

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
NOVEMBER 13, 2023 7:00 PM
A LOCAL LAW OF THE YEAR 2023

LOCAL LAW 5 OF 2023 TO AMEND CHAPTER 155 ZONING, ARTICLE VI, SUPPLEMENTARY REGULATIONS GOVERNING CERTAIN USES, SECTION 155-30(B) DESIGN STANDARDS, OF THE TOWN OF MARLBOROUGH ZONING CODE.

FIRST MEETING OF THE MONTH
TOWN BOARD TOWN OF MARLBOROUGH
21 MILTON TURNPIKE, MILTON NY
NOVEMBER 13, 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 October 23, 2023 Town Board Meeting 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

ITEM #10 Old Business

- A). Tomvac Rehabilitation Update

ITEM #11 New Business

- A). Motion to Advertise for open positions-Planning, Zoning and Ethics
- B). Motion to Advertise for Assistant Code Enforcement Officer

ITEM #12 Correspondences

ITEM #13 Public Comments

ITEM #14 Resolutions

- A). Resolution #107 To appoint part time police officer for the purpose of attending the police academy
- B). Resolution #108 To appoint part time police officer for the purpose of attending the police academy
- C). Resolution #109 To authorize the acceptance of the conveyance of real property and reimbursement of certain costs of the transferor
- D). Resolution #110 To adopt Local Law #5 of the year 2023
- E). Resolution #111 To accept bid for Town of Marlborough Community Rec Center Rebid for general construction
- F). Resolution #112 To authorize the Supervisor to sign a contract with Ulster County for a Park Field Improvement and Energy Efficient Lights

ITEM #15 Adjournment

November 13, 2023

A). Resolution #107 To appoint part time police officer for the purpose of attending the police academy

Supervisor Corcoran proposes the following:

Whereas, the Chief of Police requests the appointment of Michael Troncillito as part time police officer for the purpose of attending the Ulster County Police Academy.

Now therefore be it resolved that; Michael Troncillito be appointed as part time police officer to attend the Ulster County Police Academy effective immediately

And moves for its adoption:

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

November 13, 2023

B). Resolution #108 To appoint part time police officer for the purpose of attending the police academy

Supervisor Corcoran proposes the following

Whereas, the Chief of Police requests the appointment of Emily Aldrich as part time police officer for the purpose of attending the Ulster County Police Academy.

Now therefore be it resolved that; Emily Aldrich be appointed as part time police officer to attend the Ulster County Police Academy effective immediately

And moves for its adoption:

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

November 13, 2023

C). Resolution #109 To authorize the acceptance of the conveyance of real property and reimbursement of certain costs of the transferor

Supervisor Corcoran proposes the following:

Whereas, the Town of Marlborough (the “Town”) leases approximately 5.22 acres of real property known as Young’s Park (the “Property”) from Jeffrey Aldrich (the “Transferor”); and

Whereas, the Town utilizes the Property for youth sports and recreation; and

Whereas, the Transferor has offered to convey the Property to the Town for the purchase price of \$0.00, subject to the conditions that (a) the Town reimburse the Transferor for the costs of subdividing the Property from other lands of the Transferor and other costs incurred by the Transferor in connection the proposed conveyance consisting of engineering fees, surveyor fees, attorneys fees and Planning Board expenses, and (b) the Property be forever known as Young’s Park, the Property be used for youth sports and recreational purposes in perpetuity and the conveyance be commemorated with a plaque to be placed on the Property, all as provided in a contract submitted to the Town Board on behalf of the Transferor (the “Contract”); and

Whereas, the sum the reimbursable expenses shall not exceed \$16,000.00 (the “Reimbursable Expenses”); and

Whereas, based on an appraisal obtained by the Town, the fair market value of the Property is \$57,000 and well exceeds of the sum of the Reimbursable Expenses; and

Whereas, acceptance of the conveyance of the Property on the terms set forth in the proposed Contract is in the best interest of the Town;

Now, therefore be it resolved, that the Town is authorized to accept the conveyance of the Property upon the terms of the Contract, the Town Supervisor is authorized to enter into the Contract substantially in the form submitted to the Town Board with such modifications as the Supervisor and Attorney to the Town shall deem reasonable and in the Town’s interests, and the Town is authorized to perform the Contract in accordance with its terms and incur the Reimbursable Expenses and certain other expenses in connection therewith consisting of a title insurance premium and recording fees in an amount not to exceed \$1,000.00

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

And moves for its adoption:

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

Dated: Milton, New York
November 13, 2023

COLLEEN CORCORAN,
TOWN CLERK

November 13, 2023

D). Resolution #110 To adopt Local Law #5 of the year 2023

Supervisor Corcoran proposes the following:

WHEREAS, a local law was introduced to be known as Local Law No. 5 of 2023, entitled LOCAL LAW 5 OF 2023 TO AMEND CHAPTER 155 ZONING, ARTICLE VI, SUPPLEMENTARY REGULATIONS GOVERNING CERTAIN USES, SECTION 155-30(B) DESIGN STANDARDS, OF THE TOWN OF MARLBOROUGH ZONING CODE.

WHEREAS, a public hearing in relation to said local law was held on November 13, 2023, 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 Marlborough for at least seven (7) days, exclusive of Sunday;

WHEREAS, the local law involves the amendment to Chapter 155 Zoning, Article VI, Supplementary Regulations Governing Certain Uses, Section 155-30(B) Design Standards, of the Town of Marlborough Zoning Code; and

WHEREAS, these amendments are consistent with the goals, objectives, and recommendation of the Town of Marlborough Comprehensive Plan; and

WHEREAS, on or about September 25, 2023, the Town Board declared its intent to Act as Lead Agency and referred the petition to the Town of Marlborough Planning Board (Planning Board) in accordance with Town Code Section 155-49; and

WHEREAS, the Town Board received a response from the Planning Board dated October 19, 2023 recommending the approval of the Zoning Text Amendment, and expressed concerns over fire safety and the distance between the buildings; and

WHEREAS, on or about September 26, 2023, the Town Board referred the petition to the Ulster County Planning Board in accordance with General Municipal Law 239-m; and

WHEREAS, the Town Board received a response from the Ulster County Planning Board dated October 4, 2023; and

WHEREAS, it has previously been determined that the adoption of this Local Law is classified as a Type I action under the New York State Environmental Quality Review Act and its implementing regulations, 6 NYCRR Park 617, ("SEQRA"), and will issue a Negative Declaration.

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

Section 1. Purpose

This Local Law is enacted for the purpose of amending Chapter 155 Zoning, Article VI, Supplementary Regulations Governing Certain Uses, Section 155-30(B) Design Standards, of the Town of Marlborough Zoning Code to vary the minimum distances between structures for multi-family dwellings located on properties of twenty acres or more; and

Section 2. Amendment

The Town of Marlborough Code entitled Chapter 155. ZONING, Article VI. SUPPLEMENTARY REGULATIONS GOVERNING CERTAIN USES. Section 30. MULTIPLE DWELLINGS shall be and hereby is amended by this Local Law, which shall read in its entirety as follows:

§ 155-30(A). Lot, yard, and density regulations. ... no change

§ 155-30(B). Design standards.

- (1) ... no change
- (2) ... no change
- (3) ... no change

(4) For properties of twenty acres or more, the minimum distances between structures for multi-family dwellings where there are two or more structures on a single lot devoted to multiple dwellings, the minimum distance between structures (foundations) shall not be less than 15 feet and shall follow the New York State Residential Building Code.

Section 3. Severability

The invalidity or unenforceability of any section, subsection, paragraph, sentence, clause, provision, or phrase of this Local Law, 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 of this Local Law, which shall remain in full force and effect.

Section 4. Repeal

All ordinances, local laws, and parts thereof inconsistent with this Local Law are hereby repealed.

Section 5. Authority

This Local Law is enacted pursuant to the Municipal Home Rule Law. This Local Law shall supersede the provisions of Town Law to the extent it is inconsistent with the same, and to the extent permitted by the New York State Constitution, the Municipal Home Rule Law, or any other applicable statute.

Section 6. Effective Date

This law shall become effective upon filing with the office of the New York State Secretary of State in accordance with the Municipal Home Rule Law.

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

Supervisor Corcoran _____

Councilman Molinelli _____

Councilman Cauchi _____

Councilwoman Sessa _____

Councilman Zambito _____

DATED: Milton, New York
November 13, 2023

COLLEEN CORCORAN, TOWN CLERK

November 13, 2023

E). Resolution #111 To accept bid for Town of Marlborough Community Rec Center Rebid for general construction

Supervisor Corcoran proposes the following:

Whereas, Bell Engineering had prepared bid documents for the Town of Marlborough Community/Rec Center rebid for the general construction contract, and

Whereas, the Town of Marlborough Town Clerks office at the discretion of the Town Board advertised for bids for the general construction contract, and

Whereas, bids were received and opened on November 3, 2023 and

Whereas, the following bids were received:

Coupart Construction Company	\$249,760.00
Colorific Paint Inc	\$346,276.66
Barone Construction Group Inc	\$426,300.00

Whereas, Bell Engineering had reviewed the bids for completeness and all references were checked, and

Whereas, references were approved for the low bidder, Coupart Construction, and

Whereas, it is the recommendation of Bell Engineering that the contract Town of Marlborough Community Rec Center rebid for general construction contract 2023 be awarded to Coupart Construction Company

Be it resolved, that the Town Board of the Town of Marlborough accepts the bid from Coupart Construction Company in the amount of \$249,760.00

And moves for its adoption:

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

November 13,2023

F). Resolution #112 To authorize the Supervisor to sign a contract with Ulster County for a Park Field Improvement and Energy Efficient Lights

Supervisor Corcoran proposes the following:

Whereas, the American Rescue Plan Act of 2021 was signed into law on March 11, 2021 and established the Coronavirus State and Local Fiscal Recovery Fund with the goal of providing vital federal support to local governments, and

Whereas, the County as a State and Local Fiscal Recovery Fund recipient is authorized to issue subawards, and

Whereas, the County desires to issue a subaward to the Town of Marlborough for the purpose of the purchase and installation of new energy efficient field lighting, field expansion, fencing installation and the addition of league appropriate bases and back stops at both Youngs Park and Cluett Schantz Park.

Be it resolved, that the Town Board of the Town of Marlborough hereby authorizes the Town Supervisor to sign a contract with Ulster County for Park improvements

And moves for its adoption:

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