

WORKSHOP MEETING
TOWN BOARD TOWN OF MARLBOROUGH
21 MILTON TURNPIKE, MILTON NEW YORK
FEBRUARY 24, 2020 7:00 PM
MINUTES OF MEETING

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

Also Present: Danielle Cherubini, Deputy Town Clerk
Thomas Corcoran, Ulster County Legislator
Gael Appler, Retired Highway Superintendent

ITEM #1 Call to order - Pledge of Allegiance

ITEM #2 Moment of Silence

ITEM #3 Motion to approve agenda

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

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

ITEM #4 Motion to approve minutes from the February 10, 2020 Town Board Meeting
Councilman Koenig made a motion to approve minutes from the February 10, 2020 Town Board Meeting. Motion seconded by Councilman Corcoran.

*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 \$131,621.24. Motion seconded by Councilman Corcoran.

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

ITEM #6 Presentations

A). Pride of Ulster County-Gael Appler: presented by Ulster County Legislator Thomas Corcoran

Ulster County Legislator, Thomas Corcoran stated that he is honoring Gael Appler Sr. for all of his hard work and dedication to the Town of Marlborough over the last 22 years. Mr. Corcoran read the description of a Highway Superintendent and stated that Mr. Appler went above and beyond. Mr. Appler was presented with the Pride of Ulster County Award.

ITEM #7 Comments on the agenda

No comments on the agenda.

ITEM #8 New Business

Larry Fuhrmann, Transfer Station Manager, stated that he would like to put more money (\$5,000.00) in the budget for tire removal at the Transfer Station. He also asked for \$500.00 to remove tractor tires. There was a brief discussion regarding the price of tractor tire removal.

Some of the Board briefly discussed assessments.

ITEM #9 Workshop topics

A). Camp busing donation

Supervisor Lanzetta stated that there has been a search for a sponsor for busing for camp which costs about \$5,000.00.

B). CAC (Howard Baker)

Councilman Baker stated that he has two recommendations for the CAC to work on. One is a Natural Resources Inventory which compiles information about forestry, wetlands, surface and ground waters, and farmland. Cultural resources, such as historic sites, scenic vistas, and recreation areas.

The other is for them to look into how to become a Clean Energy / Climate Smart Community.

After a brief discussion, the Board agreed that the latter would be a better topic for the CAC to work on.

ITEM #10 Correspondence

No correspondence.

ITEM #11 Public Comment

No public comment.

ITEM #12 Resolutions

- A). Resolution # 38 To adopt Local Law #1 of the year 2020 to amend Chapter 149 Water
- B). Resolution # 39 To adopt Local Law #2 of the year 2020 to amend Chapter 155-32-2 Solar Energy

ITEM #13 Adjournment

Councilman Koenig made a motion to adjourn the meeting at 7:26 p.m. Motion seconded by Councilman Molinelli.

*Yea*s: 5

*Nay*s: 0

Carried

Respectfully submitted,

Danielle Cherubini

Deputy Town Clerk

February 24, 2020

A). Resolution # 38 To adopt Local Law #1 of the year 2020 to amend Chapter 149 Water

Supervisor Lanzetta proposes the following:

WHEREAS, a local law was introduced to be known as Local Law No. 1 of 2020, entitled A LOCAL LAW OF THE TOWN OF MARLBOROUGH, ULSTER COUNTY, NEW YORK, AMENDING CHAPTER 149 “WATER” TO ADD A SECTION 149-32 OF THE TOWN CODE, ENTITLED “CONNECTION TO PUBLIC WATER SYSTEM REQUIRED.”

WHEREAS, a public hearing in relation to said local law was held on February 24, 2020 at 7:00 p.m., prevailing time; and

WHEREAS, notice of said public hearing was given pursuant to the terms and provisions of the Municipal Home Rule Law of the State of New York; and

WHEREAS, said local law has been on the desks of the members of the Town Board of the Town of LaGrange for at least seven (7) days, exclusive of Sunday;

NOW, THEREFORE, BE IT RESOLVED that the following local law is hereby enacted:

Section 1. Chapter 149 of the Marlborough Town Code is amended to add a new Section 149-32 reading as follows:

§ 149-32. Connection to Public Water System Required.

The owner of all houses, buildings, or properties used for human occupancy, employment, recreation or other purposes, situated within the District and abutting on any street, alley or right-of-way in which there is now located or may in the future be located a public water system of the District, is

hereby required, at his expense, to install suitable plumbing facilities therein, and to connect such facilities directly to the proper public water system, in accordance with the provisions of this chapter, within ninety (90) days after the date of official notice to do so, provided that the said public water system is within one hundred (100) feet of the owner's property line.

Section 2. 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.

Section 3. Pursuant to Section 22 of this state's Municipal Home Rule Law, this local law shall modify and supersede any provisions of state statute which are inconsistent with the terms of this local law.

Section 4. This local law shall take effect immediately upon filing with this state's Secretary of State.

RESOLVED that the Town Clerk shall file a certified original of this local law in the office of the Town Clerk and one (1) certified copy in the Office of the Secretary of State, State of New York, such certified copy to have attached thereto a certificate that it contains the correct text of the enactment of this local law.

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

Supervisor Lanzetta Yes

Councilman Molinelli Yes

Councilman Corcoran Yes

Councilman Baker Yes

Councilman Koenig Yes

DATED: Milton, New York
February 24, 2020

COLLEEN CORCORAN, TOWN CLERK

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February 24, 2020

B). Resolution # 39 To adopt Local Law #2 of the year 2020 to amend Chapter 155-32-2 Solar Energy

Supervisor Lanzetta proposes the following:

WHEREAS, a local law was introduced to be known as Local Law No. 2 of 2020, 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 REPEAL SUBDIVISION M., WHICH EFFECTED 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.

WHEREAS, a public hearing in relation to said local law was held on February 24, 2020

WHEREAS, notice of said public hearing was given pursuant to the terms and provisions of the Municipal Home Rule Law of the State of New York; and

WHEREAS, said local law has been on the desks of the members of the Town Board of the Town of LaGrange for at least seven (7) days, exclusive of Sunday;

NOW, THEREFORE, BE IT RESOLVED that the following local law is hereby enacted:

Section 1. Section 155-32.2 of Town Code of the Town of Marlborough is hereby amended to completely remove Subdivision M., thus restoring the former exemption. Subdivision M. currently reads 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.

RESOLVED that the Town Clerk shall file a certified original of this local law in the office of the Town Clerk and one (1) certified copy in the Office of the Secretary of State, State of New York, such certified copy to have attached thereto a certificate that it contains the correct text of the enactment of this local law.

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
February 24, 2020

COLLEEN CORCORAN, TOWN CLERK

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