

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
AUGUST 14, 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 July 24, 2023 Town Board Meeting minutes
Motion to approve the June 26, 2023 through July 24, 2023 Public Hearing minutes

ITEM #5 Authorize payment of bills

ITEM #6 Comments on the agenda

ITEM #7 Report of Departments and Boards

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

A). Jaclyn Moore-Program Director for Ulster County Street Outreach Program-Opioid Overdose Prevention

ITEM #10 Old Business

A). Tomvac Rehabilitation Update

ITEM #11 New Business

A). Waive Pier fee for Historic Fire Boat John J. Harvey

ITEM #12 Correspondence

ITEM #13 Public Comments

ITEM #14 Resolutions

A). Resolution #76 To accept a quote for the Milton Landing Kayak Launch

B). Resolution #77 To re appoint at BOAR member

C). Resolution #78 To undertake a community greenhouse gas inventory and community climate action plan

D). Resolution #79 To establish an energy benchmarking requirement for certain Municipal buildings

E). Resolution #80 To approve proposition by the Sara Hull Hallock Library

ITEM #15 Adjournment

August 14, 2023

A). Resolution #76 To accept a quote for the Milton Landing Kayak Launch

Deputy Supervisor Appler proposes the following:

Whereas, the Town was awarded a Hudson River Estuary Grant in December 2021 for an Accessible Kayak Launch at Milton Landing Park, and

Whereas, a scope and specification document had been developed, and

Whereas, the Town of Marlborough Procurement Policy requires three quotes, and

Whereas, the Town received the following quotes

The Dock Doctors	\$55,000.00
Board Safe	\$49,522.00
Kay-aKcess	\$42,927.00

Whereas, after a review by the Kayak committee, BoardSafe was the best fit for the needs of the Town, and

Whereas, Boardsafe offered to oversee the installation of the Kayak launch with our Highway Department as they install the dock, and

Whereas, Boardsafe also offered training on how to install and remove the dock yearly.

Be it resolved that the Town of Marlborough accepts the quote from Boardsafe for the Milton Landing Kayak Launch.

And moves for its adoption:

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

August 14, 2023

B). Resolution #77 To re appoint at BOAR member

Deputy Supervisor Appler proposes the following:

Whereas, an advertisement was placed for the open position on the Board of Assessment Review, and

Whereas, current board member Joel Truncali was the only letter of interest received.

Be it resolved, that Joel Truncali be reappointed to the Board of Assessment Review effective October 1, 2023 with a term date ending September 30, 2028.

And moves for its adoption:

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

August 14, 2023

C). Resolution #78 To undertake a community greenhouse gas inventory and community climate action plan

Deputy Supervisor Appler proposes the following:

WHEREAS, the Town of Marlborough pledged to take part in the NYS DEC Climate Smart Communities Certification Program that includes the preparation of a Community Greenhouse Gas Emissions Inventory Report and Community Operations Climate Action Plan; and

WHEREAS, a Community Greenhouse Gas Inventory is an inventory of greenhouse gas emissions created by the entire community; and

WHEREAS, free technical assistance is available to support the development of the inventory and plan from the Hudson Valley Regional Council (HVRC) through a NYS DEC Climate Smart Communities Coordinator Services contract; and

WHEREAS, a completed inventory and plan count toward Climate Smart Communities certification, specifically;

- 1) PE2 Action: Community Greenhouse Gas (GHG) Emissions Inventory; and
- 2) PE2 Action: Community Climate Action Plan; and

WHEREAS, the Climate Smart Task Force, comprised of town officials and environmental volunteer community leaders, will collaborate with HVRC in the development of these publications, reviewed drafts, and provide valuable feedback on iterations that result in the final draft; and

WHEREAS, the task force will provide an opportunity for public input and comment on the draft report; and

WHEREAS, the task force will present a summary of the inventory results and the draft community operations climate action plan to the Town Board for consideration of adoption;

NOW THEREFORE BE IT RESOLVED that the Town Board hereby undertake a Community Operations Greenhouse Emission Inventory Report and the Community Operations Climate Action Plan; and

BE IT FURTHER RESOLVED, the Town Board authorizes submission of these documents to the NYS DEC Office for Climate Change for consideration of points toward Climate Smart Communities certification for the Town of Marlborough

And moves for its adoption

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

The Resolution was thereupon adopted on August 14, 2023

CERTIFICATION

I, Colleen Corcoran, hereby certify that I am the TOWN CLERK for the Town of Marlborough, in said County of Ulster and do hereby certify the above is a true copy of the RESOLUTION TO UNDERTAKE THE Town of Marlborough COMMUNITY OPERATIONS GREENHOUSE GAS INVENTORY AND GOVT. OPERATIONS CLIMATE ACTION PLAN. I further certify the record is located at 21 Milton Turnpike, Milton NY 12547 I have hereunto set my hand and affixed the seal of said Town this 14th day of August 2023

Colleen Corcoran, Town Clerk

August 14, 2023

D). Resolution #79 To establish an energy benchmarking requirement for certain Municipal buildings

Deputy Supervisor Appler proposes the following:

WHEREAS, buildings are the single largest user of energy in the State of New York. The poorest performing buildings typically use several times the energy of the highest performing buildings—for the exact same building use; and

WHEREAS, collecting, reporting, and sharing building energy data on a regular basis allows municipal officials and the public to understand the energy performance of municipal buildings relative to similar buildings nationwide, and equipped with this information the Town of Marlborough is able to make smarter, more cost-effective operational and capital investment decisions, reward efficiency, and drive widespread, continuous improvement; and

WHEREAS, the Town of Marlborough desires to use Building Energy Benchmarking - a process of measuring a building's energy use, tracking that use over time, and comparing performance to similar buildings - to promote the public health, safety, and welfare by making available good, actionable information on municipal building energy use to help identify opportunities to cut costs and reduce pollution in the Town of Marlborough and

WHEREAS, the Town of Marlborough Town Board, desires to establish procedure or guideline for The Town of Marlborough staff to conduct such Building Energy Benchmarking; and

NOW THEREFORE, IT IS HEREBY RESOLVED AND DETERMINED, that the following specific policies and procedures are hereby adopted;

BUILDING ENERGY BENCHMARKING POLICY/PROCEDURES

§1. DEFINITIONS

(A) "Benchmarking Information" shall mean information generated by Portfolio Manager, as herein defined including descriptive information about the physical building and its operational characteristics.

(B) "Building Energy Benchmarking" shall mean the process of measuring a building's Energy use, tracking that use over time, and comparing performance to similar buildings.

(C) "Commissioner" shall mean the head of the Department.

(4) "Covered Municipal Building" shall mean a building or facility that is owned or occupied by the Town of Marlborough that is 1,000 square feet or larger in size.

(5) "Department" shall mean the Conservation Advisory Committee (CAC).

(6) "Energy" shall mean electricity, natural gas, steam, hot or chilled water, fuel oil, or other product for use in a building, or renewable on-site electricity generation, for purposes of providing heating, cooling,

lighting, water heating, or for powering or fueling other end-uses in the building and related facilities, as reflected in Utility bills or other documentation of actual Energy use.

(7) “Energy Performance Score” shall mean the numeric rating generated by Portfolio Manager that compares the Energy usage of the building to that of similar buildings.

(8) “Energy Use Intensity (EUI)” shall mean the kBtUs (1,000 British Thermal Units) used per square foot of gross floor area.

(9) “Gross Floor Area” shall mean the total number of enclosed square feet measured between the exterior surfaces of the fixed walls within any structure used or intended for supporting or sheltering any use or occupancy.

(11) “Portfolio Manager” shall mean ENERGY STAR Portfolio Manager, the internet-based tool developed and maintained by the United States Environmental Protection Agency to track and assess the relative Energy performance of buildings nationwide, or successor.

(12) “Utility” shall mean an entity that distributes and sells Energy to Covered Municipal Buildings.

(13) “Weather Normalized Site EUI” shall mean the amount of Energy that would have been used by a property under 30-year average temperatures, accounting for the difference between average temperatures and yearly fluctuations.

§2. APPLICABILITY

(1) This policy is applicable to all Covered Municipal Buildings as defined in Section 2 of this policy.

(2) The Commissioner may exempt a particular Covered Municipal Building from the benchmarking requirement if the Commissioner determines that it has characteristics that make benchmarking impractical.

§3. BENCHMARKING REQUIRED FOR COVERED MUNICIPAL BUILDINGS

(1) No later than May 1, 2017, and no later than May 1 every year thereafter, the Commissioner or his or her designee from the Department shall enter into Portfolio Manager the total Energy consumed by each Covered Municipal Building, along with all other descriptive information required by Portfolio Manager for the previous calendar year.

(2) For new Covered Municipal Buildings that have not accumulated 12 months of Energy use data by the first applicable date following occupancy for inputting Energy use into Portfolio Manager, the Commissioner or his or her designee from the Department shall begin inputting data in the following year.

§4. DISCLOSURE AND PUBLICATION OF BENCHMARKING INFORMATION

(1) The Department shall make available to the public on the internet Benchmarking Information for the previous calendar year:

(a) no later than September 1, 2017 and by September 1 of each year thereafter for Covered Municipal Buildings; and

(2) The Department shall make available to the public on the internet and update at least annually, the following Benchmarking Information:

(a) Summary statistics on Energy consumption for Covered Municipal Buildings derived from aggregation of Benchmarking Information; and

(b) For each Covered Municipal Building individually:

(i) The status of compliance with the requirements of this Policy; and

- (ii) The building address, primary use type, and gross floor area; and
- (iii) Annual summary statistics, including site EUI, Weather Normalized Source EUI, annual GHG emissions, and an Energy Performance Score where available; and
- (iv) A comparison of the annual summary statistics (as required by Section 5(2)(b)(iii) of this Policy) across calendar years for all years since annual reporting under this Policy has been required for said building.

§5. MAINTENANCE OF RECORDS

The Department shall maintain records as necessary for carrying out the purposes of this Policy, including but not limited to Energy bills and other documents received from tenants and/or Utilities. Such records shall be preserved by the Department for a period of three (3) years.

§6. ENFORCEMENT AND ADMINISTRATION

(1) The Commissioner or his or her designee from the Department shall be the Chief Enforcement Officer of this Policy.

(2) The Chief Enforcement Officer of this Policy may promulgate regulations necessary for the administration of the requirements of this Policy.

(3) Within thirty days after each anniversary date of the effective date of this Policy, the Chief Enforcement Officer shall submit a report to the Town of Marlborough including but not limited to summary statistics on Energy consumption for Covered Municipal Buildings derived from aggregation of Benchmarking Information, a list of all Covered Municipal Buildings identifying each Covered Municipal Building that the Commissioner determined to be exempt from the benchmarking requirement and the reason for the exemption, and the status of compliance with the requirements of this Policy.

§7. EFFECTIVE DATE

This policy shall be effective immediately upon passage.

§8. SEVERABILITY

The invalidity or unenforceability of any section, subsection, paragraph, sentence, clause, provision, or phrase of the aforementioned sections, as declared by the valid judgment of any court of competent jurisdiction to be unconstitutional, shall not affect the validity or enforceability of any other section, subsection, paragraph, sentence, clause, provision, or phrase, which shall remain in full force and effect.

And moves for its adoption

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

August 14, 2023

E). Resolution # 80 To approve proposition by the Sara Hull Hallock Library

Deputy Supervisor Appler proposes the following:

**NOTICE OF SUBMISSION OF QUESTION TO VOTERS OF
THE TOWN OF MARLBOROUGH AT THE NEXT GENERAL
ELECTION**

Notice is hereby given that, pursuant to NYS. Education Law §259(1)(13), and in accordance with the provisions of the N.Y. S. Election Law, the following question will be submitted to the qualified voters of the Town of Marlborough at the General Election to be held on the 7th day of November, 2023:

SHALL THE ANNUAL CONTRIBUTION OF THE TOWN OF MARLBOROUGH FOR THE OPERATING BUDGET OF THE SARAH HULL HALLOCK FREE LIBRARY BE INCREASED BY THIRTY-SIX THOUSAND SEVEN HUNDRED (\$36,700) DOLLARS TO THE SUM OF ONE HUNDRED EIGHTY-NINE THOUSAND TWO HUNDRED (\$189,200) DOLLARS ANNUALLY?

Further notice is hereby given that said election shall be held at the Town Hall and St. Mary's Hall in the Town of Marlborough, on the 7th day of November 2023, and that the polls will be open on that day between the hours of 6 a.m. and 9 p.m.

Colleen Corcoran
Town Clerk, Town of Marlborough

And moves for its adoption

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