

WORKSHOP MEETING
TOWN BOARD TOWN OF MARLBOROUGH
21 MILTON TURNPIKE, MILTON NY
MAY 23, 2022, 7:00 PM
MINUTES OF MEETING

Present: Supervisor Corcoran
Councilman Zambito
Councilwoman Sessa
Councilman Molinelli
Councilman Cauchi

Danielle Cherubini, Deputy Town Clerk
Gerald Cocozza, Chief of Police

ITEM #1 Call to order - Pledge of Allegiance

ITEM #2 Moment of Silence

ITEM #3 Motion to approve agenda

Councilman Cauchi 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 May 9, 2022 Town Board Meeting

Councilman Cauchi made a motion to approve minutes from the May 9, 2022 Town Board Meeting. Motion seconded by Councilman Molinelli.

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

ITEM #5 Authorize payments of bills in the amount of \$525,687.31

Councilman Molinelli made a motion to authorize payment of the abstract in the amount of \$525,687.31. Motion seconded by Councilman Cauchi.

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

ITEM#6 Supervisor Updates

Supervisor Corcoran stated that he submitted what he hopes to be the last of the paperwork for the \$313,000.00 pier grant.

The first submittal for the state grant was sent to the Dormitory Authority of the State of New York (DASNY) and accepted for TOMVAC in the amount of \$89,920.00.

The Milton Train Station Park Improvement Project has been halted. A change order has to be done because the specs were written for the stairs being 10' and according to code they need to be 11'. John Behan is covering the cost of the change since it was his error.

The TOMVAC Renovation bid opening is May 26, 2022.

The final plan was submitted to CSX for the pedestrian crossing at Milton Landing Park. The Supervisor showed a map of the plan and explained the layout. He also briefly explained the difficulties that the Town has with CSX.

ITEM #7 Presentations

A). Bob Troncillito-dust ordinance discussion

Bob Troncillito stated that he and his wife are at the meeting to ask for help with a quality of life issue that has been ongoing for years with Brooklyn Bottling. They live right next to and have a rental property and a relative neighbor that are affected by the Brooklyn Bottling issue. A lot of dust is created by trucks entering and exiting the facility on an unpaved surface. Previous management would help control the dust by using calcium chloride on the road and even pay to power wash their homes. There are some other issues such as headlights in their windows from the trucks that could be solved as well. New management is not cooperative at all. He explained how their lives and homes are affected by the dust and how many agencies he has called for help but received none. Tom Corcoran and the former Supervisor Lanzetta did all they could do to help. Supervisor Corcoran and Councilman Zambito have been to his house to see discuss and observe the issue. He asked if the town could implement a dust ordinance or help in some way.

There was a brief discussion with Chief Coccozza about a dust ordinance.

Councilman Cauchi commented that the agencies contacted should be helping; the Town Board will do what they can to help.

Councilman Zambito explained that he saw the dust first hand. He also explained his personal experience about getting a special use permit years ago to operate his business in an agricultural area and is respectful of his neighbors and would expect the same from Brooklyn Bottling.

Supervisor Corcoran explained that there are things that can be done such as paving the road to minimize the dust and planting trees or placing a fence for the headlight issue. He will try to contact Brooklyn Bottling to get a meeting together to try to solve the problem. If that doesn't work, there is a mediation service that he was just made aware of at a supervisors meeting.

The Troncillito's thanked the Board.

ITEM #8 Comments on the agenda

Maribeth King commented regarding the Troncillito's dust issue. She suggested calling it "particulate matter". She also suggested that they get a pulmonary function test.

ITEM #9 New Business

No new business.

ITEM #10 Workshop topics

A). Milton South Pier Use Policy

Supervisor Corcoran stated that there was a meeting to discuss the pier use policy. The group went over the application which will be created by mimicking the other facility use application since they have been already approved by legal. Fees for pier usage and procedures for not for profit and educational boats were discussed. Charlie Muggeo is working on how to get water to the other side of the train tracks by the pier which American Cruise Lines will pay for. American Cruise Lines are still interested in putting the fender system on the pier and will likely pay an annual fee for docking.

B). Park employee assistant

Councilman Zambito stated that the Park Manager Tom Schroeder is unable to keep up with the work and is requesting an assistant to help him at the parks. The garbage problem has been better.

Supervisor Corcoran stated that the Water and Highway Departments help with the work. He asked the Board if they would like to hire someone now or wait until next year.

Councilman Molinelli suggested hiring college students who are off for the summer; it's been done in the past.

There was a brief discussion about what the tasks are that need to be done and what the actual job description would be and how much time they may need someone for. They also discussed what jobs Mr. Shroeder may or may not be able to do.

Councilwoman Sessa suggested that Mr. Schroeder could possibly take on a more managerial role and other lighter duties and offload the labor intensive ones.

Supervisor Corcoran stated that he will talk to the Budget Officer about funds and Tom Schroeder about the job.

ITEM #11 Correspondence

Supervisor Corcoran read correspondence:

A letter from Joann Congelli asking to use the softball fields at Cluett Schantz Memorial Park for the annual Carmen Congelli Softball Tournament on June 18, 2022.

Councilman Molinelli made a motion to allow the Congelli's to hold their annual Carmen Congelli Softball Tournament at the park softball fields on June 18, 2022. Motion seconded by Councilwoman Sessa.

Years: 5

Nays: 0

Carried

A letter from Wallkill River School of Art requesting use of the Train Station grounds for an art class on July 13, 2022 at no charge.

Supervisor Corcoran made a motion to allow the Wallkill River School of Art to use the Train Station grounds at no charge. Motion seconded by Councilman Molinelli.

Years: 5

Nays: 0

Carried

A resignation letter from Highway Department MEO, Chris Mankes. His resignation is effective May 13, 2022.

A resignation letter from Court Clerk, Michelle Edwards. Her resignation is effective June 10, 2022.

Councilman Molinelli made a motion to advertise for a full time court clerk position. Motion seconded by Councilwoman Sessa.

ITEM #12 Public Comment

No public comment.

ITEM #13 Resolutions

- A). Resolution #53 To adopt Local Law #3 of the year 2022 amending section 71-3, “open burning prohibited in certain zones” of the Marlborough town code.
- B). Resolution #54 To adopt Local Law #4 of the year 2022 amending section 114-5, “general requirements,” of the Marlborough town code.
- C). Resolution #55 To adopt Local Law #5 amending section 130-14.9, “street identification signs,” of the Marlborough town code.
- D). Resolution #56 To Adopt Local Law #6 amending section 68-10, “private road signs,” of the Marlborough town code.

Councilman Cauchi asked what the Code Enforcement Officer fines people for a lawn being too long.

Supervisor Corcoran explained that there are no set fines from that department. A violation is issued and if it isn't taken care of then it goes to court and the judge sets the fine.

ITEM#14 ADJOURNMENT

Councilman Molinelli made a motion to adjourn the meeting at 8:12 p.m. Motion seconded by Councilman Cauchi.

Yeas: 5 Nays: 0 Carried

*Respectfully submitted,
Danielle Cherubini
Deputy Town Clerk*

May 23,2022

A). Resolution #53 To adopt Local Law #3 of the year 2022 amending section 71-3, “open burning prohibited in certain zones” of the Marlborough town code.

Supervisor Corcoran proposes the following:

Supervisor 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. 3 of 2022, entitled A LOCAL LAW OF THE TOWN OF MARLBOROUGH, ULSTER COUNTY, NEW YORK AMENDING SECTION 71-3, “OPEN BURNING PROHIBITED IN CERTAIN ZONES” OF THE MARLBOROUGH TOWN CODE.

WHEREAS, a public hearing in relation to said local law was held on May 23, 2022, 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 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 71-3 of the Town Code of the Town of Marlborough is amended as follows [deletions are stricken and additions are underscored]:

Open burning of any type, including in a container, is prohibited in the R, BC, and C Zones.

Section 2. 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 3. This local law shall be effective upon filing with the 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 Corcoran	Yes
Councilman Molinelli	Yes
Councilman Cauchi	Yes
Councilman Zambito	Yes
Councilwoman Sessa	Yes

DATED: Milton, New York
May 23, 2022

COLLEEN CORCORAN, TOWN CLERK

May 23, 2022

B). Resolution #54 To adopt Local Law #4 of the year 2022 amending section 114-5, “general requirements,” of the Marlborough town code.

Supervisor Corcoran proposes the following:

Supervisor Corcoran offered the following resolution which was seconded by Councilwoman Sessa, who moved its adoption:

WHEREAS, a local law was introduced to be known as Local Law No 4 of 2022, entitled A LOCAL LAW OF THE TOWN OF MARLBOROUGH, ULSTER COUNTY, NEW YORK AMENDING SECTION 114-5, “GENERAL REQUIREMENTS,” OF THE MARLBOROUGH TOWN CODE.

WHEREAS, a public hearing in relation to said local law was held on May 23, 2022, 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 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 114-5(D) of the Town Code of the Town of Marlborough is amended as follows [deletions are stricken and additions are underscored]:

D. Premises shall be maintained in such a manner that noxious weeds do not encroach upon adjoining properties, and the grasses thereon shall be mowed or cut when the height of growth exceeds 24 12 inches. Exempt from this provision are those parcels located in RAG-1 and those premises for active farming, wood lots, grazing, pasture or the growing of hay for feed.

Section 2. 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 3. This local law shall be effective upon filing with the 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 Corcoran	Yes
Councilman Molinelli	Yes
Councilman Cauchi	Yes
Councilman Zambito	Yes
Councilwoman Sessa	Yes

DATED: Milton, New York
May 23, 2022

COLLEEN CORCORAN, TOWN CLERK

May 23, 2022

C). Resolution #55 To adopt Local Law #5 amending section 130-14.9, “street identification signs,” of the Marlborough town code.

Supervisor Corcoran proposes the following:

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

WHEREAS, a local law was introduced to be known as Local Law No. 5 of 2022, entitled A LOCAL LAW OF THE TOWN OF MARLBOROUGH, ULSTER COUNTY, NEW YORK AMENDING SECTION 130-14.9, “STREET IDENTIFICATION SIGNS,” OF THE MARLBOROUGH TOWN CODE.

WHEREAS, a public hearing in relation to said local law was held on May 23, 2022, 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 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 130-14.9(A) of the Town Code of the Town of Marlborough is amended as follows [deletions are stricken and additions are underscored]:

(A) Signs shall be double-faced, assembled with engineer-grade reflective sheeting on extruded aluminum blades. Signs shall be white characters on a green background or black characters on a white background, six inches in height, by length as necessary for specific installation. Letters shall be three inches, uppercase FHWA Series C of reflective sheeting. All signs shall be manufactured per United States Bureau of Public Roads standards and shall be chemically treated to meet ASTM B449 (latest revision) for pretreatment for paint or reflective sheeting.

Section 2. 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 3. This local law shall be effective upon filing with the 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 Corcoran	Yes
Councilman Molinelli	Yes
Councilman Cauchi	Yes
Councilman Zambito	Yes
Councilwoman Sessa	Yses

DATED: Milton, New York
May 23, 2022

COLLEEN CORCORAN, TOWN CLERK

May 23, 2022

D). Resolution #56 To Adopt Local Law #6 amending section 68-10, “private road signs,” of the Marlborough town code.

Supervisor Corcoran proposes the following:

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

WHEREAS, a local law was introduced to be known as Local Law No. 6 of 2022, entitled A LOCAL LAW OF THE TOWN OF MARLBOROUGH, ULSTER COUNTY, NEW YORK AMENDING SECTION 68-10, “PRIVATE ROAD SIGNS,” OF THE MARLBOROUGH TOWN CODE.

WHEREAS, a public hearing in relation to said local law was held on May 23, 2022, 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 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 68-10(A) of the Town Code of the Town of Marlborough is amended as follows [deletions are stricken and additions are underscored]:

(A) Private road signs must be erected and maintained by the property owner or owners on said road. Private road signs must have white lettering on a green background or black characters on a

white background. Newly created private roads must have a road name approved by the Planning Board prior to subdivision approval or by the Building Inspector prior to issuing a certificate of occupancy, and the owner must, prior to approval, submit to either the Planning Board or Building Inspector, in the appropriate situations, proof that notice has been given to the Town Highway Superintendent, the Town Building Inspector, appropriate fire department, Town Police Department, local ambulance corps, school bus garage, 911 Coordinator and County 911, by certified mail, return receipt requested, of the new road name, location and assigned number.

Section 2. 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 3. This local law shall be effective upon filing with the 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 Corcoran	Yes
Councilman Molinelli	Yes
Councilman Cauchi	Yes
Councilman Zambito	Yes
Councilwoman Sessa	Yes

DATED: Milton, New York
May 23, 2022

COLLEEN CORCORAN, TOWN CLERK