

WORKSHOP MEETING
TOWN BOARD TOWN OF MARLBOROUGH
21 MILTON TURNPIKE, MILTON NY
JULY 28, 2025 7:00 PM
MINUTES OF MEETING

Present: Supervisor Corcoran
Councilman Zambito
Councilwoman Sessa
Councilman Cauchi

Also Present: Colleen Corcoran, Town Clerk
Thomas Corcoran, Building Inspector/Ulster County Legislator
Dr. Eve Walter, Ph.D., Public Health Director, Ulster County Department of Health
Maribeth King, Resident/CAC Member
Danielle Broza, Resident
Ken Stanger, Attorney

Absent: Councilman Molinelli

ITEM #1 Call to order - Pledge of Allegiance

ITEM #2 Moment of Silence

ITEM #3 Motion to approve agenda

Councilman Cauchi made a motion to approve the agenda. Motion seconded by Councilwoman Sessa.

Yeas: 4 Nays: 0 Carried

ITEM #4 Motion to approve minutes from the July 14, 2025 Town Board meeting

Councilwoman Sessa made a motion to approve minutes from the July 14, 2025 Town Board meeting. Motion seconded by Councilman Zambito.

Yeas: 4 Nays: 0 Carried

ITEM #5 Authorize payments of bills-\$233,332.36

Councilman Cauchi made a motion to authorize payment of the abstract in the amount of \$233,332.36. Motion seconded by Councilwoman Sessa.

Yeas: 4 Nays: 0 Carried

ITEM #6 Supervisor Updates

Supervisor Corcoran reported that the pickleball court project at Cluett Schantz Memorial Park has begun. The Highway Department completed blacktopping for the year. He thanked the Milton Landing Committee who donated 3 metal park benches for the Milton Landing Park. He thanked the Recreation Committee for putting together Concerts in the Park; this is the final week with fireworks. Councilwoman Sessa and Councilman Zambito collectively added that there will be 3

headliners, 3 food trucks and 1 dessert truck. Councilwoman Sessa also encouraged people to patronize the food trucks. Councilman Cauchi stated that he would like to work on donations for “In Memory of” signs for the benches at the Milton Landing.

ITEM #7 Presentations

A). Dr. Eve Walter, Ph.D., Public Health Director for the Ulster County Department of Health-general services provided by the Department to the County
Dr. Eve Walters shared her work history and gave information about what health services the Ulster County Department of Health offers. The Department also does presentations at fairs, events, organizations and schools. The vast variety of services the county offers are as follows:

Patient Services

Immunizations, STI and TB clinics, home visits for high-risk pregnancies, Women, Infants & Children (WIC), Nutrition support, breastfeeding education, SNAP enrollment

Environmental Health

Inspects restaurants, pools, camps, water systems, septic systems, lead poisoning prevention and rabies testing, tick surveillance, illegal tobacco/vape enforcement

Chronic Disease Prevention

Health education campaigns such as “Movement is Medicine”, blood pressure screenings and community outreach

Emergency Health Services

Public health preparedness, emergency response coordination, climate-related health risk planning

Water and Septic

In the past year, the Department of Health has permitted 2 water systems and 28 sept septic systems in Marlborough

Marlborough-specific data included inspections of 23 food vendors, 17 migrant farm housing facilities, 2 mobile home parks, 2 swimming pools, and a town camp.

The Department is working on a community needs assessment right now, collecting data on chronic conditions, hospitalizations, death. They may also plan to work with municipalities on how to make their community center space a potential emergency preparedness space.

There was a brief discussion about who to talk to about municipal-wide healthcare that can be bought into through the county to save money like the school does through BOCES.

B). Feranmi Mabinuori - Eagle Scout Project - Tent platforms at the park
Mr. Mabinuori presented his Eagle Scout project to improve camping conditions at Cluett Schantz Memorial Park by constructing 4 to 6 elevated tent platforms. The goal is to mitigate flooding caused by rain runoff due to the park’s lower elevation compared to surrounding terrain and also to simplify tent pitching and anchoring. The camp area often experiences water infiltration during

storms, affecting tents and equipment. Construction materials will primarily consist of wood with a portable concrete base. His plan is to complete the project by late April early May of 2026 and fund the project by fundraising and with donations.

Some Board members and audience members asked for clarification on some items which are explained above.

He spoke about his background in scouts, his motivation and inspiration for wanting to build the platforms.

Councilman Zambito stated that he recently cleared the boy scout trails in the park to be 10 feet wide and added a few more. He also offered to donate his services to prepare the area for the project.

Legislator Corcoran offered to fully donate materials for two platforms and assist with fundraising for the rest.

The Town Board members expressed strong support for the project and voted unanimously by roll call as follows:

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

ITEM #8 Comments on the agenda

No comments on the agenda.

ITEM #9 Reports of Committees

Maribeth King read the CAC report which is incorporated into the minutes as follows:

**CONSERVATION ADVISORY COMMITTEE
REPORT TO TOWN BOARD
July 28, 2025**

We are disappointed to report that the Marlboro Central School District has rejected the proposal for a cost free EV fast charging station on school property.

Our month's work centered on preparing and delivering comments to the Planning Board in regards to environmental questions raised by the Environmental Assessment Form from the Orchards on Hudson project. Our comments were delivered to a room filled with Marlborough citizens on Monday, July 21, 2025. The verbalized concerns of the CAC, which had already been presented in written form, are still not publicly answered, namely: Did the Department of Conservation and the Department of Transportation submit written responses to issues raised by the CAC. Closing the Public Hearing means that neither the CAC nor private citizens will have their questions answered.

For a third time, the CAC suggests that for projects of this magnitude there should be an opportunity for the public to hear from developers at the onset of the process. Their ideas and interests could assist the developer as they would learn of common concerns before expending time and money in project proposals. When the public is given welcoming ears, factual information, honest replies, and full explanations of proposed developments, they are more reassured that such a project will be of benefit to the Town. This was echoed by Mr. Gerentine and Mr. DeMarco in their public comments. As they suggested, public buy-in would be much easier if citizens were allowed to present ideas and concerns prior to the approach of final approval. Perhaps our words magnified by theirs will find your support.

Respectfully submitted,

Mici Simonofsky
cc: Planning Board members

Supervisor Corcoran stated that he believes the school rejected the EV Charger because it would've cost them money.

Supervisor Corcoran respectfully disagreed with the CAC on public input and meetings with regard to the Orchards on Hudson project. He described the public meetings that took place and also stated that all public comments have all been answered by the applicant.

ITEM #10 New Business

A). Advertise for BOAR open position

Councilwoman Sessa made a motion to advertise for an open position on the Board of Assessment Review (BOAR). Motion seconded by Councilman Zambito.

Yeas: 4 Nays: 0 Carried

B). Solar panels at the Community Center

Supervisor Corcoran presented updated details about solar panel installation at the Town Community Center, a project under discussion for approximately 2 years. Panels would be installed on the rear side only to preserve the aesthetics of the front of the building. Legislator Corcoran was able to get a grant for up to \$200,000.00. The total project cost would be \$192,696.00 which includes everything. The net cost to the Town would be \$63,000.00, offset by state and federal grants. The Ulster County grant is a matching grant of which would be \$63,000.00. Monthly electric costs for the Community Center currently range between \$2,500–\$3,000, with expectations of continued increases. The panels are expected to last up to 30 years with a projected payoff period of under 10 years.

Councilman Cauchi made a motion authorize the Supervisor to move forward with the solar panel project and granting for the Community Center. Motion seconded by Supervisor Corcoran.

Yeas: 4 Nays: 0 Carried

ITEM #11 Workshop topics

A). Open Board discussion

No open Board discussion.

ITEM #12 Correspondence

Supervisor Corcoran read the following correspondence:

A letter from residents Jeffrey and Paula Gliedman commending the Town Highway Department for the repair work done to the Old Post Road bridge. They fixed the damage that was done by a fatal car accident and also added that they did a great job blending the new retaining wall with the bridge's original stonework that will prevent future problems.

Supervisor Corcoran thanked Lenny Scaturro who helped with the mason work. The job would have cost about \$40,000.00 and was done for just over the amount of the insurance payout of \$25,000.00.

A letter from the Marlboro Milton Lions Club requesting use of the Train Station at no charge on September 3, 2025.

Councilwoman Sessa made a motion to allow the Marlboro Milton Lions Club use of the Train Station on September 3, 2025 and waive the fee. Motion seconded by Councilman Zambito.

Yeas: 4 Nays: 0 Carried

ITEM #13 Public Comment

Danielle Broza, Resident of 40 Mt. Rose Road, spoke and responded to misinformation and ongoing community tensions regarding false rumors about her family's property usage and intentions. She denied allegations of large-scale development, disruptive events, and lawsuits against the town. She expressed concern over recent harassment: threats, profanity, trespassing, and tampering with property near her young child. She described her family as active, invested members of the community. She invited concerned residents to have a dialogue with them to promote transparency and understanding and discuss their intent to use their space for community activities such as pickleball tournaments, tennis lessons, swim classes, high school proms, birthday parties, and summer camps.

Ken Stenger, Danielle Broza's lawyer, stated that he was not present to argue the legal case, which is being handled in court before Judge Bryant. He explained how he returned from vacation early to speak with Ms. Broza due to her concerns regarding harassment from venues that are not listed in a recent letter he wrote and submitted to the Building Department. The letter names 3 venues that are hosting similar events and he asked that the letter be entered into the minutes of this meeting and be available to the public to clarify which venues were referenced and to prevent misinformation.

There was a brief discussion with the Supervisor about a recent FOIL request for the letter.

Mr. Stenger thanked the Board for giving him and his client the opportunity to be heard.

The letter referenced above is incorporated into the minutes as follows:

STENGER, GLASS, HAGSTROM,
LINDARS & IUELE LLP

June 13, 2025

Via email only: tcorcoran@Marlboroughny.us

Kenneth M. Stenger
Jessica J. Glass
Karen E. Hagstrom
Ian C. Lindars
A.J. Iuele
Albert P. Roberts
partner emeritus

Thomas Corcoran, Code Enforcement Officer/Building Inspector
Town of Marlborough
P.O. Box 305
Milton, NY 12547

Re: *Town of Marlborough v. Someplace Upstate LLC, Rosevine LLC, Bellflower Group LLC, Adam H. J. Broza and Danielle L. Broza a/k/a Danielle L. Steinberg*
Index No. EF2025-1865

Mary Kate Ephraim
Jad B. Haddad
Daniel J. Ravo

Dear Mr. Corcoran:

This law firm represents Adam Broza, Danielle Broza, Bellflower Group LLC, and Someplace Upstate LLC. They own and operate 40 Mount Rose Road and 20-38 Mount Rose Road as a rental property within which Mr. & Mrs. Broza live, and upon which, weddings have been promoted and conducted in population sizes which sometimes have approached 175/200 people. The property is located in an R-1 Zone. (See Exhibit "2").

OF COUNSEL

Joan F. Garrett
Kyle A. Steller
Mary E. Tokarz
Mariel D. Gil

The Town of Marlborough has received a Preliminary Injunction preventing the further conduct of any weddings at this site without judicial permission. The basis for that Injunction is a preliminary finding that the manner in which the weddings have been previously conducted was not permitted by the Zoning Code.

PARALEGALS

Jillian Medina
Sandra Oakley
Jennifer Arno
Carla Salvatore
Michelynn Montesione

This writing covers a proposed use of the premises for weddings which is permitted by the Town of Marlborough Zoning Code.

I write with the request that you review the materials covered by this letter, consult with counsel, and determine that the use, as proposed by this letter, is permitted within the R1 Zone.

This request is supported by the following documents:

1. A report filed with the Court from the security firm retained by me for the purpose of assisting in the conduct of a wedding at these properties on the evening of June 6, 2025;
2. Property description reports for other locations within the Town of Marlborough at which weddings have been held without objection by the Town:

**CLOSING
COORDINATORS**

Maria L. Jones
Sandra A. De Groodt

LAW CLERK

Kaitlyn E. Trank

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Email: info@stengerglass.com

Main Office: 1136 Route 9, Suite 2, Wappingers Falls, NY 12590
Poughkeepsie: 85 Civic Center Plaza, Suite 201A, Poughkeepsie, NY 12601
Kingston: 326 Washington Avenue, Suite 2, Kingston, NY 12401

stengerglass.com

- a. Quartz Rock located at 40 Mountain Road, Town of Marlborough, NY in an R1 Zone;
 - b. Raspberry Fields, located at 601 Lattintown Road, Town of Marlborough, NY in an R1 Zone;
 - c. Locust Grove located at 164-152 North Road, Town of Marlborough, NY in an R1 Zone.
3. Newly designed websites for the promotion of the properties are: Someplace Upstate (Someplace Upstate + Updated Prices - The Knot and Someplace Upstate - Banquet Halls - Marlborough, NY - WeddingWire);
 4. A case titled Lavender v. Zoning Board of Appeals of the Town of Bolton, rendered by the AD Fourth 3d Dept. by the Appellate Division for the Third Department of the State of New York on July 21, 2016;
 5. A case titled Brophy v. The Town of Olive Zoning Board of Appeals, rendered on November 1, 2018.

ARGUMENT

Town of Marlborough Zoning Code §§155-12(a), (b), and (c) does not identify a principal permitted use which would allow the conduct of a wedding, approaching a population of 175/200 persons, or any other retreat or similar event. However, each of those districts permit any use which is considered to be among "accessory uses and structures customarily a pertinent to a principal permitted use". In my opinion, this language generally refers to a use which is subject and subordinate to the permitted uses within the district.

The Appellate Division for the Third Department, in which these properties are located, has considered this issue in detail and has laid out a working test which may be applied to any application which seeks a determination that the use of property, for the purposes described by this letter, is permitted.

THE LAVENDER CASE

The case of Lavender v. Zoning Board of Appeals of the Town of Bolton, 141 AD 3d 970 (See, Exhibit "5"), considered circumstances similar to those which are presented by this correspondence.

Lavender owned a castle within a residential zone and advertised it as a location for weddings, corporate meetings, and other "events". The Court found that the use of the premises for the conduct of large weddings was not so uncommon, in itself, that it fell outside of the scope of the Zoning Code and would be permitted if it were determined to be a use accessory to the permitted residential use.

However, after considering the manner in which the use of the premises was advertised and promoted, the Court found that the use was not ancillary to a permitted residential use.

Beyond the nature of the advertising, the Court found that the use:

“Generated increased traffic, created overcrowded private roadways, and often involved amplified music and announcements which interfered with the enjoyment of nearby homes. These adverse impacts, which extended well beyond the boundaries of Petitioner’s property . . .”

The Court noted the following:

“Perhaps most critically, Petitioner failed to proffer any evidence demonstrating that his use of Highland Castle is consistent with the customary use of residential property by other homeowners in the Town. No showing has been made that the rental of residential single-family dwellings for weddings and large gatherings is a common occurrence or, if so, that such events are of similar frequency, size and intensity as those at issue here.”

The, the Court found that the use, **as exercised**, was not a permitted ancillary use. It made clear that its decision in finding that the Lavender use was not permitted, did not preclude the occasional use of a residential property for a wedding or similar large scale event to be characterized as an accessory use to a permitted use.

THE BROPHY CASE

Two years later, in the case of Brophy v. Town of Olive Zoning Board of Appeals, the Third Department revisited this issue. (See, Exhibit “6”) In that case, the Respondents had converted a private dwelling into a “bed and breakfast” which was not a defined term within the Code. However, the Court found that the use of the property as a bed and breakfast was a permitted use despite that circumstance.

Having determined that the bed and breakfast use was a permitted use, the Court went on to determine whether or not the use of the bed and breakfast premises for occasional weddings was a permitted use as an accessory use to the permitted use. The Court found, under the individual circumstances of the case before it, that this was the case.

In doing so, the Court said the following:

“Ashokan Dreams is marketed as both a bed and breakfast and a wedding venue. **Lodging on and use of the property is available year round, but weddings are offered on a limited basis and only during the warmer months – in spring through fall.** As this evidence provides a rational basis for characterizing the weddings as an accessory use to the principal use as an owner occupied bed and breakfast, we decline to disturb the ZBA determination.”

In these cases, which are controlling precedent in the Third Department, a wedding venue, if properly managed, is limited in the scope of its use, and is permitted as an

accessory use in other locations within the Town, is permitted within a residential zone. The use that my client proposes fits within that category.

FACTUAL SUPPORT

The following facts all support a finding that your office should issue a determination that the holding of seasonal weddings is a permitted use at my client's property, so long as that use remains in compliance with the following:

1. In the Lavender case, the Court found that the Lavender operation was poorly managed and created havoc for its neighbors. You have before you the security company's report of the events of the evening of June 6, 2025. It confirms the following:
 - a. There is no problem with parking. There is no problem with traffic;
 - b. The event closed at 11:00 p.m.;
 - c. At no time did the sound generated by the event violate the Town's Sound Code;

All weddings/events will be conducted in this manner. Security will be part of that execution. (See Exhibit 1).

2. The applicants have submitted materials which confirm that the use of properties within an R1 Zone for the purpose of holding weddings, or other outdoor events, is existent, at least, within three other locations in the Town.

The uses as described by the Quartz Rock materials and the Raspberry Fields materials are exactly equivalent to the use proposed by my clients by the submission. (See Exhibits "3-a" and "3-b");

The principal use at the at the Locust Grove site appears to be the operation of a brewery at which weddings are occasionally held as a permitted ancillary use to the same. (See Exhibit "3-c").

There is no evidence that in either of these three locations, the property owners have had to make a submission for a Hotel/Resort/Special Use Permit in order to conduct weddings at their location in the same way that is now proposed by my clients;

3. My clients are proposing four weddings/events per year, all to occur within the within the warm weather months of the year. That is the same schedule which was recognized by the Third Department as a factor in determining that weddings were an accessory permitted use in the Town of Olive case;
4. The major factor in determining whether the wedding use in the Town of Bolton case was the manner by which the events were promoted. You are referred to the websites previously described in this submission. (See links at Exhibit "4"). Go look at them. It is different from that promotional undertaking which has which occurred prior to my representation of the clients.

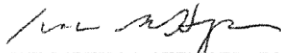
It is my request of your office that you make a determination whether or not weddings, or other outdoor events involving populations of up to 175/200 people, may be permitted as ancillary accessory uses to the residential use of the premises under the conditions described in this letter. My request specifically requests that you give an opinion only based upon my clients proceeding in the use of their property in the manner described in this correspondence.

I understand that this request is lengthy and supported by Court cases. That is why I have provided a copy of the same to your attorney. I am available to either of you, or each of you, for the for the purpose of meeting to discuss this proposal. Based on what I saw last Saturday, these conditions, including the required presence of three security three professional security operatives at each event, these weddings can be held without disrupting the neighbors or violating the Town's Code.

Thank you

Very truly yours,

STENGER, GLASS, HAGSTROM, LINDARS & IUELE, LLP



KENNETH M. STENGER, ESQ.

kstenger@stengerglass.com

KMS/klg

Encs.

cc: Kyle W. Barnett, Esq.
Someplace Upstate LLC

ITEM #14 Resolutions

A). Resolution #69 To award the landfill cap repair bid

B). Resolution #70 To appoint part time police officer for the purpose of attending the police academy

ITEM # 15 Adjournment

Councilman Cauchi made a motion to adjourn the meeting at 8:16 p.m. Motion seconded by Councilman Zambito.

Yeas: 4 Nays: 0 Carried

*Respectfully submitted,
Danielle Cherubini
Deputy Town Clerk*

July 28, 2025

A). Resolution #69 To award the landfill cap repair bid

Supervisor Corcoran proposes the following:

Whereas, Plumley Engineering had prepared bid documents for the Town of Marlborough landfill cap repair, and

Whereas the Town of Marlborough Town Clerks Office at the direction of the Town Board advertised for the bids, and

Whereas, by 2:00 PM on July 14, 2025 the close of the receipt of bids, the Office of the Town Clerk received two bids, and

Whereas, the following bids were received

Argenio Bros. Inc	\$121,121.00
Land Remediation Inc.	\$184,100.00

Whereas, Plumley Engineering had reviewed the bids for completeness and all references were checked, and

Whereas, it is the recommendation of Plumley Engineering that the award for Landfill cap repair be given to Argenio Bros Inc. in the amount of \$121,121.00

And moves for its adoption

Councilmember Molinelli	Absent
Councilmember Sessa	Yes
Councilmember Cauchi	Yes
Councilmember Zambito	Yes
Supervisor Corcoran	Yes

July 28, 2025

B). Resolution #70 To appoint part time police officer for the purpose of attending the police academy

Supervisor Corcoran proposes the following:

Whereas, the Chief of Police requests the appointment of Caden Cabrera as part time police officer for the purpose of attending the Ulster County Police Academy.

Now therefore be it resolved that; Caden Cabrera be appointed as part time police officer to attend the Ulster County Police Academy effective immediately

And moves for its adoption:

Councilmember Molinelli	Absent
Councilmember Sessa	Yes
Councilmember Cauchi	Yes
Councilmember Zambito	Yes
Supervisor Corcoran	Yes