

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 13, 2025 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 December 9, 2024 Town Board Meeting
Motion to approve minutes from the January 2, 2025 Reorganization Meeting
Motion to approve minutes from the January 2, 2025 Special Meeting

ITEM #5 Authorize payment of bills

ITEM #6 Comments on the agenda

ITEM #7 Report of Departments and Boards

ITEM #8 Presentation

ITEM #9 Old Business

ITEM #10 New Business

ITEM #11 Correspondence

ITEM #12 Public Comments

ITEM #13 Resolutions

A). Resolution# 27 To authorize the Highway Superintendent to sign an agreement

B). Resolution # 28 To introduce a Local Law of the year 2025 amending various provisions of chapter 155 "zoning" of the code of the town of Marlborough as follows: amending section 155-1 "terms defined", adding an additional special use to section 155-12(e) "hd highway development district", amending section 155-12.1 "mixed uses", amending section 155-12.2 "additional restrictions on uses", and adding a new section 155-29.3 "senior citizen housing."

C). Resolution # 29 To increase the Town of Marlborough water rate

ITEM # 14 Adjournment

January 13, 2025

A). Resolution# 27 To authorize the Highway Superintendent to sign an agreement

Supervisor Corcoran proposes the following:

Whereas, the Town of Marlborough and the State of New York intend to enter into an Intermunicipal Shared Service Agreement with the intention that parties may loan equipment, materials and personnel that may be available from time to time to the other party as set forth in this agreement, and

Whereas, the Town Board and the Highway Superintendent have agreed on the terms of the agreement and have determined that it is in the best interest of the citizens of the Town of Marlborough, and

Whereas, the Highway Superintendent has recommended that the Intermunicipal Shared Service Agreement attached hereto be approved.

Now there fore be it resolved, that

1. The agreement is approved by the Town Board and the Highway Superintendent is authorized to sign in duplicate
2. This agreement is made pursuant to Section 99-R of the General Municipal Law
3. An original of this signed agreement shall be filed with the Town Clerks Office

And moves for its adoption:

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

January 13, 2025

B). Resolution # 28 To introduce a Local Law of the year 2025 amending various provisions of chapter 155 “zoning” of the code of the Town of Marlborough as follows: amending section 155-1 “terms defined”, adding an additional special use to section 155-12(e) “hd highway development district”, amending section 155-12.1 “mixed uses”, amending section 155-12.2 “additional restrictions on uses”, and adding a new section 155-29.3 “senior citizen housing.”

Supervisor Corcoran proposes the following:

_____, seconded by _____, introduced the following proposed local law, to be known as Local Law No. ____ of 2025, entitled, Local Law No. ____ of 2025, A LOCAL LAW OF THE TOWN OF MARLBOROUGH, ULSTER COUNTY, NEW YORK, AMENDING VARIOUS PROVISIONS OF CHAPTER 155 “ZONING” OF THE CODE OF THE TOWN OF MARLBOROUGH AS FOLLOWS: AMENDING SECTION 155-1 “TERMS DEFINED”, ADDING AN ADDITIONAL SPECIAL USE TO SECTION 155-12(E) “HD HIGHWAY DEVELOPMENT DISTRICT”, AMENDING SECTION 155-12.1 “MIXED USES”, AMENDING SECTION 155-12.2 “ADDITIONAL RESTRICTIONS ON USES”, AND ADDING A NEW SECTION 155-29.3 “SENIOR CITIZEN HOUSING.”

BE IT ENACTED by the Town Board of the Town of Marlborough that the Code of the Town of Marlborough (the “Code”) is amended as follows:

Section 1. Section 155-1 “Terms defined” of the Code is amended as follows [deletions are stricken and additions are underscored]: Senior Citizen Housing. Dwelling units within which residency shall be restricted to a permanent resident aged ~~62~~ 55 years or more ~~of age and one other person related by blood or marriage or a permanent resident advanced in age who requires the services of a live-in aid.~~

Section 2. Section 155-12(E) “HD Highway Development District” of the Code is amended to add an additional special use as follows [deletions are stricken and additions are underscored]: (4)(p) Senior citizen housing.

Section 3. Section 155-12.1 “Mixed uses” of the Code is amended as follows [deletions are stricken and additions are underscored]: ~~(E) Residential uses. More than one residential unit shall be considered compatible with other combinations of uses only in the C-1 and C-2 Zones.~~

Section 4. Section 155-12.2 “Additional restrictions on uses” of the Code is amended as follows [deletions are stricken and additions are underscored]: (B) Residential uses. More than one residential unit shall be considered compatible with other combinations of uses only in the C-1 and C-2 Zones.

~~(B)~~ (C) This restriction The foregoing restrictions shall not apply to multiple-family dwellings, adult multiple dwellings, senior citizen housing, affordable senior citizen housing or any other specific section of the Code of the Town of Marlborough designed to make exception to this restriction.

Section 5. Chapter 155 of the Code of the Town of Marlborough is amended to add a new Section 155-29.3 as follows: Application may be made to the Planning Board for a residential cluster development which provides senior citizen housing in which residential units contain two bedrooms or fewer and are served by municipal water and sewer systems.

A. Lot, yard and density regulations.

1. The minimum project area shall be three acres, with a minimum lot width of 200 feet.
2. Residential units may be attached or detached with designs to be approved by the Planning Board and consistent with density requirements.

3. Maximum density shall be 8 units per acre.

4. All residential units must be served by and utilize public water and public sewer service.

(5) Setbacks for the front yard of the senior citizen housing project or the senior citizen housing component of a permitted mixed-use project shall be a minimum 75 feet , each side yard shall be a minimum of 75 feet and each rear yard shall be a minimum of 75 feet.

B. Planning Board review. Required information and Planning Board review shall be as set forth in § 155-31, Site plan review.

Section 6. If any of the sections 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 law.

Section 7. Pursuant to Section 22 of Municipal Home Rule Law of the State of New York, this local law shall modify and supersede any provisions of state statute which are inconsistent with the terms of this local law.

Section 8. This local law shall be effective upon filing with the Secretary of State.

WHEREAS, the Town Board has determined that the action to amend the Town of Marlborough Zoning Law is a Type I Action under the New York State Environmental Quality Review Act (SEQRA); and.

WHEREAS, that because only the Town Board can consider and adopt changes to the Town Code, that it is the only involved agency, and the Board hereby declares that it is the Lead Agency for purposes of coordinating the environmental review of this matter pursuant to Article 8 of the Environmental Conservation Law; and

WHEREAS, the Town Board has determined that the amendments must be referred to the Ulster County Planning Board for review and recommendation pursuant to General Municipal Law § 239-m; and

WHEREAS, the Town Board refers this matter to the Town of Marlborough Planning Board pursuant to Town Code § 155-49.

Supervisor Corcoran advised the Town Board that, pursuant to the Municipal Home Rule Law of the State of New York, it will be necessary to hold a public hearing upon this proposed local law. The following resolution which was offered by _____ and seconded by _____, who moved its adoption:

WHEREAS, on January 13, 2025 _____ has introduced this local law for the Town of Marlborough, to be known as “Town of Marlborough Local Law No. ____ of the Year 2025 A LOCAL LAW OF THE TOWN OF MARLBOROUGH, ULSTER COUNTY, NEW YORK, AMENDING VARIOUS PROVISIONS OF CHAPTER 155 “ZONING” OF THE MARLBOROUGH TOWN CODE AS FOLLOWS: AMENDING SECTION 155-1 “TERMS DEFINED”, ADDING AN ADDITIONAL SPECIAL USE TO SECTION 155-12(E) “HD HIGHWAY DEVELOPMENT DISTRICT”, AMENDING SECTION 155-12.1 “MIXED USES”, AMENDING SECTION 155-12.2 “ADDITIONAL RESTRICTIONS ON USES”, AND ADDING A NEW SECTION 155-29.3 “SENIOR CITIZEN HOUSING.”

RESOLVED, that a public hearing be held in relation to the proposed changes as set forth in the form of notice, hereinafter provided, at which hearing parties of interest and citizens shall have an opportunity to be heard. The public hearing will be held on _____ at 7:00 o’clock p.m., Prevailing Time, and that notice of said meeting shall be published in the official

newspaper of general circulation in the Town of Marlborough, by the Town Clerk, at least ten (10) days before such hearing and that notice shall be in the following form:

NOTICE OF PUBLIC HEARING

TAKE NOTICE, that the Town Board of the Town of Marlborough will hold a public hearing at the Town Hall facilities at 21 Milton Turnpike, Milton, New York on January 27, 2025 at 7:00 o'clock, p.m., prevailing time, on proposed Local Law No. ____ of the Year 2025 A LOCAL LAW OF THE TOWN OF MARLBOROUGH, ULSTER COUNTY, NEW YORK, AMENDING VARIOUS PROVISIONS OF CHAPTER 155 "ZONING" OF THE MARLBOROUGH TOWN CODE AS FOLLOWS: AMENDING SECTION 155-1 "TERMS DEFINED", ADDING AN ADDITIONAL SPECIAL USE TO SECTION 155-12(E) "HD HIGHWAY DEVELOPMENT DISTRICT", AMENDING SECTION 155-12.1 "MIXED USES", AMENDING SECTION 155-12.2 "ADDITIONAL RESTRICTIONS ON USES", AND ADDING A NEW SECTION 155-29.3 "SENIOR CITIZEN HOUSING."

TAKE FURTHER NOTICE, that copies of the aforesaid proposed local law will be available for examination at the office of the Clerk of the Town of Marlborough, 21 Milton Turnpike, Milton, New York, 12547 between the hours of 8:00 a.m. to 4:00 p.m. on all business days between the date of this notice and the date of the public hearing.

TAKE FURTHER NOTICE, that all person interested and citizens shall have an opportunity to be heard on said proposal at the time and place aforesaid.

DATED: Milton, New York
 January 13, 2025

COLLEEN CORCORAN, TOWN CLERK

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

Supervisor Corcoran _____

Councilman Molinelli _____

Councilman Cauchi _____

Councilman Zambito _____

Councilwoman Sessa _____

DATED: Milton, New York
January 13, 2025

COLLEEN CORCORAN, TOWN CLERK

January 13, 2025

C). Resolution # 29 To increase the Town of Marlborough water rate

Supervisor Corcoran proposes the following:

Whereas, the Town of Marlborough needs to increase the water rate by \$2.25 per 1000 gallons,

Whereas, this increase will be a temporary charge to cover a deficit

Be it resolved that the following rates are approved for the 2025 water billing

\$15.85 per 1000 gallons up to 75,000 gallons used
\$16.85 per 1000 gallons up to 150,000 gallons used
\$17.85 per 1000 gallons from 151,000 gallons used

And moves for its adoption:

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