

FIRST MEETING OF THE MONTH
(ZOOM VIDEO MEETING DUE TO THE
CORONAVIRUS PANDEMIC)
TOWN BOARD TOWN OF MARLBOROUGH
APRIL 12, 2021 7:00 PM
MINUTES OF MEETING

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

Also Present: Colleen Corcoran, Town Clerk
Gerald Cocozza, Chief of Police
Thomas Corcoran, Building Inspector/Ulster County Legislator
Jen Flynn, Planning Board Secretary
Dave Zambito, Zoning Board Member
James Garolfalo, Planning Board Member

ITEM #1 Call to order - Pledge of Allegiance

ITEM #2 Moment of Silence

ITEM #3 Motion to approve agenda

Councilman Corcoran made a motion to amend the agenda to add Letter E) Sandy Loam for Sands Avenue Park to New Business and approve the agenda as amended. Motion seconded by Councilman Koenig.

ITEM #4 Motion to approve minutes from the March 22, 2021 Town Board Meeting
Councilman Molinelli made a motion to approve minutes from the March 22, 2021 Town Board Meeting. Motion seconded by Councilman Koenig.

Yeas: 5 Nays: 0 Carried

ITEM #5 Authorize payment of bills

Councilman Baker made a motion to authorize payment of the abstract in the amount of \$91,142.55. Motion seconded by Councilman Corcoran.

Yeas: 5 Nays: 0 Carried

ITEM #6 Comments on the agenda

ITEM #7 Presentations

ITEM #8 Report of Departments and Boards
A) SUPERVISOR - ALPHONSO LANZETTA

Supervisor's Report March 2021

Met with Highway Superintendent John Alonge and Rosemary Wein, at the Milton Library, to discuss handicap access

Met with Councilman Baker, Police Chief Cocozza, and the Town of Poughkeepsie Police Chief for a site review on the Marlboro Tilcon Property and an additional follow up meeting

Zoom with Marlboro Free Library to discuss working together on pertinent community issues

Zoom with Ulster County Project Resilience representative, Anna Makorwitz

Continued regular weekly meetings with Ulster County to discuss COVID issues and updates

Met with Chief Cocozza and Marlboro Central School District Rep. Larry Cavazza to discuss cleaning protocols

Met with vendor to discuss installation of utility poles at the Cluett Schantz Park

Helped distribute food for the Seniors with the Lions Club members and volunteers at the Presbyterian Church

Conference calls with engineering representatives, Councilman Baker and Rosemary Wein to discuss South Pier issues

Multiple meetings and phone calls with Camp Directors about Summer Camp

Attended Ulster County Ag & Markets Webinar

Several Zoom meetings with concerned citizens in regard to Summer Camp

Several meetings with John Demarco, Councilman Baker, School Superintendent Michael Brooks and representatives of development interests for the Bayside Project

Comment at Danskammer Article 10 Public Statement Hearing

Met with representative from Ulster County Soil & Water to assess soil for Milton Landing Park

Councilman Corcoran and I met with the IT Committee

Discussion with Councilman Corcoran and the Police Chief in preparation for contract renewal
Met with Tom Schroeder and helped clean up Cluett Schantz Park

Met with Highway Superintendent John Alonge at Conn's project to assess soil

Respectfully submitted,
Al Lanzetta

B) BUILDING INSPECTOR - THOMAS CORCORAN

**THOMAS CORCORAN - BUILDING INSPECTOR
MONTHLY REPORT - BUILDING DEPARTMENT
MONTH OF: MARCH 2021**

CERTIFICATE OF OCCUPANCY	5	STOP WORK ORDER	0
REQUEST FOR INFORMATION	25	ZBA APPLICATION	3
TRAILER PARK RENEWALS	0	ORDER TO REMEDY	6
BUILDING EXTENSIONS	5	COMPLAINTS	25
FIRE INSPECTIONS	12	BURN PERMITS ISSUED	11
FIRE CALLS	1	CLOTHING BIN RENEWALS	0
 TOTAL MILEAGE	 1,310	 TOTAL GAS USAGE	 92 Gals.

BUILDING PERMITS

ADDITION / RENOVATION	2	POOL / HOT TUB	4
BARN	1	ROOF	4
BURNING	11	SHED	3
CARPORT / GARAGE	2	SIGNS	0
CONVERSION	1	SINGLE FAMILY	4
DECK/STAIRS	5	SOLAR PANELS	2
ELECTRICAL / HVAC	4	TANK INSTALL / REMOVAL	2
FURNACE / BOILER	0	WIRELESS COMMUNICATION	0
GENERATOR	0	WOOD / PELLET STOVE	1
 TOTAL PERMITS	 46	 EST. COST OF BUILDINGS	 \$1,368,312.00

FEES COLLECTED

CERTIFICATE OF OCCUPANCY	\$750.00
PERMIT EXTENSIONS	\$947.00
BUILDING PERMITS	\$11,151.20
REQUEST FOR INFORMATION	\$2,500.00
TOTAL BUILDING FEES	\$15,348.20
 FIRE INSPECTIONS	 \$735.00
TRAILER PARK RENEWALS	\$0.00
TOTAL FIRE FEES	\$735.00
 BURNING FEES	 \$10.00
 ZBA APPLICATIONS	 \$900.00
ZBA ESCROW	\$2,100.00
TOTAL FEES	\$19,093.20

Tom Corcoran gave a COVID-19 update at this time.

Ulster County

Total Cases 13,932

Total Active 1,615

Total Tested 336,162

Marlborough

Total Cases 937

Total Active 121

Total Deaths 7

Tom Corcoran added that last Thursday individuals age 16 and up were eligible for the COVID-19 vaccine and in the upcoming week it will be extended to age 12 and up.

C) POLICE CHIEF - GERALD COCOZZA

Police Department
Town of Marlborough

MEMORANDUM

To: Town Board of the Town of Marlborough
From: Chief Cocozza
Date: April 12, 2021
Subject: Activity Summary for the Month of March 2021



Following is a summary of the activity of the Police Department for the month of March 2021

<u>MOTOR VEHICLE ACCIDENT</u>	March 21	Yr. Date 21	March 20	Yr. Date 20
Personal injury	2	9	2	12
Fatal	0	0	0	0
Property Damage	17	58	17	39
Total	19	67	19	51

<u>SUMMONSES ISSUED</u>				
Vehicle and Traffic	83	191	174	470
Parking	1	4	4	71

<u>COMPLAINT ACTIVITY</u>				
Total Blotter Entries	1612	4714	1285	3501
Total Arrests	13	51	26	59

TOTAL TELEPHONE CALLS 1856 5660 1826 5423

POLICE DEPARTMENT OVERTIME HOURS payroll 6 & 7

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	0 (\$)	21 (\$538)
Part Time Dispatchers Overtime	8 (\$208)	40 0 (\$0)
		21 88

Police Mileage 11800 34130 11707 48250

Police Department
Town of Marlborough



MEMORANDUM

Activity Summary for the month of March 2021

Page 2.

Police Department Payroll 6 & 7 Regular Hours

	March 21	Yr. Date	March 20	Yr. Date
Full Time Police Officer	1120	2296	1120	3364.5
Part Time Police Officer	1070	2168.5	993.5	2981.25
Full Time Dispatcher	480	960	320	960
Part Time Dispatcher	296	624.25	365	1213.5
Traffic Officer	0	48	41	193

Police Department Fuel Consumption

Police	1223.547	3482.892	1179.325	2342.206
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Use of Force

2-deer YTD 5—deer

0- Hands YTD 1- hands

Civilian Complaints 0

Police Officer Overtime (these figures are not exact and are intended for budget use and tracking)
 Figures are up to date of last payroll

Line Item	Yr. to Date	Budgeted	remaining	% utilized
Admin	\$80	\$3,092	\$3,012	3%
DARE	\$0	\$4,020	\$4,020	0%
F/T Court	\$0	\$2,984	\$2,984	0%
F/T Holiday *	\$455	\$38,171	\$37,716	1%
F/T Investigations	\$120	\$7,908	\$7,788	2%
F/T Shift Cover	\$351	\$17,405	\$17,054	2%
F/T Training	\$0	\$4,408	\$4,408	0%
P/T Court	\$40	\$4,359	\$4,319	1%
P/T Holiday *	\$572	\$430	(\$142)	133%
P/T Investigations	\$450	\$6,826	\$6,376	7%
P/T Shift Cover	\$325	\$15,880	\$15,555	2%
P/T Training	\$54	\$4,288	\$4,234	1%
F/T Firearms training	\$0	\$3,421	\$3,421	0%
P/T Firearms training	\$0	\$4,610	\$4,610	0%
FT Special detail	\$0	\$4,407	\$4,407	0%
PT Special Detail	\$150	\$3,348	\$3,198	4%
Total	\$2,597	\$125,657	\$122,960	2%
*Holiday	\$1,027	\$38,601	\$37,574	3%

Police Officer Grant Overtime (these figures are not exact and are intended for budget tracking only)
Figures are up to date of last payroll

<u>Line Item</u>	<u>Yr. to Date</u>	<u>Budgeted</u>	<u>remaining</u>	<u>% utilized</u>
Grant Funds				
BUNY (buckle up NY)	\$0	\$2,000	\$2,000	0%
DWI (driving while intoxicated)	\$82	\$2,000	\$1,918	4%
PTS (police traffic services)	\$0	\$4,000	\$4,000	0%



Incident Breakdown By Month Report



Print Date/Time: 04/08/2021 09:47
 Login ID: jvanamburgh.malp0d
 Year: 2021

Marlborough Town Police Department
 ORI Number: NY0555800
 Incident Type: All

Incident Type	January	February	March	April	May	June	July	August	September	October	November	December	Yearly	Totals
	#	%	#	%	#	%	#	%	#	%	#	%	#	%
7 Digital Call	2	40.0	1	20.0	2	40.0	0	0.0	0	0.0	0	0.0	0	0.0
911 Abandoned	0	0.0	1	16.7	4	66.7	1	16.7	0	0.0	0	0.0	0	0.0
911 Mischief	2	33.3	1	16.7	0	0.0	3	50.0	0	0.0	0	0.0	0	0.0
911 No Voice Call	0	0.0	1	33.3	1	33.3	0	0.0	0	0.0	0	0.0	0	0.0
Abandoned	0	0.0	0	0.0	1	100.0	0	0.0	0	0.0	0	0.0	0	0.0
Accident Personal	4	44.4	3	33.3	2	22.2	0	0.0	0	0.0	0	0.0	0	0.0
Accident Property	21	35.6	20	33.9	17	28.8	1	1.7	0	0.0	0	0.0	0	0.0
Alarm Burglary	19	32.8	12	20.7	23	39.7	4	6.9	0	0.0	0	0.0	0	0.0
Alarm Panic	0	0.0	0	0.0	4	100.0	0	0.0	0	0.0	0	0.0	0	0.0
Animal	5	35.7	2	14.3	6	42.9	1	7.1	0	0.0	0	0.0	0	0.0
Assault	1	100.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
Assist EMS	48	27.6	49	28.2	61	35.1	16	9.2	0	0.0	0	0.0	0	0.0
Assist Fire	16	31.4	19	37.3	15	28.4	1	2.0	0	0.0	0	0.0	0	0.0
Assist Other	6	33.3	5	27.8	5	27.8	2	11.1	0	0.0	0	0.0	0	0.0
ATV Complaint	0	0.0	0	0.0	0	0.0	1	100.0	0	0.0	0	0.0	0	0.0
BOLO	0	0.0	3	100.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
Burglary	0	0.0	0	0.0	1	100.0	0	0.0	0	0.0	0	0.0	0	0.0
Child Abuse	0	0.0	1	100.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
Civil Matter	1	50.0	1	50.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
Criminal Mischief	5	55.6	8	47.1	4	23.5	1	5.9	0	0.0	0	0.0	0	0.0
Disabled Vehicle	4	23.5	8	47.1	4	23.5	1	5.9	0	0.0	0	0.0	0	0.0
Disorderly	0	0.0	2	28.6	4	57.1	1	14.3	0	0.0	0	0.0	0	0.0
Dispute	9	36.0	4	16.0	10	40.0	2	8.0	0	0.0	0	0.0	0	0.0
Domestic Dispute	10	43.5	5	21.7	7	30.4	1	4.3	0	0.0	0	0.0	0	0.0
Erratic Vehicle	5	26.3	1	5.3	10	52.6	3	15.8	0	0.0	0	0.0	0	0.0
Fight	0	0.0	0	0.0	1	100.0	0	0.0	0	0.0	0	0.0	0	0.0



Incident Breakdown By Month Report

Print Date/Time: 04/08/2021 09:47
 Login ID: jyanamburgh.marpd
 Year: 2021

Marlborough Town Police Department
 ORI Number: NY0555800
 Incident Type: All

Incident Type	January	February	March	April	May	June	July	August	September	October	November	December	Yearly	Totals
	#	%	#	%	#	%	#	%	#	%	#	%	#	%
Fraud	0	0.0	2	22.2	7	77.8	0	0.0	0	0.0	0	0.0	0	0.0
Harassment	7	41.2	1	5.9	9	52.9	0	0.0	0	0.0	0	0.0	0	0.0
Indecent Exposure	0	0.0	0	0.0	0	100.0	0	0.0	0	0.0	0	0.0	0	0.0
Information	14	53.8	5	19.2	5	19.2	2	7.7	0	0.0	0	0.0	0	0.0
Juvenile	0	0.0	0	0.0	2	100.0	0	0.0	0	0.0	0	0.0	0	0.0
Larceny	5	45.5	2	18.2	4	36.4	0	0.0	0	0.0	0	0.0	0	11
Lock Out	8	34.8	4	17.4	9	39.1	2	8.7	0	0.0	0	0.0	0	23
Lost or Missing	0	0.0	1	100.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
New/Call	2	50.0	1	25.0	1	25.0	0	0.0	0	0.0	0	0.0	0	4
Noise Complaint	2	50.0	0	0.0	1	25.0	1	25.0	0	0.0	0	0.0	0	4
NYS Pause	2	100.0	0	0.0	0	100.0	0	0.0	0	0.0	0	0.0	0	2
Open Door	0	0.0	0	0.0	1	100.0	0	0.0	0	0.0	0	0.0	0	1
Police Public	2	12.5	7	43.8	6	37.5	1	6.3	0	0.0	0	0.0	0	16
Police Station	0	0.0	1	25.0	2	50.0	1	25.0	0	0.0	0	0.0	0	4
Property Check	1109	23.8	1075	28.9	1198	32.2	335	9.0	0	0.0	0	0.0	0	3717
Property Found	2	50.0	0	0.0	1	25.0	1	25.0	0	0.0	0	0.0	0	4
Property Lost	2	18.2	2	18.2	6	54.5	1	9.1	0	0.0	0	0.0	0	11
Property Retrieval	3	75.0	0	0.0	0	100.0	1	25.0	0	0.0	0	0.0	0	4
Psychiatric	1	11.1	4	44.4	4	44.4	0	0.0	0	0.0	0	0.0	0	9
Road Hazard	7	23.2	6	35.9	11	45.8	0	0.0	0	0.0	0	0.0	0	24
School Check	39	25.0	56	35.9	33	21.2	17.9	0	0.0	0	0.0	0	0.0	156
Serve Papers	6	40.0	2	13.3	6	40.0	1	6.7	0	0.0	0	0.0	0	15
Shots Fired	1	50.0	1	50.0	0	0.0	0	0.0	0	0.0	0	0.0	0	2
Special Detail	3	20.0	7	46.7	1	6.7	4	28.7	0	0.0	0	0.0	0	15
Suicide or	1	25.0	2	50.0	1	25.0	0	0.0	0	0.0	0	0.0	0	4
Suspicious	10	25.0	15	37.5	13	32.5	2	5.0	0	0.0	0	0.0	0	40



Incident Breakdown By Month Report

Print Date/Time: 04/08/2021 09:47
 Login ID: jyanamburgh.madpd
 Year: 2021

Marlborough Town Police Department
 ORI Number: NY0555600
 Incident Type: All



Incident Type	January		February		March		April		May		June		July		August		September		October		November		December		Yearly Totals
	#	%	#	%	#	%	#	%	#	%	#	%	#	%	#	%	#	%	#	%	#	%	#	%	
Suspicious Mail or	0	0.0	0	0.0	1	50.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	2
Traffic Complaint/	8	38.1	5	23.8	7	33.3	1	4.8	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	21
Traffic Stop	34	18.9	46	25.6	91	50.6	9	5.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	180
Transport	0	0.0	1	100.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	1
Trespass	2	40.0	0	0.0	2	40.0	1	20.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	5
Unknown Police	0	0.0	1	50.0	1	50.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	2
Unwanted Subject	4	50.0	1	12.5	3	37.5	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	8
Vehicle	3	50.0	3	50.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	6
Warrant Execution	2	50.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	4
Welfare Check	15	32.6	14	30.4	7	15.2	10	21.7	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	46
Total:	1452	29.5	1408	28.6	1612	32.8	443	9.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	4915

Supervisor Lanzetta thanked the Chief for his help with the planning of the building of the planter by the flagpole in town. The planter could not be re-built as originally planned so leftover pavers from the park were used.

D) HIGHWAY SUPERINTENDENT – JOHN ALONGE

SUPERINTENDENT OF HIGHWAYS

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



John Alonge
Highway Superintendent

Phone: 845-795-2272 x 6
Fax: 845-795-6037
Cell: 845-849-5549

Supervisor Lanzetta
Town Clerk Colleen Corcoran
Town Board Members

Monthly Report for March 2021

EASTER EGG HUNT: Due to COVID-19 the annual Easter Egg Hunt was cancelled. We were happy to participate with the Town, along with the Police and Fire Departments in a drive through at the Town Park. We distributed treats to approximately 600 children.

ROADS: We continued to do road patrols and install cold patch where needed throughout the Town. We repaired lawns that were damaged by the plows.

SHOPWORK: In preparation of summer storage, we washed out all truck bodies and sanders and pumped out liquid tanks.

BRUSH/WEEDS: Throughout the month we trimmed trees on Gabriety Rd. and Mulberry Ln. in preparation for our summer paving projects. We also trimmed trees on Baileys Gap Road. On 3/16 we cleaned up a tree that fell so Central Hudson could restore power on Sherman Dr.

TRAINING: The entire department participated in the required Sexual Harassment Training.

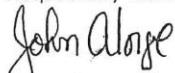
SHARED SERVICES: On 3/9 we assisted the Water Department with a water main break on 9W in Milton.

COVID-19: Half of our crew received the vaccines through their Fire Departments. When NYS included public works employees on the eligibility list, the remaining crew are now in the process of also being vaccinated.

LANDFILL: We repaired the entrance gate at the Landfill.

FUEL USEAGE: Gas: 260.140 gallons Diesel: 652.452 gallons

Respectfully submitted,



John Alonge, Highway Superintendent

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: 4/12/2021

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

RE: MONTHLY REPORT FOR MARCH

Water consumption totaled 16,849 million gallons, which is a daily usage of 543,516. Compared to last month 15,531 million gallons, which is a daily usage of 554,600. Compared to a year ago water consumption was 13,648 million gallons for the month, which is a daily usage of 440,200.

SUMMARY FOR THE MONTH

HYDRANTS: We had to repair a hydrant on Old Indian Trail.

WATER MAINS: We had to repair an 8-inch water main on 9W in Milton with the help of the Highway Dept. We had to repair the roads where we had water main breaks with cold patch.

SERVICE LINE: We had to do an emergency tap on 9W in Marlboro,

METERS: We had to replace 1 frozen meter on South St.

STORAGE TANKS: We had to repair 5 pinholes at the Western Ave Tank and we also recalibrated our altitude valves. We also took water samples and checked the levels of the tanks.

TOWN PARK: We met with the NYC DEP up at our Lattintown pumphouse for inspection and calibrating our meter.

We had to maintain and rebuild our RPZ valves. These valves reduce pressure throughout the towns.

SERVICE LINE INSPECTIONS:

CLOSINGS: 6

MARKOUTS: 35

Gallons of Gas: 210

Gallons of Diesel: 25

Mileage for the month: 1,900

G) WASTEWATER TREATMENT FACILITY- ANTHONY FALCO

Water Quality Management, Inc.
P.O. Box 655
Marlboro, NY 12542

April 6, 2021

For the month of March 2021, both the Marlboro and Milton Wastewater Treatment Plants complied with the SPDES requirements. The following are monthly statistics for both plants;

Marlboro WWTP

- Average Daily Flow = **153,000** gallons per day.
 - (About 87% of design capacity.)
- Average BOD removal = **95%**
- Average Suspended Solids removal = **98%**

Milton WWTP

- Average Daily flow = **29,000** gallons per day.
 - (About 53% of design capacity)
- Average BOD removal = **98%**
- Average Suspended Solids removal = **88%**

Both the Marlboro and Milton plants operated normally during the month of March without any major changes or events. The high flow rate at the Marlboro Facility is most likely due to the heavy rain and snow melt infiltrating into the collection system. We have not started any repairs on the Greenhouse roof yet but should be able to begin now that the weather has gotten nicer. La Mela's Sanitation has replaced the commercial dumpster at the Marlboro Facility with a 10-yard roll off container. It is the same price per pickup and is more convenient to fill. Overall both wastewater treatment plants are in good working order but are getting older. If you need any additional information, please do not hesitate to contact me. Stay safe and be healthy.

Thank you,
Julian Falco
Water Quality Management, Inc.

Supervisor Lanzetta explained that there will be infrastructure money coming available and it is unclear at this time how to get it but it is being looked into.

H) DOG CONTROL OFFICER - ANDREW MCKEE

21 Milton Turnpike
Marlborough, New York, 12547

Town of Marlborough Dog Control

Andrew McKee-Dog Control Officer Bethany Wager-McKee Deputy Dog Control Officer

Sunday, April 4, 2021

March 2021 Monthly Report

Monthly Report - 3/1/2021 through 3/31/2021

Overview:

We received a total of 9 calls this month including 2 calls to service from the New York State Police and Ulster County Sheriff.

Responded to 2 active complaints and/or cases which are now closed or resolved

We currently have 0 open case or complaint.

We Impounded 0 stray dogs this month.

no appearance tickets were issued this month

There were no dog bites reported this month

***I would like to remind residents that most of the hibernating bears have already woken up except for a handful of females who will be coming out of hibernation by mid April, some with new pups. As we know birdfeeders and garbage cans are a source of food to these hungry bears, so please use caution as we enter and leave our houses that we are aware of our surroundings. Most bear inflicted injuries are because of humans accidentally walking too close to a bear or bear cubs.

End of report.

Memo

To: Town Board
From: Cindy Hilbert
CC: Colleen Corcoran
Date: March 8, 2021
Re: **March** Report

We prepared 4 property tax estimates.

We processed 24 real property transfers.

We are continuing to work on collecting our new construction and verifying our sales data.

Town of Marlborough

Planning Board Review

March 2021

Meeting: March 1, 2021 / 7:30 PM / Meeting Held via Zoom Video Conference

ATTENDEES

Chris Brand, Manny Cauchi, Steve Clarke, Cindy Lanzetta, Joe Lofaro, Bob Trocillito, James Garofalo

AGENDA

Approval of Stenographic Minutes for 2/1/21

Approval for the above minutes was granted unanimously.

HSC Milton LLC, Dollar General, Route 9W, Milton: Public Hearing, Site Plan/Lot Line

- The Public Hearing was reopened and closed with no input. The applicant's representatives provided detail relative to changes made to the proposal including the addition of an easement added to the adjoining parcel. The representatives also provided updates on DOT approvals and on site lighting. The applicant will reappear at the March 15, 2021, meeting to receive a SEQR Negative Declaration via resolution.

Nason Subdivision, James St., Marlboro: Sketch, Lot Line

- The applicant received Final Approval via Resolution. Recreation Fee Findings for the project of \$6,000 was also approved.

Mondello & Perretta, 162 Old Indian Road, Milton: Final, Lot Line

- The applicant is seeking a Lot Line Revision to correct previous construction of a fence and pool on the adjoining lot. The applicant was requested to clarify the structures located on each lot as well as Bulk Table Proposals. Outstanding issues with existing structures on each lot and set back requirements may require ZBA Approval for variances. The Board agreed to send the application to the Town of Marlborough ZBA for review.

WMG Property Holdings, 565 Lattintown Rd., Marlboro: Sketch, Subdivision

- The applicant's representatives detailed plans for a two lot subdivision with plans for a new, single family home to be constructed on the new lot. The Board applauded the applicant's thorough completion of the application. UC DPW and UC Board of Health approval are required. The applicant was asked to clarify the limit of disturbance which appears to cross proposed property lines. A Public Hearing was scheduled for the April 5, 2021, meeting.

Review of Site Plan Checklist

- The Board continued to work on revising the Site Plan Checklist for applicants. The idea of implementing a Flat Fee for Discussions with the Engineer and/or Attorney was discussed. The Board also discussed whether or not inviting the Town Code Enforcement Officer to initial discussions would help expedite the approval process.

NEXT Deadline

Friday, March 5, 2021

NEXT Scheduled Meeting

Tuesday, March 15, 2021

Meeting: March 15, 2021 / 7:30 PM / Meeting Held via Zoom Video Conference

ATTENDEES

Chris Brand, Manny Cauchi, Steve Clarke, Cindy Lanzetta, Joe Lofaro, Bob Troncillito, James Garofalo

AGENDA

Approval of Stenographic Minutes for 2/16/21

Approval for the above minutes was granted unanimously.

Lamela Real Estate, 1118 Route 9W, Marlboro: Public Hearing, Subdivision

- A Public Hearing was opened and closed with input received from an adjoining land owner. The applicant received unanimous approval via resolution.

HSC Milton LLC, Dollar General, Route 9W, Milton: Public Hearing, Site Plan/Lot Line

- NYS DOT approval remains outstanding as does UC Health Department approval for the subsurface sanitary sewer disposal system. The Board raised concerns regarding signage for the site, which the applicant will address. The applicant was granted SEQR Negative Declaration and Notice of Determination of Nonsignificance via Resolution.

Crimi Varoli, 282 Orchard Street, Marlboro: Sketch, Subdivision

- The applicant detailed a proposed two lot subdivision of a lot which is naturally subdivided by Orchard Street, a town road. The Building Inspector noted a trailer located in the front yard of one of the parcels which will need to be removed prior to approval. The applicant will provide updated materials to rectify technical issues pointed out in the initial application.

***** Discussion without Lawyer, Engineer, and/or Stenographer*****

Review of Site Plan Checklist

- The Board continued to work on revising the Site Plan Checklist for applicants. Discussion regarding Conceptual Checklists and/or Site Plan Check Lists continued. Possible revisions by the Town Board regarding Home Occupation was discussed. An error in the current Town Code and its implications to the Planning Board's ability to grant waivers to applicants was also discussed. Jeff Battistoni was authorized to draft a letter to the Town Board to address this issue.

NEXT Deadline

Friday, March 19, 2021

NEXT Scheduled Meeting

Monday, April 5, 2021

Respectfully Submitted,

Chris Brand, Chairman, Town of Marlborough Planning Board

Supervisor Lanzetta added that the Dollar General project is waiting on the Department of Transportation to decide if there will be a turning lane. The Supervisor stated that he wrote a letter requesting that the speed limit be reduced to 45 MPH, but the request was denied.

ITEM #9 Report of Committees

A) RECREATION COMMITTEE

Supervisor Lanzetta thanked all of the many people involved in the Easter event at the park; it was a great turnout.

Councilman Molinelli stated that there will be a bocce meeting at the courts on May 4, 2021 at 6:00 p.m.

B) EMERGENCY MANAGEMENT PREPAREDNESS COMMITTEE

No report.

C) CONSERVATION ADVISORY COMMITTEE

No report.

D) IT COMMITTEE

Supervisor Lanzetta reported that there was a meeting via Zoom and the IT needs have been addressed, however, certain items are on backorder due to the increased need for computers during COVID.

E) MILTON TRAIN STATION FOUNDATION

Supervisor Lanzetta reported that there will be a meeting about the cameras for train watching.

F) MILTON LANDING CITIZENS COMMITTEE

Councilman Koenig reported that there are 3-4 foot Arborvitae trees ready to plant at the dog park; there will need to be a plan to get them planted.

G) MARLBORO HAMLET ECONOMIC DEVELOPMENT COMMITTEE

No report.

H) MEET ME IN MARLBOROUGH

No report.

I) HAMLET OF MILTON ASSOCIATION COMMITTEE

Councilman Koenig stated that spring cleanup will be April 25th at 9:00 a.m.

J) TRANSFER STATION REVIEW COMMITTEE

Supervisor Lanzetta stated that Nexamp is doing the survey for the solar project.

K) POLICE REFORM COMMITTEE

Councilman Baker made a motion to remove Letter K) Police Reform Committee from Reports of Committees. Motion seconded by Councilman Molinelli.

Yea: 5

Nays: 0

Carried

ITEM #10 Old Business

A) Tomvac Rehabilitation Update

No new information.

B) Water District Improvements (Milton Turnpike/Cross Rd)

No new information.

C) Short Term Rentals (Planning Board Application Fee, Escrow Fee and Permit Fee)

Supervisor Lanzetta read some of the Board members suggested fees for the application fee, escrow fee, and permit fee. There was a discussion and disagreements with regard to how much should be charged for the fees. There was an opinion that charging too much would deter people from doing the right thing and also opinions that the fees could be too low and cause other issues.

Tom Corcoran gave his opinion on the fees and also explained his role in the Planning Board Application process.

The Board discussed with Tom Corcoran and Planning Board Secretary, Jen Flynn, how much would be enough to cover escrow without having to bill and collect more money from people after the fact.

The Board came to a compromise.

Councilman Corcoran made a motion that the Planning Board Application Fee for Short Term Rentals will be \$350.00 with a Planning Board Escrow Fee of \$750.00. The (Building Department) Annual Permit Fee would be waived for the first year and every year thereafter will be \$500.00 for one bedroom plus \$50.00 per bedroom after the first bedroom. Motion seconded by Councilman Baker.

Yeas: 5 Nays: 0 Carried

The Board agreed that they could revisit the fees if need be and for the record there is an additional \$100.00 (Building Department) Fire Inspection Fee.

D) Public Employee-Emergency Plan

Supervisor Lanzetta stated that there is a resolution regarding the Emergency Plan.

ITEM #11 New Business

A) To award contract for painting the interior of the police department

Supervisor Lanzetta stated that the Chief got estimates for painting and Cathy Butcher was the lowest at \$4,200.00.

Councilman Koenig made a motion to hire Cathy Butcher to paint the interior of the Marlborough Police Department for \$4,200.00 which will be paid from the Building Fund. Motion seconded by Councilman Corcoran.

Yeas: 5 Nays: 0 Carried

B) Summer Camp

Supervisor Lanzetta stated that the town needs a Camp Director to run the summer camp. There have been many requests to hold a camp this year.

Councilman Baker made a motion to advertise for a Summer Day Camp Director. Motion seconded by Councilman Corcoran.

Yeas: 5 Nays: 0 Carried

C) 284 Highway Agreement

Councilman Koenig made a motion to approve and sign the 284 Highway Agreement. Motion seconded by Councilman Molinelli.

Yeas: 5 Nays: 0 Carried

D) Award Contract for Highway Garage Floor

Supervisor Lanzetta stated that there were two quotes for concrete work on the garage floor at the Highway Department; the lower one being Scaturro Landscape & Masonry for \$2,600.00.

Councilman Corcoran made a motion to approve Scaturro Landscape & Masonry to do concrete work on the garage floor at the Highway Department for \$2,600.00 which covers labor only. Motion seconded by Councilman Koenig.

Councilman Corcoran added that it will cost about another \$2,600.00 for the materials.

E) Sandy Loam for Sands Avenue Park

Supervisor Lanzetta stated that he got a quote of \$18.00 per yard for sandy loam which includes trucking for the Sands Avenue Park and asked if the Board would like to get 2000 yards for a total of \$36,000.00.

Councilman Koenig made a motion to spend \$36,000.00 from the Park Fund for 2,000 yards of sandy loam and trucking for the Sands Avenue Park. Motion seconded by Councilman Baker.

Yeas: 5 Nays: 0 Carried

There was a discussion with some of the Board members and Dave Zambito about possibly planting trees at the same time that the sandy loam is spread. They also discussed if 2,000 yards will be enough. Mr. Zambito will give the Board a quote for hydroseed.

ITEM #12 Correspondences

Supervisor Lanzetta read correspondence from Robin Martinez stating her resignation from the Police Dispatcher position.

Supervisor Lanzetta read correspondence from the Marlboro/Milton Lions Club requesting use of the Train Station on May 6, 2021 for their monthly meeting and also asked that the fees be waived.

Councilman Koenig made a motion to allow the Marlboro/Milton Lions Club use of the Train Station on May 6, 2021 at no charge. Motion seconded by Councilman Corcoran.

Supervisor Lanzetta read correspondence from the Marlboro Library requesting the use of Cluett Schantz Memorial Park for a Story Walk in the month of May.

Councilman Koenig made a motion to allow the Marlboro Free Library to hold a Story Walk in the month of May at Cluett Schantz Memorial Park. Motion seconded by Councilman Molinelli.

Yea: 5 Nays: 0 Carried

Supervisor Lanzetta read correspondence from the Sarah Hull Hallock Free Library requesting use of the pavilion at Cluett Schantz Memorial Park and the Train Station on five various dates for various times at no charge.

Councilman Koenig made a motion to allow Sarah Hull Hallock Free Library use of the pavilion at Cluett Schantz Memorial Park and the Train Station at no charge for the dates that were specified in their letter. Motion seconded by Councilman Molinelli.

Yea: 5 Nays: 0 Carried

ITEM #13 Public Comments

James Garofalo commented on the STR fees and also Zoom vs. in person meetings.

ITEM #14 Resolutions

- A) Resolution # 40 To adopt a Public Employer Health Emergency Plan
- B) Resolution # 41 To increase the terms for the Town of Marlborough Highway Superintendent from 2 to 4 years
- C) Resolution # 42 To hereby authorize the filing of Negative Declaration and notice thereof pursuant to the requirements of SEQRA and 6 NYCRR § 617.12 of its implementing Regulations.
- D) Resolution # 43 To adopt Local Law #2 of the year 2021
- E) Resolution # 44 To approve 2021 budget amendments.
- F) Resolution # 45 To Transfer Funds
- G) Resolution # 46 To Transfer Funds
- H) Resolution # 47 To Transfer Funds
- I) Resolution # 48 To establish a Capital Reserve Fund to be known as the IT Reserve Fund

ITEM #15 Adjournment

Councilman Koenig made a motion to adjourn the meeting at 8:54 p.m. Motion seconded by Councilman Molinelli.

Yea: 5 Nays: 0 Carried

April 12, 2021

A). Resolution # 40 To adopt a Public Employer Health Emergency Plan

Supervisor Lanzetta proposes the following:

Whereas, Senate Bill S8617B requires public employers to adopt a plan for operation in the event of a declared public health emergency involving a communicable disease, and

Whereas, the Town Board along with the Town of Marlborough Police Benevolent Association, Town of Marlborough United Federation of Police and the Town of Marlborough United Public Service Employees Union has developed an Emergency Health Plan.

Be it further resolved, that the Town Board of the Town of Marlborough hereby adopts the Town of Marlborough Public Employer Health Emergency Plan.

And moves for its adoption

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

April 12, 2021

B). Resolution # 41 To increase the terms for the Town of Marlborough Highway Superintendent from 2 to 4 years

Supervisor Lanzetta proposes the following:

WHEREAS, the term of office of the Superintendent of Highways is currently two (2) years; and

WHEREAS, the Town Board of the Town of Marlborough deems it to be in the best interests of the Town to increase the term of office of the Superintendent of Highways from two (2) to four (4) years; and

WHEREAS, pursuant to Town Law §24-a, the Town Board is authorized to increase the term of office of the Superintendent of Highways to four (4) years by adoption of a resolution subject to a mandatory referendum; and

WHEREAS, the adoption of this resolution is a Type II Action requiring no SEQRA review;

NOW, THEREFORE, BE IT RESOLVED, that the term of office of the Superintendent of Highways is hereby increased to four (4) years, commencing January 1, 2022, subject to mandatory referendum; and

BE IF FURTHER RESOLVED, that a proposition to increase the term of the Superintendent of Highways shall be submitted to the electors of the Town of Marlborough at the biennial town election held on November 2, 2021, for the purpose of voting by ballot on the following proposition:

PROPOSITION

Shall the term of office of the Superintendent of Highways of the Town of Marlborough be increased from two years to four years commencing January 1, 2022?

; and

BE IT FURTHER RESOLVED, that the change in term of office shall take effect on January 1, 2022 if approved by the electors of the Town of Marlborough at the biennial election on November 2, 2021; and

BE IT FURTHER RESOLVED, that a certified copy of this resolution shall be promptly filed with the Ulster County Board of Elections.

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

Supervisor Lanzetta Yes

Councilman Baker Yes

Councilman Corcoran Yes

Councilman Koenig Yes

Councilman Molinelli Yes

Dated: Milton, New York

April 12, 2021

COLLEEN CORCORAN, TOWN CLERK

April 12, 2021

C). Resolution #42 To hereby authorize the filing of Negative Declaration and notice thereof pursuant to the requirements of SEQRA and 6 NYCRR § 617.12 of its implementing Regulations.

Supervisor Lanzetta proposes the following:

TOWN OF MARLBOROUGH TOWN BOARD
SEQRA NEGATIVE DECLARATION AND
NOTICE OF DETERMINATION OF NON-SIGNIFICANCE
FOR
A LOCAL LAW OF THE TOWN OF MARLBOROUGH, ULSTER COUNTY, NEW YORK
AMENDING VARIOUS PROVISIONS OF CHAPTER 155 "ZONING" OF THE
MARLBOROUGH TOWN CODE AS FOLLOWS: AMENDING SECTION 155-1 "TERMS
DEFINED" TO ADD NEW DEFINITIONS FOR "SHORT TERM RENTAL" AND "SHORT
TERM RENTAL UNIT", ADD A NEW SECTION 155-32.3 GOVERNING SHORT TERM
RENTALS, AMENDING SECTION 155-31 "SITE PLAN REVIEW" TO ADD A PROVISION
FOR MINOR SITE PLAN REVIEW, AND AMENDING SECTION 155-31 TO PROVIDE
THAT SHORT TERM RENTALS, BED AND BREAKFASTS AND HOME OCCUPATIONS
ARE SUBJECT TO MINOR SITE PLAN REVIEW.

WHEREAS, the Town of Marlborough Town Board proposes to adopt Local Law No 2 of 2021, a Local Law of the Town of Marlborough, Ulster County, New York; amending various provisions of Chapter 155, of the Town Code in the manner described above; 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, 21 Milton Turnpike, Milton, NY 12547 and the Responsible Officer is Alphonso Lanzetta, 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 (FEAF) for review of the Action; and

WHEREAS, the 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, the legislation involves establishing provisions of Chapter 155 pertaining to Short Term Rentals, and Site Plan Review to provide that Short Term Rentals, Bed and Breakfasts and Home Occupations are subject to minor site plan review in the Town;

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

The proposed legislative amendments included in this action are not inconsistent with the existing Comprehensive Plan of the Town of Marlborough.

The act of adopting the proposed local law will not result in any direct or physical adverse environmental impact. It will not result in indirect or secondary effects which threaten adverse physical impacts upon the environment.

The proposed legislative amendments 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 does not involve the impairment of any designated critical environmental area.

4. The Action will not create a material conflict with the community's current plans or goals as officially approved or adopted.

5. 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.

6. The Action will not result in a major change in the use of either the quantity or type of energy.

7. The Action will not create a hazard to human health.

8. 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.

9. The Action will not encourage or attract a large number of people to a place or places from more than a few days, compared to the number of people who would come to such place absent the Action.

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

11. 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.

12. The Action does not involve two or more related actions undertaken, funded or approved by an agency, none of which has or would have a significant impact on the environment, but when considered cumulatively would meet one or more of the criteria in 6 NYCRR 617.7(c).

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 Board hereby authorizes the filing of 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 Lanzetta	Yes
Councilman Molinelli	Yes
Councilman Corcoran	Yes
Councilman Baker	Yes
Councilman Koenig	Yes

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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April 12, 2021

D). Resolution # 43 To adopt Local Law #2 of the year 2021

Supervisor Lanzetta proposes the following:

Councilman Corcoran offered the following resolution which was seconded by Councilman Molinelli, who moved its adoption:

WHEREAS, a local law was introduced to be known as Local Law No. 2 of 2021, entitled A LOCAL LAW OF THE TOWN OF MARLBOROUGH, ULSTER COUNTY, NEW YORK AMENDING VARIOUS PROVISIONS OF CHAPTER 155 "ZONING" OF THE MARLBOROUGH TOWN CODE AS FOLLOWS: AMENDING SECTION 155-1 "TERMS DEFINED" TO ADD NEW DEFINITIONS FOR "SHORT TERM RENTAL" AND "SHORT TERM RENTAL UNIT", ADD A NEW SECTION 155-32.3 GOVERNING SHORT TERM RENTALS, AMENDING SECTION 155-31 "SITE PLAN REVIEW" TO ADD A PROVISION FOR MINOR SITE PLAN REVIEW, AND AMENDING SECTION 155-31 TO PROVIDE THAT SHORT TERM RENTALS, BED AND BREAKFASTS AND HOME OCCUPATIONS ARE SUBJECT TO MINOR SITE PLAN REVIEW; and

WHEREAS, a public hearing in relation to said local law was opened on February 22, 2021 and closed on March 8, 2021; 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 Marlborough 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 155-1 of the Town Code of the Town of Marlborough is amended to add a new definition reading as follows:

SHORT TERM RENTAL

The rental by a tenant of all or part of a furnished, self-contained detached dwelling unit for a period of 30 days or less (the "Short Term Rental Unit"), fee title to which is owned by the person who (i) owns fee title to and (ii) permanently resides at the Short Term Rental Unit or at a dwelling unit which is next door to or directly across the street from the Short Term Rental Unit as his or her

primary residence (the “Owner”). An Owner shall not own or have an ownership interest in more than two (2) Short Term Rental Units within the Town of Marlborough, one in which he or she resides as his or her primary residence and one which is next door to or directly across the street from such primary residence.

Section 2. Section 155-12(A)(4) of the Town Code of the Town of Marlborough is amended to add a new subsection (k), permitting Short Term Rentals in the R Residential District, reading as follows: “Short Term Rental”.

Section 3. Section 155-12(B)(4) of the Town Code of the Town of Marlborough is amended to add a new subsection (m), permitting Short Term Rentals in the R-1 Residential District, reading as follows: “Short Term Rental”.

Section 4. Section 155-12(C)(4) of the Town Code of the Town of Marlborough is amended to add a new subsection (q), permitting Short Term Rentals in the R-Ag-1 Rural Agricultural District, reading as follows: “Short Term Rental”.

Section 5. Section 155 of the Town Code is amended to add new Section 155-32.3. Short Term Rentals reading as follows:

§ 155-32.3. SHORT TERM RENTALS.

Each Owner of a Short Term Rental Unit must obtain an annual operating permit from the Building Department, must pay any related permitting/inspection fees, and comply with the following:

A. Application process and required submittals:

- (1) Provide a completed annual permit application, including:
 - (a) a safety/egress plan, to be posted in the proposed Short Term Rental Unit in a visible location and on the back of each bedroom door of a bedroom occupied by a renter.
 - (b) A parking layout plan identifying where parking is to be located as required in accordance with standards set forth in §155-27 of this Chapter.
 - (c) a garbage removal plan (garbage receptacles cannot be left out for more than 24 hours before and after pick-up).

- B. The name and contact information of the Owner shall be provided to the Building Department and shall be posted in the Short Term Rental Unit. Both the Owner and the renter will be responsible for addressing rental issues and compliance with Short Term Rental requirements within 24 hours. The Owner must notify the Building Department of any changes in short term renter contact information and posted notice in the Short Term Rental Unit shall be revised accordingly.
- C. Occupancy shall be limited to two (2) guests per bedroom and total short term rental occupancy shall be posted in the Short Term Rental Unit. Children twelve years old and under shall not be counted as guests.
- D. Owners of Short Term Rental Units must register them with Ulster County in accordance with Ulster County Local Law #5 of 1991. A copy of said registration must accompany each Short Term Rental Unit application to the Town Building Department. Owners of properties in the Town of Marlborough that are listed on the Ulster County registry of homes used for short term rentals shall receive notification from the Building Department of the provisions of the Town Code applicable to short term rentals, including the registration and operational requirements.
- E. Short Term Rental Units must pass a yearly fire/safety inspection and a copy of the inspection report must be attached to Short Term Rental Unit annual renewal permit applications. All Short Term Rental Units must comply with New York State Building Code requirements.
- F. Only an Owner is permitted to register a Short Term Rental Unit. An individual Owner must be a resident of the Town of Marlborough. Registration by an Owner which is a corporation, limited liability company or other business entity beneficially owned by persons who have an interest in more than one (1) Short Term Rental Unit is prohibited in residential districts. Registrations are transferable with a new application. Transfer of permits must be applied for within 30 days of transfer of title.
- G. The Town Board may set limits on the number of Short Term Rental Units permitted within the Town and shall establish the fee schedule on an annual basis.
- H. Each Owner will provide guests with copies of applicable local laws, including the noise, fire, safety ordinances and requirements. Each Owner will also provide emergency contact information as well as the address of the property where the Short Term Rental Unit is located and will ensure the property address is clearly identifiable from the street. Owner will provide guests with a property map that shows the property boundaries.

- I. Approved Short Term Rental Units will be assigned a registration number that must be included in all rental listings, both print and on-line and posted within the Short Term Rental Unit. Advertising on or at the site of the Short Term Rental Unit is prohibited.
- J. Failure to comply with the requirements of this Section will result in denial of Short Term Rental Unit applications.
- K. Three or more violations of Local Laws may lead to revocation or non-renewal of an approved Short Term Rental Unit operating permit.
- L. The use and occupancy of all or any part of a Multiple Dwelling as a Short Term Rental Unit is strictly prohibited.
- M. The Owner shall be responsible for compliance with the provisions of this Local Law and management of his or her Short Term Rental Unit and may not delegate such authority to a property manager or third-party host.

Section 6. Section 155-31 of the Town Code is amended to add new subsection O. Minor Site Plan Review, reading as follows:

- 1. Applicability. Minor site plan approval in accordance with this sub-section is required for the proposed use of a structure as a Short Term Rental Unit, Bed and Breakfast, or Home Occupation.
- 2. The provisions of subsections (B)(2), (3) and (4), (H), (I), and (K) of Section 155-31 are incorporated herein by reference and shall apply to minor site plan review as if fully set forth herein.
- 3. The Planning Board's review of an application subject to minor site plan review is limited to findings that the proposed use complies with applicable zoning standards, conforms with the Town's planning goals and objectives as expressed in the Comprehensive Plan, and is sufficiently served by services, utilities and infrastructure.
- 4. Minor site plan application requirements. The application requirements shall include, but not be limited to the following:
 - (a) Submission of an application for minor site plan approval on forms prescribed therefor and payment of the required fee as established by the Town Board.

(b) A narrative description of the proposed project, addressing its scope of operation, purpose, justification and impact on the immediate area and Town in general and including the following:

- (i) the address of the site;
- (ii) the name of the applicant;
- (iii) site zoning;
- (iv) the name of the proposed business (if applicable);
- (v) a description of the existing site and use;
- (vi) a description of the intended site development and use;
- (vii) anticipated impacts on services (i.e. traffic, water, sewer);
- (viii) the impact on adjoining property (i.e. noise, visual, drainage, other);
- (ix) the proposed gross floor area;
- (x) the number of parking spaces;
- (xi) the number of employees (if applicable);
- (xii) hours of operation;

(c) a site plan outlining the proposed design showing:

- (i) address of the property;
- (ii) boundary lines of property;
- (iii) names and uses of all adjoining property owners;
- (iv) location and names of existing streets;
- (v) existing zoning district;
- (vi) existing and proposed buildings and other improvements;
- (vii) existing and proposed parking;
- (viii) number of parking spaces and analysis of parking requirement;
- (ix) access.

(d) Any other information, document, or material required elsewhere in this Chapter in respect of Short Term Rentals, Bed and Breakfasts and Home Occupations,

5. The Planning Board may waive or allow deferred submission of any of the information required in sub-paragraph 4 above, as it deems appropriate to the application. The Planning Board shall issue a written statement of waivers granted on a project, which statement shall be filed in the permanent record of the property.

Section 7. Section 155-31(B)(1)(a) of the Town Code is amended to read as follows:

- (a) All special uses cited in §155-12, Use regulations, or identified herein, other than Short Term Rental, Bed and Breakfasts and Home Occupations, which are subject to minor site plan approval.

Section 8. If any of this 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 law.

Section 9. This local law shall be effective upon filing with the Secretary of State.

RESOLVED that the Town Board has received recommendations and requested modifications from the Ulster County Planning Board (“UCPB”) dated March 3, 2021. The first required modification require confirmation of the zoning districts in which Short Term Rentals are allowed. The local law identifies the zoning districts where Short Term Rentals are allowed (i.e. the R Residential District, the R-1 Residential District and R-Ag-1 Rural Agricultural District). The second required modification requires the addition of the zoning district where Short Term Rentals are allowed to the Town’s schedule of allowed uses. As the Town Code contains no schedule of allowed uses, the Town overrides this recommendation by supermajority vote adopting this version of the local law. The third required modification required the prohibition of the use of multi-family housing for Short Term Rentals. This recommendation was followed by the incorporation of the following language in the local law: “§ 155-32.3. SHORT TERM RENTALS. (L) The use and occupancy of all or any part of a Multiple Dwelling as a Short Term Rental Unit is strictly prohibited.” The fourth required modification recommended that the annual Short Term Rental permits expire on December 31 of each year and that applicants who file for permits after a certain date pay a pro-rated permit fee. The Town overrides this recommendation by supermajority vote adopting this version of the local law finding that it is preferable administratively that permits expire one year from the dates of issuance and therefore there is no need to charge pro-rated permit fees. The final required recommendation required that local law clarify the zoning districts where Short Term Rentals are located and the number of Short Term Rental Units an Owner can own in the Town. This version of the local law makes such clarifications.

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

April 12, 2021

COLLEEN CORCORAN, TOWN CLERK

April 12, 2021

E). Resolution # 44 To approve 2021 budget amendments

Supervisor Lanzetta proposes the following:

Be it resolved, that the Town Board of the Town of Marlborough approves the attached 2021 budget amendments

And moves for its adoption:

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

2021 BUDGET AMENDMENTS

<u>Budget Line</u>	<u>Increase Expense</u>	<u>Increase Revenue</u>	<u>Decrease Expense</u>	<u>Description</u>
A.1990.400			\$16,006.00	Contingent Account
A.1910.400	\$11,648.00			Unallocated insurance
A.1930.400	\$4,358.00			Judgment and Claims
A.3120.200	\$24,896.00			Police Equipment
A.2680.000		\$24,896.00		Insurance Recovery
	\$40,902.00			
		\$24,896.00		
			\$16,006.00	
				\$40,902.00

April 12, 2021

F). Resolution # 45 To Transfer Funds

Supervisor Lanzetta proposes the following:

Whereas, the Town Board needs to approve the transfer of funds, and

Be it resolved, that the Town Board of the Town of Marlborough hereby approves the following transfer of funds.

To transfer \$50,000 from General Fund Balance A.0917-000 to Police Vehicle Reserve Fund A.0878.003 for the future purchase of a police vehicle

And moves for its adoption

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

April 12, 2021

G). Resolution # 46 To Transfer Funds

Supervisor Lanzetta proposes the following:

Whereas, the Town Board needs to approve the transfer of funds, and

Be it resolved, that the Town Board of the Town of Marlborough hereby approves the following transfer of funds.

To transfer \$35,286 from General Fund A.0917.000 to Building Reserve Fund A.0878.002 for future building improvements

And moves for its adoption

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

April 12, 2021

H). Resolution # 47 To Transfer Funds

Supervisor Lanzetta proposes the following:

Whereas, the Town Board needs to approve the transfer of funds, and

Be it resolved, that the Town Board of the Town of Marlborough hereby approves the following transfer of funds.

To transfer \$54,000 from General Fund Balance A.0917.000 to Park Reserve Fund A.0875.001 for future park improvements

And moves for its adoption

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

I). Resolution # 48 To establish a Capital Reserve Fund to be known as the IT Reserve Fund

Supervisor Lanzetta proposes the following:

Resolved, that pursuant to Section 6-c of the General Municipal Law, as amended, there is hereby established a capital reserve fund to be known as the “IT Reserve Fund” (hereinafter “Reserve Fund”). The purpose of this Reserve Fund is to accumulate moneys to finance the cost of a type of equipment. The type of equipment to be financed from the Reserve Fund is the acquisition of computer equipment and software.

The Chief Fiscal Officer is hereby directed to deposit and secure the moneys of this Reserve Fund in the manner provided by Section 10 of the General Municipal Law. The Chief Fiscal Officer may invest the moneys in the Reserve Fund in the manner provided by Section 11 of the General Municipal Law, and consistent with the investment policy of the Town of Marlborough. Any interest earned or capital gains realized on the moneys so deposited or invested shall accrue to and become part of the Reserve Fund. The Chief Fiscal Officer shall account for the Reserve Fund in a manner which maintains the separate identity of the Reserve Fund and shows the date and amount of each sum paid into the fund, interest earned by the fund, capital gains or losses resulting from the sale of investments of the fund, the amount and date of each withdrawal from the fund and the total assets of the fund, showing cash balance and a schedule of investments, and shall, at the end of each fiscal year, render to the Board a detailed report of the operation and condition of the Reserve Fund.

Except as otherwise provided by law, expenditures from this Reserve Fund shall be made only for the purpose for which the Reserve Fund is established. No expenditure shall be made from this Reserve Fund without the approval of this governing board and such additional actions or proceedings as may be required by Section 6-c of the General Municipal Law or any other law.

This resolution may be subject to a permissive referendum if required by subdivision 4 of Section 6-c.

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
April 12, 2021

COLLEEN CORCORAN, TOWN CLERK