITEM #11A Executive Session to discuss labor negotiations, DiBlanca legal matter, and financial proposals for TOMVAC.

Councilman Koenig made a motion to hold executive session to discuss labor negotiations, the DiBlanca legal matter, and financial proposals for TOMVAC. Motion seconded by Councilman Molinelli.

Executive session began at 8:45PM.

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

Executive session ended at 9:12PM.

No decisions were made.

ITEM #12 Resolutions

A). Resolution #63 To appoint part time police dispatcher

ITEM #13 Adjournment

July 28, 2014

A). Resolution #63 To appoint part time police dispatcher

Supervisor Osborn proposes the following:

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

Whereas, it is the recommendation of the Police Committee as well as the Chief of Police to appoint Corey Seidat as part time police dispatcher.

Now therefore be it resolved, that Corey Seidat be appointed immediately

And moves for its adoption

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

Councilman Baker made a motion to adjourn the meeting. Motion seconded by Councilman Koenig.

Years: 4 Nays: 0 Carried

Meeting ended at 9:15PM.

*Respectfully submitted,
Danielle Cherubini
Deputy Town Clerk*