

THE MEETING TONIGHT IS FOR THE CONDUCT OF TOWN BUSINESS BY THE TOWN BOARD. THE PUBLIC IS INVITED TO PARTICIPATE AT THE ITEMS MARKED ON THE AGENDA "PUBLIC COMMENT." DURING THAT SEGMENT OF THE MEETING, IF YOU HAVE A QUESTION OR COMMENT FOR THE SUPERVISOR, PLEASE RAISE YOUR HAND AND WAIT TO BE ACKNOWLEDGED. PLEASE STATE YOUR FULL NAME AND LIMIT YOUR REMARKS TO THREE MINUTES. THANK YOU FOR YOUR ANTICIPATED COOPERATION.

PUBLIC HEARING
FEBRUARY 24, 2020 7:00 PM

CHAPTER 149: WATER TO ADD SECTION 149-3 OF THE TOWN CODE, ENTITLED CONNECTION TO PUBLIC WATER SYSTEM REQUIRED

PUBLIC HEARING
FEBRUARY 24, 2020 7:00 PM
TO AMEND CHAPTER 155-32.2 SOLAR ENERGY

AGENDA
WORKSHOP MEETING
TOWN BOARD TOWN OF MARLBOROUGH
21 MILTON TURNPIKE, MILTON NEW YORK
FEBRUARY 24, 2020 7:00 PM

ITEM #1 Call to order - Pledge of Allegiance

ITEM #2 Moment of Silence

ITEM #3 Motion to approve agenda

ITEM #4 Motion to approve minutes from the February 10, 2020 Town Board Meeting

ITEM #5 Authorize payments of bills

ITEM #6 Presentations

A). Pride of Ulster County-Gael Appler: presented by Ulster County Legislator Thomas Corcoran

ITEM #7 Comments on the agenda

ITEM #8 New Business

ITEM #9 Workshop topics

A). Camp busing donation
B). CAC (Howard Baker)

ITEM #10 Correspondence

ITEM #11 Public Comment

ITEM #12 Resolutions

- A). Resolution # 38 To adopt Local Law #1 of the year 2020 to amend Chapter 149 Water
- B). Resolution # 39 To adopt Local Law #2 of the year 2020 to amend Chapter 155-32-2 Solar Energy

ITEM #13 Adjournment

February 24, 2020

A). Resolution # 38 To adopt Local Law #1 of the year 2020 to amend Chapter 149 Water

Supervisor Lanzetta proposes the following:

WHEREAS, a local law was introduced to be known as Local Law No. 1 of 2020, entitled A LOCAL LAW OF THE TOWN OF MARLBOROUGH, ULSTER COUNTY, NEW YORK, AMENDING CHAPTER 149 “WATER” TO ADD A SECTION 149-32 OF THE TOWN CODE, ENTITLED “CONNECTION TO PUBLIC WATER SYSTEM REQUIRED.”

WHEREAS, a public hearing in relation to said local law was held on February 24, 2020 at 7:00 p.m., prevailing time; and

WHEREAS, notice of said public hearing was given pursuant to the terms and provisions of the Municipal Home Rule Law of the State of New York; and

WHEREAS, said local law has been on the desks of the members of the Town Board of the Town of LaGrange for at least seven (7) days, exclusive of Sunday;

NOW, THEREFORE, BE IT RESOLVED that the following local law is hereby enacted:

Section 1. Chapter 149 of the Marlborough Town Code is amended to add a new Section 149-32 reading as follows:

§ 149-32. Connection to Public Water System Required.

The owner of all houses, buildings, or properties used for human occupancy, employment, recreation or other purposes, situated within the District and abutting on any street, alley or right-of-way in which there is now located or may in the future be located a public water system of the District, is

hereby required, at his expense, to install suitable plumbing facilities therein, and to connect such facilities directly to the proper public water system, in accordance with the provisions of this chapter, within ninety (90) days after the date of official notice to do so, provided that the said public water system is within one hundred (100) feet of the owner's property line.

Section 2. If any section of this local law shall be held unconstitutional, invalid, or ineffective, in whole or in part, such determination shall not be deemed to affect, impair, or invalidate the remainder of this local law.

Section 3. Pursuant to Section 22 of this state's Municipal Home Rule Law, this local law shall modify and supersede any provisions of state statute which are inconsistent with the terms of this local law.

Section 4. This local law shall take effect immediately upon filing with this state's Secretary of State.

RESOLVED that the Town Clerk shall file a certified original of this local law in the office of the Town Clerk and one (1) certified copy in the Office of the Secretary of State, State of New York, such certified copy to have attached thereto a certificate that it contains the correct text of the enactment of this local law.

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

Supervisor Lanzetta _____

Councilman Molinelli _____

Councilman Corcoran _____

Councilman Baker _____

Councilman Koenig _____

DATED: Milton, New York
February 24, 2020

COLLEEN CORCORAN, TOWN CLERK

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February 24, 2020

B). Resolution # 39 To adopt Local Law #2 of the year 2020 to amend Chapter 155-32-2 Solar Energy

Supervisor Lanzetta proposes the following:

WHEREAS, a local law was introduced to be known as Local Law No. 2 of 2020, entitled A LOCAL LAW OF THE TOWN OF MARLBOROUGH, ULSTER COUNTY, NEW YORK TO AMEND SECTION 155-32.2 OF THE TOWN CODE, "SOLAR ENERGY", TO REPEAL SUBDIVISION M., WHICH EFFECTED THE OPT-OUT FROM THE REAL PROPERTY TAX EXEMPTION PROVISIONS FOUND WITHIN SECTION 487(2) OF THE REAL PROPERTY TAX LAW ("RPTL") FOR SOLAR FARMS, WIND ENERGY FACILITIES, FARM WASTE ENERGY SYSTEMS, MICRO-HYDROELECTRIC ENERGY SYSTEMS, FUEL CELL ELECTRIC GENERATING SYSTEMS, MICRO-COMBINED HEAT AND POWER GENERATING EQUIPMENT SYSTEMS, AND ELECTRIC ENERGY STORAGE SYSTEMS.

WHEREAS, a public hearing in relation to said local law was held on February 24, 2020

WHEREAS, notice of said public hearing was given pursuant to the terms and provisions of the Municipal Home Rule Law of the State of New York; and

WHEREAS, said local law has been on the desks of the members of the Town Board of the Town of LaGrange for at least seven (7) days, exclusive of Sunday;

NOW, THEREFORE, BE IT RESOLVED that the following local law is hereby enacted:

Section 1. Section 155-32.2 of Town Code of the Town of Marlborough is hereby amended to completely remove Subdivision M., thus restoring the former exemption. Subdivision M. currently reads as follows:

M. Notwithstanding the provisions of RPTL Section 487(2), the Town of Marlborough provides that no real property tax exemption under RPTL 487(2) shall be applicable within its jurisdiction with respect to any solar or wind energy system or farm waste energy system which began construction subsequent to January 1, 1991 or the effective date of this local law, whichever is later, and/or that no real property tax exemption under RPTL 487(2) shall be applicable within its jurisdiction with respect to any micro-hydroelectric energy system, fuel cell generating system, micro-combined heat and power generating system or energy electric storage equipment or electric energy storage system constructed subsequent to January 1, 2018 or the effective date of this local law, whichever is later.

Section 2. This local law shall take effect immediately upon filing with this state's Secretary of State.

Section 3. If any section of this local law shall be held unconstitutional, invalid, or ineffective, in whole or in part, such determination shall not be deemed to affect, impair, or invalidate the remainder of this local law.

RESOLVED that the Town Clerk shall file a certified original of this local law in the office of the Town Clerk and one (1) certified copy in the Office of the Secretary of State, State of New York, such certified copy to have attached thereto a certificate that it contains the correct text of the enactment of this local law.

The foregoing resolution was voted upon with all councilmen voting as follows:

Supervisor Lanzetta _____

Councilman Molinelli _____

Councilman Corcoran _____

Councilman Baker _____

Councilman Koenig _____

DATED: Milton, New York
February 24, 2020

COLLEEN CORCORAN, TOWN CLERK

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