

TOWN BOARD TOWN OF MARLBOROUGH  
21 MILTON TURNPIKE, MILTON NEW YORK  
OCTOBER 22, 2018 7:00 PM  
MINUTES OF MEETING

Present: Supervisor Lanzetta  
Councilman Molinelli  
Councilman Corcoran  
Councilman Baker  
Councilman Koenig

Colleen Corcoran, Town Clerk  
Christinna Wilklow, Budget Officer

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 approve the agenda. Motion seconded by Councilman Molinelli.*

*Yea*s: 5                    *Nay*s: 0                    *Carried*

ITEM #4 Motion to approve minutes from the September 24, 2018 Town Board Meeting  
*Councilman Baker made a motion to approve minutes from the September 24, 2018 Town Board meeting. Motion seconded by Councilman Corcoran.*

*Yea*s: 5                    *Nay*s: 0                    *Carried*

Motion to approve minutes from the September 24, 2018 Public Hearing  
*Councilman Baker made a motion to approve minutes from the September 24, 2018 Public Hearing. Motion seconded by Councilman Corcoran.*

*Yea*s: 5                    *Nay*s: 0                    *Carried*

Motion to approve the minutes from the October 15, 2018 Special Meeting  
*Councilman Koenig made a motion to approve the minutes from the October 15, 2018 Special Meeting. Motion seconded by Councilman Molinelli.*

*Yea*s: 5                    *Nay*s: 0                    *Carried*

ITEM #5 Authorize payments of bills

***Councilman Baker made a motion to authorize payment of the abstract in the amount of \$353,342.53. Motion seconded by Councilman Corcoran.***

**Yea: 5**

**Nays: 0**

**Carried**

ITEM #6 Presentations

*No presentations.*

ITEM #7 Comments on the agenda

*Larry Fuhrmann, Transfer Station Attendant, stated that he had a petition to give the Board which has 132 signatures on it. The purpose of the petition is to keep the Transfer Station open. He thanked Gael Appler for fixing a retaining wall at the Transfer Station. Mr. Fuhrmann also briefly discussed one of the fees for brush disposal with the Board. Councilman Baker stated that they are not closing the Transfer Station.*

*Mici Simonofsky questioned the wording of the proposition in Resolution #76 pertaining to the sale of TOMVAC. Councilman Corcoran and Ms. Simonofsky discussed the wording of the proposition in the resolution vs. the wording of the petition.*

***Councilman Corcoran made a motion to have legal look at the wording of the petition. Motion seconded by Councilman Koenig.***

**Yea: 3**

**Nays: 2 (Lanzetta, Baker)**

**Carried**

*Ms. Simonofsky asked if the Board would table the resolution and stated that she read that the Supervisor can say when the special election is.*

*Supervisor Lanzetta explained that they are not going to table the resolution and that there are rules for a special election and there is a time frame in which you can hold one. He also explained that legal says that if this vote goes down as a no then they could go through this again if the majority of the Board chooses to keep the building for sale and someone is interested in buying it under a new contract.*

*Tom Corcoran asked how much the special election will cost.*

*Colleen Corcoran stated that it will cost about \$5,700.00.*

## ITEM #8 Report of Departments and Boards

### A) SUPERVISOR - ALPHONSO LANZETTA

#### **Supervisor's Report October 2018**

Budget workshop meeting with Budget Director Chris Wilklow and Councilman Corcoran

Met with Marlboro School District Rep. Larry Cavassa and Councilman Corcoran to discuss availability of District sites for recreation purposes

Met with Mr. & Mrs. Cool to discuss civil matter

Met with Jordon Heller from Timbergreen to discuss Town owned properties that could be logged

Meeting with Mobile Life Rep. Scott Woolsley and Councilman Corcoran to discuss budget items

Various meetings with Department Heads and Budget Director Chris Wilklow and Councilman Corcoran to discuss preparation of budget items

Meeting at Milton Landing with representatives from CSX, NYSDOT, Councilman Baker and Milton Landing Rep. Gael Appler, Jr. to discuss at-grade crossing

Meeting with NY State Comptrollers Office Representatives and Budget Director Chris Wilklow to go over audit items

Meeting at Milton Train Station with Behan Planning Representatives, Councilman Baker, Highway Superintendent Gael Appler and community members to discuss Milton Train Station Park development ideas

Follow up meetings with Department Heads and Budget Director Chris Wilklow and Councilman Corcoran to finalize budget numbers

Met with Mickey Jamal and Councilman Corcoran to discuss Chestnut Petroleum Project

Met with Highway Superintendent Gael Appler and Steve Bianco at Cluett Schantz Park to discuss drainage issues on upper south ballfield

Attended Ulster County Association of Supervisors Meeting

Attended Milton Train Station Foundation function honoring donors for rehabilitation of Train Station

Attended Sarah Hallock Open House and Pat Russo Honorarium

Respectfully,  
Al Lanzetta, Supervisor

*Supervisor Lanzetta also reported that the grants for both phases of the Route 9W sewer extension are in the final stages.*

*There was a brief discussion about how the sewer extension may affect the Chestnut Petroleum project.*

B) BUILDING INSPECTOR - THOMAS CORCORAN

**THOMAS CORCORAN/BUILDING INSPECTOR  
MONTHLY REPORT/BUILDING DEPARTMENT  
MONTH OF: SEPTEMBER 2018**

CERTIFICATE OF OCCUPANCY 4 STOP WORK ORDER 3  
REQUEST FOR INFORMATION 13 ZBA APPLICATION 0  
TRAILER PARK RENEWALS 0 ORDER TO REMEDY 16  
BUILDING EXTENSIONS 0 COMPLAINTS 38  
FIRE INSPECTIONS 15 BURN PERMITS ISSUED 18  
FIRE CALLS 1 CLOTHING BIN RENEWALS 0

**BUILDING PERMITS 37**

<u>1</u> ONE FAMILY	<u>      </u> CLOTHING BIN
<u>      </u> TWO FAMILY	<u>      </u> SIGNS
<u>7</u> ELECTRICAL/GENERATOR	<u>      </u> BARN
<u>      </u> FURNACE/BOILER (INDOOR)	<u>5</u> ADDITIONS/RENOVATIONS
<u>      </u> DEMOLITION	<u>      </u> COMMERCIAL STRUCTURE
<u>2</u> TANK INSTALLATION/REMOVAL	<u>5</u> DECKS/STAIRS
<u>2</u> STOVES (WOODSTOVE, PELLET)	<u>1</u> WIRELESS COMMUNIATION
<u>3</u> POOL/HOT TUB	<u>      </u> MOBILE HOME
<u>5</u> SHED	<u>1</u> CARPORT/GARAGE
<u>4</u> ROOF	<u>1</u> SOLAR PANELS

**ESTIMATED COST OF BUILDINGS   \$ 813,776.00**

CERTIFICATE OF OCCUPANCY	\$ <u>700.00</u>
REQUEST FOR INFORMATION	\$ <u>1,300.00</u>
BUILDING EXTENSIONS	\$ <u>0</u>
TRAILER PARK RENEWALS	\$ <u>0</u>
BUILDING PERMITS	\$ <u>6895.99</u>
FIRE INSPECTION FEES	\$ <u>880.00</u>
ZBA ESCROW FEES	\$ <u>0</u>
ZBA APPLICATION	\$ <u>0</u>
BURN PERMIT FEES	\$ <u>80.00</u>
TOTAL MILEAGE: 1032 MILES	
TOTAL GAS USAGE 88 GALLONS	
TOTAL MONTHLY RECEIPTS	\$ <u>9,855.99</u>

## C) POLICE CHIEF - GERALD COCOZZA

**Police Department  
Town of Marlborough**

### **MEMORANDUM**

To: Town Board of the Town of Marlborough

From: Chief Cocozza

Date: October 22, 2018

Subject: Activity Summary for the Month of September 2018



Following is a summary of the activity of the Police Department for the month of September 2018

<u>MOTOR VEHICLE ACCIDENT</u>	Sept. 18	Yr. Date 18	Sept. 17	Yr. Date 17
Personal injury	3	25	7	35
Fatal	0	0	0	0
Property Damage	12	103	18	115
Report Not Required	5	37	3	23
Total	20	165	Total 28	173

<u>SUMMONSES ISSUED</u>				
Vehicle and Traffic	90	932	134	1331
Parking	5	23	0	27

<u>COMPLAINT ACTIVITY</u>				
Total Blotter Entries	327	2923	325	2990
Total Arrests	20	222	30	264

TOTAL TELEPHONE CALLS 1662 17049 1666 15575

#### POLICE DEPARTMENT OVERTIME HOURS payroll 19 & 20

Full Time Officer Overtime	(see attached)	(see attached)
Full Time Officer Grant O/T	(see attached)	(see attached)
Part Time Officer Overtime	(see attached)	(see attached)
Part Time Officer Gant O/T	(see attached)	(see attached)
Full Time Dispatchers Overtime	24 (\$698) 58	8 (\$274) 8
Part Time Dispatchers Overtime	0(\$0) 48	24 (\$456) 58

Police Mileage 12232 105947 12330 84494

## D) HIGHWAY SUPERINTENDENT - GAEL APPLER, SR.

### **HIGHWAY SUPERINTENDENT**

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



**GAEL R. APPLER, Sr.**  
Superintendent of Highways

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

Supervisor Lanzetta  
Town Clerk Colleen Corcoran  
Town Board Members

#### **Monthly Report for September 2018**

**ROADS:** The majority of our work this month was on the sidewalk project in Marlboro. We finished the concrete work on Grand Street and moved to West Street. We restored the lawns behind the sidewalks on Grand Street, then applied seed/straw. We black topped the road cut up to the front of the sidewalk with hot asphalt. We completed the work on West Street for this year and will finish this next year. We milled out and repaved sections on Hampton Road.

**DRAINAGE:** We started our pipe project on Old Indian Road. We will be putting in 1300 ft. plus of 15 in. PVC with catch basins to close in this ditch line. This is due to heavy truck traffic and the dangerous deep ditch. There is a lot of rock outcroppings so we anticipate it will take awhile to get this done.

**FUEL USAGE:** Gas: 282.729 gallons      Diesel: 397.853 gallons.

Gael R. Appler, Sr.  
Highway Superintendent

GRA/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: 9/10/2018**

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

**RE: MONTHLY REPORT FOR SEPTEMBER**

Water consumption totaled 14.8 million gallons, which is a daily usage of 494,000. Compared to last month 15.7 million gallons, which is a daily usage of 508,000. Compared to a year ago water consumption was 13.9 million for the month, which is a daily usage of 466,000.

### **SUMMARY FOR THE MONTH**

WATER MAINS: Repaired 10 inch water main on Milton Turnpike

SEVICE LINES: Had to repair a service on Maple Ave.

VALVES: Had to repair valve on Mahoney Rd. and 9W in Milton.

METERS: Had to replace 3 stuck meters.

BILLING: Bills went out. If there are any problems feel free to give us a call.

PUMP HOUSE: Painted the interior of the pump house.

RESERVIOR: Had to clean up trees to the entrance way into the reservoir.

SERVICE LINE INSPECTIONS: 2

CLOSINGS: 4

MARKOUTS: 55

Gallons of Gas: 265

Gallons of Diesel: 30

Mileage for the month: 2100

*Councilman Corcoran asked Mr. Muggeo if the pump house on Dock Road in Marlboro is used because there was a question about selling or renting it.*

*Mr. Muggeo stated that they do use it for storage and also to take water samples.*

*Councilman Corcoran also asked if there was an update regarding the shutdown of the Delaware Aqueduct.*

*Mr. Muggeo explained that the City of Newburgh shut down the Delaware Aqueduct a week ago and they state that they have more than enough backup supply to last the six weeks.*

*Councilman Baker asked if there is an update regarding the improvements/extensions to the water district.*

*Mr. Muggeo said there are two options for extensions; Cross Road and Plattekill Road. At this point he recommends going up Plattekill Road; it will help the school and it would add a few users. He will get an estimate together for the next meeting.*

## F) TOWN CLERK - COLLEEN CORCORAN

10/02/2018

**Town Clerk Monthly Report Monthly Report**  
September 01, 2018 - September 30, 2018

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Account Description	Fee Description	Account#	Qty	Local Share
building Dept/ Burn permits	Burn Permits	00-2110	1	30.00
			<b>Sub-Total:</b>	<b>\$30.00</b>
Conservation	Conservation	A1255	17	243.12
			<b>Sub-Total:</b>	<b>\$243.12</b>
Dog Licensing	Female, Spayed	A2544	10	50.00
Dog Licensing	Male, Neutered	A2544	11	55.00
Dog Licensing	Male, Unneutered	A2544	4	40.00
			<b>Sub-Total:</b>	<b>\$145.00</b>
LANDFILL FEES	T/s Permits	00-2130	2	60.00
LANDFILL FEES	T/s Punch Cards	00-2130	32	2,135.00
			<b>Sub-Total:</b>	<b>\$2,195.00</b>
Marriage Lic.	MARRIAGE LICENSE FEE	00-1255	2	35.00
			<b>Sub-Total:</b>	<b>\$35.00</b>
Misc Fees	Building Fees\Building Dept	00-2110	1	8,967.00
Misc Fees	Fire Fees/Building Dept	00-2110	1	800.00
Misc Fees	YRP Zumba	00-2025	1	150.00
			<b>Sub-Total:</b>	<b>\$9,917.00</b>
MISC. FEES	Accident Reports	00-1255	7	35.00
MISC. FEES	Certified Copies	00-1255	3	220.00
MISC. FEES	Foi Requests	00-1255	1	2.00
MISC. FEES	Park Fees	00-2001	2	600.00
			<b>Sub-Total:</b>	<b>\$857.00</b>
YRP Boot Camp	YRP Boot Camp	00-2025	1	600.00
			<b>Sub-Total:</b>	<b>\$600.00</b>
YRP Jiu-Jitsu	YRP Jiu-Jitsu	00-2025	1	150.00
			<b>Sub-Total:</b>	<b>\$150.00</b>
			<b>Total Local Shares Remitted:</b>	<b>\$14,172.12</b>
Amount paid to: NYS Ag. & Markets for spay/neuter program				33.00
Amount paid to: NYS Environmental Conservation				4,165.88
Amount paid to: State Health Dept. For Marriage Licenses				45.00
<b>Total State, County &amp; Local Revenues:</b>	<b>\$18,416.00</b>		<b>Total Non-Local Revenues:</b>	<b>\$4,243.88</b>

To the Supervisor:

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

\_\_\_\_\_  
Supervisor \_\_\_\_\_ Date \_\_\_\_\_ Town Clerk \_\_\_\_\_ Date \_\_\_\_\_

## G) WASTEWATER TREATMENT FACILITY- ANTHONY FALCO

Water Quality Management, Inc.  
P.O. Box 733  
Marlboro, NY 12542

October 10, 2018

Report on The Marlboro Wastewater Treatment Plant for September 2018  
The average flow meter readings to the plant was 119,000 gallons per day.  
The design capacity is 175,000 gallons per day.  
We used 68% of capacity.

The process is meeting all other SPDES requirements.  
Lab results show that we removed 99% of BOD and 99% of Suspended Solids  
during the month.

Milton Wastewater Treatment Plant:  
The Average flow to the Milton plant during August 2018 was 31,000 gallons per  
day.  
This is about 56% of design capacity (55,000 gallons per day).  
We showed 99% of BOD and 98% of TSS removal.  
The process is working well meeting SPDES requirements.

Overall both wastewater treatment plants are in good working order but getting  
older.  
The collection system is being monitored and maintained by Charlie Muggeo & the  
Water Dept.

If you need any additional information, please do not hesitate to contact me.

Julian Falco  
845-549-2547  
Water Quality Management, Inc.

*Supervisor Lanzetta stated the Tony Falco has made the Board aware that the treatment plant  
needs many updates so they will need to address this.  
Councilman Koenig added that there are trees behind the treatment plant that need to be cut;  
he asked Mr. Muggeo to take a look.*

## H) DOG CONTROL OFFICER - ANDREW MCKEE

21 Milton Turnpike  
Marlborough, New York, 12547

# Town of Marlborough Dog Control

**Andrew McKee-Dog Control Officer**

Monday, October 8, 2018

### **Monthly Report - 9/1/2018 through 9/30/2018**

#### **Overview:**

We received a total of **22** calls this month including **11** calls to service from Marlborough PD, State Police and Ulster County Sheriff

We responded to **6** active complaints and/or cases which are now closed or resolved

We currently have **2** open cases that have been addressed but are ongoing or un-resolved.

We Impounded **2** stray dogs this month.

Appearance tickets were issued this month on **2** Town Code Violations, and **3** Agriculture and Markets Violations.

We currently have **0** dogs in the kennel

We had **1** Dog Bite reported this month. This Dog bite resulted in some of the appearance tickets referenced above.

End of report.

*Some of the Board members briefly discussed the dog bite.*

I) ASSESSOR - CINDY HILBERT

**Assessor's Office**

# Memo

**To:** Town Board  
**From:** Cindy Hilbert  
**CC:** Colleen Corcoran  
**Date:** October 22, 2018  
**Re:** **October** Report

Our office processed 19 real property sales transfers.

We worked on 5 property tax estimates.

We verified the sales records for the month.

Our Data Collector has been working around the Conklin Hill/Lattintown Road/ Gala Lane/ Milton Turnpike area.

We sent out our renewal applications for our STAR exemptions and our Senior Citizen exemptions last week. All other exemption paperwork was also sent out previously.

The New York State Department of Tax and Finance has changed the filing requirements for the STAR exemption renewals and it is now mandatory that all recipients complete an Income Verification Form (425-IVP) along with their STAR renewal form (425-Rnw).

Senior Citizen Exemption recipients must also complete a form now as well (467-Rnw) along with the accompanying documentation.

J) PLANNING - CHRIS BRAND

Town of Marlborough

# Planning Board Review

## September 2018

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**Meeting: September 4, 2018 / 7:30 PM / Town Hall**

**MEETING CANCELLED**

### **NEXT Deadline**

**Friday, September 7, 2018**

### **NEXT Scheduled Meeting**

**Monday, September 17, 2018**

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**Meeting: September 17 , 2018 / 7:30 PM / Town Hall**

### **ATTENDEES**

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

### **AGENDA**

#### **Kevin and Kellie Casey, 134 Idlewild Road, Marlboro: Public Hearing, Subdivision**

- A Public Hearing for this project was opened and closed with limited public participation. A SEQRA Negative Declaration and Notice of Determination on Non-Significance was approved via resolution. Resolution of Approval was also granted.

**Marlboro on Hudson, Hudson Circle, Marlboro: Public Hearing, Site Plan**

- The Public Hearing was opened with significant input from those in attendance. Questions regarding landscaping, project history, areas of recreation, construction bonds, Attorney General approval, change from two bedrooms to three bedrooms, construction phasing, and drainage were the main issues brought forth. The Board agreed to adjourn the Public Hearing until the October 1, 2018, Meeting of the Planning Board when the applicant will return.

**Twin Pond Enterprises, LLC, Route 9W, Milton: Preliminary, Site Plan**

- Town Engineer Pat Hines pointed out several technical discrepancies, which the applicant will address. NYSDOT input and approvals were discussed. The new portion of the initial phase of screening was deemed appropriate in size. Additional screening is required. The project will be sent to the Ulster County Planning Board for review. The applicant will reappear when outstanding comments from the aforementioned agencies are complete.

**\*\*\*Note**

- Chairman Brand advised all Board Members to review the proposed changes to the Town Zoning Law. The Town Board will hold a Public Hearing on this proposal on September 24, 2018.

**NEXT Deadline**

Friday, September 21, 2018

**NEXT Scheduled Meeting**

Monday, October 1, 2018

Respectfully Submitted,

Chris Brand, Chairman, Town of Marlborough Planning Board

ITEM #9 Report of Committees

A) RECREATION COMMITTEE

*Supervisor Lanzetta reported that Community Day was successful. He also stated that there will be multiple annual Halloween events coming up.*

B) EMERGENCY MANAGEMENT PREPAREDNESS COMMITTEE

*No report.*

C) CONSERVATION ADVISORY COMMITTEE

*Supervisor Lanzetta reported that they are waiting for a response from the county regarding the design guidelines that they sent them.*

D) IT COMMITTEE

*Supervisor Lanzetta reported that it has been marked out where the 80" TV screens will go in the meeting room. The Town also had to purchase two new computers for employees.*

E) MILTON TRAIN STATION FOUNDATION

*Supervisor Lanzetta reported that the train station held their celebration event to honor all who have donated to the foundation. Unfortunately, Senator Larkin was unable to attend.*

F) MILTON LANDING CITIZENS COMMITTEE

*Supervisor Lanzetta reported that there is a resolution on the agenda which is part of the process to inform CSX about both a new and existing pedestrian crossings at the landing.*

G) MARLBORO HAMLET ECONOMIC DEVELOPMENT COMMITTEE

*Councilman Baker reported that the committee met; they made a list of accomplishments and things that they would like to work on. He will share that list with the Board when it he receives it.*

*There will be a meeting with Father Tom to discuss the parking lot across from St. Mary's Church. The Route 9W corridor study is complete and is awaiting comments; there will be another meeting to review the comments.*

*Councilman Baker also reported that there was a Scenic Resource Inventory done by Cornell students. The students, their professor, Matt Kierstead, and he explored the whole town and the students presented their findings and thoughts of the town at the Train Station. They will come back in December to give a final report. They will list all the scenic vistas in town that may in the future be protected. Their goal is to create a process that towns can use to do their own scenic inventories.*

H) MEET ME IN MARLBOROUGH

*Supervisor Lanzetta reported that they had a good Bounty Festival.*

I) HAMLET OF MILTON ASSOCIATION COMMITTEE

*Councilman Koenig reported that the fall flowers are out.*

J) TRANSFER STATION REVIEW COMMITTEE

*Councilman Baker also thanked Gael Appler for the work he did at the Transfer Station.*

ITEM # 10 New Business

A) November 12 Meeting

*The Board agreed to hold the next Town Board meeting on November 12<sup>th</sup> even though Town Hall will be closed that day.*

## B) Cornerstone Estimate for Special Election Postcards

*Supervisor Lanzetta stated that they received and estimate of \$1,567.95 to print and mail the postcards to let the voters know about the special election regarding the TOMVAC building.*

*Councilman Corcoran made a motion to spend \$1,567.95 to print and mail the special election postcards regarding the sale of TOMVAC. Motion seconded by Councilman Koenig.*

## ITEM #11 Workshop topics

Supervisor Lanzetta stated that the school turned down the proposal for the land at the high school site to build the recreation/community center. After speaking to some of the seniors, who seem comfortable with being at the Presbyterian Church but just don't like the facility because it needs to be updated, he asked the Board if they would be interested in talking to the church to see if they can come up with a lease agreement and an agreement to upgrade the facility for the seniors and possibly other types of usage. The member item from Frank Skartados can be used toward the upgrades.

Some of the Board discussed their opinions.

***Councilman Koenig made a motion to start discussions with the Presbyterian Church regarding a lease agreement and upgrading their facility for the senior citizens and possibly other usage. Motion seconded by Councilman Corcoran.***

**Yeas: 4**      **Nays: 0**      **Abstain: 1 (Baker)**    **Carried**

#### ITEM #12 Correspondence

*Supervisor Lanzetta read correspondence from Gael Appler stating that Jerry Murtagh has completed his six month probation period as Motor Equipment Operator (MEO) and will now be a full time employee of the Highway Department.*

*Supervisor Lanzetta read correspondence from the Marlboro Central School District thanking the representatives from the town for attending the school board meeting and also that they are not interested in participating in the proposed recreation center on school district property.*

*Supervisor Lanzetta stated that he received correspondence stating that the town is getting \$10,000.00 from New York State compliments of the late Frank Skartados to improve drainage at the park.*

*Supervisor Lanzetta stated that he received a letter from Bill Conn who is a member of the American Legion asking to name the area where the World War 1 Memorial is on the corner of King Street and Route 9W.*

#### ITEM #13 Public Comment

*Ralph Walters questioned if Phil Bell received any more money than the original amount that was approved at a Board meeting a few months ago for the proposed recreation/community center. He also asked if anyone ever got an estimate of how much revenue would be lost if the state police didn't do their traffic stops at St. Mary's parking lot.*

*Supervisor Lanzetta stated there was an additional amount of money approved at a Town Board meeting to have the plans altered for a different type of building and also he will ask the court about the estimate for what the lost revenue would be. He added that he called the state about the pothole on Route 9W and it was fixed.*

*James Garofalo thanked the Supervisor and the Board.*

#### ITEM #14 Resolutions

- A) Resolution # 74 To appoint Part Time Police Officer
- B) Resolution # 75 To appoint Part Time Police Officer
- C) Resolution #76 To issue a Notice of Special Election and proposition for special election
- D) Resolution #77 To hold a public hearing on an agreement with the Town of Marlborough and Charter Communications
- E) Resolution #78 For new at-grade pedestrian railroad crossing at Dock Road Milton
- F) Resolution #79 To introduce a Local Law of 2018, to amend section 155-32.2 of the Town Code, "Solar Energy"

*Supervisor Lanzetta explained that this was not included in the original solar code. This local law is to opt out of the real property tax exemption (pilot program). There is one applicant that is in front of the Planning Board and who contracted with Central Hudson already who will be in the pilot program because this was not done.*

#### ITEM #15 Adjournment

October 22, 2018

A). Resolution #74 To appoint Part Time Police Officer

Supervisor Lanzetta proposes the following

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

Whereas, it is the recommendation of the Police Committee as well as the Chief of Police to appoint Evan Longinott as part time police officer.

Now therefore be it resolved that Evan Longinott be appointed effective immediately.

And moves for its adoption

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

October 22, 2018

B). Resolution # 75 To appoint Part Time Police Officer

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

Whereas, it is the recommendation of the Police Committee as well as the Chief of Police to appoint Brandon Ewing as part time police officer.

Now therefore be it resolved that Brandon Ewing be appointed effective immediately.

And moves for its adoption

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

October 22, 2018

C). Resolution #76 To issue a Notice of Special Election and proposition for special election

Supervisor Lanzetta proposes the following:

WHEREAS, the Town Board has received a petition calling for referendum on the question of sale of the TomVac Building at 1520 Route 9W, Town of Marlborough, County of Ulster, State of New York (Tax Map No. 109.1-2-20).

NOW, THEREFORE, IT IS HEREBY RESOLVED, as follows:

1. The Town Board issues the following Notice of Special Election and Proposition for Special Election:

NOTICE OF SUBMISSION OF A PROPOSITION TO SPECIAL ELECTION OF THE ELECTORS OF THE TOWN OF MARLBOROUGH

The following proposition will be presented to the electors of the Town of Marlborough, Ulster County, New York at a special election to be held on the 4<sup>th</sup> day of December, 2018, between the hours of Noon and 9 pm, prevailing time, on that day; and

Electors are individuals as defined within Section 84 of the Town Law of the State of New York.

The proposition to be considered by the electors shall be as follows:

Should the Marlborough Town Board convey title to the so-called TomVac Building at 1520 Route 9W, Town of Marlborough, County of Ulster, State of New York (Tax Map No. 109.1-2-20) pursuant to a contract of sale (which is subject to permissive referendum) establishing a sale price of \$380,000?

The polling places for the special election shall be as follows: (a) St. Mary's Hall, 73 Grand Street, Marlboro, New York 12542 for Districts 1, 2, and 3 and (b) Marlborough Town Hall, 21 Milton Turnpike, Milton, New York 12547 for Districts 4, 5, and 6.

Yours, etc.

TOWN OF MARLBOROUGH

By: \_\_\_\_\_  
COLLEEN CORCORAN, TOWN CLERK

WHEREUPON, the following vote was taken to approve this Notice and Proposition.

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

DATED: Milton, New York  
October 22, 2018

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COLLEEN CORCORAN, TOWN CLERK

October 22, 2018

D) . Resolution #77 To hold a public hearing on an agreement with the Town of Marlborough and Charter Communications

Supervisor Lanzetta proposes the following

Whereas, The Town of Marlborough's contract with Charter Communications has expired, and

Whereas, Charter Communications has sent the Town a draft agreement, and

Whereas, a copy of the agreement is available for public inspection during normal business, and

Whereas, the Town of Marlborough will hold a public hearing on said draft agreement where all persons will be given an opportunity to be heard.

Be it resolved, that the Town of Marlborough will hold a public hearing on said agreement on November 12, 2018 at 7:00 PM

And moves for its adoption

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

October 22, 2018

E). Resolution # 78 For new at-grade pedestrian railroad crossing at Dock Road Milton

Supervisor Lanzetta proposes the following

Whereas, representatives of the Town of Marlborough, New York Department of Transportation (NYDOT) and CSX have met and discussed the inadequacies of the existing at-grade railroad crossing on Dock Road, and

Whereas, the merits of a new at-grade pedestrian crossing south of the existing crossing were acknowledged to be of value to the community of Marlborough, and

Whereas, the Town is required to follow New York State Railroad Law Section 90 and 91.

Be it resolved, that the Town of Marlborough will hold a public hearing on November 12, 2018 at 7:00 PM at the Town Hall, 21 Milton Turnpike, Milton, NY at which time all interested parties may be heard. Notice of this public hearing will be given to the NYDOT and CSX

And moves for its adoption

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

October 22, 2018

F) Resolution #79 To introduce a Local Law of 2018, to amend section 155-32.2 of the Town Code, "Solar Energy"

Supervisor Lanzetta, seconded by Councilman Baker, introduced the following proposed local law, to be known as Local Law No. -- of 2018, entitled A LOCAL LAW OF THE TOWN OF MARLBOROUGH, ULSTER COUNTY, NEW YORK TO AMEND SECTION 155-32.2 OF THE TOWN CODE, "SOLAR ENERGY", TO ADD A NEW SUBDIVISION M. TO EFFECT THE OPT-OUT FROM THE REAL PROPERTY TAX EXEMPTION PROVISIONS FOUND WITHIN SECTION 487(2) OF THE REAL PROPERTY TAX LAW ("RPTL") FOR SOLAR FARMS, WIND ENERGY FACILITIES, FARM WASTE ENERGY SYSTEMS, MICRO-HYDROELECTRIC ENERGY SYSTEMS, FUEL CELL ELECTRIC GENERATING SYSTEMS, MICRO-COMBINED HEAT AND POWER GENERATING EQUIPMENT SYSTEMS, AND ELECTRIC ENERGY STORAGE SYSTEMS.

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

Section 1. Section 155-32.2 of Town Code of the Town of Marlborough is hereby amended to add a new Subdivision M. reading as follows:

M. Notwithstanding the provisions of RPTL Section 487(2), the Town of Marlborough provides that no real property tax exemption under RPTL 487(2) shall be applicable within its jurisdiction with respect to any solar or wind energy system or farm waste energy system which

began construction subsequent to January 1, 1991 or the effective date of this local law, whichever is later, and/or that no real property tax exemption under RPTL 487(2) shall be applicable within its jurisdiction with respect to any micro-hydroelectric energy system, fuel cell generating system, micro-combined heat and power generating system or energy electric storage equipment or electric energy storage system constructed subsequent to January 1, 2018 or the effective date of this local law, whichever is later.

Section 2. This local law shall take effect immediately upon filing with this state's Secretary of State.

Section 3. If any section of this local law shall be held unconstitutional, invalid, or ineffective, in whole or in part, such determination shall not be deemed to affect, impair, or invalidate the remainder of this local law.

Supervisor Lanzetta advised the Town Board that, pursuant to the Municipal Home Rule Law of the State of New York, it will be necessary to hold a public hearing upon this law. He offered the following resolution which was seconded by Councilman Baker, who moved its adoption:

WHEREAS, on October 22, 2018, Supervisor Lanzetta has introduced this local law for the Town of Marlborough, to be known as "Town of Marlborough Local Law No. -- of the Year 2018 A LOCAL LAW OF THE TOWN OF MARLBOROUGH, ULSTER COUNTY, NEW YORK TO AMEND SECTION 155-32.2 TO OPT-OUT OF THE REAL PROPERTY TAX EXEMPTION ESTABLISHED WITHIN 487(2) OF THE ("RPTL") FOR SOLAR FARMS, WIND ENERGY

FACILITIES, FARM WASTE ENERGY SYSTEMS, MICRO-HYDROELECTRIC ENERGY SYSTEMS, FUEL CELL ELECTRIC GENERATING SYSTEMS, MICRO-COMBINED HEAT AND POWER GENERATING EQUIPMENT SYSTEMS, AND ELECTRIC ENERGY STORAGE SYSTEMS.

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 of interest and citizens shall have an opportunity to be heard, to be held at the Town Hall, 21 Milton Turnpike, Milton, New York, on November 12, 2018 at 7:00 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 notice shall be in the 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, 21 Milton Turnpike, Milton, New York on November 12, 2018 at 7:00 o'clock, p.m., to amend Section 155-32.2 of the Town Code to add a new Subdivision M. as follows:

"M." Notwithstanding the provisions of RPTL Section 487(2), the Town of Marlborough provides that no real property tax exemption under RPTL 487(2) shall be applicable within its jurisdiction with respect to any solar or wind energy system or farm waste energy system which began construction subsequent to January 1, 1991 or the effective date of this local law, whichever is later, and/or that no real property tax exemption under RPTL 487(2) shall be applicable within its jurisdiction with respect to any micro-hydroelectric energy system, fuel cell generating system, micro-combined heat and power generating system or energy electric storage equipment or electric energy storage system constructed subsequent to January 1, 2018 or the effective date of this local law, whichever is later.

TAKE FURTHER NOTICE, that copies of the aforesaid proposed local law will be available for examination at the office of the Clerk of the Town of Marlborough, at the Town Hall, 21 Milton Turnpike, Milton, New York between the hours of 8:00 a.m. and 4:00 p.m. on all business days between the date of this notice and the date of the public hearing.

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

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

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

DATED: Milton, New York  
October 22, 2018

## COLLEEN CORCORAN, TOWN CLERK

*Councilman Koenig made a motion to adjourn the meeting at 9:09 p.m. Motion seconded by Councilman Molinelli.*

*Yeas: 5 Nays: 0 Carried*

*Respectfully submitted,  
Danielle Cherubini  
Deputy Town Clerk*