

April 25, 2016

WORKSHOP MEETING
TOWN BOARD TOWN OF MARLBOROUGH
21 MILTON TURNPIKE, MILTON NEW YORK
APRIL 25, 2016
MINUTES OF MEETING

Present: Supervisor Lanzetta
Councilman Molinelli
Councilman Corcoran
Councilman Koenig

Also Present: Danielle Cherubini, Deputy Town Clerk
John Behan, Behan Associates

Absent: Councilman Baker

ITEM #1 Call to order - Pledge of Allegiance
ITEM #2 Moment of Silence

ITEM #3 Motion to approve agenda
Supervisor Lanzetta made a motion to amend the agenda to change the dollar amount in Resolution #48 from \$500,000.00 to \$50,000.00. Motion seconded by Councilman Corcoran.

Yeas: 4 Nays: 0 Carried

ITEM #4 Motion to approve minutes from the April 11, 2016 meeting
Councilman Koenig made a motion to approve minutes from the April 11, 2016 meeting. Motion seconded by Councilman Molinelli.

Yeas: 4 Nays: 0 Carried

Motion to approve the minutes from March 28, 2016 public hearing
Councilman Corcoran made a motion to approve minutes from the March 28, 2016 public hearing. Motion seconded by Councilman Koenig.

Yeas: 4 Nays: 0 Carried

ITEM #5 Authorize payment of bills
Councilman Corcoran made a motion to authorize payment of the abstract in the amount of \$123,581.26. Motion seconded by Councilman Molinelli.

Yeas: 4 Nays: 0 Carried

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ITEM #6 Presentations

A). John Behan

John Behan of Behan Associates gave a verbal presentation regarding the Local Waterfront Revitalization Program (LWRP) and the Town's Comprehensive Plan. The LWRP is a very detailed look at the waterfront. Marlboro is defined by the state as a coastal community which opens up funding for the Town. An LWRP is project and revitalization focused. It is used to identify and organize ongoing projects, other projects, and projects that work together. The plan can include the Hamlets and the area in between. The LWRP opens up opportunities for capital funding for the projects. The Comprehensive Plan helps with grants but the LWRP is more specific to revitalization and projects. A couple of parts of the LWRP are harbor management and improving access to the river. Mr. Behan explained some projects he has been involved with and showed some photos. He stated that when you improve the public places, private businesses can take advantage of it. It also helps home builders; people want to live where there are amenities. Mr. Behan stated that he would like to complete the waterfront plan and he can complete the draft in 9 months and be done in 1 year. The LWRP allows the Town incorporate their ideas for the 9W corridor into what the state is planning. Mr. Behan stated that they will help figure out how to pay for the Town's ideas.

Councilman Corcoran asked if they can apply for capital funds while doing the LWRP. John Behan said they can include applications for capital funds that in the process on a pro-bono basis since the Town will be their client. They will work with the Town to see what their priorities are.

Councilman Koenig asked what percentage of an increase in getting capital grants the Town would have if doing the LWRP.

John Behan stated that the percentage increases tremendously; it makes grants more competitive because the state will see that there is a bigger plan.

Councilman Corcoran asked how the LWRP, Comprehensive Plan, and 9W Corridor Plan tie in together.

John Behan said the main part of the Comprehensive Plan is the basis for zoning. It looks at land uses, the opportunities, the challenges, and also transportation and many other things. The LWRP supplements the Comprehensive Plan. The Town's Comprehensive Plan and LWRP will likely be done quicker than the 9W Corridor Plan and will feed into the corridor plan.

Councilman Corcoran asked what happens if the Town's plans are contradictory to the corridor plan.

Mr. Behan explained that once the LWRP and Comprehensive Plan are adopted, the state will have to consider the Town's plans. He doesn't think the corridor plan will be that contradictory to the Town. If there is local consensus it is a lot easier to implement and fund a project.

Supervisor Lanzetta asked if design standards can be part of the LWRP.

John Behan said that they can be.

Supervisor Lanzetta stated the Town is short approximately \$10,000.00; they are looking into what would make up the match. He asked Mr. Behan if he was willing to proceed.

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Mr. Behan stated that if the Town will authorize them to proceed he will assume the risk of their time and expense. He is confident the Town will get the agreement with the state and is willing to wait out the time it takes.

John DeMarco stated that there are many ideas for the Town. He asked if Behan will be providing a timeline with a project plan and milestones and how to move forward so everyone would know what is happening and when, so goals can be reached.

Mr. Behan explained that would be worked into the LWRP, they work with the Town to identify what the ideas are and investment needed and that can be a part of the overall timeline.

Supervisor Lanzetta briefly explained that the LWRP is a \$135,000.00 matching grant. There was a shortfall of matching funds. They've have had to find other ways that were accepted by the state to match the grant with in-kind services and past projects. They plan to move ahead with the Comprehensive Plan as well because they have a grant from Greenway for \$7,500.00. They should use those funds because it is restricting the Town from getting other grants.

ITEM #7 Comments on the agenda

No comments on the agenda.

ITEM #8 Workshop topics

A) Sign Law

No new information

B) Bayside

Supervisor Lanzetta said that he and Councilman Corcoran had a gateway meeting with the applicant of Bayside and all other interested parties. The DOT was not present but had recommendations. The project is looking good. The sewer agreement is now with the lawyers and the treatment plant has the capacity. A couple of changes to the zoning code will be voted on tonight that the Board was going to change anyway. The project is about a 12-13 million dollar project that would produce about \$450,000.00 - \$500,000.00 in taxes for the county, town, and school. They Board told the applicant that they expect the project to be a quality project and aesthetically pleasing.

Councilman Corcoran added that the applicant has been cooperative with the negotiations with the Town.

Some of the Board members had a brief discussion about the Draft Environmental Impact Statement (DEIS).

Councilman Corcoran and Councilman Koenig met with Phil Bell at the Bayside property to see what can be done with the 1.25 acres for a community center. Supervisor Lanzetta said they have Joe Dopico involved as well because he is designing the whole project.

C) 2016 Goals and Objectives

No new information

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D) Tomvac Building

Supervisor Lanzetta stated that the contract with the realtor is up in July. He asked the Board if they would like to wait to see if the building sells then they can discuss what to do. The Board agreed.

E) Milton Turnpike and 9w property

No new information

ITEM #9 Old Business

A) Sale of TOMVAC Building

Already discussed

B) Municipal Parking in Hamlets of Marlboro and Milton

Supervisor Lanzetta said he met with Father Tom in regards to parking at St. James Church. There is a two year period before the church can do any financial transactions. He also wrote a letter to the school board about using the school parking lot for municipal parking; he hasn't heard back yet.

C) Proposed Water Agreement with Newburgh

Supervisor Lanzetta said they are waiting for the lawyers.

D) Milton Sewer Expansion 9W/Milton Turnpike Intersection

Supervisor Lanzetta said that the state comptroller okayed the Milton sewer expansion.

E) Bayside Project

Already discussed

F) Design Standards for RT 9W Corridor Overlay District

Supervisor Lanzetta said the design standards will be incorporated into the LWRP.

G) Sign Law – Zoning Changes

No new information

H) Verizon Cell Tower on Milton Water Tank

Supervisor Lanzetta said Verizon is having the area checked for endangered species.

I) Milton Train Station Grant-Exterior Rehabilitation

Supervisor Lanzetta said they are moving forward with the Milton Train Station Grant.

ITEM #10 New Business

A) 2006 Dodge Durango V#1D4HB48206F152914. The vehicle Has 98000 miles-MOTION TO PUT OUT TO BID

Councilman Molinelli made a motion to advertise for bid, 1- 2006 Dodge Durango VIN# 1D4HB48206F152914. Motion seconded by Councilman Corcoran.

Yeas: 4

Nays: 0

Carried

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B) To sign updated police agreement

Councilman Molinelli made a motion to allow the Supervisor to sign the updated police agreement. Motion seconded by Councilman Koenig.

Yeas: 4

Nays: 0

Carried

ITEM #11 Correspondence

Supervisor Lanzetta read a resignation letter from Daniel Rider, Police Dispatcher. Mr. Rider's last day of work will be April 27, 2016.

Supervisor Lanzetta made a motion to accept the resignation of Daniel Rider. Motion seconded by Councilman Molinelli.

Yeas: 4

Nays: 0

Carried

Supervisor Lanzetta read correspondence from Marlboro United Soccer Club requesting to use the lower fields at the Town Park on specific dates for their spring recreational program and travel soccer.

The Board gave permission as long as the dates were available.

Supervisor Lanzetta read correspondence from Take Me Home Pet Rescue requesting the use of the pavilion at no charge on October 8, 2016.

Supervisor Lanzetta made a motion to allow Take Me Home Pet Rescue to use the pavilion at the Town Park at no charge. Motion seconded by Councilman Koenig.

Yeas: 4

Nays: 0

Carried

Supervisor Lanzetta read correspondence from Ulster County Office of the Aging requesting the use of the pavilion at the Town Park at no charge for a Senior Citizen Picnic on May 24, 2016.

Councilman Molinelli made a motion to allow the Ulster County Office of the Aging to use the pavilion at the Town Park at no charge for a Senior Citizen Picnic. Motion seconded by Councilman Koenig.

Yeas: 4

Nays: 0

Carried

Supervisor Lanzetta read correspondence from Toni Albertson requesting the use of the pavilion at the Town Park at no charge for a reunion including many members of St. Mary's Church on August 21, 2016.

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Councilman Corcoran made a motion to allow Toni Albertson to use the pavilion at the Town Park at no charge. Motion seconded by Councilman Molinelli.

Yeas: 4

Nays: 0

Carried

ITEM #12 Public Comment

No public comment

ITEM #13 Resolutions

A). Resolution # 48 To Authorize Supervisor to execute project agreement for New York Parks Project EPF-E08065-P6, Contract CE08065

B). Resolution # 49 To authorize Supervisor to sign contract with Behan Planning Consultants to do the Local Waterfront Revitalization Project

C). Resolution # 50 To authorize Supervisor to sign contract with Behan Planning Consultants to do the Comprehensive Plan Update

D). Resolution # 51 To Authorize the issuance of \$226,000 serial bonds of the Town of Marlborough, Ulster County New York, to pay for the costs of improvements in extension No. 1 of the Milton Sewer District in the Town of Marlborough

E). Resolution # 52 Order of Town Board establishing Sewer District Extension after permission granted by State Comptroller

F). Resolution # 53 To Introduce Local Law No. ____ of 2016, A LOCAL LAW OF THE TOWN OF MARLBOROUGH, ULSTER COUNTY, NEW YORK AMENDING SECTION 155-30(B) OF THE TOWN CODE REGARDING DESIGN STANDARDS FOR MULTIPLE DWELLINGS AND ADDING SECTION 155-18(D) REGARDING REGULATION OF SEASONAL DWELLINGS.

Councilman Corcoran made a motion to amend Resolution #53, Section 1, Number 1 to read “No more than eight units shall be contained in a building.” and also change the time of the public hearing to 7:00 o’clock p.m. Motion seconded by Councilman Koenig.

Yeas: 4

Nays: 0

Carried

G). Resolution #54 To appoint full time police officer

ITEM #14 Adjournment

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A).Resolution # 48 To Authorize Supervisor to execute project agreement for New York Parks Project EPF-E08065-P6, Contract CE08065

Supervisor Lanzetta proposes the following:

Whereas the Town Board has approved the request to modify the contract for the Milton Landing Park Acquisition Project to include planning costs

And whereas New York State Parks, Recreation and Historic Preservation has agreed to modify the contract pending a new authorizing resolution

Be it resolved that Al Lanzetta, Supervisor of the Town of Marlborough, is hereby authorized and directed to file an application for funds from the New York State Office of Parks, Recreation and Historic Preservation in accordance with the provisions of Title 9 of the Environmental Protection Act of 1993, in an amount not to exceed \$50,000.00, and upon approval of said request to enter into and execute a project agreement with the State for such financial assistance to the Town of Marlborough for the Milton Landing Park Acquisition Project and, if appropriate, a conservation easement/preservation covenant to the deed of the assisted property.

And moves for its adoption:

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

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B). Resolution # 49 To authorize Supervisor to sign contract with Behan Planning Consultants to do the Local Waterfront Revitalization Project

Whereas, in April of 2007, Ulster County, with the consultation of the Town of Marlborough, advertised and went through an extensive RFP process to hire Behan Associates to help prepare the Marlboro Hamlet Area Transportation Plan,

And whereas the Town of Marlborough continued to contract Behan Associates to prepare the Marlboro Hamlet Master Plan of 2010,

And whereas the Town of Marlborough has received a grant from NY Department of State to do a Local Waterfront Revitalization Project,

And whereas, Behan Associates is the Planning Consultant for the Town of Marlborough,

Be it resolved that the Board authorizes the Supervisor to sign the contract with Behan Associates to prepare the Local Waterfront Revitalization Project for \$135,000.00 dependent on the award of the contract from NY Department of State,

And moves for its adoption:

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

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C). Resolution # 50 To authorize Supervisor to sign contract with Behan Planning Consultants to do the Comprehensive Plan Update

Supervisor Lanzetta proposes the following:

Whereas, in 2014, the Town of Marlborough received a grant from the Hudson River Greenway for \$7,500.00 to update the 2002 Comprehensive Master Plan,

And whereas the Town of Marlborough has decided to do that work in conjunction with additional planning work for 2016,

And whereas, Behan Associates is the Planning Consultant for the Town of Marlborough,

Be it resolved that the Board authorizes the Supervisor to sign the contract with Behan Associates to prepare the Comprehensive Plan Update for \$25,800.00.

And moves for its adoption:

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

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D). Resolution # 51 To Authorize the issuance of \$226,000 serial bonds of the Town of Marlborough, Ulster County New York, to pay for the costs of improvements in extension No. 1 of the Milton Sewer District in the Town of Marlborough

BOND RESOLUTION DATED APRIL 25, 2016

A RESOLUTION AUTHORIZING THE ISSUANCE OF \$226,000 SERIAL BONDS OF THE TOWN OF MARLBOROUGH, ULSTER COUNTY, NEW YORK, TO PAY THE FOR THE COSTS OF IMPROVEMENTS IN EXTENSION NO. 1 OF THE MILTON SEWER DISTRICT IN THE TOWN OF MARLBOROUGH

WHEREAS, by order dated April 25, 2016, the Town Board of the Town of Marlborough has authorized the extension of the Milton Sewer District pursuant to Town Law, section 194, in proceedings entitled “In the Matter of the Establishment of Extension No. 1 of Milton Sewer District in the Town of Marlborough, Ulster County, New York”; and

WHEREAS, the Town Board has received and reviewed the Map, Plan & Report dated September 2015 prepared by Brinnier and Larios, P.C. which describes the improvements needed for such Extension No. 1, which improvements include the construction of a low pressure force main, two inches in diameter, by directional drilling beneath the right of way of New York State Route 9W, and associated fixtures including cleanouts, flushing assemblies, curb stops, below valve assemblies, duplex pump station, and sanitary manholes (collectively, the “Improvements”).

BE IT RESOLVED, by the affirmative vote of not less than two-thirds of the total voting strength of the Town Board of the Town of Marlborough, Ulster County, New York, as follows:

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Section 1. The Improvements described in such map, plan and report, being a class of objects or purposes having a period of probable usefulness of forty years pursuant to subdivision 4 of paragraph a of Section 11.00 of the Local Finance Law, are hereby authorized in and for the Town of Marlborough, Ulster County, New York.

Section 2. The total maximum estimated cost of the aforesaid object or purpose is \$226,000, inclusive of engineering fees, legal fees and other costs incidental to the Improvements, and the plan for the financing thereof is by the issuance of \$226,000 bonds of said Town hereby authorized to be issued therefor pursuant to the Local Finance Law.

Section 3. It is hereby further determined that the maximum maturity of the bonds herein authorized will not exceed forty years.

Section 4. The faith and credit of said Town of Marlborough, Ulster County, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. There shall annually be levied on all the taxable real property in Extension No. 1 of Milton Sewer District a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable, in the manner provided by law, but if not paid from such source, all the taxable real property within said Town shall be subject to the levy of an *ad valorem* tax, without limitation as to rate or amount, sufficient to pay the principal of and interest on said bonds.

Section 5. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the serial bonds herein authorized, including renewals of such notes, is hereby delegated to the

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Supervisor, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Supervisor, consistent with the provisions of the Local Finance Law.

Section 6. All other matters except as provided herein relating to the serial bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same, including the consolidation with other issues, and also the ability to issue serial bonds with substantially level or declining annual debt service, shall be determined by the Supervisor, the chief fiscal officer of such Town. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the Supervisor shall determine consistent with the provisions of the Local Finance Law.

Section 7. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or
- 3) Such obligations are authorized in violation of the provisions of the Constitution.

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Section 8. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 9 This resolution, which takes effect immediately, shall be published in summary form in Southern Ulster Times, which is hereby designated as the official newspaper for such purpose, together with a notice of the Town Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

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

WHEREUPON, the following vote was taken:

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

Dated: Milton, New York
April 25, 2016

COLLEEN CORCORAN,
TOWN CLERK

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TIMES COMMUNITY
NEWSPAPERS
of the Hudson Valley
300 Stony Brook Court, Newburgh, NY 12550
(845) 561-0170 Fax (845) 561-3967

Affidavit of Publication

To: Town of Marlborough, Town Clerk
and Tax Collector
PO Box 305
Milton, NY 12547

Re: Legal notice #85394

State of New York }
County of Orange } SS:

I, Carl Aiello, being duly sworn, depose and say: that I am the Publisher of Southern Ulster Times, a weekly newspaper of general circulation published in Newburgh, County of Orange, State of New York; that a notice, of which the annexed is a printed copy, has been duly and regularly published in Southern Ulster Times once each week for 2 consecutive weeks; and that the dates of publication were as follows: 04/27/16 and 05/04/16.

Carl Aiello

Sworn to before me this 4th day of May, 2016

Diane M. Holbert
Diane M. Holbert
Notary Public, State of New York
No. 4961755
Qualified in Orange County
My commission expires on February 15, 2018

Town of Marlborough
LEGAL NOTICE OF ESTOPPEL
NOTICE IS HEREBY GIVEN that the resolution published herewith has been adopted by the Town Board of the Town of Marlborough, Ulster County, New York, on the 25th day of April, 2016, and the validity of the obligations authorized by such resolution may be hereafter contested only if such obligations were authorized for an object or purpose for which said Town is not authorized to expend money, or if the provisions of law which should have been complied with as of the date of publication of this notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of publication of this notice, or such obligations were authorized in violation of the provisions of the Constitution.

A complete copy of the resolution summarized herewith is available for public inspection during regular business hours at the Office of the Town Clerk of the Town for a period of thirty (30) days from the date of publication of this Notice.

Dated: Milton, New York
April 25, 2016
Colleen Corcoran, Town Clerk
Town of Marlborough
BOND RESOLUTION DATED APRIL 25, 2016

A RESOLUTION AUTHORIZING THE ISSUANCE OF \$226,000 SERIAL BONDS OF THE TOWN OF MARLBOROUGH, ULSTER COUNTY, NEW YORK, TO PAY THE FOR THE COSTS OF IMPROVEMENTS IN EXTENSION NO. 1 OF THE MILTON SEWER DISTRICT IN THE TOWN OF MARLBOROUGH.

Class of objects or purposes:
Improvements in Extension No. 1 of the Milton Sewer District, including low pressure force main and associated fixtures including cleanouts, flushing assemblies, curb stops, below valve assemblies, duplex pump station, and sanitary manholes.

Maximum estimated cost: \$226,000
Period of probable usefulness: Forty years

Maturity of obligations: Not to exceed Forty years

Amount of obligations to be issued: \$226,000 bonds. #85394

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CERTIFICATION FORM

STATE OF NEW YORK)
) ss.:
COUNTY OF ULSTER)

I, the undersigned Clerk of the Town of Marlborough, County of Ulster, New York (the "Issuer"), DO HEREBY CERTIFY:

1. That a meeting of the Issuer was duly called, held and conducted on the 25th day of April, 2016.
2. That such meeting was a regular meeting.
3. That attached hereto is a proceeding of the Issuer which was duly adopted at such meeting by the Board of the Issuer.
4. That such attachment constitutes a true and correct copy of the entirety of such proceeding as so adopted by said Board.
5. That all members of the Board of the Issuer had due notice of said meeting.
6. That said meeting was open to the general public in accordance with Section 103 of the Public Officers Law, commonly referred to as the "Open Meetings Law".
7. That notice of said meeting, January 11, 2016 Reorganization Meeting was caused to be given **PRIOR THERETO** in the following manner:

PUBLICATION - Southern Ulster Times, January 6, 2016 - January 12, 2016

POSTING - Official bulletin board of the Town Clerk, Official Town Website, United States Post Office – Marlboro, NY, United States Post Office – Milton, NY, January 6, 2016 – January 12, 2016

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Issuer this 25th day of April, 2016.

Colleen Corcoran, Town Clerk

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E). Resolution # 52 Order of Town Board establishing Sewer District Extension after permission granted by State Comptroller

**Order of Town Board Establishing
Sewer District Extension
After Permission Granted by State Comptroller**

In the Matter of
The Establishment of Extension No. 1 of Milton Sewer District
in the Town of Marlborough, Ulster County, New York

A petition in this matter for the creation of Extension No. 1 of the Milton Sewer District having been duly presented to the Town Board, together with the necessary map and plan, and an order having been duly adopted by the Town Board of the Town of Marlborough, New York (the "Town"), on September 28, 2015, for the hearing of all persons interested in the matter on the 13th day of October 2015, at 7:30 o'clock P.M. at the Town Hall, 21 Milton Turnpike, Milton, New York, and a hearing by the said Board having been duly held at such time and place, and it having been duly resolved and determined following such hearing that the petition herein was signed and acknowledged or proved as required by law and was otherwise sufficient, that all the property and property owners within the proposed districts were benefited thereby, that all property and property owners benefited were included within the limits of the proposed district, and that it was in the public interest to grant in whole the relief sought, and it having been then and there

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further duly resolved that the establishment of such district as proposed be approved, and application having been thereafter and on December 11, 2015, duly made in duplicate to the State Department Audit and Control at Albany, New York, for permission to create such district extension as more fully provided for by Town Law §194, and the State Comptroller having duly made an order in duplicate, dated April 14, 2016, granting permission for the creation of the district extension in all respects as petitioned for and approved by the Town Board as aforesaid; and one copy of such order having been duly filed in the office of the State Department of Audit and Control at Albany, New York, and the other in the office of the Town Clerk of this Town, and the Town Clerk having duly presented such order to this Board at this meeting, being its first meeting held after the said order was filed with her; it is hereby

ORDERED, that a sewer district extension be established in the said Town as described in the order of the State Comptroller aforesaid, to be designated as Extension No. 1 of the Milton Sewer District of the Town and to be of the following description and boundaries, to wit: tax map parcel numbers 103.1-1-28 & 27 and 103.1-4-1, and it is further

ORDERED, that the Town Clerk is hereby authorized and directed to cause a certified copy of this order to be duly recorded in the office of the Clerk of Ulster County in which the Town is located, within ten (10) days after the adoption of this order, and it is further

April 25, 2016

ORDERED, that the Town Clerk is hereby authorized and directed to file a certified copy of this order in the Office of the State Department of Audit and Control, Albany, New York, within ten (10) days after the adoption of this order.

DATED: Milton, New York
April 25, 2016

By: _____
Al Lanzetta, Supervisor

By: _____
Howard Baker, Councilman

By: _____
Ed Molinelli, Councilman

By: _____
Scott Corcoran, Councilman

By: _____
Allan Koenig, Councilman

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F). Resolution # 53 To Introduce Local Law No. ____ of 2016, A LOCAL LAW OF THE TOWN OF MARLBOROUGH, ULSTER COUNTY, NEW YORK AMENDING SECTION 155-30(B) OF THE TOWN CODE REGARDING DESIGN STANDARDS FOR MULTIPLE DWELLINGS AND ADDING SECTION 155-18(D) REGARDING REGULATION OF SEASONAL DWELLINGS.

Supervisor Lanzetta proposes the following:

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

Section 1. Section 155-12(B)(1) of the Town Code of the Town of Marlborough is amended to read as follows:

(1) Maximum units per structure. No more than eight units shall be contained in a building, and no more than twenty-four units shall be contained in a single structure, except in the case of adult multiple dwellings, as defined, where the Planning Board, without modifying height or density requirements, permits variations in design due to special site conditions or occupant needs. Exclusively for purposes of this design standard, a building shall be deemed a portion of a multiple dwelling structure which is formed by division by such things as archways or breezeways, or by a fire wall within the meaning of this state's uniform building and fire code.

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Section 2. Section 155-12(B)(2) of the Town Code of the Town of Marlborough is amended

to read as follows:

(2) Minimum distances between structures. Where there are two or more structures on a single lot devoted to multiple dwellings, the minimum distance between structures shall be one and one-half (1 ½) times the height of the highest structure.

Section 3. Section 155-18 of the Town Code is amended to add a new subsection “D” reading as follows:

D. Seasonal dwelling unit conversions.

(1) Conversion of a seasonal dwelling shall require a special use permit from the Planning Board, in accordance with the provisions of § 155-32 of this chapter.

(2) In considering and approving an application for seasonal dwelling conversion, it shall be the primary concern of the Planning Board to preserve the public health, safety and welfare. To this end, the approval of any such application shall include appropriate conditions and safeguards in harmony with the general purpose and intent of this chapter and particularly with regard to the following:

- (a) Safe and adequate ingress and egress.
- (b) Adequate construction to provide sufficient protection from the elements.

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- (c) Proper installation of heating, plumbing, water, sewage and lighting facilities, in accordance with appropriate codes for new construction.

Section 4. This local law shall be effective upon filing with the Secretary of State.

Section 5. 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.

BE IT FURTHER 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 in interest and citizens shall have an opportunity to be heard, to be held at the Town Hall facilities at 21 Milton Turnpike, Milton, New York on May 23, 2016, 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 five (5) days before such hearing and that such notice shall be in the same or similar following form:

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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 May 23, 2016 at 7:00 o'clock, p.m., prevailing time, on proposed Local Law No. ____ of the Year 2016 to amend design standards for multiple dwellings and to add regulations pertaining to seasonal dwelling unit conversions.

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 12:30 p.m. and 1:30 p.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
 April 25, 2016

COLLEEN CORCORAN, TOWN CLERK

April 25, 2016

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

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

DATED: Milton, New York
April 25, 2016

COLLEEN CORCORAN, TOWN CLERK

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April 25, 2016

Councilman Koenig made a motion to table Resolution #54 To appoint full time police officer, at the request of Councilman Molinelli. Motion seconded by Councilman Corcoran.

Yeas: 4

Nays: 0

Carried

Resolution #54 TABLED

April 25, 2016

G). Resolution #54 To appoint full time police officer

Supervisor Lanzetta proposes the following:

Whereas, The Town of Marlborough Police Department has an open full time police officer position, and

Whereas, Robert Prince has passed the Ulster County Civil Service Police Officer Exam, and

Whereas, it is the recommendation of the Chief of Police along with the Police Committee to appoint Robert Prince as full time police officer contingent upon his medical exam.

Be it resolved that Robert Prince be appointed as full time police officer effective May 1, 2016 contingent upon his medical exam.

And it moves for adoption

Councilman Corcoran	-----
Councilman Molinelli	-----
Councilman Koenig	-----
Councilman Baker	-----
Supervisor Osborn	-----

April 25, 2016

Councilman Molinelli made a motion to adjourn the meeting at 8:33 p.m. Motion seconded by Councilman Corcoran.

Yeas: 4

Nays: 0

Carried

*Respectfully submitted,
Danielle Cherubini
Deputy Town Clerk*