

FIRST MEETING OF THE MONTH  
TOWN BOARD TOWN OF MARLBOROUGH  
21 MILTON TURNPIKE, MILTON NY  
JULY 11, 2022 7:00 PM  
MINUTES OF MEETING

Present: Supervisor Corcoran  
Councilman Molinelli  
Councilman Zambito  
Councilwoman Sessa

Colleen Corcoran, Town Clerk  
Gerald Cocozza, Chief of Police

Absent: Councilman Cauchi

## 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 Councilwoman Sessa.*

*Years: 4 Nays: 0 Carried*

ITEM #4 Motion to approve the June 27, 2022 Town Board Meeting minutes  
*Councilwoman Sessa made a motion to approve the June 27, 2022 Town Board Meeting minutes. Motion seconded by Councilman Zambito.*

#### ITEM #5 Authorize payment of bills

*Councilman Molinelli made a motion to authorize payment of the abstract in the amount of \$119,073.93. Motion seconded by Councilman Zambito.*

## ITEM #6 Comments on the agenda

## ITEM #7 Presentations

ITEM #8 Report of Departments and Boards  
A) SUPERVISOR – SCOTT CORCORAN

**Supervisor's Report July 2022**

Met with representatives from Bayside and residents of Purdy Ave. for a discussion on blasting vs. hammering the rock during the project's site work. The Bayside developer is going back to the Planning Board to ask if they are able to blast the rock rather than what is on their site plan approval of hammering the rock. Attendees from the Town were: Councilman Zambito, Highway Superintendent Alonge and Building Inspector Tom Corcoran.

Met with our Milton Landing Pier Committee to discuss the details of my negotiations with Eric Dussault from American Cruise Lines. Attendees were: Deputy Supervisor Appler, Howard Baker, Rosemary Wein and Jerry Wein.

Attended the Marlboro Elementary School moving up day ceremony and the DARE presentations by Officer Fulton. Another great year for our DARE program.

Met with Johanna Garcia from Lindblad Expeditions at the Milton Landing Pier to discuss the possibility of Lindblad cruises docking at the Pier. Attendees were: Deputy Supervisor Appler and BJ Mikkelsen

Met with Spectrum Representative Franco Affrunti to discuss the possibility of bringing internet and WiFi services into the Cluett Schantz Park. Attendees from the Town were: Chief Cocozza and Gary Lazaroff.

Met with Jeff Aldrich and Patti Brooks at Young's field to go over the property boundary lines. This was a preliminary meeting to start the process so Young's field can be donated to the Town of Marlborough by the Young and Aldrich family.

Attended the re-bid opening for the TOMVAC building renovation with Town Engineer Phil Bell, Denise Bell, Chief Cocozza and Deputy Town Clerk Danielle Cherubini. Re-bids were opened on June 28th at 2pm. Phil Bell will make his recommendations to the Board in the coming week. Due to a very high bid on the plumbing we have put that part of the overall bid package back out to bid, The re-bid opening date for plumbing will be on July 21st at 2pm. If all goes well we should have a resolution for bid acceptance at our July 25th meeting for all four parts of the bid package. General construction, Electric, Plumbing and HVAC.

Met with Brooklyn Bottling CEO Eric Miller and site Operations Manager Myles Miller to discuss their overall operations and how they can make their Milton facility more neighbor friendly.

Met with the PBA contract negotiation team and their Attorney. This was a follow up on our previous meeting to discuss contract extension length and discuss ideas for the upcoming PBA contract negotiations. Their contract expires on December 31, 2023. We are in discussions to possibly extend that three more years.

Met with Bob Pollock, Mike McCormack, Sue Sullivan, Bob Wilson and Building Inspector Tom Corcoran to discuss upcoming projects and granting opportunities.

Met with John Behan, Jason Pitingaro and Matt Consorti to discuss the Milton Train Station walkway project. Due to supply chain issues Consorti Bros is requesting an extension to August 21st to complete the project.

Attended the opening day concert series at the Cluett Schantz Park put on by the Town Recreation Committee. Hillbilly Parade performed and food was provided by Pop's Place food truck. It was a huge success with an estimated 200 people in attendance. Thank you to our Recreation Committee co-chairs Arlette Porpiglia and Jenna Lazaroff. Thank you also to committee members Councilwoman Sessa, Tara Coupart, Kristina Macchiaroli and Tammy Corcoran. A special thanks to Vinnie Pomarico for booking all the bands for all four concerts. Also, thank you to the Boy Scouts for all their help with setting up and running the concession stand.

Respectfully submitted,

Scott Corcoran

Supervisor  
Town of Marlborough

*Supervisor Corcoran added:*

*Bayside – Blasting will take 5 days and hammering would take 15 weeks*

*WiFi at the Park - The cost is \$1,200 per month so they are looking for different options*

*Brooklyn Bottling – Plans to put down ¾ inch stone down on the roadway and privacy slats in the fence*

B) BUILDING INSPECTOR - THOMAS CORCORAN

**THOMAS CORCORAN - BUILDING INSPECTOR  
MONTHLY REPORT - BUILDING DEPARTMENT  
MONTH OF: JUNE 2022**

CERTIFICATE OF OCCUPANCY	9	STOP WORK ORDER	0
REQUEST FOR INFORMATION	29	ZBA APPLICATION	0
TRAILER PARK RENEWALS	0	ORDER TO REMEDY	6
BUILDING EXTENSIONS	22	COMPLAINTS	31
FIRE INSPECTIONS	12	BURN PERMITS ISSUED	18
FIRE CALLS	1	CLOTHING BIN RENEWALS	0
 TOTAL MILEAGE		 TOTAL GAS USAGE	

**BUILDING PERMITS**

ADDITION / RENOVATION	10	POOL / HOT TUB	3
BARN	1	ROOF	6
BURNING	18	SHED	9
CARPORT / GARAGE	1	SIGNS	0
DECK/STAIRS	3	SINGLE FAMILY	3
DEMOLITION	1	SOLAR PANELS	2
ELECTRICAL / HVAC	9	TANK INSTALL / REMOVAL	2
FIREWORKS	1	WIRELESS COMMUNICATION	0
FURNACE / BOILER	1	WOOD / PELLET STOVE	1
 TOTAL PERMITS	 71	 EST. COST OF BUILDINGS	 \$2,779,098.00

**FEES COLLECTED**

CERTIFICATE OF OCCUPANCY	\$1,300.00
PERMIT EXTENSIONS	\$10,463.50
BUILDING PERMITS	\$13,902.94
REQUEST FOR INFORMATION	\$5,800.00
<b>TOTAL BUILDING FEES</b>	<b>\$31,466.44</b>
 FIRE INSPECTIONS	 \$800.00
TRAILER PARK RENEWALS	\$0.00
<b>TOTAL FIRE FEES</b>	<b>\$800.00</b>
 BURNING FEES	 \$75.00
 ZBA APPLICATIONS	 \$0.00
ZBA ESCROW	\$0.00
<b>TOTAL FEES</b>	<b>\$32,341.44</b>

C) POLICE CHIEF - GERALD COCOZZA

Police Department  
Town of Marlborough

**MEMORANDUM**

To: Town Board of the Town of Marlborough  
From: Chief Cocozza  
Date: July 11,2022  
Subject: Activity Summary for the Month of June 2022



Following is a summary of the activity of the Police Department for the month of June 2022

<u>MOTOR VEHICLE ACCIDENT</u>	June 22	Yr. Date 22	June 21	Yr. Date 21
Personal injury	12	32	3	16
Fatal	0	0	0	0
Property Damage	15	100	14	99
Total	27	132	Total 17	115

<u>SUMMONSES ISSUED</u>				
Vehicle and Traffic	69	569	74	358
Parking	3	10	1	6

<u>COMPLAINT ACTIVITY</u>				
Total Blotter Entries	1141	8018	1390	9322
Total Arrests	16	90	17	100

<u>TOTAL TELEPHONE CALLS</u>				
	1987	11370	1889	11351

POLICE DEPARTMENT OVERTIME HOURS payroll 13 & 14

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 (\$)	8
Part Time Dispatchers Overtime	24 (\$674)	145
	8	8
	16	(\$416)
		80

<u>Police Mileage</u>	9566	54943	10279	66964
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Police Department  
Town of Marlborough



**MEMORANDUM**

Activity Summary for the month of June 2022

Page 2.

**Police Department Payroll 13 & 14 Regular Hours**

	<b>June 22</b>	<b>Yr. Date</b>		<b>June 21</b>	<b>Yr. Date</b>
Full Time Police Officer	1120	6825		1682	6230
Part Time Police Officer	1176	6815.25		1647.5	6294.25
Full Time Dispatcher	80	964		480	2080
Part Time Dispatcher	559.25	3998.75		630.75	2114.5
Traffic Officer	59	377		78	250

**Police Department Fuel Consumption**

Police	904.855	6236.723	1098.766	6900.041
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**Use of Force**

0-use of force	YTD 0 - use of force	0- deer	YTD 5-deer
1-deer	YTD 6 - deer	1- Hands	YTD 2-hands
0 - Animal	YTD 1 - animal	0- Use of force	YTD 1-use of force
0- Hands	YTD 1 - hands		
0-Taser	YTD 1- Taser		

Civilian Complaints	0	Civilian Complaints	0
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## Incident Breakdown By Month Report

Print Date/Time: 07/08/2022 05:09  
Login ID: jvanamburgh.marpd  
Year: 2022



Marlboro 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 Digit Call	4	14.8	4	14.8	3	11.1	6	22.2	3	11.1	6	22.2	1	3.7	0	0.0	0	0.0	0	0.0	27
911 Abandoned	1	8.3	1	8.3	2	16.7	5	41.7	2	16.7	1	8.3	0	0.0	0	0.0	0	0.0	0	0.0	12
911 Misdial	0	0.0	2	20.0	3	30.0	2	20.0	2	20.0	1	10.0	0	0.0	0	0.0	0	0.0	0	0.0	10
911 No Voice Call	2	40.0	1	20.0	0	0.0	0	0.0	0	0.0	0	0.0	2	40.0	0	0.0	0	0.0	0	0.0	5
Abandoned	0	0.0	0	0.0	0	0.0	0	0.0	1	100.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	1
Accident Personal	8	24.2	2	6.1	6	18.2	2	6.1	2	6.1	12	36.4	1	3.0	0	0.0	0	0.0	0	0.0	33
Accident Property	26	22.8	13	11.4	24	21.1	14	12.3	18	15.8	15	13.2	4	3.5	0	0.0	0	0.0	0	0.0	114
Alarm Burglary	16	11.9	20	14.8	22	16.3	19	14.1	25	18.5	28	20.7	5	3.7	0	0.0	0	0.0	0	0.0	135
Alarm Panic	1	12.5	1	12.5	0	0.0	2	25.0	2	25.0	1	12.5	0	0.0	0	0.0	0	0.0	0	0.0	8
Animal	4	6.6	7	11.5	10	16.4	7	11.5	9	14.8	18	29.5	6	9.8	0	0.0	0	0.0	0	0.0	61
Assault	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	1
Assist EMS	70	17.5	58	14.5	63	15.7	59	14.7	65	16.2	78	19.5	8	2.0	0	0.0	0	0.0	0	0.0	401
Assist Fire	18	20.5	17	19.3	12	13.6	19	21.6	9	10.2	10	11.4	3	3.4	0	0.0	0	0.0	0	0.0	88
Assist Other	2	8.0	3	12.0	5	20.0	4	16.0	6	24.0	4	16.0	1	4.0	0	0.0	0	0.0	0	0.0	25
ATV Complaint	0	0.0	2	20.0	0	0.0	4	40.0	2	20.0	2	20.0	0	0.0	0	0.0	0	0.0	0	0.0	10
BOLO	1	50.0	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	2
Bomb Threat	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	1
Burglary	0	0.0	1	14.3	1	14.3	2	28.6	3	42.9	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	7
Civil Matter	0	0.0	2	12.5	1	6.3	5	31.3	2	12.5	5	31.3	1	6.3	0	0.0	0	0.0	0	0.0	16
Criminal Mischief	4	16.7	1	4.2	1	4.2	0	0.0	7	29.2	10	41.7	0	0.0	0	0.0	0	0.0	0	0.0	24
Custody Dispute	0	0.0	1	50.0	0	0.0	0	0.0	1	50.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	2
Disabled Vehicle	3	13.0	5	21.7	3	13.0	5	21.7	3	13.0	3	13.0	1	4.3	0	0.0	0	0.0	0	0.0	23
Disorderly	0	0.0	0	0.0	0	0.0	2	33.3	2	33.3	1	16.7	1	16.7	0	0.0	0	0.0	0	0.0	6
Dispute	6	10.0	7	11.7	11	18.3	11	18.3	12	20.0	11	18.3	2	3.3	0	0.0	0	0.0	0	0.0	60
Domestic Dispute	9	16.7	9	16.7	7	13.0	9	16.7	10	18.5	6	11.1	4	7.4	0	0.0	0	0.0	0	0.0	54
Drug Offense	0	0.0	0	0.0	0	0.0	0	0.0	1	100.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	1



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 Login ID: jvanamburgh.marpd  
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## Incident Breakdown By Month Report



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
	#	%	#	%	#	%	#	%	#	%	#	%	Total
Erratic Vehicle	7	10.0	5	7.1	11	15.7	14	20.0	12	17.1	18	25.7	3
Error	1	33.3	1	33.3	0	0.0	0	0.0	0	0.0	0	0.0	0
Eviction	0	0.0	0	0.0	1	100.0	0	0.0	0	0.0	0	0.0	0
Fight	4	57.1	0	0.0	2	28.6	0	0.0	1	14.3	0	0.0	1
Fireworks	0	0.0	0	0.0	0	0.0	0	0.0	3	42.9	4	57.1	0
Follow Up	0	0.0	0	0.0	0	0.0	0	0.0	1	100.0	0	0.0	0
Foot Patrol	0	0.0	0	0.0	1	50.0	0	0.0	1	50.0	0	0.0	0
Fraud	6	35.3	3	16.7	2	11.1	1	5.6	3	16.7	3	16.7	0
Harassment	2	8.7	8	34.8	2	8.7	3	13.0	2	8.7	4	17.4	2
Information	5	12.5	6	15.0	4	10.0	7	17.5	6	15.0	9	22.5	3
Juvenile	0	0.0	0	0.0	0	0.0	1	50.0	0	0.0	1	50.0	0
Larceny	2	8.0	5	20.0	4	16.0	2	8.0	4	16.0	8	32.0	0
Lock Out	4	8.9	15	33.3	7	15.6	6	13.3	7	15.6	3	6.7	3
Lost or Missing	1	25.0	0	0.0	2	50.0	0	0.0	1	25.0	0	0.0	0
Menacing	0	0.0	0	0.0	0	0.0	0	0.0	1	100.0	0	0.0	0
Mental Health Law	1	25.0	0	0.0	2	50.0	0	0.0	1	25.0	0	0.0	0
New Call	1	25.0	1	25.0	0	0.0	1	25.0	0	0.0	1	25.0	0
Noise Complaint	0	0.0	0	0.0	4	16.7	5	20.8	7	29.2	4	16.7	0
Open Door	1	33.3	2	66.7	0	0.0	0	0.0	0	0.0	0	0.0	0
Police Public	4	8.5	6	12.8	6	12.8	13	27.7	9	19.1	6	12.8	3
Police Station	5	35.7	1	7.1	5	35.7	1	7.1	0	0.0	2	14.3	0
Property Check	1059	19.7	917	17.1	1091	20.3	858	16.0	689	12.8	653	12.2	106
Property Found	0	0.0	2	25.0	0	0.0	1	12.5	3	37.5	2	25.0	0
Property Lost	2	5.5	2	9.5	5	23.8	8	38.1	1	4.8	3	14.3	0
Property Retrieval	0	0.0	0	0.0	2	40.0	2	40.0	0	0.0	1	20.0	0
Psychiatric	0	0.0	3	17.6	5	29.4	2	11.8	4	23.5	2	11.8	1



## Incident Breakdown By Month Report

Print Date/Time: 07/08/2022 05:09  
 Login ID: jvanamburgh.marpd  
 Year: 2022

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

Incident Type	January	February	March	April	May	June	July	August	September	October	November	December	Yearly
	#	%	#	%	#	%	#	%	#	%	#	%	#
Public Safety	1	100.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	1
Road Hazard	5	10.6	11	23.4	6	12.8	4	8.5	8	17.0	10	21.3	3
School Check	107	18.7	84	14.7	105	18.4	68	11.9	85	14.9	91	15.9	32
School Incident	0	0.0	2	15.4	5	38.5	1	7.7	4	30.8	1	7.7	0
Serve Papers	2	15.4	4	30.8	1	7.7	1	7.7	4	30.8	0	0.0	1
Sex Offense	0	0.0	0	0.0	0	0.0	1	33.3	2	66.7	0	0.0	0
Shots Fired	0	0.0	1	12.5	1	12.5	3	37.5	2	25.0	0	0.0	0
Special Detail	0	0.0	1	10.0	0	0.0	3	30.0	4	40.0	2	20.0	0
Suicide or	0	0.0	1	100.0	0	0.0	0	0.0	0	0.0	0	0.0	0
Suspicious	11	12.5	9	10.2	10	11.4	14	15.9	20	22.7	17	19.3	7
Traffic Complaint/	3	5.1	13	22.0	11	18.6	4	6.8	16	27.1	7	11.9	5
Traffic Stop	44	10.0	56	12.8	80	18.2	109	24.8	77	17.5	53	12.1	20
Trespass	1	12.5	1	12.5	3	37.5	2	25.0	0	0.0	1	12.5	0
Unknown Police	1	50.0	0	0.0	1	50.0	0	0.0	0	0.0	0	0.0	0
Unwanted Subject	0	0.0	0	0.0	1	33.3	0	0.0	1	33.3	0	0.0	1
Vehicle and Traffic	0	0.0	0	0.0	0	0.0	1	100.0	0	0.0	0	0.0	0
Vehicle	2	28.6	0	0.0	1	14.3	0	0.0	1	14.3	3	42.9	0
Warrant Execution	0	0.0	0	0.0	1	50.0	1	50.0	0	0.0	0	0.0	1
Welfare Check	13	13.1	20	20.2	14	14.1	21	21.2	11	11.1	17	17.2	3
<b>Total:</b>	<b>1471</b>	<b>17.8</b>	<b>1338</b>	<b>16.2</b>	<b>1568</b>	<b>19.0</b>	<b>1336</b>	<b>16.2</b>	<b>1164</b>	<b>14.1</b>	<b>1141</b>	<b>13.8</b>	<b>254</b>
									<b>3.1</b>	<b>0</b>	<b>0.0</b>	<b>0.0</b>	<b>0</b>

**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	\$733	\$3,162	\$2,429	23%
DARE	\$685	\$4,110	\$3,425	17%
F/T Court	\$179	\$2,984	\$2,805	6%
F/T Holiday *	\$6,297	\$37,311	\$31,014	17%
F/T Investigations	\$1,046	\$8,086	\$7,040	13%
F/T Shift Cover	\$16,459	\$17,797	\$1,338	92%
F/T Training	\$0	\$6,133	\$6,133	0%
P/T Court	\$459	\$4,457	\$3,998	10%
P/T Holiday *	\$9,866	\$12,228	\$2,362	81%
P/T Investigations	\$2,089	\$6,980	\$4,891	30%
P/T Shift Cover	\$11,191	\$16,238	\$5,047	69%
P/T Training	\$0	\$6,576	\$6,576	0%
F/T Firearms training &taser	\$1,862	\$5,247	\$3,385	35%
P/T Firearms training &Taser	\$2,980	\$7,076	\$4,096	42%
FT Special detail	\$668	\$9,762	\$9,094	7%
PT Special Detail	\$3,620	\$12,201	\$8,581	30%
<b>Total</b>	<b>\$58,134</b>	<b>\$160,348</b>	<b>\$102,214</b>	<b>36%</b>
<b>*Holiday</b>	<b>\$16,163</b>	<b>\$49,539</b>	<b>\$33,376</b>	<b>33%</b>

*Chief added that a date will be chosen soon for Community Day. Route 9W will be closed for 1 hour on July 30<sup>th</sup> for the Fireman's Parade.*

## 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 Corcoran  
Town Clerk Colleen Corcoran  
Town Board Members

#### **Monthly Report for June 2022**

We completed paving on Church, Dubois, Orange, Orchard, and West Streets in the hamlet of Marlboro. The major paving has been completed on the section of Willow Tree Rd. and Baileys Gap Rd. with just a few minor finishing details to be addressed in July. We also paved 3 water taps on Orange St. for the Water Department.

The mower was out throughout the month in both hamlets. The Reservoir and Landfill were also mowed.

We spent several days working on the ballfields at Young's Park, removing sod and installing clay. New concert event signs were constructed to announce the Town Park's concert schedule for this summer. Unfortunately, we had to remove several dead fish from Long Pond.

On 6/6 we sent 3 trucks to haul millings for the Town of Lloyd. On 6/30 we sent 4 trucks to help the Town of Esopus with their paving project.

**Fuel Usage:** Gas: N/A      Diesel: N/A

Respectfully submitted,

*John Alonge*  
John Alonge,  
Highway Superintendent

JA/cm

*Supervisor Corcoran thanked the Highway Department for all the extra things that they do. Councilwoman Sessa thanked the Highway Department specifically for fixing the ball fields at the park.*

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: 7/11/2022**

**TO: SUPERVISOR SCOTT CORCORAN  
TOWN BOARD MEMBERS  
TOWN CLERK**

**RE: MONTHLY REPORT FOR JUNE**

Water consumption totaled 16,353 million gallons, which is a daily usage of 545,100. Compared to last month 16,314 million gallons, which is a daily usage of 526,258. Compared to a year ago water consumption was 17,400 million gallons for the month, which is a daily usage of 580,000.

**SUMMARY FOR THE MONTH**

**CURB BOXES:** We had to repair a curb box on Orange St., Church St. and West St.

**HYDRANTS:** We have been mowing grass around hydrants and applying herbicide.

**SEWER:** We had to inspect two sewer hook ups on Orange St.

Cliff and myself attended a class in Montgomery.

We assisted the Highway Dept. with the paving of roads in the town of Marlborough by adding risers on sewer lids and valve lids.

Inspected and tested water in our storage tanks on Western Ave. and also Walnut Lane.

SEWER LINE INSPECTIONS: 2  
SERVICE LINE INSPECTIONS: 2  
CLOSINGS: 6  
MARKOUTS: 45  
Gallons of Gas: 200  
Gallons of Diesel: 25  
Mileage for the month: 1,800

## F) TOWN CLERK - COLLEEN CORCORAN

07/01/2022

Town Clerk Monthly Report Monthly Report  
June 01, 2022 - June 30, 2022

Page 1

Account Description	Fee Description	Account#	Qty	Local Share
building Dept/ Burn permits	Burn Permits	00-2110	1	120.00
			<b>Sub-Total:</b>	<b>\$120.00</b>
Conservation	Conservation	A1255	6	14.92
			<b>Sub-Total:</b>	<b>\$14.92</b>
Dog Licensing	Female, Spayed	A2544	12	60.00
Dog Licensing	Female, Unspayed	A2544	1	10.00
Dog Licensing	Male, Neutered	A2544	12	60.00
Dog Licensing	Male, Unneutered	A2544	3	30.00
			<b>Sub-Total:</b>	<b>\$160.00</b>
LANDFILL FEES	T/s Permits	00-2130	2	75.00
LANDFILL FEES	T/s Punch Cards	00-2130	29	1,845.00
			<b>Sub-Total:</b>	<b>\$1,920.00</b>
Marriage Lic.	MARRIAGE LICENSE FEE	00-1255	7	122.50
			<b>Sub-Total:</b>	<b>\$122.50</b>
Misc Fees	Building Fees\Building Dept	00-2110	1	22,426.34
Misc Fees	Fire Fees/Building Dept	00-2110	1	1,750.00
Misc Fees	YRP Camp	00-2025	18	8,350.00
			<b>Sub-Total:</b>	<b>\$32,526.34</b>
MISC. FEES	Accident Reports	00-1255	24	120.00
MISC. FEES	Burgular Permits	00-2590	2	40.00
MISC. FEES	Certified Copies	00-1255	5	210.00
MISC. FEES	Clerk Fees	00-1255	1	10.00
MISC. FEES	Foi Requests	00-1255	1	0.50
MISC. FEES	Peddler's License	00-2590	1	250.00
			<b>Sub-Total:</b>	<b>\$630.50</b>
			<b>Total Local Shares Remitted:</b>	<b>\$35,494.26</b>
Amount paid to: NYS Ag. & Markets for spay/neuter program				36.00
Amount paid to: NYS Environmental Conservation				255.08
Amount paid to: State Health Dept. For Marriage Licenses				157.50
<b>Total State, County &amp; Local Revenues:</b>	<b>\$35,942.84</b>		<b>Total Non-Local Revenues:</b>	<b>\$448.58</b>

To the Supervisor:

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

\_\_\_\_\_  
Supervisor

\_\_\_\_\_  
Date

\_\_\_\_\_  
Town Clerk

\_\_\_\_\_  
Date

## G) WASTEWATER TREATMENT FACILITY- JULIAN FALCO

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

July 8, 2022

For the month of June 2022, both the Marlboro and Milton Wastewater Treatment Plants complied with all of the SPDES requirements. The following are monthly statistics for both plants;

### **Marlboro WWTP**

- Average Daily Flow = **97,000** gallons per day.
  - (About **55%** of design capacity.)
- Average BOD removal = **96%**
- Average Suspended Solids removal = **92%**

### **Milton WWTP**

- Average Daily flow = **27,000** gallons per day.
  - (About 49% of design capacity)
- Average BOD removal = **93%**
- Average Suspended Solids removal = **93%**

Both the Marlboro and Milton treatment plants operated normally during the month of June without any major changes or events. The average daily flow for both Marlboro and Milton has continued to lower due to less rainfall in the summer months. The flow for the Marlboro facility has significantly dropped, which is likely due to the schools starting summer break. We are still waiting on Fleet Pump & Service to repair our EQ pump for the Milton Plant. We are currently operating with one pump without any issues. 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.

Thank you,  
Julian Falco  
Water Quality Management, Inc.

## 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

Tuesday, July 5, 2022      **June 2022 Monthly Report**

**Monthly Report – 6/1/2022 through 6/30/2022**

### Overview:

We received a total of 15 calls this month including 3 calls to service from the New York State Police and Ulster County Sheriff.

Responded to 3 active complaints and/or cases which are now closed or resolved

We currently have 1 open case or complaint.

We Impounded 0 dogs this month.

no appearance tickets were issued this month

There were no dog bite reported this month

We have no Dangerous Dog cases in progress in the Marlborough Justice Court

All dogs in New York State are required to be licensed and to have identification tags. Please contact the Town Clerk to license your dog and be sure to get ID tags with your address and phone number in case your pet escapes. Thank you.

End of report.

I) ASSESSOR - CINDY HILBERT  
*No report.*

J) PLANNING - CHRIS BRAND

Town of Marlborough

## Planning Board Review June 2022

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<b>June 2022 Financial Report</b>	
<b>June 2022 Application Fees</b>	\$0
<b>June 2022 Escrow Fees</b>	\$4,889.86
<b>June 2022 Recreation Fees</b>	\$0
<b>June 2022 Invoices</b>	\$4,082.85

**Meeting:** June 6, 2022

### ATTENDEES

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

### AGENDA

#### **Approval of Stenographic Minutes for 5/2/2022**

Approval for the above minutes was granted unanimously.

#### **Pollock Site Plan, 39 Main Street, Milton: Modification, Site Plan**

- The Board unanimously agreed to add a Special Use Permit to the proposed Approval Resolution. The Project's Site Plan, Special Use Permit, and Lot Line Revision Amended Conditional Approval was granted unanimously.

**DuBois Dave Jolee, 228 Mahoney Road, Milton: Public Hearing, Subdivision**

- A Public Hearing was opened and closed with one neighbor asking about existing landscaping issues and how they may be rectified. The Board will require the applicant to stake out the location of the proposed buildings before construction due to the tight building envelope onsite. The Board authorized the attorney to draft a Resolution of Approval for the June 21, 2022, meeting.

**Verizon Marlboro HS, 50 Cross Road, Marlboro: Final, Site Plan**

- Member Garofalo again recused himself from the Verizon portion of the Meeting. The project received a SEQR Negative Declaration and Notice of Determination of Non-Significance and Approval via resolution.

**Guarino, 5 Ashlyen Drive, Marlboro: Preliminary, Site Plan**

- The Board discussed the findings of the recently held onsite visit to examine existing and proposed conditions. The applicant agreed to extend the existing roadway 50' in order to have access on an improved roadway. The Board authorized the attorney to draft a Resolution of Approval for the next meeting.

**Mekeel, Maria, 34 Bingham Road, Marlboro: Sketch, Subdivision**

- The Board asked the applicant to provide additional documentation regarding details of the private roadway onsite, proposed well and septic locations, existing Central Hudson Easements, agricultural notes, and driveway grading. Questions regarding a previously approved Lot Line Revision drew questions regarding Town Code S134-8 of the Town of Marlborough which may preclude additional subdivisions for a regulated period of time. The Town Attorney, Engineer, and Code Enforcement Officer were asked to provide the Board with clarification on this matter. A Public Hearing was scheduled for the June 21, 2022, meeting.

**Dane Desantis, 226 Highland Ave., Marlboro: Sketch, Subdivision**

- The proposed subdivision received a variance for the Town of Marlborough's ZBA dated May 12, 2022. The Board reviewed Highway Superintendent's comments regarding the proposed driveway. The Board will require the applicant to stake out the location of the proposed buildings before construction due to the tight building envelope onsite.

A Public Hearing was scheduled for June 21, 2022. The Board also authorized the attorney to draft a Resolution of Approval for the same date, barring any significant input from the Public Hearing which would require modifications.

**Corrado Subdivision, Burma Road, Marlboro: Sketch, Subdivision**

- The proposed subdivision received a previously approved Lot Line Revision which again drew questions regarding Town Code S134-8 of the Town of Marlborough which may preclude additional subdivisions for a regulated period of time. The Town Attorney, Engineer, and Code Enforcement Officer were asked to provide the Board with clarification on this matter. The Board also asked the applicant to either prove all resulting lots are buildable or include notes indicating the lots will not be developed at any time in the future or are to be used solely for agricultural purposes.

**NEXT Deadline**

Friday, June 10, 2022

**NEXT Scheduled Meeting**

Tuesday, June 21, 2022

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**Meeting: June 21, 2022**

**ATTENDEES**

Chris Brand, Cindy Lanzetta, Joe Lofaro, Bob Troncillito, James Garofalo,  
Steve Jennison

**AGENDA**

**Approval of Stenographic Minutes for 6/6/2022**

Approval for the above minutes was granted unanimously.

**Mekeel, Maria, 34 Bingham Road, Marlboro: Public Hearing, Subdivision**

- The Town of Marlborough CEO and attorney Jeff Battistini both agreed the project did not violate any portion of the code and could proceed. The Public Hearing was opened with two adjoining property owners inquiring about the proposed subdivision. After the questions were answered, the Public Hearing was closed. The Board authorized their attorney to draft approval resolutions for the next meeting.

**Dane Desantis, 226 Highland Ave., Marlboro: Public Hearing, Subdivision**

- The Public Hearing was opened and closed with no input from the public. The proposed subdivision was granted a SEQRA Negative Declaration and Notice of Determination of Non Significance and Final Approval unanimously. Two thousand dollars in recreation fees were also approved.

**DuBois Dave Jolee, 228 Mahoney Road, Milton: Final, Subdivision**

- The proposed subdivision was granted a SEQRA Negative Declaration and Notice of Determination of Non Significance and Final Approval unanimously. Four thousand dollars in recreation fees were also approved.

**Guarino, 5 Ashlyen Drive, Marlboro: Final, Site Plan**

- The proposed subdivision was granted a SEQRA Negative Declaration and Notice of Determination of Non Significance and Final Approval unanimously. Two thousand dollars in recreation fees were also approved.

**Corrado Subdivision, Burma Road, Marlboro: Sketch, Subdivision**

- The Town of Marlborough CEO and attorney Jeff Battistini both agreed the project did not violate any portion of the code and could proceed. However, the applicant was provided due notice that any additional subdivision on site would incur a three year waiting period. The applicant agreed and this notation will be made on final maps as well in any resolutions of approval. The applicant agreed to provide percolation tests for the large parcel and provide their results to Engineer Pat Hines for review to ensure it is a buildable lot. The applicant was also asked to review the Short Form EAFs to ensure no additional information was required. A Public Hearing was scheduled for July 18, 2022.

**Bayside, 18 Birdsall Ave., Marlboro: Amend, Site Plan**

- No representation was in attendance. The applicant's amended Site Plan Proposal will be heard at the July 18, 2022 meeting.

**\*\*\*Conceptual Site Plan Discussion with Engineer\*\*\***

**Mitchell M&CO, 1559 Route 9W Birdsall Ave., Marlboro: Sketch, Subdivision**

- Although the Board does not typically entertain conceptual discussions with the Engineer in attendance for subdivisions, it was agreed to allow the applicant to proceed as he was in attendance and fully prepared to do so. The applicant's professional reviewed preliminary details for a proposed seven lot subdivision at the above address. He was given some technical advice on his application and storm water prevention options at the site. He was advised to submit a formal application and proceed.

**NEXT Deadline**

Friday, June 24, 2022

**NEXT Scheduled Meeting**

Monday, July 4, 2022

Respectfully Submitted,

Chris Brand, Chairman, Town of Marlborough Planning Board

ITEM #9 Report of Committees

A) RECREATION COMMITTEE

*Councilwoman Sessa reported that there are three more concerts and the committee is working on future events.*

B) EMERGENCY MANAGEMENT PREPAREDNESS COMMITTEE

*No report.*

C) CONSERVATION ADVISORY COMMITTEE

*Supervisor Corcoran reported that he forwarded information to Mici Simonofsky about the proposed lighting ordinance that was discussed at the last meeting.*

*Mici Simonofsky thanked the Board for giving them a project and she is working on getting things started.*

D) IT COMMITTEE

*Supervisor Corcoran reported that he will contact Charter Communications to see what else can be done for WiFi at the park.*

E) MILTON TRAIN STATION FOUNDATION

*No report.*

F) MILTON LANDING CITIZENS COMMITTEE

*Supervisor Corcoran reported that the committee is working on the kayak launch and also moving forward on granting for the whole landing project.*

G) MARLBORO HAMLET ECONOMIC DEVELOPMENT COMMITTEE

*No report.*

## H) MEET ME IN MARLBOROUGH



June 27, 2022

### Meet Me in Marlborough Town Board Report

- 1.) Month of May & Mother's Day Promotional Newsletter was emailed and shared on social media platforms to MMiM's recipients. (shown below)
- 2.) Participated in the 5/21 & 5/22 May Fest on the Walkway to promote Marlborough & MMiM members. MMiM conducted a "Taste of Tucany in the Hudson Valley" \$100 Agriculture Experience Gift Certificate Contest. Visitors entered the contest by joining the MMiM newsletter. (shown below)
- 3.) Created and shared a Memorial Day Parade photo gallery on MMiM social for the community to view and enjoy.
- 3.) Thurs. 5/23 - Meet with River Boat Tour Company
- 4.) Month of June & Father's Day Promotional Newsletter was emailed and shared on social media platforms to MMiM recipients. (shown below)
- 5.) MMiM Event Committee is planning the following upcoming events  
Sat. 10/1, rain date Sun. 10/2 Bounty Festival at Cluett Schantz Park, Milton.  
Sat. 10/31 Kids & Adults Trick or Treat in the Hamlet of Marlboro, NY  
Sat. 11/ - Buy Local Event at the Marlboro Elementary School  
We invite community businesses, civic and school groups, not for profit, to participate in the events.
- 6.) MMiM conducted our 1st Support Local Pop Up Vendor Event at Quartz Rock Vineyard. The event provides an additional venue to support local businesses and artisans.
- 7.) MMiM conducted its annual MHS Scholarship. On Thursday, 6/23, it was our pleasure to award Harrison Conn at the MHS award ceremony this year's MMiM scholarship. Harrison volunteered his time and talent to provide MMiM with beautiful aerial photos and videos of Marlborough's Agriculture.

Each year, the scholarship recipient is nominated by MMiM and its members. The nominee is a MHS senior or seniors who have contributed and/or participated in any of Marlborough's

Agricultural efforts. The scholarship has a monetary value and is a combination of MMiM and the nominating businesses. This year's scholarship was provided by Meet Me in Marlborough, Prospect Hill Orchards and Fjord Vineyard for Harrison's provided aerial footage for an upcoming Agriculture map project created by MMiM and Mr. Buley & MHS Tech. Dept., also producing photos to be used for promotions.

8.) Networking Event in July.

Thank you,  
MMiM BOD

Newsletters

- May <https://conta.cc/3y13LLy>
- June <https://conta.cc/3ygf3ut>

## I) HAMLET OF MILTON ASSOCIATION COMMITTEE

*No report.*

## J) TRANSFER STATION REVIEW COMMITTEE

*Supervisor Corcoran reported that about 860 tires were removed from the Transfer Station. The company that took the tires said the tires need to be cleaned for future pick up. The Highway Department helped. The DEC has been notified about the tire removal.*

## ITEM #10 Old Business

#### A). Tomvac Rehabilitation Update

*Supervisor Corcoran stated that the plumbing re-bid opening is on the 21<sup>st</sup> and if that works out then they should be able to move forward with all four of the bids.*

*Town will likely have to spend some money in addition to the grants.*

## ITEM #11 New Business

A). July 25<sup>th</sup> meeting-change location to the upstairs conference room

*Councilman Zambito made a motion to change the location of the July 25, 2022 Town Board meeting to the upstairs conference room. Motion seconded by Councilman Molinelli.*

B). Board of Assessment Review-Advertise for open position

*Councilwoman Sessa made a motion to advertise to fill a position on the Board of Assessment Review. Motion seconded by Councilman Zambito.*

## ITEM #12 Correspondences

*Supervisor Corcoran read correspondence from Ted Millar on behalf of the Marlborough Democratic Committee asking to use Town Hall for a voter registration drive on September 10, 2022 from 10:00 a.m. to 4:00 p.m.*

*The Board discussed location options and concluded that Town Hall or the Marlboro Library could be utilized if available and that it may be a good idea for all political parties to combine their efforts to encourage registration.*

*Supervisor Corcoran stated that the Town has an application for filming a part of a series called "Poker Face in the Town. The two previous filming applicants paid \$200.00. The fee for this particular permit will be on a per day basis.*

*Based on the fact that this application seems much more involved than the previous ones, Councilwoman Sessa made the following motion:*

*Councilwoman Sessa made a motion to charge \$500.00 per day for the filming permit for Poker Face. Motion seconded by Councilman Zambito.*

*There were concerns about insurance, policing and the route and roads requested.*

*The applicant will need to provide insurance and the police they need will be paid for by the applicant. The route and roads will need to be discussed further with Chief Cocozza. One of the roads is a county road so permission from the county is requested to approve.*

*Supervisor Corcoran read off all the departments that will need to sign off and approve the application.*

## ITEM #13 Public Comments

*Mici Simonofsky complimented John Alonge and his crew for paving the roads in Marlborough including the road she lives on; everything went smoothly. Ms. Simonofsky questioned who will maintain the baseball field if it is donated.*

*Supervisor Corcoran stated that they are discussing maintenance with Marlboro Youth Baseball and once it is donated the Town can invest in the property; there may be grant money available through the county. The fields are also being worked on at the park so the town can possibly host tournaments.*

## ITEM #14 Resolutions

- A). Resolution #61 To appoint a summer camp employee
  - B). Resolution #62 To introduce a local law of the year 2022
  - C). Resolution #63 To introduce a local law of the year 2022
  - D). Resolution #64 To authorize the Town Supervisor to sign an agreement

*Supervisor Corcoran stated that he would like to hold an executive session to discuss Dockside with the Board. No decisions will be made.*

*Councilman Molinelli made a motion to enter executive session at 8:39 p.m. Motion seconded by Councilman Zambito.*

*Councilman Molinelli made a motion to end executive session at 9:02 p.m. Motion seconded by Councilwoman Sessa.*

*No decisions were made.*

## ITEM #15 Adjournment

*Councilman Molinelli made a motion to adjourn the meeting at 9:03 p.m. Motion seconded by Councilman Zambito.*

*Years: 4 Nays: 0 Carried*

*Respectfully submitted,  
Danielle Cherubini  
Deputy Town Clerk*

July 11, 2022

A). Resolution #61 To appoint a summer camp employee

Supervisor Corcoran proposes the following:

Be it resolved, that the following employee be appointed for the 2022 summer camp

**YOUTH COUNSELORS**

Dante Valentino

And moves for its adoption:

Councilman Molinelli	Yes
Councilwoman Sessa	Yes
Councilman Cauchi	Absent
Councilman Zambito	Yes
Supervisor Corcoran	Yes

July 11, 2022

B). Resolution #62 To introduce a local law of the year 2022

Supervisor Corcoran proposes the following:

Supervisor Corcoran, seconded by Councilman Molinelli, introduced the following proposed local law, to be known as Local Law No. \_\_\_\_ of 2022, entitled, Local Law No. \_\_\_\_ of 2022, 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 AMEND DEFINITIONS FOR “BED AND BREAKFAST” AND “SHORT-TERM RENTAL”, SECTION 155-12 “USE REGULATIONS”, SECTION 155 ATTACHMENT 2, SECTION 155-27 “OFF-STREET PARKING; OFF-STREET LOADING; FILLING AND SERVICE STATIONS”, SECTION 155-30 “MULTIPLE DWELLINGS”, AND ADDING SECTION 155-32.4 “BED AND BREAKFAST”.

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

Section 1. Section 155-1 of the Town Code of the Town of Marlborough is amended as follows [deletions are stricken and additions are underscored]:

### **BED AND BREAKFAST**

A home occupation allowing overnight accommodations in residential structures which takes place only in permanently owner-occupied structures. The use is limited to 50% of the structure. Meals may be served to guests of the business. Use is subject to site plan review by the Planning Board. Each owner of a Bed and Breakfast overnight accommodation must obtain an annual operating permit from the Building Department and must pay any related permitting or inspection fees established by the Town. These fees from time to time may be updated and changed during the Town Board annual reorganization meeting.

## **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 owns~~ 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 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)(i) of the Marlborough Town Code is amended to read as follows [deletions are stricken and additions are underscored]:

Bed-and-breakfast with the use limited to 50% of the structure.

Section 3. Section 155-12(B)(4)(i) of the Town Code of the Town of Marlborough is amended to read as follows [deletions are stricken and additions are underscored]:

Bed-and-breakfast with the use limited to 50% of the structure.

Section 4. Section 155-12(C)(4)(n) of the Town Code of the Town of Marlborough is amended to read as follows [deletions are stricken and additions are underscored]:

Bed-and-breakfast with the use limited to 50% of the structure.

Section 5. Schedule I, “Lot, Yard and Height Regulations” of Chapter 155 Attachment 2 of the Marlborough Town Code is amended to add “With public water and sewer and natural gas (square feet)” in the “Regulations” column, and to insert “7,500” in the column for District R.

Section 6. Section 155-27(B)(2) of the Town Code of the Town of Marlborough is amended to read as follows [deletions are stricken and additions are underscored]:

Dimensions for required loading berths. Each required loading berth shall be ~~a minimum of 60 feet long, 14 feet wide and, if covered, 15 feet high.~~ determined at the discretion of the Planning Board. Minimum length may be increased depending on the dimensions of the transportation mode (vehicle or railroad car) customarily serving the building described in Table 2 above.

Section 7. Section 155-30(B)(2) of the Town Code of the Town of Marlborough is amended to read as follows [deletions are stricken and additions are underscored]:

Minimum distances between structures in all zones (except C-1 and R). Where there are two or more structures on a single lot devoted to multiple dwellings, the minimum distance between structures shall be 1 1/2 times the height of the highest structure.

Section 8. Section 155-32.4 of the Town Code of the Town of Marlborough is added to read as follows [deletions are stricken and additions are underscored]:

Section 155-32.4 Bed and Breakfast

Each owner of a Bed and Breakfast must obtain an annual operating permit from the Building Department, must pay any related permitting/inspection fees, and must 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 Bed and Breakfast 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 pickup).

B. The name and contact information of the owner shall be provided to the Building Department and shall be posted in the Bed and Breakfast. Both the owner and the renter will be responsible for addressing rental issues and compliance with Bed and Breakfast requirements within 24 hours. The owner must notify the Building Department of any changes in Bed and Breakfast contact information and posted notice(s) in the Bed and Breakfast shall be revised accordingly.

C. Occupancy shall be limited to two guests per bedroom and total Bed and Breakfast rental occupancy shall be posted in the Bed and Breakfast. Children 12 years old and under shall not be counted as guests.

D. Owners of a Bed and Breakfast must register with Ulster County in accordance with Ulster County Local Law No. 5 of 1991. A copy of said registration must accompany each Bed and Breakfast 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 or Bed and Breakfasts shall receive notification from the Building Department of the provisions of the Town Code applicable to Bed and Breakfasts, including the registration and operational requirements.

E. A Bed and Breakfast must pass a yearly fire/safety inspection and a copy of the inspection report must be attached to the Bed and Breakfast annual renewal permit applications. All Bed and Breakfasts must comply with New York State Building Code requirements.

F. Only an owner is permitted to register a Bed and Breakfast. An individual owner must be a permanent resident of the Town of Marlborough and must occupy the residence to be used as the Bed and Breakfast full-time. The use is limited to 50% of the structure.

G. The Town Board may set limits on the number of Bed and Breakfasts 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 Bed and Breakfast 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. An approved Bed and Breakfast will be assigned a registration number that must be included in all rental listings, both print and online, and must also be posted within the Bed and Breakfast. Advertising on or at the site of the Bed and Breakfast is prohibited.

J. Failure to comply with the requirements of this section may result in denial of a Bed and Breakfast application by the Building Department.

K. Three or more convictions for violations of local laws may lead to revocation or nonrenewal of a Bed and Breakfast operating permit by the Building Department.

L. The owner shall be responsible for compliance with the provisions of this section and management of his or her Bed and Breakfast.

Section 9. 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 10. 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 11. This local law shall be effective upon filing with the Secretary of State.

WHEREAS, the Town Board has determined that the action to amend the Town of Marlborough Zoning Law is a Type I Action under the New York State Environmental Quality Review Act (SEQRA).

WHEREAS, that because only the Town Board can consider and adopt changes to the Town Code, that it is the only involved agency, and the Board hereby declares that it is the Lead

Agency for purposes of coordinating the environmental review of this matter pursuant to Article 8 of the Environmental Conservation Law.

WHEREAS, the Town Board has determined that the amendments must be referred to the Ulster County Planning Board for review and recommendation pursuant to General Municipal Law § 239-m.

WHEREAS, the Town Board refers this matter to the Town of Marlborough Planning Board pursuant to Town Code § 155-49.

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

WHEREAS, on July 11, 2022, Supervisor Corcoran has introduced this local law for the Town of Marlborough, to be known as “Town of Marlborough Local Law No. \_\_\_\_ of the Year 2022, 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 AMEND DEFINITIONS FOR “BED AND BREAKFAST” AND “SHORT-TERM RENTAL”, SECTION 155-12 “USE REGULATIONS”, SECTION 155 ATTACHMENT 2, SECTION 155-27 “OFF-STREET PARKING; OFF-STREET LOADING; FILLING AND SERVICE STATIONS”, SECTION 155-30 “MULTIPLE DWELLINGS”, AND ADDING SECTION 155-32.4 “BED AND BREAKFAST”.

RESOLVED, that a public hearing be held in relation to the proposed changes as set forth in the form of notice, hereinafter provided, at which hearing parties of interest and citizens shall have an opportunity to be heard. The public hearing will be held on July 25, 2022, at 7:00 o'clock p.m., Prevailing Time, and that notice of said meeting shall be published in the official

newspaper of general circulation in the Town of Marlborough, by the Town Clerk, at least ten (10) days before such hearing and that notice shall be in the following form:

## **NOTICE OF PUBLIC HEARING**

TAKE NOTICE, that the Town Board of the Town of Marlborough will hold a public hearing at the Town Hall facilities at 21 Milton Turnpike, Milton, New York on July 25, 2022 at 7:00 o'clock, p.m., prevailing time, on proposed Local Law No. \_\_\_ of the Year 2022, 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 AMEND DEFINITIONS FOR "BED AND BREAKFAST" AND "SHORT-TERM RENTAL", SECTION 155-12 "USE REGULATIONS", SECTION 155 ATTACHMENT 2, SECTION 155-27 "OFF-STREET PARKING; OFF-STREET LOADING; FILLING AND SERVICE STATIONS", SECTION 155-30 "MULTIPLE DWELLINGS", AND ADDING SECTION 155-32.4 "BED AND BREAKFAST".

TAKE FURTHER NOTICE, that copies of the aforesaid proposed local law will be available for examination at the office of the Clerk of the Town of Marlborough, 21 Milton Turnpike, Milton, New York, 12547 between the hours of 8:00 a.m. to 4:00 p.m. on all business days between the date of this notice and the date of the public hearing.

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

DATED:       Milton, New York  
                 July 11, 2022

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COLLEEN CORCORAN, TOWN CLERK

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

Supervisor Corcoran	Yes
Councilman Molinelli	Yes
Councilman Cauchi	Absent
Councilman Zambito	Yes
Councilwoman Sessa	Yes

DATED: Milton, New York  
July 11, 2022

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COLLEEN CORCORAN, TOWN CLERK

July 11, 2022

C). Resolution #63 To introduce a local law of the year 2022

Supervisor Corcoran proposes the following:

Supervisor Corcoran, seconded by Councilman Sessa, introduced the following proposed local law, to be known as Local Law No. \_\_\_\_ of 2022, entitled, Local Law No. \_\_\_\_ of 2022, A LOCAL LAW OF THE TOWN OF MARLBOROUGH, ULSTER COUNTY, NEW YORK AMENDING SECTION 134-2, “DEFINITIONS,” TO AMEND DEFINITIONS FOR “LOT LINE CHANGE” AND “SUBDIVISION” OF THE MARLBOROUGH TOWN CODE.

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

Section 1. Section 134-2 of the Town Code of the Town of Marlborough is amended as follows [deletions are stricken and additions are underscored]:

### **LOT LINE CHANGE**

A reconfiguration of two adjoining lots which will result in the same number of lots with a different geometric configuration, however the public hearing requirements of § 134-9C of this chapter shall not apply to the consolidation of lots or to lot line realignments affecting no more than two lots in the R, R-1, and R-Ag-1 Zoning Districts, and the Planning Board shall be empowered to issue one unified approval in such circumstances as opposed to preliminary approval followed by final approval.

### **SUBDIVISION**

The division of any parcel of land into a number of lots, blocks or sites as specified in this chapter, with or without streets or highways, for the purpose of sale, transfer of ownership or development. The term "subdivision" shall include any alteration of lot lines or the dimensions of any lots, however the public hearing requirements of § 134-9C of this chapter shall not apply to the consolidation of lots or to lot line realignments affecting no more than two lots in the R, R-1, and R-Ag-1 Zoning Districts, and the Planning Board shall be empowered to issue one unified approval in such circumstances as opposed to preliminary approval followed by final approval. Subdivisions

may be defined and delineated by local regulation as either "major" or "minor," with the review procedures and criteria for each set forth in this chapter.

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.

WHEREAS, this legislation is a Type II Action under the New York State Environmental Quality Review Act ('SEQRA') and will not have a significant adverse effect on the environment.

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

WHEREAS, on July 11, 2022, Supervisor Corcoran has introduced this local law for the Town of Marlborough, to be known as "Town of Marlborough Local Law No. \_\_\_\_ of the Year 2022, A LOCAL LAW OF THE TOWN OF MARLBOROUGH, ULSTER COUNTY, NEW YORK AMENDING SECTION 134-2, "DEFINITIONS," TO AMEND DEFINITIONS FOR "LOT LINE CHANGE" AND "SUBDIVISION" OF THE MARLBOROUGH TOWN CODE.

RESOLVED, that a public hearing be held in relation to the proposed changes set forth in the form of notice, hereinafter provided, at which hearing parties of interest and citizens shall have an opportunity to be heard. The public hearing will be held at the Town Hall, 21 Milton Turnpike, Milton, New York, 12547 on July 25, 2022, at 7:00 p.m., Prevailing Time, and that notice of said meeting shall be published in the official newspaper of general circulation in the Town of Marlborough by the Town Clerk, at least five (5) days before such hearing and that notice shall be in the following form:

**NOTICE OF PUBLIC HEARING**

TAKE NOTICE, that the Town Board of the Town of Marlborough will hold a public hearing at the Town Hall facilities at 21 Milton Turnpike, Milton, New York on July 25, 2022 at 7:00 o'clock p.m., prevailing time, on proposed Local Law No. \_\_\_\_ of 2022, amending Section 134-2 "Definitions" of the Marlborough Town Code pertaining to the definitions of "lot line change" and "subdivision".

TAKE FURTHER NOTICE, that copies of the aforesaid proposed Local Law will be available for examination at the office of the Clerk of the Town of Marlborough, 21 Milton Turnpike, Milton, New York, 12547 between the hours of 8:00 a.m. to 4:00 p.m. on all business days between the date of this notice and the date of the public hearing.

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

DATED:       Milton, New York  
                 July 11, 2022

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COLLEEN CORCORAN, TOWN CLERK

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

Supervisor Corcoran	Yes
Councilman Molinelli	Yes
Councilman Cauchi	Absent
Councilman Zambito	Yes
Councilwoman Sessa	Yes

DATED: Milton, New York  
July 11, 2022

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COLLEEN CORCORAN, TOWN CLERK

July 11, 2022

D). Resolution #64 To authorize the Town Supervisor to sign an agreement

Supervisor Corcoran proposes the following:

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

WHEREAS, Alan C. Guarino and Kathleen Guarino (the “Owners”) own real property located at 5 Ashlyn Drive, Town of Marlborough, County of Ulster, State of New York, described in a deed recorded in the Ulster County Clerk’s Office as Document 2012-00015128 in Book No./Volume 5410 of Deeds, page 233 and identified as SBL# 108.2-9-41.71 (the “Property”); and

WHEREAS, on June 21, 2022, the Planning Board of the Town of Marlborough granted preliminary and final approval of the Owners’ plan to subdivide the Property into two (2) lots, upon the conditions set forth in Planning Board’s resolution of approval; and

WHEREAS, conditions of subdivision approval include the obligation of the Owners to improve portions of the Town road known as Ruby Road (the “Town Road”) which have not been suitably improved;

WHEREAS, the terms and conditions governing the Owners’ obligations to make the Town Road improvements are set forth in an Agreement between the Town and the Owners (the “Agreement”), a copy of which is attached hereto.

NOW, THEREFORE, BE IT RESOLVED as follows:

1. The Supervisor of the Town of Marlborough is hereby authorized to sign the Agreement with the Owner substantially in the form presented to the Town Board.
2. The amounts of performance and maintenance security required under the Agreement shall the amount of \$12,676.00 as noted in the technical review comments of the Town Engineer, M.H.E. Engineering, D.P.C.

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

Supervisor Corcoran	Yes
Councilman Molinelli	Yes
Councilman Cauchi	Absent
Councilman Zambito	Yes
Councilwoman Sessa	Yes

DATED: Milton, New York  
July 12, 2022

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This AGREEMENT made as of July \_\_, 2022 (the "Agreement") between the TOWN OF MARLBOROUGH, a municipal corporation with offices located at 21 Milton Turnpike #200, Milton, NY 12547 (the Town"), and ALAN C. GUARINO and KATHLEEN GUARINO, residing at 5 Ashlyn Drive, Town of Marlborough, County of Ulster, State of New York (the "Owners").

WHEREAS, the Owners own real property located at 5 Ashlyn Drive, Town of Marlborough, County of Ulster, State of New York, described in a deed recorded in the Ulster County Clerk's Office as Document 2012-00015128 in Book No./Volume 5410 of Deeds, page 233 and identified as SBL# 108.2-9-41.71 (the "Property"); and

WHEREAS, on June 21, 2022, the Planning Board of the Town of Marlborough granted preliminary and final approval of the Owner's plan to subdivide the Property into two (2) lots, upon the conditions set forth in Planning Board's resolution of approval; and

WHEREAS, conditions of subdivision approval include the obligation of the Owners to improve portions of the Town road known as Ruby Road (the "Town Road") which have not been suitably improved;

WHEREAS, the parties enter into this Agreement to document the terms and conditions pursuant to which the Owners are obligated make the road improvements.

NOW THEREFORE, in consideration of the premises and other good and valuable consideration, the receipt and adequacy of which are hereby acknowledged the parties agree as follows:

**1. ACCESS**

Subject to the terms of this Agreement, the Town grants to the Owners and their contractor a non-exclusive license to enter upon the unimproved segment of the Town Road for the sole purpose making improvements to such portion of the Town Road to meet the specifications for Town Roads set forth in Chapter 130 of the Town Code of the Town of Marlborough (the "Specifications").

**2. ROAD SPECIFICATIONS/ SECURITY FOR PERFORMANCE/ PERFORMANCE OF IMPROVEMENTS.**

Prior to such access, the Owners shall:

(A) enter into a contract with a reputable contractor (the "Contractor") to improve the Town Road in accordance with the Specifications (the "Road Improvement Contract") and to maintain the Town Road until it is accepted by the Town Board and by the Town Highway Superintendent. The Contractor and the Road Improvement

Contract shall be subject to review and approval of the Town Highway Superintendent and Town Attorney. Upon the approval of the Contract and the Road Improvement Contract, the Contractor shall complete the Road Improvements in a good and workmanlike manner and the Owner shall pay the costs of the Road Improvements when due in accordance with the terms of the Road Improvement Contract. The work shall be periodically inspected by the Town Highway Superintendent. Upon completion of the construction of all improvements on the Property and the issuance of certificates of occupancy for such improvements by the Town of Marlborough Building Department, the Road Improvements are subject to final inspection, approval and acceptance by the Town Highway Superintendent; and (B) Provide (i) performance security in the form specified in Town Code section 130-5(A) and (ii) maintenance security in the form specified in Town Code section 130-5(B) in amount approved by the Planning Board engineer and Superintendent of Highways and sufficient as to form and substance to the Planning Board attorney for the work to be performed on the Town Road, such maintenance security to remain in place until final inspection, approval and acceptance as provided in section 2(B) above.

### **3. TERM OF AGREEMENT**

The term of this Agreement shall be the period commencing on the date hereof and ending upon the Owners' fulfillment of their maintenance obligations which are described in section 2(A) and are to be secured by the maintenance security described in section 2(B) above.

### **4. INDEMNITY**

The Owners shall defend, indemnify and hold harmless the Town from and against any claims, actions, proceedings, damages, liabilities, losses and expenses, including, without limitation, reasonable attorney's fees and costs, arising out of or in connection with the performance or breach of the Owner's obligations hereunder or any negligent acts or omissions of the Owners, the Contractor, or any person working on their behalf.

### **5. WAIVER OF CLAIMS**

The Owner hereby waives all claims against the Town arising out of (a) the performance of their obligations under this Agreement and (b) the performance of the obligations of the Contractor under the Road Improvement Contract.

### **6. INSURANCE**

The Contractor shall maintain worker's compensation, employer's liability, automobile liability, general liability, and property damage insurance. The minimum required limits are as follows: Workers Compensation-Statutory Limits; Auto Liability-\$1,000,000 Combined Single Limit; General Liability-\$1,000,000 per occurrence and having minimum aggregate limits of \$1,000,000 or greater. All policies shall name the Town as an additional insured on a primary basis. The Contractor shall furnish certificates of insurance evidencing the required insurance promptly after executed the Road Improvement Contract and thereafter upon promptly upon the request of the Town, but in any event prior to the commencement of any work hereunder or under the Road Improvement Contract.

**7. JURISDICTION**

This Agreement is entered into pursuant to the laws of the State of New York, and any changes or amendments to this Agreement must be in writing and signed by an authorized officer of the Town. The Ulster County Supreme Court shall have exclusive jurisdiction over any controversy or claim arising out of or relating to this Agreement, or the breach thereof.

**8. NO ASSIGNMENT OR SUBCONTRACTS**

No party shall assign or subcontract its right and obligations under this Agreement without the express written consent of the Town.

**9. COMPLETE AGREEMENT**

This Agreement contain the complete understanding of the parties. No modification of any provisions hereof shall be valid unless in writing and signed by each party.

**10. ELECTRONIC SIGNATURE AND COUNTERPARTS**

This Agreement may be executed and delivered by e-mail exchange of signed copies bearing the signatures of the parties. The facsimile or e-mail signatures shall be the same as original signatures in all respects. This Agreement may be signed in any number of counterparts, each of which shall be regarded as an original and all of which shall constitute but one and the same Agreement.

**IN WITNESS WHEREOF**, the parties have signed this Agreement as of the day and year written above written.

**TOWN OF MARLBOROUGH**

01-14-2018

BY:   
Name: Scott Corcoran  
Title: Supervisor

Alan C Guarino

  
Kathleen Guarino