

**SPECIAL MEETING
TOWN BOARD TOWN OF MARLBOROUGH
SEPEMBER 4, 2014 SPECIAL MEETING
MINUTES OF MEETING**

PRESENT: SUPERVISOR OSBORN
COUNCILMAN CORCORAN
COUNCILMAN KOENIG

COLLEEN CORCORAN, TOWN CLERK
DANIELLE CHERUBINI, DEPUTY TOWN CLERK

ABSENT: COUNCILMAN MOLINELLI
COUNCILMAN BAKER

ITEM #1 Call to order pledge of allegiance

ITEM #2 Moment of Silence

ITEM #3 Resolutions

A). Resolution #67 To authorize agreement with Royal Wine Corporation-tabled from August 25, 2014

Councilman Koenig made a motion to amend Resolution numbers on the agenda and change Resolution #70 to Resolution #71 and Resolution #71 to Resolution #72. Motion seconded by Councilman Corcoran.

B). Resolution #71 To approve and endorse the application for a grant under the 2014 Greenway Conservancy Small Grant Program

C). Resolution #72 To hereby assume the additional cost required to provide the reopening of Section 384-d of the Retirement and Social Security Law

Councilman Koenig stated for the record that the Board did not just decide to spend this amount of money, they are obligated to do so. This could have been taken care of for a lot less money, approximately 10 years ago when it was first brought to the attention of the Town Board.

September 4, 2014

A). Resolution #67 To authorize agreement with Royal Wine Corporation-tabled from August 25, 2014

Supervisor Osborn proposes the following:

WHEREAS, Royal Wine Corporation and the Town of Marlborough wish to enter into an Offer of Cession Agreement (annexed hereto as Exhibit "A") allowing for the Town to obtain, at its discretion, an easement to make future storm water improvements on a portion of the lands of Royal Wine Corporation at the Kedem Winery Facility on Route 9W in the Town of Marlborough; and

WHEREAS, the giving of the Offer of Cession Agreement is a condition of Planning Board site plan approval granted on August 19, 2013.

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

1. The Town Board approves of the attached Offer of Cession agreement, and authorizes its Supervisor to execute the agreement, and all related instruments, in the same or substantially the same form.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows: The foregoing resolution was duly put to a vote which resulted as follows:

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

DATED: Milton, New York
August 11, 2014

Colleen Corcoran, Town Clerk

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September 4, 2014

B). Resolution #71 To approve and endorse the application for a grant under the 2014 Greenway Conservancy Small Grant Program

Supervisor Osborn proposes the following:

WHEREAS, the Town of Marlborough is applying to the Hudson River Valley Greenway for a grant under the 2014 Greenway Conservancy Trail Grant Program for a project entitled Milton Landing Park Trail Project to be located in the Hamlet of Milton,

WHEREAS, the grant application requires the applicant municipality to obtain the approval/endorsement of the governing body of the municipality or municipalities in which the project will be located;

NOW, THEREFORE, be it resolved that the governing board of Marlborough hereby does approve and endorse the application for a grant under the 2014 Greenway Conservancy Small Grant Program, for a project known as Milton Landing Park Trail Project and located within this community.

September 4, 2014
Date of Adoption

Colleen Corcoran Name of Municipal Clerk _____ Signature

And moves for its adoption

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

September 4, 2014

C). Resolution #72 To hereby assume the additional cost required to provide the reopening of Section 384-D of the Retirement and Social Security Law



Office of the New York State
Thomas P. DiNapoli
New York State and Local Retirement System
Employees' Retirement System
Police and Fire Retirement System
110 State St., Albany, New York 12244

Location Code: 30668

Resolution reopening Section 384-d of the Retirement and Social Security Law for
Charles Hoffman and Arthur Terwilliger as set forth in Chapter 118, Laws of 2014.

At a meeting of the governing board of the Town of Marlborough held in

Milton, New York on 11/14/2014
Supervisor Stephen Osborn offered the following resolution:
(Person)

"BE IT RESOLVED: that the governing board of the Town of Marlborough, does hereby assume the additional cost required to provide the reopening of Section 384-d of the Retirement and Social Security Law, pursuant to Chapter 118 of the Laws of 2014."

STATE OF NEW YORK)
)
COUNTY OF Ulster)
)SS:

I, Colleen Corcoran, clerk of the governing board of the Town of Marlborough of the State of New York, do hereby certify that I have compared the foregoing with the original resolution passed by such board, at a legally convened meeting held on the _____ day of _____, 2014 on file as part of the minutes of such meeting, and that same is a true copy thereof and the whole of such original. I further certify that the full board, consists of 5 members, and that _____ of such members were present at such meeting and that _____ of such members voted in favor of the above resolution.

IN WITNESS WHEREOF, I have hereunto

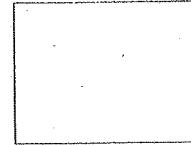
(Seal)

Set my hand and the seal of the

Town of Marlborough

On this _____ day of _____, 2014

Colleen Corcoran
(Signature of clerk)



The resolution must be approved by the legislative body and be approved by any other body or officer required by law to approve resolution of such legislative body.

Note: This resolution must be filed with the Division of Retirement Services, Office of the State Comptroller on or before December 31, 2014.

And moves for its adoption

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

Supervisor Osborn stated that the Board amended Local Law #1 at the last meeting and will be finalizing it at the next meeting. Since then something has come up. In 2009 "Spaghetti Flats" burnt down. Frank Cricchio purchased that property in 2010, and would have needed to go before the Zoning Board of Appeals for a variance to rebuild within one year but he didn't go for the variance. In 2010 or 2011, the Town Board changed the law to where you could almost build anything in the C-1 District. The zoning changes this Board will be voting on again on Monday will include a functioning table for the C-1 District and Mr. Cricchio's property will be changed from C-1 to residential. Mr. Cricchio wants to build 6 units on about 1/2 acre and the law allows 2 units in C-1 and you would need 3 acres in R-1. Mr. Cricchio just got word from the county that he can have a curb cut wide enough for four cars in front of the building. He has submitted his plans and fees, but the plans have not been stamped. The law would require the plans to be stamped to be approved to move ahead with the project. Therefore, after Monday's meeting when the local law is passed Mr. Cricchio's project will not be allowed to move forward. Councilman Corcoran and Councilman Koenig both questioned if the Local Law takes effect immediately or January 1, 2015.

Supervisor Osborn asked the Board if he could call Ron Blass to see when the law goes into effect and to ask if anything could possibly be done so Mr. Cricchio can build his project.

The Board agreed.

Supervisor Osborn also said the Economic Development Committee (EDC) has been working on the Hamlet Plan. Barton & Loguidice (B & L) drew up a plan but it is not entirely accurate. The EDC would like to expand the area around the flagpole and add greenery and Local 17 will be helping with the project.

Supervisor Osborn met with Key Bank and they seem very willing to make some property changes to accommodate the flagpole idea and landscape their own property. Supervisor Osborn also said that he spoke with Mr. Muggeo about how much it would cost for purchasing and installing a check valve so Key Bank wouldn't have another sewer backup as they did a few months earlier.

Supervisor Osborn suggested that they get updated and more accurate technical drawings from B & L using the money that the Board gave the EDC to do this project so they can be submitted to Key Bank and begin the process.

The Board agreed and Councilman Koenig added that someone should direct B & L.

Councilman Corcoran made a motion to adjourn the special meeting at 8:00PM. Motion seconded by Councilman Koenig.

Yea: 3

Nays: 0

Carried

*Respectfully submitted,
Danielle Cherubini
Deputy Town Clerk*