

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.

FIRST MEETING OF THE MONTH
TOWN BOARD TOWN OF MARLBOROUGH
21 MILTON TURNPIKE, MILTON NY
DECEMBER 13, 2021, 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 November 22, 2021 Town Board Meeting

ITEM #5 Authorize payment of bills

ITEM #6 Comments on the agenda

ITEM #7 Presentations

ITEM #8 Report of Departments and Boards

- A) SUPERVISOR - ALPHONSO LANZETTA
- B) BUILDING INSPECTOR - THOMAS CORCORAN
- C) POLICE CHIEF - GERALD COCOZZA
- D) HIGHWAY SUPERINTENDENT – JOHN ALONGE
- E) WATER SUPERINTENDENT - CHARLIE MUGGEO
- F) TOWN CLERK - COLLEEN CORCORAN
- G) WASTEWATER TREATMENT FACILITY- JULIAN FALCO
- H) DOG CONTROL OFFICER - ANDREW MCKEE
- I) ASSESSOR - CINDY HILBERT
- J) PLANNING - CHRIS BRAND

ITEM #9 Report of Committees

- A) RECREATION COMMITTEE
- B) EMERGENCY MANAGEMENT PREPAREDNESS COMMITTEE
- C) CONSERVATION ADVISORY COMMITTEE
- D) IT COMMITTEE
- E) MILTON TRAIN STATION FOUNDATION
- F) MILTON LANDING CITIZENS COMMITTEE
- G) MARLBORO HAMLET ECONOMIC DEVELOPMENT COMMITTEE
- H) MEET ME IN MARLBOROUGH
- I) HAMLET OF MILTON ASSOCIATION COMMITTEE
- J) TRANSFER STATION REVIEW COMMITTEE

ITEM #10 Old Business

- A). Tomvac Rehabilitation Update
- B). Water District Improvements
- C). South Pier Update

ITEM #11 New Business

- A). Certificate of results of Mandatory Referendum

ITEM #12 Correspondences

ITEM #13 Public Comments

ITEM #14 Resolutions

- A). Resolution #81 To re appoint a Board of Assessment Review member
- B). Resolution #82 To transfer funds
- C). Resolution #83 To transfer funds
- D). Resolution #84 To transfer funds
- E). Resolution #85 To transfer funds
- F). Resolution #86 To authorize the negotiation of a sewer agreement with Leyton Properties
- G). Resolution #87 To authorize direct and empower the Supervisor to execute the EAF, Negative Dec, and authorize the Supervisor to sign agreement, the IMA and any other documents.

ITEM #15 Adjournment

December 13, 2021

A). Resolution #81 To re appoint a Board of Assessment Review member

Supervisor Lanzetta proposes the following:

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

Now therefore be it resolved, that Steve Clark be reappointed to the Board of Assessment Review term ending 09/30/2026.

And moves for its adoption:

Councilman Corcoran	-----
Councilman Molinelli	-----
Councilman Koenig	-----
Councilman Baker	-----
Supervisor Lanzetta	-----

December 13, 2021

B). Resolution #82 To Transfer funds

Supervisor Lanzetta proposes the following:

Whereas, the Town Board needs to approve the transfer of funds, and

Be it resolved, that the Town Board of the Town of Marlborough hereby approves the following transfer of funds.

To transfer \$17,964.00 from Heavy Equipment fund DA.0230.004 to Cash fund DA.0200 to cover the costs of a new sander for Truck 10

And moves for its adoption

Councilman Corcoran	-----
Councilman Molinelli	-----
Councilman Koenig	-----
Councilman Baker	-----
Supervisor Lanzetta	-----

December 13, 2021

C). Resolution #83 To Transfer Funds

Supervisor Lanzetta proposes the following:

Whereas, the Town Board needs to approve the transfer of funds, and

Be it resolved, that the Town Board of the Town of Marlborough hereby approves the following transfer of funds.

To transfer \$25,721.00 from the IT reserve A.0230.005 to General Fund A.0200 to cover the costs of the camera system for the Police Department and Town Park and upgrade the Towns voicemail system.

And moves for its adoption

Councilman Corcoran	-----
Councilman Molinelli	-----
Councilman Koenig	-----
Councilman Baker	-----
Supervisor Lanzetta	-----

December 13, 2021

D). Resolution #84 To Transfer Funds

Supervisor Lanzetta proposes the following:

Whereas, the Town Board needs to approve the transfer of funds, and

Be it resolved, that the Town Board of the Town of Marlborough hereby approves the following transfer of funds.

To transfer \$34,003.00 from Building Reserve A.0230.002 to the General Fund A.0200 to cover the costs of the fire alarm system, planter around the flagpole, and upgrades to the Highway garage floor and Highway brine shed.

And moves for its adoption

Councilman Corcoran	-----
Councilman Molinelli	-----
Councilman Koenig	-----
Councilman Baker	-----
Supervisor Lanzetta	-----

December 13, 2021

E). Resolution #85 To Transfer Funds

Supervisor Lanzetta proposes the following:

Whereas, the Town Board needs to approve the transfer of funds, and

Be it resolved, that the Town Board of the Town of Marlborough hereby approves the following transfer of funds.

To transfer \$186,359.00 from Park Reserve A.0230.002 to General Fund A.0200 to cover the costs of the Sands Ave Park Project

And moves for its adoption

Councilman Corcoran	-----
Councilman Molinelli	-----
Councilman Koenig	-----
Councilman Baker	-----
Supervisor Lanzetta	-----

December 13, 2021

F). Resolution #86 To authorize the negotiation of a sewer agreement with Leyton Properties

Supervisor Lanzetta proposes the following:

WHEREAS, Leyton Properties, LLC (the “Developer”) is under contract to purchase certain real property located on Dock Road in the Town of Marlborough (the “Property”); and

WHEREAS, the Developer wishes to construct a multi-family residential project at the Property and

WHEREAS, to develop the Property, the Developer must obtain various land use approvals, including, without limitation, a zoning change and site plan approval (collectively, the “Approvals”); and

WHEREAS, applications for the Approvals shall be the subject of independent review by the Town Board, the Planning Board and any other involved agencies; such review shall include, without limitation, SEQRA review.

WHEREAS, to develop the Property, the Developer will need the Marlborough Sewer Improvement Area (the “MSIA”) to provide municipal sewer service to the Property.

WHEREAS, the Developer has requested to enter into an agreement with the Town of Marlborough on behalf of the MSIA pursuant to which the MSIA shall provide municipal sewer service to the Property; and

WHEREAS, the Town and the MSIA are empowered to enter into contracts involving the MSIA and properties located outside of the MSIA for purposes of providing municipal sewer service; and

WHEREAS, the Town Board has approved the Owner’s request, conditioned upon a suitable agreement between the parties setting forth the terms and conditions of the Property’s

reservation of treatment capacity and use of the sewer facilities of the MSIA (a “Sewer Agreement”); and

WHEREAS, the adoption of this resolution is a Type II Action requiring no SEQRA review.

NOW, THEREFORE, BE IT RESOLVED, that the Town Supervisor and the Attorney to the Town negotiate the terms of a Sewer Agreement with the Developer; and

BE IT FURTHER RESOLVED, that the final Sewer Agreement must be conditioned upon the issuance of all required Approvals and compliance with SEQRA; and

BE IT FURTHER APPROVED, that the final Sewer Agreement is subject to the approval of the Town Board; and

BE IT FURTHER RESOLVED, that the Developer pay the costs of all third-party consultants hired by the Town in connection with the negotiation of the Sewer Agreement and fund an escrow account in an amount determined by the Supervisor and such consultants out of which such costs shall be paid.

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

Supervisor Lanzetta _____

Councilman Baker _____

Councilman Corcoran _____

Councilman Koenig _____

Councilman Molinelli _____

December 13, 2021

Resolution #87 To authorize direct and empower the Supervisor to execute the EAF, Negative Dec, and authorize the Supervisor to sign agreement, the IMA and any other documents.

Supervisor Lanzetta proposes the following:

WHEREAS, the Town of Marlborough Police Department (the "Police Department") needs a suitable site for police training, including training in shooting police weapons.

WHEREAS, after a diligent search the Town of Marlborough Town Board (the "Town Board") has identified a suitable site at the Cedar Cliff Quarry located on Quarry Road in the Town of Marlborough, New York 12542, Tax Id No. 513600-108.4-4-9 (the "Property").

WHEREAS, the owner of the Property, Tilcon New York, Inc. ("Tilcon") entered into an agreement effective as of April 15, 2021, with the Town of Poughkeepsie ("Poughkeepsie") permitting Poughkeepsie to access and use a portion of the Property as designated in said agreement for purposes of police training (the "Access Agreement").

WHEREAS, Tilcon signed an agreement as of September 20, 2021, permitting the Town of Marlborough to access a designated portion of the Property on such terms and conditions as permitted by Poughkeepsie provided that such terms are consistent with the Access Agreement (the "Marlborough Agreement").

WHEREAS, the Town of Marlborough has negotiated a proposed Inter-Municipal Agreement with Poughkeepsie (the "IMA").

WHEREAS, the Town Board has reviewed the requirements of the State Environmental Quality Review Act ("SEQRA"), evaluated the potential environmental impacts of approving the proposed Marlborough Agreement and IMA, and has completed the necessary environmental review as required by SEQRA.

WHEREAS, the Town Board has determined that entering into the Marlborough Agreement and the IMA is necessary for the preparedness of the Police Department and is in the best interest citizens of the Town of Marlborough; and

WHEREAS, the Marlborough Agreement and IMA must be approved by resolution of the Town Board which authorizes directs and empowers the Town Supervisor to execute the Marlborough Agreement and the IMA on behalf of the Town Board; and

WHEREAS, the Marlborough Agreement and IMA have been reviewed and approved by the Attorney to the Town.

NOW THEREFORE, BE IT RESOLVED, the Town Board determines that the act of approving the Marlborough Agreement and IMA is an Unlisted Action under SEQRA which will not result in any significant adverse environmental impacts.

BE IT FURTHER RESOLVED, the Town Board hereby adopts a Negative Declaration and declares that entering into the Marlborough Agreement with Tilcon New York, Inc. and entering into an Inter-Municipal Agreement with the Town of Poughkeepsie will not require the preparation of a draft environmental impact statement for the reasons set forth in Part 2 of the Short Form Environmental Assessment Form (the "EAF") which is attached hereto and made part hereof;

BE IT FURTHER RESOLVED that the Town Board adopts the EAF which is attached hereto and made part hereof.

BE IT FURTHER RESOLVED, the Town Board authorizes directs and empowers the Town Supervisor to execute the EAF and Negative Declaration and any other documents related thereto necessary to complete the SEQRA process; and

BE IT FURTHER RESOLVED that the Town Board authorizes directs and empowers the Town Supervisor to sign the Marlborough Agreement, the IMA and any attendant documents related thereto.

(THE BALANCE OF THIS PAGE IS INTENTIONALLY LEFT BLANK.)

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

Supervisor Lanzetta _____

Councilman Molinelli _____

Councilman Corcoran _____

Councilman Baker _____

Councilman Koenig _____

TOWN OF MARLBOROUGH

CERTIFICATE OF RESULTS OF MANDATORY REFERENDUM

Colleen Corcoran, as Town Clerk of the Town of Marlborough, hereby certifies as follows:

1. The Town Board of the Town of Marlborough duly adopted a resolution at a regular meeting on April 12, 2021 increasing the term of office of the Superintendent of Highways from two (2) to four (4) years.
2. The foregoing resolution was adopted subject to a mandatory referendum.
3. A proposition to increase the term of the Superintendent of Highways was submitted to the electors of the Town of Marlborough at the biennial town election held on November 2, 2021, for the purpose of voting by ballot on the following proposition: "Shall the term of office of the Superintendent of Highways of the Town of Marlborough be increased from two years to four years commencing January 1, 2022?"
4. The proposition was approved by a majority of the electors of the Town of Marlborough at such biennial town election.

This Certification shall be entered into the minutes of the meeting of the Town Board on December 13, 2021.

Dated: Milton, New York

December 13, 2021

Colleen Corcoran, Town Clerk