

October 10, 2016

FIRST MEETING OF THE MONTH
TOWN BOARD TOWN OF MARLBOROUGH
21 MILTON TURNPIKE, MILTON NY
OCTOBER 10, 2016
MINUTES OF MEETING

Present: Supervisor Lanzetta
Councilman Molinelli
Councilman Corcoran
Councilman Baker (Arrived at 7:08 p.m.)
Councilman Koenig

Colleen Corcoran, Town Clerk

ITEM #1 Call to order - Pledge of Allegiance

ITEM #2 Moment of Silence

ITEM #3 Motion to approve agenda

Councilman Koenig made a motion to approve the agenda. Motion seconded by Councilman Molinelli.

Yeas: 4 Nays: 0 Carried

ITEM #4 Motion to approve minutes from the September 26, 2016 meeting

Councilman Corcoran made a motion to approve minutes from the September 26, 2016 meeting. Motion seconded by Councilman Molinelli.

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 \$177,955.85. Motion seconded by Councilman Molinelli.

Yeas: 4 Nays: 0 Carried

ITEM #6 Comments on the agenda

No comments on the agenda.

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ITEM #7 Presentations

A). Patty Brooks-to discuss subdivision and possible code changes

Patricia Brooks of Brooks and Brooks, PC, presented the idea of a code change so the town would be more consistent with the New York State Department of State (NYSDOS) regarding subdivisions and whether or not an existing roadway creates a subdivision. The NYSDOS says that a road creates a natural subdivision. She gave the Board information regarding the change she is suggesting and read some excerpts of the existing code and the change she believed should be included in the code.

Ms. Brooks stated that in previous years the Town recognized a roadway as a separation of a parcel of land exclusive of subdivision approval. Recently, she had a client who needed clarification on this to distribute one property divided by Milton Turnpike to two people named in a will and the lot had one Section, Block, and Lot and one deed. She explained the process in which she and the client's attorney proceeded with the conveyance. She stated that there were two opinion letters in past years from Ron Blass saying that his interpretation of the current law was that a subdivision was required if a road divides a parcel and she also said he suggested changing the definition of a lot.

Some of the Board members expressed their opinions on whether this would create a problem with lots becoming unusable or abandoned if they were to change the code and they don't want to restrict expansion.

Tom Corcoran stated that changing the code could create a non-conforming lot or an unusable lot that someone could stop paying taxes on. He explained that if the subdivision doesn't go through the Town, maps are not filed with the town and county and the Town's maps are not updated. He also questioned the collection of recreation fees. If the subdivision goes through the Planning Board then the maps and the metes and bounds are filed with the Planning Board, recreation fees can be collected and the Town now has the new map showing the new lot that has been created.

Supervisor Lanzetta asked Ms. Brooks to provide the Board more information regarding past practice and the Board can continue to discuss this matter.

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ITEM #8 Report of Departments and Boards

A) SUPERVISOR - ALPHONSO LANZETTA

Supervisor's Report October 2016

Spent last month and a half in budget negotiations with Budget Officer Chris Wilklow.

Attended NYSDOT Transportation Alternatives Program Workshop in Poughkeepsie.

Meeting to discuss software with Police representatives, Councilman Corcoran, and software representative.

Meeting with UC Transportation Planner, Councilman Baker, Behan Planning, and representatives of NYDOT to discuss scope of Ulster County RFP for Rt. 9W Corridor Study.

Met with Department Heads to review tentative budget.

Meeting with Brant Neuneker, and Town Water Department, about water leak at Tanglewood Trailer Park.

Attended Ulster County Cornell Cooperative Fundraiser at Stoutbridge.

Meeting with Highway Department Union Representative, Michael Wilson.

Attended NYSDOT Transportation Alternatives Program pre-application meeting in Poughkeepsie.

Met with Code Enforcement Officer, Tom Corcoran, to go over proposed Sign Code.

Met with Police Chief Coccozza and Tony Falco about parking on Dock Rd. Follow up with Highway Superintendent Appler.

Attending special program for public officials at UC Community College. The program was to acquaint officials with actual firefighting training. It was hosted by the UC Fire Chiefs Association.

Respectfully,
Al Lanzetta
Supervisor

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B) BUILDING INSPECTOR - THOMAS CORCORAN

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

CERTIFICATE OF OCCUPANCY 3 STOP WORK ORDER 1

REQUEST FOR INFORMATION 26 ZBA APPLICATION 0

TRAILER PARK RENEWALS 0 ORDER TO REMEDY 11

BUILDING EXTENSIONS 1 COMPLAINTS 31

FIRE INSPECTIONS 11 BURN PERMITS ISSUED 31

FIRE CALLS 0 CLOTHING BIN RENEWALS 0

BUILDING PERMITS 33

2 ONE FAMILY

1 TWO FAMILY

1 ELECTRICAL/GENERATOR

3 FURNACE/BOILER (INDOOR)

3 DEMOLITION

1 TANK INSTALLATION/REMOVAL

0 STOVES (WOODSTOVE, PELLET)

1 POOL/HOT TUB

5 SHED

4 ROOF

0 FIREWORKS

1 SIGNS

0 REPAIRS/ALTERATIONS/CONVERSION

2 ADDITIONS/RENOVATIONS

3 COMMERCIAL STRUCTURE

1 DECKS/STAIRS

0 POLE BARN

0 MOBILE HOME

1 CARPORT/GARAGE

4 SOLAR PANELS

ESTIMATED COST OF BUILDINGS \$999,292.00

CERTIFICATE OF OCCUPANCY	\$ <u>550.00</u>
REQUEST FOR INFORMATION	\$ <u>2,600.00</u>
BUILDING EXTENSIONS	\$ <u>100.00</u>
TRAILER PARK RENEWALS	\$ <u>0</u>
BUILDING PERMITS	\$ <u>11,023.00</u>
FIRE INSPECTION FEES	\$ <u>640.00</u>
ZBA ESCROW FEES	\$ <u>0</u>
ZBA APPLICATION	\$ <u>0</u>
TOTAL MILEAGE: 1488 MILES	
TOTAL GAS USAGE: 92 GALLONS	
TOTAL MONTHLY ZONING FEES	\$ <u>0</u>
TOTAL MONTHLY RECEIPTS	\$ <u>14,913.00</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: October 10, 2016
Subject: Activity Summary for the Month of September 2016



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

<u>MOTOR VEHICLE ACCIDENT</u>	Sept. 16	Yr. Date 16	Sept. 15	Yr. Date 15
Personal injury	6	37	10	41
Fatal	0	0	0	1
Property Damage	13	97	21	134
Report Not Required	2	20	6	39
Total	21	154	37	215

<u>SUMMONSES ISSUED</u>				
Vehicle and Traffic	242	1656	146	1489
Parking	2	10	0	18

<u>COMPLAINT ACTIVITY</u>				
Total Blotter Entries	319	2944	355	2720
Total Arrests	46	270	36	263

<u>TOTAL TELEPHONE CALLS</u>				
	1696	15343	1699	15320

POLICE DEPARTMENT OVERTIME HOURS payroll 20 & 21

Full Time Officer Overtime	(see attached)		161	(\$5313)	606.5
Full Time Officer Grant O/T	(see attached)		22	(\$726)	129
Part Time Officer Overtime	(see attached)		61.5	(\$2276)	621.25
Part Time Officer Grant O/T	(see attached)		5.5	(\$204)	64
Full Time Dispatchers Overtime	0 (\$0)	0	0	(\$0)	0
Part Time Dispatchers Overtime	24 (\$335)	128	32	(\$657)	155

<u>Police Mileage</u>	12986	110160	12962	99177
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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 September 2016

ROADS: We continue to mow the roadsides throughout the Township.

DRAINAGE: We did c.b. and pipe patrols as needed around the Township. We repaired the concrete headwalls on Wildflower Lane. We rebuilt numerous c.b.s throughout the Town. We removed and replaced a driveway pipe on Old Indian Road. We installed a c.b. on Old Indian Road.

SHARED SERVICES: We dug the footings for the pergola at the new dog run at Sands Ave. We spent 3 days moving the sewer line extension in Milton. This job went longer than expected as we hit bluestone and spent one day hammering out this rock to set the last basin. We spent one day hauling blacktop for the Town of Plattekill. We assisted the Water Department with a water main break on Jonathan Place. We assisted the Water Department with installing a new 4 in. main into the Milton Firehouse. We assisted the Town of Lloyd hauling blacktop for one day.

FUEL USAGE: Gas: 339.791 gallons Diesel: 803.153 gallons.

Gael R. Appler, Sr.
Highway Superintendent

GRA/cw

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E) WATER SUPERINTENDENT - CHARLIE MUGGEO

No report

F) TOWN CLERK - COLLEEN CORCORAN

10/03/2016

Town Clerk Monthly Report Monthly Report
September 01, 2016 - September 30, 2016

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Account Description	Fee Description	Account#	Qty	Local Share
Conservation	Conservation	A1255	20	249.66
			Sub-Total:	\$249.66
Dog Licensing	Female, Spayed	A2544	12	60.00
Dog Licensing	Male, Neutered	A2544	12	60.00
Dog Licensing	Male, Unneutered	A2544	2	20.00
			Sub-Total:	\$140.00
General Fund	Water Service	2144SW	1	150.00
			Sub-Total:	\$150.00
LANDFILL FEES	T/s Permits	00-2130	1	45.00
LANDFILL FEES	T/s Punch Cards	00-2130	35	1,445.00
			Sub-Total:	\$1,490.00
Marriage Lic.	MARRIAGE LICENSE FEE	00-1255	4	70.00
			Sub-Total:	\$70.00
Misc Fees	Building Fees\Building Dept	00-2110	1	7,584.57
Misc Fees	Fire Fees\Building Dept	00-2110	1	1,280.00
Misc Fees	YRP Zumba	00-2025	1	170.00
			Sub-Total:	\$9,034.57
MISC. FEES	Accident Reports	00-1255	17	85.00
MISC. FEES	Certified Copies	00-1255	5	310.00
MISC. FEES	Foi Requests	00-1255	2	9.50
MISC. FEES	Minor Sales	00-2655	2	360.00
MISC. FEES	Park Fees	00-2001	1	300.00
			Sub-Total:	\$1,064.50
PLAN & ZONE	Zoning Maps	00-2110	1	5.00
			Sub-Total:	\$5.00
Total Local Shares Remitted:				\$12,203.73
Amount paid to: NYS Ag. & Markets for spay/neuter program				30.00
Amount paid to: NYS Environmental Conservation				6,067.34
Amount paid to: State Health Dept. For Marriage Licenses				90.00
Total State, County & Local Revenues:				\$18,391.07
Total Non-Local Revenues:				\$6,187.34

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

Colleen Corcoran
Town Clerk

9/30/16
Date

October 10, 2016

G) WASTEWATER TREATMENT FACILITY- ANTHONY FALCO

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

October 10, 2016

Report on The Marlboro Wastewater Treatment Plant for the
Month of September 2016
The average flow to the plant was 98,000 gallons per day.
The process is working well removing 99% of BOD and 99% of
suspended Solids.

Milton Wastewater Treatment Plant:
The Average flow to the Milton plant during February 2016
was 31,000 gallons per day.
The process is working well removing 99 % of BOD and 97% of
Suspended Solids.

Overall both wastewater treatment plants are in good working
order but getting old.
A NYS DEC annual inspection was made on both Marlboro &
Milton plants on 9/15 – I have not seen their report yet, but all
should be OK.
The collection system is being monitored and maintained by
Charlie Muggeo & the Water Dept.
On Sept 10th a blockage was found in the sewer main on 9W at
the intersection of Dubois Street . Dawes and Sons removed the
blockage with his vacuum truck.
On Sept 11th Fred Cook and Sons used a sewer jet to clean out
lines on 9W and Dock Road.

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

~~Andrew McKee-Dog Control Officer~~

Monday, October 10, 2016

September 2016 Monthly Report

Monthly Report - 9/1/2016 through 9/30/2016

Overview:

Total number of Calls - 17

Number of Police Calls (from Marlborough PD and Ulster County Sherriff) - 14

Number of open cases - 2

Number of Stray Dogs Impounded and/or Seized - 0

Number of dogs redeemed -0

Number of appearance Tickets issued - 0

We currently have 0 dogs in the kennel

Number of Documented Dog Bites - 2

We currently have 2 possible Dangerous Dog Hearings being prepared for the Justice Court.

End of report

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I) ASSESSOR - CINDY HILBERT

Assessor's Office

Memo

To: Town Board
From: Cindy Hilbert
CC: Colleen Corcoran
Date: October 7, 2016
Re: October Report

Our office processed 19 real property transfers.

Kathi and I attended a one day seminar on the Valuation of Wineries and Micro-Breweries on October 5, 2016 in Fishkill.

We have ordered our Enhanced STAR and Aged Exemption renewal forms.

We have been continuing our collection of new construction and splits and mergers.

Our data collector is continuing to work on re-collecting all the residential properties within the Town. He currently is working in the neighborhood of Highland avenue.

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J) PLANNING BOARD - CHRIS BRAND

Town of Marlborough

Planning Board Review 10/10/16

Meeting: September 19, 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 were unanimously approved.

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

- The Planning Board granted unanimous Final Approval for the project with the addition of a dedicated right of way for the anticipated future space required for sidewalks along the 9W corridor, as per recommendations from the Ulster County Planning Board.

Kedem Winery, 1519 Route 9W, Marlboro: Amended Site Plan

- Representatives from the applicant were not in attendance. They previously indicated they would be present at the next regularly scheduled meeting.

NOTES

- Representatives from the Ulster County Planning Board are planning for a visitation for the purposes of an educational program: Preparing A Better Record. Tentative dates are November 10 and/or December 8.
- Board Member Cindy Lanzetta stressed the importance of all applicants submitting electronic PDF Files associated with future projects in order to be in compliance with current regulations and public hearings.

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PLANNING BOARD CONT'D.

NEXT Deadline

Friday, September 23, 2016

NEXT Scheduled Meeting

Monday, October 3, 2016

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Meeting: October 3, 2016 / 7:30 PM / Town Hall

Cancelled: No New Activity

NEXT Deadline

Friday, October 7, 2016

NEXT Scheduled Meeting

Monday, October 17, 2016

Respectfully Submitted,

Chris Brand, Chairman, Town of Marlborough Planning Board

ITEM #9 Report of Committees

A) RECREATION COMMITTEE

Kate Beare reported that the weather was an issue for the concert series this summer. She was under budget and asked for reassurance that the excess funds would be carried over for next year. There was a brief discussion regarding possible changes for next year to see what works and what genres of music may work for next year.

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Councilman Corcoran reported that Trunk or Treat will be held on October 30th from 2:00-4:00 p.m. at the Marlboro Elementary School. Chief Coccozza reported that Community Day will also be held on October 30th from 1:00-6:00 p.m. at Town Hall by the police station. Councilman Koenig added that the Halloween Parade in the Hamlet of Milton will be at 4:00 p.m.

B) EMERGENCY MANAGEMENT PREPAREDNESS COMMITTEE

No report

C) CONSERVATION ADVISORY COMMITTEE

Supervisor Lanzetta reported that there will be a meeting on Wednesday and they will discuss the code regarding solar.

D) IT COMMITTEE

Chief Coccozza reported that the Wi-Fi is hooked up and the wires for the camera have been installed at the Train Station. There was a brief discussion about what type of phone to install.

E) MILTON TRAIN STATION FOUNDATION

Daniel Pinnavaia reported that Lindy Palladino was the last guest speaker at the Train Station. The Train Station volunteered to hold an open house as part of Ulster County Heritage Week, on Saturday, October 22, 2016 and Saturday, October 29, 2016 from 11:00 a.m. - 3:00 p.m.

Supervisor Lanzetta stated that the Dormitory Authority of the State of New York (DASNY) asked for additional information one being a cost estimate which is currently the only thing they are waiting for. He thinks they will get the go ahead in the spring to put out the Request for Proposal (RFP).

F) MILTON LANDING CITIZENS COMMITTEE

Councilman Koenig reported that they have a meeting scheduled this Thursday with Behan Planning who will be working on a landscaping grant. They are still waiting to hear back about the pier study.

G) MARLBORO HAMLET ECONOMIC DEVELOPMENT COMMITTEE

Councilman Baker reported that they are trying to schedule a meeting with John Behan to discuss the trail plan and how to plan the trail due to the fact that it would run through people's property and they would need to get permission.

H) MEET ME IN MARLBOROUGH

Kate Beare stated that the weather did not cooperate with the Bounty Festival.

I) HAMLET OF MILTON ASSOCIATION COMMITTEE

Councilman Koenig reported that the summer plants have been taken down and fall decorations are up; next will be the holiday decorations.

J) WATER COMMITTEE

Supervisor Lanzetta reported that everything is finalized with Newburgh so they should have a contract for the next meeting.

K) TRANSFER STATION REVIEW COMMITTEE

No new information to report.

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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

Already discussed

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

Supervisor Lanzetta stated that the project will likely begin in the spring.

E). Bayside Project

Supervisor Lanzetta stated that Bayside is working on the Final Environmental Impact Statement.

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

Supervisor Lanzetta stated that the design standards will be incorporated into the LWRP.

G). Sign Law-Zoning Changes

Supervisor Lanzetta stated that the Town Board will need to decide on what they would like to do for the sunset provision for the billboard signs. The Board briefly discussed their opinions regarding a sunset provision; how long to phase out billboards and if it is something they want to include in the law. Supervisor Lanzetta stated that they can think about it more and make a decision soon.

Councilman Baker reported on the Route 9W Corridor Study at this time. A meeting was held and progress is being made; there should be an RFP out by December. Supervisor Lanzetta added that Ulster County Planning doesn't want to duplicate the study that was done by Creighton Manning on the southern portion of 9W so they would like to begin farther north and extend the study to Blue Pointe Rd. in Highland where the wine village is proposed to go. The Board briefly discussed the inclusion of the Highland portion of 9W being included in the study.

H). Verizon Cell Tower on Milton Water Tank

Supervisor Lanzetta stated that Pat Hines had requested specialized information regarding decibels from Verizon which should be done.

I). Milton Train Station Grant Exterior Rehabilitation

Supervisor Lanzetta stated that they are still waiting for approval to go out for an RFP.

ITEM #11 New Business

A). Ethics Board –advertise for open position

Councilman Molinelli made a motion to advertise for an open position on the Ethics Board. Motion seconded by Councilman Koenig.

Yeas: 5

Nays: 0

Carried

B). TAP application

Supervisor Lanzetta stated that the DOT is in favor of putting sidewalks along 9W from Western Ave. to Young Ave. and two crosswalks by the flagpole from Western Ave. to King St. The price tag is close to one million dollars, including drainage. The Town would have

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\$250,000.00 for the match to the Transportation Alternatives Program (TAP) application which is due at the end of the month.

C). Parking issue on Dock Road in Marlboro

Supervisor Lanzetta stated that due to parking issues on Dock Road in Marlboro there will be two signs placed on the road (one north and one south); he asked for a motion from the Board to approve these two signs so he can let Gael Appler know he can install them.

Councilman Baker made a motion to allow for two signs to be installed on Dock Road to control parking issues. Motion seconded by Councilman Koenig.

Yeas: 5 Nays: 0 Carried

ITEM #12 Correspondence

Supervisor Lanzetta read correspondence from Steve Clarke which expressed his interest in serving on the Board of Assessment Review for another term.

Councilman Molinelli read correspondence from the Marlboro Bocce League asking to waive the pavilion fee for their annual picnic which will be held on October 23, 2016.

Councilman Corcoran made a motion to waive the pavilion fee for the annual bocce picnic to be held on October 23, 2016. Motion seconded by Councilman Koenig.

Yeas: 5 Nays: 0 Carried

ITEM #13 Public Comment

Elina Cordani, Marlboro resident, stated that she just became aware of the Bayside project. She asked the Board a series of questions regarding the project; why was the project changed from townhouses to apartments, would the owners ever be tax exempt, and who the rentals are for. Her biggest concern is that this project will become tax exempt for some reason.

The Board collectively answered Mrs. Cordani's questions and concerns that have been addressed in the minutes of multiple previous meetings. Supervisor Lanzetta stated that anyone is welcome to come to his office anytime to look at the plans regarding Bayside.

Mark Reynolds asked if the Board will discuss and address one of the attorney's concerns regarding Bayside's Final Environmental Impact Statement publicly.

Supervisor Lanzetta said yes and also stated that the Town is lead agency and they have been very open about the project. Councilman Corcoran added that there was a recent resolution that the Board passed that addressed the attorney's concerns.

Adrienne Auchmoody expressed concern that Bayside may become a religious community and residents will be forced to leave the town.

James Garofalo asked if new billboards are currently allowed. Supervisor Lanzetta said no.

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Mr. Garofalo questioned if parking rules for Dock Road are in the code. He also stated that calls should be made to DOT for any issues on 9W. Supervisor Lanzetta stated that the town's code is not that specific and he explained how they would go about placing parking signs.

Ralph Walters asked whose term was up for the Ethics Board. He also questioned a document that he says should have been filed with the state comptroller's office and it wasn't sent because he was told the 2015 audit was not done yet. He suggested putting out an RFP for a new auditor and also requested that the state comptroller do an audit. Mr. Walters also commented that there was a sheet attached to the preliminary budget with changes and he stated to the Board that the budget cannot be changed until after the public hearing was closed and asked if the Board was going to discuss the changes openly. The Board said they knew that and of course they will discuss the changes openly.

Eileen Hoey stated that she is concerned that Bayside could become Section 8 housing. She also stated that the crosswalks on 9W are faded. The majority of the Board explained that they understand her concern and the concern of the community regarding Bayside and they briefly explained the meetings and research they've done. Supervisor Lanzetta explained that the DOT oversees the crosswalks and 9W and how the Town is progressively looking at ways to improve it.

Councilman Corcoran spoke about the budget at this time. He presented the following changes:

2017 PRELIMINARY PUBLIC HEARING CHANGES

Description	Account	increase/decrease	was	final	
revenue: sales tax	1120.000A	\$20,000.00	\$90,000.00	\$110,000.00	increased \$ sales tax
zoning fees	2110.000A	\$5,000.00	\$35,000.00	\$40,000.00	increased # of building permits
other health income	1689.000A	\$5,000.00	\$15,000.00	\$20,000.00	increased new employees
expense: Machinery Equipment	5130.200DA	-\$40,000.00	\$240,000.00	\$200,000.00	
Milton Sewer Ext Debt Principal	9730.600SS3	\$3,700.00	\$7,600.00	\$11,300.00	bond schedule less years
other: Highway unexpended balance		(\$25,000.00)		\$0.00	the town will not use highway fund balance to reduce taxes-equipment line was reduced, entered amount to be raised by taxes (last page) principal and interest
Milton Sewer Ext		\$15,100.00	\$0.00	\$15,100.00	
Milton Fire District			\$546,957.00	\$435,800.00	
Marlboro Fire District			\$532,700.00	\$574,750.00	
Additional Information:					
	tax rate		7.92	7.95	increase .30% (General & Hwy combined)
	levy			1.88%	increase (General and Hwy combined)
	tax cap		under \$45,674	1% increase	

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Councilman Corcoran also stated that with these changes a home assessed for \$400,000.00 would incur a \$12.00 increase in their tax bill and a home assessed for \$150,000.00 would incur a \$4.50 increase.

Councilman Corcoran also presented the idea of putting all municipal properties out to bid for maintenance like they did for the park last year. The Board briefly discussed their opinions. Supervisor Lanzetta stated that they could discuss this at the next workshop meeting.

Ralph Walters commented on a few of the budget items.

ITEM #14 Resolutions

- A). Resolution #90 To re-appoint a Board of Assessment Review member
- B). Resolution #91 To accept bid for the 2001 Ford 350
- C). Resolution #92 To accept bid for the 2006 Ford F550
- D). Resolution #93 To accept quote to build Bocce Court Roof
- E). Resolution #94 To Make Improvements at Cluett Schantz Park Field Fences
- F). Resolution # 95 To Accept Quote to Repair Door at Highway Building
- G). Resolution #96 To Direct Supervisor to Sign NYS Department of State Contract #C1000715

H). Resolution # 97 To introduce Local Law #2 of the year 2016 To amend Chapter 140 Tow Trucks

Supervisor Lanzetta stated that he will need to sign a short Environmental Assessment Form, Part 1 and part 2. He asked for a motion to allow him to sign the forms.

Councilman Molinelli made a motion to authorize Supervisor Lanzetta to sign the Short Environmental Assessment Form, Part 1 and Part 2. Motion seconded by Councilman Koenig.

Yeas: 5

Nays: 0

Carried

Chief Coccozza briefly summarized the proposed local law.

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A). Resolution #90 To re-appoint Board Of Assessment Review member

Supervisor Lanzetta Proposes The Following:

Whereas, The Town advertised for open position in the official newspaper, and

Whereas, The Town only received one letter of interest from Steve Clarke, and

Whereas, Steve Clarke wishes to remain as a member of the Board of Assessment Review.

Now, therefore, be it resolved, that Steve Clarke be reappointed to the Board of Assessment Review effective October 1, 2016

And moves for its adoption

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

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B) Resolution #91 To accept bid for the 2001 Ford 350

Supervisor Lanzetta proposes the following:

Whereas, all bids were open and read aloud on September 28, 2016, and

Whereas, the only bidder for the 2001 Ford F350 was Gary Lazaroff, 539 Old Indian Rd Milton NY.

Be it resolved that Gary Lazaroff be awarded the bid in the amount of \$325.00

And moves for its adoption

Councilman Corcoran	Yes
Councilman Molinelli	Yes
Councilman Koenig	Yes
Councilman Baker	No
Supervisor Lanzetta	Yes

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C). Resolution #92 To accept bid for the 2006 Ford F550

Supervisor Lanzetta proposes the following:

Whereas, all bids were opened and read aloud on September 28, 2016, and

Whereas, the following bids were received

Absolutely Automotive	\$ 2500.50
Gary Lazaroff	\$ 1625.00
Don Fredericks	\$ 600.00

Whereas, the highest bidder was Absolutely Automotive, 1024 Route 9W, Marlboro NY 12542.

Be it resolved, that Absolutely Automotive be awarded the bid in the amount of \$2500.50

And moves for its adoption

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

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D). Resolution #93 To accept quote to build Bocce Court Roof

Supervisor Lanzetta proposes the following

Whereas the Town has decided to put a roof over the improved Bocce Court at Cluett Shantz Park

And whereas, under Town Code Purchasing Policy Section 38-2, quotes were obtained

Be it resolved that the Town Board accepts the quote from A.D.M. Contracting in the amount of \$18,321.00

And moves for its adoption

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

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E). Resolution #94 To Make Improvements at Cluett Schantz Park Field Fences

Supervisor Lanzetta proposes the following:

Whereas the Town has decided to make repairs and improvements at Cluett Schantz Park including repairing damaged sections of fence, installing security gates and closing existing sections to exclude recreational vehicles

And whereas, under Town Code Purchasing Policy Section 38-2, quotes were obtained

Be it resolved that the Town Board accepts the quote from Frank Birdsall in the amount of \$3,270.00

And moves for its adoption

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

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F). Resolution #95 To Accept Quote to Repair Door at Highway Building

Supervisor Lanzetta proposes the following:

Whereas the front door at the Highway Department Building is in need of replacement

And whereas, under Town Code Purchasing Policy Section 38-2, quotes were obtained

Be it resolved that the Town Board accepts the quote from A.D.M. Contracting in the amount of \$3,926.00

And moves for its adoption

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

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G). Resolution #96 To Direct Supervisor to Sign NYS Department of State Contract #C1000715

Supervisor Lanzetta proposes the following:

Whereas the Town of Marlborough has received a grant from the New York State Department of State (NYSDOS) to prepare a Local Waterfront Revitalization Plan (LWRP) and

Whereas the Town and NYSDOS has negotiated a Contract #C1000715 suitable to both parties

Be it resolved that the Town Board authorizes and directs the Town Supervisor to sign said Contract and send a copy to NYSDOS for their filing

And moves for its adoption

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

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H). Resolution # 97 To introduce Local Law #2 of the year 2016 To amend Chapter 140 Tow Trucks

Supervisor Lanzetta proposes the following:

A LOCAL LAW OF THE TOWN OF MARLBOROUGH, ULSTER COUNTY,
NEW YORK TO AMEND CHAPTER 140 “TOW TRUCKS.”

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

Section 1. Existing Chapter 140 of the Town Code is hereby deleted.

Section 2. A new Chapter 140 is hereby adopted as follows:

CHAPTER 140 “TOW TRUCKS”

140-1 Declaration of purpose and intent

- A. It is the intention of this Chapter of the Town Code to allow the Town of Marlborough, through its Police Department, to supervise and administer the removal of vehicles from the public highways of the Town that are disabled, abandoned, or otherwise need to be removed via a tow truck operators list from which the Police Department will call and request services in a rotating basis. This Chapter only applies to tow trucks called into service by the Town of Marlborough as agent for any Town, county, state or federal police agency.
- B. It is hereby declared and found that it is of vital importance to the travelling public that disabled vehicles are removed from the roadways and highways as promptly as possible, that delay in removal results in restricting the movement of traffic unnecessarily and causes street accidents. The towing of disabled motor vehicles from the roadways and highways of the Town of Marlborough is a matter affecting the public interest and consequently should be subject to supervision and administrative control for the purpose

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of safeguarding the public against traffic problems and confusion at the scene of accidents, fraud and exorbitant rates and similar abuses. The Town Board believes that establishing a tow list for use by the police can accomplish this purpose.

- C. It is the intent of the Town Board of the Town of Marlborough to establish a fair and uniform regulation and procedure for the towing of vehicles. The following issues have been taken into consideration in the development of this Chapter:
1. The needs of the public: To meet the needs of the public, the business practices on the part of private towing companies acting at the direction of the Town police must be regulated. Towing companies who wish to participate in the Town towing program must demonstrate that they can give prompt, safe, and professional service. The community needs tow operators who are competent and able to respond to calls within a minimum of time delay. This requirement mandates an appropriate administrative response to deal with those towing agencies which do not provide services which meet Town Standards.
 2. The needs of the towing industry: The needs of the towing industry must be met by providing them with a consistent system for the equitable distribution of tow calls within the Town. This provides the towing industry with clear and precise requirements for continued service to the community. This Chapter also allows for a fair and equitable means to resolve disputes between tow operators.
 3. The needs of the Town police. The needs of the Town police must be met by providing for a clear procedure for contacting towing companies.

140-2 Definitions

For purposes of this Chapter, the following terms shall have the following meanings:

Permittee – the person, corporation or other entity to whom a permit has been issued pursuant to this Chapter.

Police Department - the Police Department of the Town of Marlborough

Towing - The moving of a vehicle where a fee, charge or other consideration is directly or indirectly imposed for such moving.

Towing Company or Towing Operator or Towing Business - A person or entity engaged in the business of offering towing services whereby motor vehicles are moved by

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use of a motor vehicle designated or adapted for that purpose.

Towing permit or Towing license – A permit issued pursuant to this chapter.

Tow truck - A vehicle used for towing usually equipped with a crane, winch, tow bar, push plate or other device designed to pull or push a vehicle or to raise a vehicle or the front or rear end thereof or a flatbed tow truck.

Town Board – the Town Board of the Town of Marlborough

Vehicle - A motor vehicle as defined in § 125 of the Vehicle and Traffic Law, a tractor as defined in § 151-a of such law or a trailer as defined in § 156 of such law.

140-3 Permit required

- A. A valid permit issued pursuant to this Chapter shall be required before a tow truck operator or towing company will be permitted to tow a vehicle upon request by the Town of Marlborough Police Department.
- B. Nothing herein shall prohibit tow truck operators from outside the Town of Marlborough from entering the Town of Marlborough to remove a motor vehicle from a registered repair shop, garage, and salvage yard.
- C. It shall be unlawful for any person, corporation, or other entity to service or tow away any motor vehicle which has been involved in an accident without the prior consent of the owner or operator or the police officer at the scene of the accident.

140-4 Criteria

Every person, corporation, or other entity who desires to operate, except as herein otherwise provided, the business of automotive towing by a tow truck(s) or car carrier(s) owned, controlled or leased by him upon the public highways within the Town shall comply with the following criteria:

- A. The applicant must own or lease a licensed and registered New York repair shop within the Town of Marlborough or own or lease an impound or storage yard within the Town of Marlborough. All towing businesses must have a secure indoor and outdoor storage area within the Town of Marlborough available in which to store specific vehicles out of the public access. All outdoor lots utilized to store vehicles in conjunction with the Town tow

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- list must be secured with a fence designed to limit or restrict access to the public.
- B. All locations must be staffed with at least one employee of the repair shop or storage location, who shall be present at least on week days between the hours 8:00 A.M. and 6:00 P.M. and who shall be authorized to accept payment and release towed vehicles to claimants.
 - C. All towing business shall maintain adequate equipment to perform the required towing task.
 - D. All towing business must be capable of a twenty-minute response time to the scene of the tow after receiving the request for their service.
 - E. All towing companies must make their facilities and equipment available for scheduled inspections. These inspections will be made to ensure that each company has the appropriate registration, equipment, insurances and an employee on site. The Police Department will give 48 hours' notice to the towing business for the inspection.
 - F. All towing business shall comply with the requirement for the charging of fees as established from time to time by resolution of the Town Board.
 - G. Required equipment. In addition to the required equipment specified in § 375 of the Vehicle and Traffic Law or as promulgated by the Commissioner of Motor Vehicles, all tow trucks shall be equipped with:
 - 1. Lettering on the truck identifying the exact name of the holder of the permit issued pursuant to this Chapter, as well as a phone number for the holder of the permit.
 - 2. An amber rotating light mounted at the top of the cab or on a light bar so that the light is visible for not less than 500 feet under normal atmospheric conditions.
 - 3. At least two red flashing lights to show the width of the vehicle from the rear.
 - 4. Speedy Dry or similar materials to absorb minor fluid spills.
 - 5. Garbage bags for the removal of debris at the scene.
 - 6. A broom for clean up at the scene.

140-5 Application

- A. The Town Board, through the Town Clerk, shall accept all applications for permits from persons desiring to engage in the business of towing on such forms as adopted by the Town Board. Every person, corporation, or other entity who desires to operate, except as

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herein otherwise provided, the business of automotive towing by a tow truck(s) or car carrier(s) owned, controlled or leased by him upon the public highways within the Town shall be duly licensed as a tow truck operator in the Town upon written application, made under oath, as follows:

1. The name and address of the applicant and the address of the place from which tow trucks are proposed to be garaged or dispatched, specifying, in the case of any corporation, the names and addresses of each member thereof and, in the case of any unincorporated association or other entity, the names and addresses of each officer, director and stockholder.
2. A copy of the valid registration and inspection for each of their towing vehicles. The registration on said towing vehicles must be registered in the name of the towing business that is located within the geographical location of the Town of Marlborough.
3. A list of drivers including a copy of their New York State issued driver's license indicating the appropriate classification to operate the tow trucks listed on the application, as well as a driver's abstract for each driver showing the license is valid and is not currently suspended or revoked. This list will be updated annually with each permit renewal.
4. The number of vehicles proposed to be operated by the applicant and a description of each vehicle, including make, model, year of manufacture, New York State registration number and vehicle identification number. This will be updated yearly with the Town at the time of permit renewal.
5. All crimes, if any, of which that applicant or any member thereof has been convicted and, if an unincorporated association, of which any officer or director has been convicted and, if a corporation, of which any officers, directors or stockholders thereof have been convicted, stating the name, if any, and location of the courts and the dates on which such convictions were had and the penalties imposed thereon
6. Proof of insurance in the minimum amount of \$500,000 personal liability and \$150,000 property damage liability, which shall include a garage keeper's legal liability policy to cover fire, theft, and property damage that will fully cover any

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vehicle towed, impounded or stored and will keep such policy in effect throughout their permit period. Additionally, all towing companies will name the Town of Marlborough as coinsured on their policies.

7. That the applicant satisfies all the criteria of subsection 140-4, above.
 8. Any additional information as reasonably requested by the Town.
- B. The Town Board may, in its sole discretion, adopt a renewal application form to be submitted each year by existing permit holders.

140-6 Review of Application; Recommendation to Town Board

- A. All applications shall be reviewed by the Police Liaison Committee, consisting of the Chief of Police and two (2) members of the Town Board. The Police Liaison Committee shall:
1. Review the application for compliance with the criteria of this Chapter; and
 2. Verify that the repair shop or impound or storage yard within the Town of Marlborough is in compliance with all applicable planning, zoning and building laws; and
 3. Conduct any necessary inspections of either vehicles and/or the repair shop or impound or storage yard in order to determine compliance.
- B. The Police Liaison Committee shall make a recommendation to the full Town Board on whether to approve or deny the application for a towing permit within 20 business days from the date the application was submitted to the Town Clerk. The Town Board shall then review the application and adopt a resolution approving or denying the application within 30 days from the date it receives the recommendation of the Police Liaison Committee. The Town Board is not bound by the recommendation of the Police Liaison Committee but shall consider the recommendation in addition to the information set forth in the application.

140-7 Approval: Issuance of Permit for Vehicles.

Upon passage of a resolution by the Town Board approving the application, the Town Clerk shall issue a permit to the applicant after a review process. Before the permit is issued, the applicant shall pay the fee for a permit in an amount set by resolution of the

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Town Board. Every permit issued hereunder shall expire on the 31st day of December next succeeding the date of its issuance unless sooner revoked, as hereinafter provided.

140-8 Denial of permit: Appeal

The Town Board may deny a permit to any applicant whom the Town Board shall find does not satisfy the criteria set forth in this Chapter or that the Town Board shall determine to be undesirable or incapable of properly conducting a road service or tow truck business. If the Town Board shall deny any application for a license, such denial shall be in writing and state the reasons therefor. Any applicant who shall be denied a license shall have the right to appeal such denial to the Town Board within 20 business days with a written submission explaining why the Town Board's denial was in error and why the application should be approved. A decision of the Town Board to approve or deny such an application after an appeal to it shall be in writing and entered into the minutes. Such decision shall be final.

140-9 Nontransferability of Permit

Each license shall not be transferred from one person to another or from vehicle to vehicle. Notification of vehicle replacement must be made within 30 days to the Chief of Police, who in turn will notify the Town Clerk and have the application updated.

140-10. Permit list; General Procedure

- A. Lists: Two Rotational lists shall be kept. Only permitted towing companies located within the Town of Marlborough will be included on these lists. An up to date copy of the rotational tow list will be made available to the public. This list will be maintained in the lobby of the police station. The public can view the list 24 hours a day and it will be updated at least once per business day to reflect the current state of the rotation.
 - 1. One list shall be for normal passenger vehicles and light trucks.
 - 2. The second list shall be used for towing companies capable of towing larger commercial type vehicles otherwise known as the heavy duty list.
- A. Priority for contacting towing companies shall be made in the following sequence:
 - 1. Emergency needs at the towing scene.

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2. Owners request for a specific towing agency (within a reasonable distance and if applicable).
 3. Next permittee from the rotational towing list.
- B. Permittees will initially be placed on the towing list in random order. Once the use of the towing list has been commenced, a new permittee to be included on the list shall be placed on the bottom of the list.
- C. Each company shall be allowed 10 rings to answer the phone.
- D. Once a tow company has not answered a call or is not available, they will be deemed a declination and the next company on the list contacted and afforded the same opportunity. This practice will be repeated until the list is exhausted. A permittee who does not answer a call or is not available when called shall lose his turn on the towing roster and must wait for the roster to be called again in its entirety before he is eligible to be called again. If the entire tow list has been called and those calls have failed to obtain a response to an incident, then the closest available tow from an adjacent town shall be utilized. The same principal shall apply when seeking a heavy duty tow truck. If there are none available in Town, then the closest to the scene from an adjacent town will be utilized.
- E. In the event that a permittee called for towing or service assistance is unable or fails to arrive at the location within a twenty-minute time period, the next permittee on rotation shall be called and the first permittee shall lose its turn in rotation. If a permittee uses an answering service, the twenty-minute response time shall commence when the original phone call is made and not from the time voice contact is made with that tow company.
- F. If a permittee accepts a call from the established list, they must respond to the scene. In the event that the responding company cannot complete the task at hand or requires assistance, the original responding company may seek the assistance of another permittee on the established tow list without a loss of turn or spot for either company responding. In the event the two companies together cannot complete the task, then the next company on the list will be called and the original accepting company will lose their spot on the list and be marked as unable to provide services requested.
- G. In the event that the permittee responds and the vehicle is no longer in need of tow or the vehicle is no longer present at the site, he will not lose his turn on the rotational list.

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- H. It shall be unlawful for a permittee to transfer or exchange his place on the roster to any other license on the roster. Additionally, participating tow companies may not send another company's tow truck in their place to handle a tow request they have in fact accepted.
- I. If more than one tow truck is needed at the scene of an accident, the dispatcher shall call the next permittee in rotation. In that event, the choice of disabled motor vehicles to be towed shall be determined by the officer in charge.
- J. A permittee shall have but one place on the towing roster although he maintains several licensed tow trucks in the Town of Marlborough.
- K. Any permittee willfully refusing to tow away a motor vehicle shall lose his turn in rotation.
- L. All participating tow companies will provide up to three telephone numbers to be called for tow assignments in priority order. Pager numbers will not be utilized.

140-11 General Regulations

- A. Tow companies shall be available 24 hours per day, seven days a week. Tow companies must be willing to respond to any type of tow call, whether it be a collision, disabled vehicle, impound, etc. Tow companies who do not desire to tow at night or weekends, etc. or who elect to respond only to certain types of tow calls, will not be considered for placement on the towing list. (This does not preclude the tow company from being called as a result of an owner's request.)
- B. Failure to respond to three calls, absent extenuating circumstances, will result in temporary suspension from the towing list for a period of 20 consecutive days.
- C. Permittee shall accept standard forms of payment including credit cards shall not be restrictive to "cash only" transactions. Personal checks may be accepted in the discretion of the permittee.
- D. All permittees called upon to impound a vehicle for the Town of Marlborough Police Department must store the vehicle within the limits of the Town of Marlborough unless otherwise directed by a member of the Police Department.

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- E. The permittee shall be responsible for the collection of all fees for service, towing or storage of any vehicle. Neither the Town of Marlborough nor the Town of Marlborough Police Department shall act as agent for the collection of any fees, nor shall they be held responsible in the event of nonpayment of any moneys due to any permittee as a result of service performed in accordance with this chapter.
- F. When called to the scene of an accident, the permittee shall be responsible for removing debris from the roadway.
- G. Absent extenuating circumstances (such as severe snow storms, states of emergency, etc. where tow companies will be extremely busy), tow companies will not contact the Town Police and attempt to leave phone numbers of an on call tow truck operator. It shall be in the sole discretion of the Chief of Police whether such extenuating circumstances exist to permit tow truck operators to leave on call numbers with the Police Department.
- H. Town Police and Town Employees shall comply with the following guidelines:
 - 1. The towing of vehicles will be completed in accordance with both the Town Police Manual/Rules and Regulations and the procedures set forth in this Chapter.
 - 2. The tow company, whether an owners request or from the tow list, shall not be changed once the company has been notified to respond to the scene.
 - 3. Police Officers and Town Employees shall avoid offering personal recommendations to motorists who wish to request the tow, but have no preference of a tow company. Members shall inform the person in need that a tow list is maintained, comprised of certain companies which have all met certain criteria, thus offering them the opportunity to be utilized for towing calls. If an "owner's request" is made, an owners request form will be completed by the officer at the scene and signed by the person making such request. This list will be maintained at the Police Department for record keeping purposes.
 - 4. A towing log shall be maintained at the Town Police Department answering point (Dispatch). After a towing agency has been contacted, or failed to answer after 10 rings, the call shall be logged onto the towing log. The log shall include the name of permittee, the time of call, the blotter number associated with the event requiring a tow and whether or not the company responded. Upon the companies' response to the scene, the officer on the scene shall advise dispatch of the arrival. The arrival time

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shall then be recorded on the towing log.

140-12 Soliciting prohibited.

It shall be unlawful for any person, corporation, or other entity to solicit towing or repair work at the scene of any motor vehicle accident on private property or on a public highway in the Town of Marlborough. Any participating tow company truck alleged to be in violation of this section will be subject to an investigation by the Chief of Police or his designee and potential penalties as set forth in this Chapter.

140-13 Penalties for offenses.

A. Permit Suspension or Revocation

1. The Town Board may, in each case, after a hearing on seven (7) days' notice to the permittee of the alleged violations of this Chapter, impose penalties against any permittee that the Town Board shall determine has violated any provisions of this Chapter. The permittee shall be permitted to submit its response to the allegations either in person during the hearing or in writing. If the Town Board should find that the permittee has violated this Chapter, penalties are as follows:
 1. First offense: 20-day suspension from the rotation towing program.
 2. Second offense: A suspension from the rotation towing program for up to one year.
 3. Third offense: Permanent revocation of towing permit. If revoked, the towing company will not be eligible to reapply for a towing permit.
2. A decision of the Town Board to impose a suspension or revocation of a permit shall be in writing and entered into the minutes. Such decision shall be final.

- A. In addition to the penalties provided in subsection 140-13(A), any person, corporation, or other entity that violates any provision of this Chapter shall, upon conviction, be subject to a fine of up to \$100 for a first offense, and up to \$250 for each additional offense thereafter. The Chief of Police and/or his designee is hereby given the duty, power and authority to enforce the provisions of this Chapter.

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140-14. Severability.

If any section, paragraph, subdivision, clause or provision of this chapter shall be adjudicated as invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause or provision so adjudicated and the remainder of this chapter shall be deemed valid and effective.

Section 3. This Local Law shall take effect immediately upon filing with the Secretary of State.

Municipal Home Rule Law of the State of New York, it will be necessary to hold a public hearing upon this local law

WHEREAS this local law has been introduced, to be known as Local Law No. 2 of 2016, a local law of the Town of Marlborough, Ulster County, New York to amend Chapter 140 "TOW TRUCKS."

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, 21 Milton Turnpike, Milton, New York on October 24, 2016, at 7 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:

October 10, 2016

NOTICE OF PUBLIC HEARING

TAKE NOTICE, that the Town Board of the Town of Marlborough will hold a public hearing at the Town Hall, 21 Milton Turnpike, Milton, New York on October 24, 2016 at 7 o'clock, p.m., prevailing time, on proposed Local Law No. 2 of the Year 2016, a local law of the Town of Marlborough, Ulster County, New York to amend Chapter 140 "TOW TRUCKS."

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, at the aforesaid Town Hall between the hours of 9:00 a.m. and 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
 October 10, 2016

COLLEEN CORCORAN, TOWN CLERK

October 10, 2016

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

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

DATED: Milton, New York
October 10, 2016

COLLEEN CORCORAN, TOWN CLERK

Councilman Molinelli made a motion to adjourn the meeting at 9:45 p.m. Motion seconded by Councilman Koenig.

Yeas: 5 Nays: 0 Carried

*Respectfully submitted,
Danielle Cherubini
Deputy Town Clerk*