

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
JANUARY 9, 2023 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 the December 12, 2022, Town Board Meeting minutes

ITEM #5 Authorize payment of bills

ITEM #6 Comments on the agenda

ITEM #7 Report of Departments and Boards

- A) SUPERVISOR – SCOTT CORCORAN
- 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 #8 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#9 Presentation

ITEM #10 Old Business

A). Tomvac Rehabilitation Update

ITEM #11 New Business

A). Motion to hold a public hearing on the Restore NY Communities Initiative application

ITEM #12 Correspondences

ITEM #13 Public Comments

ITEM #14 Resolutions

A). Resolution #25 To amend Item #20 and Item #21 from the Town of Marlborough Reorganizational Meeting

B). Resolution #26 To authorize the Town Supervisor to enter into an amendment to the Lease Option Agreement with Nexamp

C). Resolution #27 To adopt the New York State Climate Smart Communities Pledge

ITEM #15 Adjournment

January 9, 2023

A). Resolution #25 To amend Item #20 and Item # 21 from the Town of Marlborough Reorganizational Meeting

Supervisor Corcoran proposes the following:

Whereas, Item # 20: Resolution to establish water rates should be amended to the following:

\$9.80 per thousand gallons form 0 to 75,000 gallons
\$10.80 per thousand gallons from 75,000 to 150,000 gallons
\$11.80 per thousand gallons from 150,00 and higher
And a minimum of \$10.00 quarterly

And Whereas, Item # 21: Resolution to establish sewer rates should be amended to the following:

Marlboro Sewer District	\$7.40 per thousand gallons and a minimum of \$10.00
	\$9.87 per thousand gallons and a minimum of \$10.00
	Per Quarterly Period

Be it resolved, that the following amendments be made to the Town of Marlborough Reorganizational Meeting

And moves for its adoption:

Councilman Molinelli	-----
Councilwoman Sessa	-----
Councilman Cauchi	-----
Councilman Zambito	-----
Supervisor Corcoran	-----

January 9, 2023

B). Resolution #26 To authorize the Town Supervisor to enter into an amendment to the Lease Option Agreement with Nexamp

Supervisor Corcoran proposes the following:

WHEREAS, the Town of Marlborough (the “Town”) and Nexamp Solar, LLC (“Nexamp”) entered into that certain Lease Option Agreement dated August 20, 2020 (the “Lease Option Agreement”) pursuant to which the Town granted an option (the “Option”) to Nexamp to lease the portion of Town-owned real property located at 20 Baileys Gap Road, Marlborough, New York described in Exhibit A annexed to the Lease Option Agreement; and

WHEREAS, Baileys Gap Solar, LLC is wholly owned by Nexamp; and

WHEREAS, Nexamp wishes to do the following:

- (a) Correct the Effective Date of the Lease Option Agreement to February 17, 2021;
- (b) Extend the Development and Construction Period defined in the Ground Lease attached to the Option Agreement to August 17, 2024; and
- (c) Assign the Lease Option Agreement to Baileys Gap Solar, LLC; and

WHEREAS, section 5 of the Lease Option Agreement allows Nexamp to assign Lease Option Agreement to a wholly owned affiliate or subsidiary; and

WHEREAS, copies of the Lease Option Agreement and Ground Lease are on file with the Town Clerk; and

WHEREAS, pursuant to 6 NYCRR 617.5 (26) and (32), the contemplated action is a Type II action and is not subject to review under SEQRA;

NOW, THEREFORE, BE IT RESOLVED as follows:

- 1. Capitalized terms used but not defined herein have the meanings set forth in the Lease Option Agreement.
- 2. The Effective Date of the Lease Option Agreement shall for all purposes be deemed to be February 17, 2021.

3. The date on which the Development and Construction Period shall expire is August 17, 2024.

4. The assignment of the Lease Option Agreement to Baileys Gap Solar, LLC is hereby approved, provided that a copy of an assignment and assumption agreement in form and substance satisfactory to the Town Supervisor and attorney to the Town is provided to the Town and provided that such assignment shall not relieve Nexamp of its obligations under the Lease Option Agreement.

5. The Town Supervisor is authorized to enter into an amendment to the Lease Option Agreement which reflects the provisions of sections 2, 3 and 4 of these Resolutions.

WHEREUPON, the following vote was taken:

Supervisor Corcoran	_____
Councilman Molinelli	_____
Councilwoman Sessa	_____
Councilman Cauchi	_____
Councilman Zambito	_____

Dated: Milton, New York
January , 2023

COLLEEN CORCORAN,
TOWN CLERK

January 9, 2023

C). Resolution #27 To adopt the New York State Climate Smart Communities Pledge

Supervisor Corcoran proposes the following:

Whereas, the Town of Marlborough recognizes the advantages of cooperating as well as collaborating with the County and State offices and agencies to improve services to the citizens of Marlborough, ease the increased costs of energy used throughout the Town facilities, and improve the quality of life for our workers and residents, and

Whereas, participation as a climate smart community will allow the Town to access those services that are available, and

Whereas, it is understood that the participation as a climate smart community has the potential of new grants opportunities for the Town, and

Whereas participation as a Climate Smart Community is voluntary and can be pursued, postponed, or discontinued at any time at the discretion of the Town Board.

Be it resolved that, the Town of Marlborough, County of Ulster, adopts the New York State Climate Smart Communities Pledge, which compromises the following ten elements:

- 1) Build a climate-smart community.
- 2) Inventory emissions, set goals, and plan for climate action.
- 3) Decrease energy use.
- 4) Shift to clean, renewable energy.
- 5) Use climate-smart materials management.
- 6) Implement climate-smart land use.
- 7) Enhance community resilience to climate change.
- 8) Support a green innovation economy.
- 9) Inform and inspire the public.
- 10) Engage in an evolving process of climate action.

Be it further resolved that; Jannelle Koszarek be named as Climate Smart Coordinator for the Town of Marlborough.

And moves for its adoption:

Councilman Molinelli	-----
Councilwoman Sessa	-----
Councilman Cauchi	-----
Councilman Zambito	-----
Supervisor Corcoran	-----