

September 12, 2016

FIRST MEETING OF THE MONTH
TOWN BOARD TOWN OF MARLBOROUGH
21 MILTON TURNPIKE, MILTON NY
SEPTEMBER 12, 2016 7:00PM
MINUTES OF MEETING

Present: Supervisor Lanzetta
Councilman Molinelli (Arrived at 7:14 p.m.)
Councilman Corcoran
Councilman Baker
Councilman Koenig

Colleen Corcoran, Town Clerk

*The Town Board meeting took place at the Milton Train Station,
Dock Road, Milton, New York.*

ITEM #1 Call to order - Pledge of Allegiance

ITEM #2 Moment of Silence

ITEM #3 Motion to approve agenda

*Councilman Corcoran made a motion to amend the agenda to add letter D) Advertise for
Board of Assessment Review Member under New Business. Motion seconded by
Councilman Koenig.*

Yeas: 4 Yeas: 0 Carried

*Councilman Corcoran made a motion to amend the agenda to add letter A) Police Chief
– Speed Trailer under Presentations. Motion seconded by Councilman Koenig.*

Yeas: 4 Nays: 0 Carried

*Councilman Corcoran made a motion to amend the agenda to add letter E) Motion to
add Dan McElrath to the Conservation Advisory Committee under New Business.
Motion seconded by Councilman Koenig.*

Yeas: 4 Nays: 0 Carried

*Councilman Corcoran made a motion to approve the agenda as amended. Motion
seconded by Councilman Baker.*

Yeas: 4 Nays: 0 Carried

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ITEM #4 Motion to approve minutes from the August 22, 2016

Councilman Baker made a motion to approve minutes from the August 22, 2016 meeting. Motion seconded by Councilman Koenig.

Yea: 3

Nays: 0

Abstain: 1 (Corcoran-absent for August 22, 2016 meeting)

Carried

ITEM #5 Authorize payment of bills

Councilman Corcoran made a motion to authorize payment of the abstract in the amount of \$193,802.92. Motion seconded by Councilman Koenig.

Yea: 4

Nays: 0

Carried

ITEM #6 Comments on the agenda

Mark Reynolds asked if the Board could elaborate on Resolution #85 at that time.

James Garofalo suggested adding to two items to Resolution #85; adding a public hearing and adding verbiage to the resolution about access to the Draft Environmental Impact Statement (DEIS). There was a brief discussion between Mr. Garofalo and some of the Board members regarding the Bayside (DEIS and school documents) and the Town website. They also briefly discussed the open communication that the Town has with the school about the project.

ITEM #7 Presentations

A) Police Chief – Speed Trailer

Chief Cocozza and Detective Geremino presented information to the Board and demonstrated a speed trailer that the police department has tested for the past week and will continue to demo for approximately one more week. Chief Cocozza explained the features on the Custom Signal Smart 850 which he felt had the best features out of all the speed trailers. The speed trailer has a data logger, counts traffic flow, has an arrow board to direct traffic, has a 140 watt solar panel, has a 5 year warranty, has an LED board (vs. a magnifying lens on other models), runs on battery and uses solar, and is well built.

Detective Geremino explained that the speed trailer can be programmed for different speed increments; first it will flash the speed, second the board will say slow down, thirdly the trailer will flash red and blue lights, next it will simulate a camera flash. There is also a blackout mode so people don't end up trying to see how fast their cars will go. Detective Geremino explained how the data is read and the various types of reports that can be generated. He stated that they will use the demo speed trailer on our roads and give the Board the data before giving back the demo.

Detective Geremino demonstrated the speed trailer.

There was a brief discussion regarding the cost of the trailer which is \$11,500.00.

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ITEM #8 Report of Departments and Boards

A) SUPERVISOR - ALPHONSO LANZETTA

Supervisor's Report September 2016

Met with the Milton Landing Committee in August to discuss DEC Estuary Grant

Phone correspondence with Ulster County Deputy Executive, Robert Sudlow, about Western Avenue business corridors in Marlboro

Met with John Panzella about Road issue

Numerous efforts to contact Mr. Cooney, from Tilcon, to discuss LWRP

Worked at the Lions Senior Picnic at Schantz Park

Met with Councilman Corcoran, Budget Director Chris Wilklow, and our Health Insurance representative to discuss insurance

Met with Town of Newburgh Supervisor, Gil Piaquadio, Attorneys for the Town of Marlborough & Newburgh, and Engineers for both Towns to discuss contract for Water Filtration

Represented the Town of Marlborough, along with Councilmen Baker & Koenig, at Press Conference hosted by Assemblyman Skartodos to raise public awareness of the proposed anchorage sites on the Hudson River being considered by the Coast Guard. Please make public comment at the website I have posted on my FaceBook page.

Attended the annual Milton Engine Company #1 Lobster Bake Fundraiser

Met with NYSDOT representative, Tom Weiner, Howard Baker, and Cindy Lanzetta to discuss possible TAP application for sidewalks

Began tentative budget process with Councilman Corcoran and Budget Director Chris Wilklow

Respectfully,
Al Lanzetta

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B) BUILDING INSPECTOR - THOMAS CORCORAN

**THOMAS CORCORAN/BUILDING INSPECTOR
MONTHLY REPORT/BUILDING DEPARTMENT
MONTH OF: AUGUST 2016**

CERTIFICATE OF OCCUPANCY 4 STOP WORK ORDER 0
REQUEST FOR INFORMATION 16 ZBA APPLICATION 0
TRAILER PARK RENEWALS 1 ORDER TO REMEDY 14
BUILDING EXTENSIONS 3 COMPLAINTS 29
FIRE INSPECTIONS 22 BURN PERMITS ISSUED 20
FIRE CALLS 1 CLOTHING BIN RENEWALS 0

BUILDING PERMITS 31

<u>1</u> ONE FAMILY	<u>1</u> FIREWORKS
<u>2</u> TWO FAMILY	<u>1</u> SIGNS
<u>2</u> ELECTRICAL/GENERATOR	<u>4</u> REPAIRS/ALTERATIONS/CONVERSION
<u>2</u> FURNACE/BOILER (INDOOR)	<u> </u> ADDITIONS/RENOVATIONS
<u>3</u> DEMOLITION	<u> </u> COMMERCIAL STRUCTURE
<u>1</u> TANK INSTALLATION/REMOVAL	<u>4</u> DECKS/STAIRS
<u> </u> STOVES (WOODSTOVE, PELLET)	<u> </u> POLE BARN
<u>2</u> POOL/HOT TUB	<u> </u> MOBILE HOME
<u>6</u> SHED	<u>1</u> CARPORT/GARAGE
<u>1</u> ROOF	<u>4</u> SOLAR PANELS

ESTIMATED COST OF BUILDINGS \$258,994.00

CERTIFICATE OF OCCUPANCY	\$ <u>600.00</u>
REQUEST FOR INFORMATION	\$ <u>1,600.00</u>
BUILDING EXTENSIONS	\$ <u>500.00</u>
TRAILER PARK RENEWALS	\$ <u>0</u>
BUILDING PERMITS	\$ <u>4,884.57</u>
FIRE INSPECTION FEES	\$ <u>1,280.00</u>
ZBA ESCROW FEES	\$ <u>0</u>
ZBA APPLICATION	\$ <u>0</u>
TOTAL MILEAGE: 1490 MILES	
TOTAL GAS USAGE: 114 GALLONS	
TOTAL MONTHLY ZONING FEES	\$ <u>0</u>
TOTAL MONTHLY RECEIPTS	\$ <u>8,864.57</u>

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C) POLICE CHIEF - GERALD COCOZZA

**Police Department
Town of Marlborough**

MEMORANDUM

To: Town Board of the Town of Marlborough
From: Chief Cocozza
Date: September 12, 2016
Subject: Activity Summary for the Month of August 2016



Following is a summary of the activity of the Police Department for the month of August 2016

<u>MOTOR VEHICLE ACCIDENT</u>	Aug 16	Yr. Date 16	Aug 15	Yr. Date 15
Personal injury	2	31	4	31
Fatal	0	0	0	1
Property Damage	14	84	9	113
Report Not Required	2	18	9	33
Total	18	135	22	178

<u>SUMMONSES ISSUED</u>				
Vehicle and Traffic	166	1414	206	1343
Parking	4	8	2	18

<u>COMPLAINT ACTIVITY</u>				
Total Blotter Entries	346	2625	333	2365
Total Arrests	42	224	23	227

<u>TOTAL TELEPHONE CALLS</u>				
	1706	13647	1698	13621

POLICE DEPARTMENT OVERTIME HOURS payroll 17 & 18

Full Time Officer Overtime	(see attached)	61.5	(\$3021)	445.5
Full Time Officer Grant O/T	(see attached)	16.5	(\$809)	107
Part Time Officer Overtime	(see attached)	26	(\$884)	559.25
Part Time Officer Gant O/T	(see attached)	5	(\$170)	58.5
Full Time Dispatchers Overtime	0 (\$0)	0	0 (\$0)	0
Part Time Dispatchers Overtime	0 (\$0)	104	0 (\$0)	123

<u>Police Mileage</u>	12619	97174	12962	99177
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Chief Cocozza explained to the Board that he would like to include a full time dispatcher in his budget to cover the A-line shift (midnight). The majority of the Board and the Chief discussed the logistics of hiring another full time employee and also some other possible options.

Chief Cocozza stated that the ad was placed for the Crossing Guard and there haven't been any responses. He discussed with the Board other options for advertising and getting the word out. Councilman Baker suggested contacting surrounding police departments to see if they have anyone who might be interested.

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Councilman Corcoran made a motion to advertise for the Crossing Guard position on HudsonValleyHelpWanted.com for 30 days. Motion seconded by Councilman Baker.

Yea: 5

Nays: 0

Carried

D) HIGHWAY SUPERINTENDENT - GAEL APPLER, SR.

HIGHWAY SUPERINTENDENT

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



GAEL R. APPLER, Sr.
Superintendent of Highways

Home: (845) 795-2469
Office: (845) 795-2272 ext. 6
Fax: (845) 795-6037

Supervisor Lanzetta
Town Clerk Colleen Corcoran
Town Board Members

Monthly Report for August 2016

ROADS: We continue to mow the roadsides as needed. We repaired driveway ends on Prospect St. and on Old Indian Rd. where we had to replace the pipes earlier.

DRAINAGE: We had to open up a large culvert on Bingham Rd. and repair an undermined area that was causing a large depression in the roadway. We cleaned out a c.b. on Mt. Rose Rd. that someone had dumped used oil in. We cleaned the ditch line on Old Post Rd. by the Buckley Bridge. On 8/17 we excavated out and replaced the rotted pipes under the entrance of Billesimo/Wildflower and Concord Rds. This job took us until 9 pm that night to complete but we couldn't cut off access to the many houses or the ability for emergency vehicles to get in there. We removed and replaced rotted metal pipe in front of Milton Fire Department with 160 ft. PVC and 1 c.b.

SIDEWALKS: We removed the sidewalk in Milton in preparation to rebuilding. We put in the mesh and stone in the sidewalk and poured it on 8/11. We finished pouring this sidewalk on 8/17. We saw cut along the new sidewalks on Church St. and on Main St. and repaired these areas.

SHARED SERVICES: We put out the traffic cones for the Senior Luncheon and picked them up at 4 pm.

FUEL USEAGE: Gas: 450.029 gallons Diesel: 1105.126 gallons.

Gael R. Appler, Sr.
Highway Superintendent

GRA/cw

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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: 9/12/2016

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

RE: MONTHLY REPORT FOR AUGUST

Water consumption totaled 14.8 million gallons, that is a daily usage of 478,000. Compared to last month 14.3 million gallons that is a daily usage of 462,000. Compared to a year ago water consumption was 13.4 million for the month which is a daily usage of 447,000.

SUMMARY FOR THE MONTH: AUGUST
SERVICE LINES: Repaired service lines on Orange St., and Western Ave., and North Rd.

HYDRANTS: Had to rebuild a hydrant on Old Indian Rd.

WATER MAINS: We had to repair a six inch water main on Seneca Lane in Milton

RESERVOIR: We mowed and clean up garbage at the reservoir.

We took our quarterly HAA and TCM water test. We also had to repair curb boxes on Orchard View and Orange St.

MILTON SEWER: We started on working on the firehouse sewer line by first cutting brush, and also started digging for the first manhole, with the help of the Highway Dept.

SERVICE LINE INSPECTIONS:

CLOSINGS: 0

MARKOUTS: 20

Gallons of Gas: 270

Gallons of Diesel: 0

Mileage for the month: 2200

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F) TOWN CLERK - COLLEEN CORCORAN

09/08/2016

Town Clerk Monthly Report Monthly Report
August 01, 2016 - August 31, 2016

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Account Description	Fee Description	Account#	Qty	Local Share
Conservation	Conservation	A1255	19	74.76
			Sub-Total:	\$74.76
Dog Licensing	Female, Spayed	A2544	16	80.00
Dog Licensing	Male, Neutered	A2544	17	85.00
Dog Licensing	Male, Unneutered	A2544	4	40.00
			Sub-Total:	\$205.00
General Fund	Towing Licenses	00-2590	1	250.00
			Sub-Total:	\$250.00
LANDFILL FEES	T/s Permits	00-2130	2	60.00
LANDFILL FEES	T/s Punch Cards	00-2130	29	1,505.00
			Sub-Total:	\$1,565.00
Marriage Lic.	MARRIAGE LICENSE FEE	00-1255	4	70.00
			Sub-Total:	\$70.00
Misc Fees	Building Fees\Building Dept	00-2110	1	5,313.00
Misc Fees	Fire Fees/Building Dept	00-2110	1	835.00
Misc Fees	YRP Camp	00-2025	19	2,137.50
			Sub-Total:	\$8,285.50
MISC. FEES	Accident Reports	00-1255	28	145.00
MISC. FEES	Burgular Permits	00-2590	1	20.00
MISC. FEES	Certified Copies	00-1255	5	230.00
MISC. FEES	Dog Warden	00-2611	1	158.00
MISC. FEES	Foi Requests	00-1255	1	9.00
MISC. FEES	Park Fees	00-2001	1	150.00
MISC. FEES	Peddler's License	00-2590	1	250.00
			Sub-Total:	\$962.00
				Total Local Shares Remitted: \$11,412.26
Amount paid to: NYS Ag. & Markets for spay/neuter program				45.00
Amount paid to: NYS Environmental Conservation				1,332.24
Amount paid to: State Health Dept. For Marriage Licenses				90.00
Total State, County & Local Revenues:	\$12,879.50			Total Non-Local Revenues: \$1,467.24

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 _____

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G) WASTEWATER TREATMENT FACILITY- ANTHONY FALCO

Attn : Supervisors Office Fax 795-2031

Water Quality Management, Inc.
P.O. Box 733
Marlboro, NY 12542
845 236-7824 Fax 845 236-3911

September 9, 2016

Report on The Marlboro Wastewater Treatment Pant for the Month of August 2016

The average flow to the plant was 79,000 gallons per day. That is 45% capacity of design flow (175K gals/day). This flow may not be accurate and biased low as we were experiencing problems with the Flow meter during the month. The process is working well removing 99% of BOD and 96% of suspended Solids.

Milton Wastewater Treatment Plant:

The Average flow to the Milton plant during February 2016 was 32,000 gallons per day. That is 58% capacity of design flow (55K gals/day). The process is working well removing 99 % of BOD and 99% of Suspended Solids. Overall both wastewater treatment plants are in good working order. The collection system is being monitored and maintained by Charlie Muggeo & the Water Dept.

If you need any additional information, please do not hesitate to contact me.

Tony Falco
Water Quality Management, Inc.

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H) DOG CONTROL OFFICER - ANDREW MCKEE

21 Milton Turnpike
Marlborough, New York, 12547

Town of Marlborough Dog Control

AndrewMckee-DogControlOfficer
Wednesday, August 31, 2016

August 2016 Monthly Report

Monthly Report - 8/1/2016 through 8/31/2016

Overview:

Total number of Calls - 51

Number of Police Calls (from Marlborough PD and Ulster County Sheriff) - 28

Number of open cases - 3

Number of Stray Dogs Impounded and/or Seized - 4

Number of dogs redeemed - 1

Number of appearance Tickets issued - 0

We currently have 2 dogs in the kennel

Number of Documented Dog Bites - 0

We currently have 0 Dangerous Dog Hearing in the Marlborough Justice Court.

We would like to thank the residents of Conklin Hill Road, O'hara and Milton Turnpike for their patience and help in locating and trapping a stray dog that was subsequently abandoned at the beginning of the month. I am requesting the attached letter be read at the board meeting.
End of report

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Andrew McKee also read a letter to the Board which is incorporated into the minutes as follows:

21 Milton Turnpike
Marlborough, New York, 12547

Town of Marlborough Dog Control

AndrewMcKee-DogControlOfficer

Thursday, September 01, 2016

Supervisor Al Lanzetta: CC: Town Board Members

On August 1st I responded to a report of 2 loose aggressive dogs in the Town of Marlborough. Detective Geremino was on scene and assisted in the capture of the first dog. Over the next 10 days his help continued to help locate and capture the second dog whenever he could even offering to come out while he was off duty. On August 10th we did successfully capture the Dog.

The dogs were abandoned and no one had come forward to claim either one. I was dismayed and was ready to close the case having exhausted my available resources. I consulted with Gerry Cocozza regarding the case and was instructed to turn whatever information I had over to our Detective Nick Geremino so that if a crime had been committed, the owner of the dogs could be held accountable, and if the dogs were missing from beyond our local area the owner could be notified, and lastly the possibility the owner of these dogs might be a local resident who is incapacitated or deceased and subsequently not looking for the dogs.

On August 15th I turned over all information I had discovered to Detective Geremino. Over the next 48 hours I was amazed at the progress in his investigation, and information and facts he was able to gather relating to the case. The scope of the investigation spanned from a rescuer in queens to a resident of New Windsor and a Wappinger's Falls pet owner. In addition to solving this case, Detective Geremino has established a protocol for future animal cruelty cases that will be effective in the successful prosecution of animal abusers in the Town of Marlborough.

Professionally I am impressed with level of commitment by Gerry Cocozza in expending resources on a case related to animal cruelty and in the commitment and skill in which detective Geremino handled and solved this case. Personally I was moved by the experience. Many of the Police Departments activities behind the scenes go un-noticed and I thought it was important that the Town Board and Residents recognize them for their efforts and that they be commended.

Thank you,

Andrew McKee

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I) ASSESSOR - CINDY HILBERT

Assessor's Office

Memo

To: Town Board
From: Cindy Hilbert
CC: Colleen Corcoran
Date: September 12, 2016
Re: September Report

We worked on preparing our final roll for the extension of the school tax levy. We calculated and processed the pro-rated school tax relevies.

Our office processed 26 real property transfers.

Kathi and I will be attending the Annual Assessor's fall conference from Sunday September 18 through Wednesday September 21. Ms. Flynn will be working a few extra hours each day to cover the office.

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J) PLANNING - CHRIS BRAND

Town of Marlborough

Planning Board Review 09/12/16

Meeting: August 15, 2016 / 7:30 PM / Town Hall

Cancelled: No New Activity

NEXT Deadline

Friday, August 19, 2016

NEXT Scheduled Meeting

Tuesday, September 6, 2016

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Meeting: September 6, 2016 / 7:30 PM / Town Hall

ATTENDEES

Chris Brand, Manny Cauchi, Steven Clarke, Cindy Lanzetta, Joe Lofaro, Ben Trapani,

AGENDA

Approval of Stenographic Minutes for 7-18-16, 8-1-16

- The approval for the above minutes was tabled until the next regularly scheduled meeting.

Empire Landscaping, 1609-1611 Route 9W, Marlboro: Public Hearing, Site Plan

- A Public Hearing was opened and closed.
- The Planning Board delayed opinion due to not receiving input from the Ulster County Planning Board. The applicant will reappear at the September 19th Meeting.

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Southeast Atlantic Holdings [Milton Hardware], 1837 Route 9W, Marlboro: Public Hearing, Site Plan

- A Public Hearing was opened and closed.
- The Planning Board delayed opinion due to not receiving input from the Ulster County Planning Board. The Board recommended sending updated landscaping and a newly received traffic study to the UCP as well. The applicant will reappear at the September 19th Meeting.

Ralph Partington, 20 Partington Lane, Marlboro: Discussion

- After discussion, the Planning Board voted to rescind a previous motion requiring \$1,500 in recreation fees as the subdivision made the properties more conforming, had no new construction or increase in population, and therefore had no foreseeable impact on the future recreational needs of the Town.

Bill Woodward, 9W Milton: Vacant Commercial Land, Discussion w/o Attorney, Engineer, and/or Stenographer

- The applicant sought conceptual approval for a proposed commercial storage facility on vacant commercial property in Milton. After some discussion, he was advised to begin the formal approval process should he wish to proceed as the Planning Board does not grant conceptual approvals.

Michael Gwilliam, Floyd Kniffan, 512 Milton Turnpike, Milton: Discussion w/o Attorney, Engineer, and/or Stenographer

- The applicant sought input on two recently purchased parcels with regards to future development. He was advised to consult with the Town Code Enforcement Officer and Highway Superintendent before proceeding.

NEXT Deadline

Friday, September 9, 2016

NEXT Scheduled Meeting

Monday, September 19, 2016

Respectfully Submitted,

Chris Brand, Chairman, Town of Marlborough Planning Board

ITEM #9 Report of Committees

A) RECREATION COMMITTEE

Supervisor Lanzetta gave a summary of a report from the Marlborough Summer Camp Director, Kim Pomeroy:

There were 5 weeks of camp and attendance was 58 children the first week, 64 for the second week, 86 for the third week, 69 for the fourth week, and 78 for the fifth week. She also thanked all the members of the Town staff who helped them with various duties to help them run the camp.

Councilman Corcoran reported that the annual Trunk or Treat event will be at the Marlboro Elementary School from 2:00 p.m. – 4:00 p.m. on October 30, 2016.

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Councilman Corcoran asked the Board if it would be okay for Marlboro Youth Baseball to use the TOMVAC building on October 29, 2016 for a Halloween fundraiser. The Board did not object. Also, Joe Wiles is planning to set up tables at the school open houses to promote town recreation.

Chief Cocozza spoke with the Board about having Community Day at the Police Station again this year which they could do in conjunction with Trunk or Treat. Chief stated that he would need a budget of about \$1,600.00.

Councilman Koenig added that they may be having the Halloween parade in the Milton Hamlet on that Sunday as well. The Board and the Chief discussed how they can make all three events work together.

Councilman Corcoran made a motion to approve the expenditure of up to \$1,600.00 out of the General Fund for Community Day. Motion seconded by Councilman Baker.

Yeas: 5 Nays: 0 Carried

B) EMERGENCY MANAGEMENT PREPAREDNESS COMMITTEE

No report

C) CONSERVATION ADVISORY COMMITTEE

Supervisor Lanzetta reported that the committee will have a meeting this Wednesday at 7:30 p.m. at the Marlboro Free Library to discuss solar.

D) IT COMMITTEE

Some of the Board members briefly discussed the status of the installation of the cameras which should be soon. Councilman Corcoran reported that they received a price for the water department system (about \$8,100.00) and the Town also needs a couple of computers.

E) MILTON TRAIN STATION FOUNDATION

Supervisor Lanzetta stated that the Town is still waiting for the \$150,000.00 grant from the state.

F) MILTON LANDING CITIZENS COMMITTEE

Councilman Koenig stated that the landing needs to be weed whacked.

G) MARLBORO HAMLET ECONOMIC DEVELOPMENT COMMITTEE

Supervisor Lanzetta stated that the committee is going to meet on Tuesday.

H) MEET ME IN MARLBOROUGH

A few of the Board members had a very brief discussion about Bounty Fest.

I) HAMLET OF MILTON ASSOCIATION COMMITTEE

Councilman Koenig reported that the committee had a meeting and discussed items they need to organize and they are going to figure out a watering schedule for next year. They will have an agreement with businesses and give them the option if they want to take care of the flowers in front of their business. They will be getting a holiday tree again and having a holiday gathering/tree lighting on December 3, 2016 at 3:00 p.m.

J) WATER COMMITTEE

Supervisor Lanzetta reported that the contract is almost done.

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K) TRANSFER STATION REVIEW COMMITTEE

Councilman Baker addressed the Board about beginning to get rid of the tires at the Transfer Station. The cost is \$2.00 per tire for removal.

ITEM #10 Old Business

A). Sale of TOMVAC Building

No new information

B). Municipal Parking in Hamlets of Marlboro and Milton

No new information

C). Proposed Water Agreement with Newburgh

Discussed above

D). Milton Sewer Expansion 9W/Milton Turnpike Intersection

Supervisor Lanzetta stated that Dennis Larios is still working on the design.

E). Bayside Project

Supervisor Lanzetta stated that there is a Resolution tonight regarding Bayside.

F). Design Standards for RT 9W Corridor Overlay District

No new information

G). Sign Law-Zoning Changes

Supervisor Lanzetta stated that the sign law is on hold so they can finish the tow law which should be ready soon.

H). Verizon Cell Tower on Milton Water Tank

Supervisor Lanzetta stated that Ron Blass, Town Attorney is currently going over some items regarding the water tower. Also, the road will be paid for (about \$30,000.00) by the Town. The Town will not receive the lease payment from Verizon until the \$30,000.00 is paid which will take about one and a half years. Verizon will pay for the electrical lines.

I). Milton Train Station Grant Exterior Rehabilitation

Discussed above

ITEM #11 New Business

A). NYB Electric Inspector Pat Decina

Councilman Corcoran made a motion to add Pat Decina, Electrical Inspector of New York Board to the approved electrical inspector list. Motion seconded by Councilman Molinelli.

Yea: 5

Nays: 0

Carried

B). 2001 Ford F350 for bid

C). 2006 Ford F550 for bid

Councilman Corcoran made a motion to put both the 2001 Ford F350 and the 2006 Ford F550 out for bid. Motion seconded by Councilman Baker.

Yea: 5

Nays: 0

Carried

Councilman Koenig stated that he received two bids to remove trees and limbs by the sewer plant in Milton. One bid was from DiLorenzo Tree Care for \$2,750.00 and the other was

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from Top Seed Landscaping for \$4,100.00. The Board agreed to get one more bid from Acorn Tree Care, and then they can decide who will do the tree removal.

Councilman Molinelli made a motion to get one more bid so the Board has three bids and they can vote by email. Motion seconded by Councilman Corcoran.

Yeas: 5 Nays: 0 Carried

D). Advertise for Board of Assessment Review Member

Councilman Baker made a motion to advertise for a Board of Assessment Review Member. Motion seconded by Councilman Corcoran.

E). Motion to add Dan McElrath to the Conservation Advisory Committee

Supervisor Lanzetta made a motion to add a committee member, Dan McElrath, to the Conservation Advisory Committee. Motion seconded by Councilman Baker.

Yeas: 5 Nays: 0 Carried

ITEM #12Correspondence

No correspondence

ITEM #13 Public Comment

Ralph Walters commented on how he thought the county should re-stripe Western Avenue and also made some suggestions to try to correct the issue of people going the wrong way on Orange Street when leaving the post office. Mr. Walters asked the Board when camp will take place and if there will be five weeks of camp because he needs to plan the senior picnic.

James Garofalo suggested adding the tow law to the agenda.

Mark Reynolds questioned if the Train Station grant is on schedule for this year.

Supervisor Lanzetta explained that they are waiting for the Dormitory Authority of the State of New York (DASNY) to give the go ahead to do the RFP. It's taking a while because that department was understaffed and they are now training people so they can move the grants.

Regarding Resolution #85, Mark Reynolds questioned why the “after” figure for the assessed value of the project is less than “before” and the projected tax revenue is more. Councilman Corcoran and Councilman Baker collectively explained that the original DEIS was done in 2011 and assessments have gone down and the tax rates have gone up since then. The annual cost per student has gone up and although there is still a surplus of tax revenue over cost of municipal services, that number has gone down.

Supervisor Lanzetta explained that the Draft Environmental Impact Statement (DEIS) for the Bayside project was done in 2011. Maser Consulting did a comparison between the project, then and now, to see if a Supplemental Environmental Impact Statement (SEIS) is necessary. The Town Board and the Town Attorney agreed that they would like the

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comparison to include all of the schools recommendations. The recommendations are included in the resolution and the resolution is stating that they do not need a (SEIS) and the developer can prepare a Final Environmental Impact Statement (FEIS) for review. There was a brief discussion regarding how the projected number of school age students is generated and also the difference between the project apartments and available apartments in town.

ITEM #14 Resolutions

A). Resolution # 85 To Declare that an SEIS is not required for Bayside

ITEM #15 Adjournment

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A). Resolution # 85 To Declare that an SEIS is not required for Bayside

Supervisor Lanzetta proposes the following:

WHEREAS, the Town of Marlborough Town Board serves as Lead Agency, under the State Environmental Quality Review Act ("SEQRA") with respect to land use and other approvals for a project known as the Bayside Development (the "Project") covering real property at 18 Birdsall Avenue and to the west side of Route 9W, near Young Avenue, consisting of 27.65 acres, and situated at Marlborough Tax Parcel No. 109.1-4-29; and

WHEREAS, on November 14, 2011, the Town Board accepted a Draft Environmental Impact Statement for the Project; and

WHEREAS, certain modifications have been made to the Project since the acceptance of the Draft Environmental Impact Statement; and

WHEREAS, the Project adjoins real property of the Marlboro Central School District ("MCSD") which comprises the Marlboro Middle School; and

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WHEREAS, on July 20, 2016, the MCSD submitted written comments on the management of the project changes under SEQRA and otherwise; and

WHEREAS, the modifications to the Project are summarized within eight (8) pages of work product, with additional tables including demographics update, socio-economic update, and updated traffic opinion, of Maser Consulting on behalf of the Developer dated August 19, 2016; and

WHEREAS, the project changes entail reconfiguration from (a) 101, 2-bedroom units of townhouse multi-family housing consisting of 202 bedrooms to (b) 104 units of mixed 2-bedroom and 3-bedroom apartments consisting of 228 bedrooms. Building coverage of the site will reduce from 127,677 square feet to 66,420 square feet. The number of structure will reduce from 26 to 6. Total impervious surface will reduce from 7.53 acres to 4.96 acres. Overall site disturbance will reduce from 15.75 acres to 12.71 acres. Resident population will increase from 216 to 270 persons. School age children will increase from 17.8 to 20. Peak hourly morning and afternoon vehicle trips will increase by 2 or 3. The proposed 12,600 square feet of commercial space remains the same; and

WHEREAS, in light of the project changes and the passage of time since the acceptance of the DEIS, the Town Board as SEQRA Lead Agency addresses the issue of whether a

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Supplemental Environmental Impact Statement ("SEIS") is required under SEQRA; and

WHEREAS, the purpose of an SEIS is to inform agencies and the public of potentially significant adverse environmental effects which were not addressed in the DEIS; and

WHEREAS, for project changes arising post-DEIS, or for intervening changes of circumstances, the SEQRA regulations state that it is up to the Lead Agency under to decide whether a Supplemental Environmental Impact Statement ("SEIS") is necessary----or not. If not, there is no impediment to the Lead Agency's proceeding directly to preparation of a Final Environmental Impact Statement ("FEIS"); and

WHEREAS, changes proposed for a project, or intervening change in circumstances, do not end the inquiry by the Lead Agency as to whether an SEIS if required; and

WHEREAS, the issue is whether the project changes, or the intervening changes in circumstances, may give rise to at least one potentially significant adverse environmental impact, and whether the existing DEIS/SEQRA Record have already assessed that environmental effect adequately enough to allow an informed decision; in other words, the Lead Agency faced with project changes, or changes in circumstances, should affirmatively consider the significance of the changes; and

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WHEREAS, the Town Board has assessed the significance of the project changes, and of any relevant change in circumstances.

NOW, THEREFORE, IT IS HEREBY RESOLVED, as follows:

1. The Town Board concludes that the changes proposed for the Project, and any intervening changes in circumstances, do not give rise to any category of, or singular, significant adverse environmental impact which the existing DEIS/SEQRA record has not assessed, or which will not be capable of assessment by proceeding directly to FEIS.

2. Accordingly, the Town Board finds that preparation of an SEIS is not required.

3. The Town Board's finding is predicated, in part, on the expectation and requirement that the Developer will, in the preparation of an FEIS (for the Town Board's review, modification and adoption) treat the MCSD's comment letter of July 20, 2016 as comments on the DEIS and address those comments in the FEIS.

4. The MCSD advocated that the existing DEIS should be redone, or that an SEIS should be prepared, due to the following changes to the project:

- a) change in housing type
- b) increase in housing units
- c) change in project layout
- d) "potential changes" in stormwater management

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The Town Board disagrees. It concurs with the August 19, 2016 submission of the Developer showing that the dwelling units increase from 101 to 104, and the alteration from all 2-bedroom to some 3-bedroom units (20 out of 104) does not trigger any new, different or significant impacts to socio-economics, demographics or traffic, or otherwise. Data in those areas is updated as follows:

- a) Residential population before: 216. Residential population after: 270.
- b) School age children before: 17.8. School age children after: 20.
- c) Factors for "commercial before" and "commercial after" are the same for the same 12,600 square feet of space.
- d) Project assessed value "before" was \$21,744,000. Projected assessed value "after" is \$18,246,000.
- e) Enhanced tax revenues "before" was \$649,000. Projected tax revenues "after" are \$769,990. The annual cost per student for schooling "before" was \$17,752. The annual cost per student for schooling "after" is \$25,955. The surplus of tax revenues over cost of municipal services "before" was \$190,000. The surplus of tax revenues over cost of municipal services "after" is \$57,700.
- f) The traffic study has been updated. Only 2 to 3 additional peak hourly trips are projected. And, 2015 traffic data updates show that Marlborough is lagging significantly behind professionally projected general traffic increases over time at 9W and Young Avenue.
- g) There have been intervening changes to town land use laws which have rendered moot almost all of the zoning relief need for the "before" project.
- h) There has been an increase in voluntary project mitigation measures and public contributions.
- i) The "spring water source issues" were addressed in the DEIS. The Developer has offered mitigation, and continues to offer mitigation, of access to a pump at the spring. The FEIS will address related issues further.

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5. The MCSD has suggested a relevant change of circumstance over five (5) years since the DEIS. The following cited changes are not significant in the view of the Town Board, and they may be managed in the context of the FEIS:

- a) change in traffic patterns---request for updated traffic study---this is addressed, *supra*, and may be further addressed in the FEIS;
- b) increased student impact based on outdated fiscal data---intervening "financial stressors", including the "tax cap"---this is addressed, *supra*, and may be further addressed in the FEIS;
- c) real property assessment/valuation varies with the type of housing---which has changed away from owner occupied to apartments---this is addressed, *supra*, and may be further addressed in the FEIS;
- d) supposedly expired wetland delineation---this may be addressed in the FEIS;

6. Otherwise, the MCSD has stated belated grievances with the DEIS. These following comments of the MCSD may be properly entertained and addressed in the FEIS.

- a) treatment of the obscure "deeded water sources" and cisterns on site---in which other private parcels may have an interest;
- b) there are existing water conveyances from the cistern on the property of the Middle School;
- c) the DEIS should have examined any adverse impacts for the Project on the water system and the water rights of others;
- d) the DEIS should have examined any adverse impact of the water source on project components, such as function of detention pond(s);
- e) the Project access road's impact on the Middle School is significant;

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- f) sidewalks and "walker access" to the Middle School was not addresses;
- g) the Middle School and the Elementary School are sensitive educational "receptor sites" for noise impacts; and
- h) potential detention pond overflows, and their attractive nuisance to students, not adequately addressed.

And moves for its adoption:

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

The resolution was thereupon declared duly adopted.

DATED: Milton, New York
September 12, 2016

Colleen Corcoran, Town Clerk

September 12, 2016

Councilman Molinelli made a motion to adjourn the meeting at 9:16 p.m. Motion seconded by Councilman Koenig.

Yeas: 5

Nays: 0

Carried

*Respectfully submitted,
Danielle Cherubini
Deputy Town Clerk*