

September 28, 2015

WORKSHOP MEETING
TOWN BOARD TOWN OF MARLBOROUGH
21 MILTON TURNPIKE, MILTON NEW YORK
SEPTEMBER 28, 2015 7:00 PM
MINUTES OF MEETING

PRESENT: SUPERVISOR OSBORN
COUNCILMAN MOLINELLI
COUNCILMAN CORCORAN
COUNCILMAN KOENIG (Arrived at 7:10PM)
COUNCILMAN MOLINELLI

ALSO PRESENT:
DENNIS LARIOS, TOWN ENGINEER, BRINNIER AND LARIOS, P.C.
DANIELLE CHERUBINI, DEPUTY TOWN CLERK

ITEM #1 Call to order - Pledge of Allegiance

ITEM #2 Moment of Silence

ITEM #3 Motion to approve agenda

Councilman Corcoran made a motion to amend the agenda to add Letter B) Tabor Place to ITEM #6 Presentations. Motion seconded by Councilman Molinelli.

Yeas: 4 Nays: 0 Carried

Councilman Corcoran made a motion to amend the agenda to add ITEM #13.5 Executive Session to discuss budget issues. Motion seconded by Councilman Molinelli.

Yeas: 4 Nays: 0 Carried

Councilman Baker made a motion to approve the agenda as amended. Motion seconded by Councilman Corcoran.

Yeas: 4 Nays: 0 Carried

ITEM #4 Motion to approve minutes from the September 14, 2015 meeting

Councilman Molinelli. made a motion to approve minutes from the September 14, 2015 meeting. Motion seconded by Councilman Baker.

Yeas: 4 Nays: 0 Carried

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ITEM #5 Authorize payment of bills

Councilman Molinelli made a motion to authorize payment of the abstract in the amount of \$188,152.22. Motion seconded by Councilman Corcoran.

Yeas: 4

Nays: 0

Carried

ITEM #6 Presentations

A). Dennis Larios-Milton Sewer Extension

Dennis Larios of Brinnier and Larios Engineers in Kingston said they have done the engineering for the original Milton Sewer District and the Marlboro Sewer District. He presented a Map, Plan and Report (MP&R) for two property owners, 2 parcels for Dean-Paul Properties and 1 parcel for Young's Motors. The sewer district extension will be Town funded and managed and the Town will collect payments from the property owners as outlined in the MP&R. The map shows where the extension district will be and there is a survey description. The plan shows how the public sewer can be extended. The report explains the costs in more detail than in the feasibility study that was done in April. The report also gives an outline of a capital cost repayment schedule for a 20 year, 5% interest decreasing payment but there are other bond options available and the interest rate would likely be lower. In the MP&R he outlined how much it would cost each property owner annually for capital costs, parent district tax payment based on the tax rate for the district, and operating and maintenance costs based on the user charge. The operation and maintenance estimate is high but it also depends on what type of business(s) Dean Paul Properties construct on their currently vacant property. The capacity analysis is also included in the report as well as the outline for the four properties that the Town has out of district user agreements with. Once the Town goes through the public hearing process then the Town will apply to the State Comptroller for approval of the district extension. The Comptroller looks at safeguarding the finances of the Town and the ability of the properties to absorb the debt.

A few of the Board members discussed some of the construction details with Mr. Larios.

Mr. Larios explained that the estimate for the project increased from the last meeting because it was decided that it would be publicly financed which creates more costs.

Some of the Board members discussed the next steps involved in the process.

Supervisor Osborn allowed questions for Mr. Larios from the public at this time.

B). Tabor Place

Supervisor Osborn presented a map showing Tabor Place. The developer subdivided in the mid nineties and the road way was proposed but only a portion was accepted as a Town road. The developer is no longer around and the four residents who live on the unaccepted portion of the road would like it to be a Town road.

The majority of the Board discussed the options with the residents of Tabor Place who were present at the meeting for making the remaining portion of Tabor Place a Town road. The road can be privately paved and paid for by the owners as long as it is brought up to spec according to Town Code or the Highway Superintendant can get a price to pave the

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road to spec and the Town can get a figure on what it would cost to bond through the Town for 30 years and tax the four residents over that time period.

ITEM #7 Comments on the agenda

Mark Reynolds asked for clarification on what executive session was for.

Supervisor Osborn said they will be discussing personnel, salary, and budget.

Mark Reynolds asked if voting no on the Marwest settlement resolution at the last meeting was an issue.

Supervisor Osborn said they have all the information that they need to vote on it now.

Kate Beare announced that the Bounty Festival is Saturday, October 3, 2015 from 10 .a.m.-4:00 p.m. She asked the Town Board for permission to place an 80 x 40 inflatable play structure near the soccer field where it will likely overlap because of its size. If the Bounty Festival is on Sunday (rain date) they won't have this inflatable because there will be soccer.

The Board said yes as long as it is safe and there is no soccer.

ITEM #8 Workshop topics

A). Design Standards for the overlay district

The Town Board met with the Planning Board on September 8th to discuss design standards for the overlay district.

Supervisor Osborn said that the construction for the gas line that John DeMarco and the Economic Development Committee have been working on is being scheduled. The county has agreed to restore the county road and the Town has agreed to restore King Street after construction. Gael Appler will be getting estimates to restore two more Town roads.

ITEM #9 Old Business

A). Wyms Heights

No new information

B). TOMVAC

Councilman Corcoran said most of the senior citizens have asked to use TOMVAC for their meetings because the church needs to be fixed up. The Board discussed briefly; TOMVAC is up for sale and needs a lot of work as well; the Board can continue to discuss.

C). Survey of St. Andrews property for purchase

No new information

D). Municipal Parking

No new information

E). Proposed agreement with Newburgh

Councilman Koenig questioned if Marlboro received an amended contract yet.

Supervisor Osborn said no but he can check with Ron Blass.

F). Milton Sewer Expansion 9W

No new information

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G). Bayside

The Board had a very brief discussion regarding Bayside.

H). Highway garage

No new information

I). Local Waterfront Revitalization Program Grant

No new information

J). Design Standards for Overlay District

See Workshop Topics

K). Fueling System for the Town

Councilman Corcoran said that Core Engineering gave an estimate for the cement slab, electrical work etc...to prepare the site and the estimate was too high. They are going to buy the materials through state bid, do some work in house, and bid out the labor to stay within budget.

L). Milton Playground

No new information

M) Deaf Child Area Sign

No new information

ITEM #10 New Business

A). Motion to change the next meeting date

Councilman Koenig made a motion to change the next regular meeting to Tuesday, October 13, 2015 at 7:45PM, to hold a public hearing for the 2016 Budget on Tuesday, October 13, 2015 at 7:15PM, and to hold a public hearing for the extension of the Milton Sewer District on Tuesday, October 13, 2015 at 7:30PM. Motion seconded by Councilman Corcoran.

Yeas: 5

Nays: 0

Carried

B). Advertise for bid-Drainage District Annual Maintenance Agreement

Councilman Corcoran made a motion to speak to Pat Hines to modify last year's bid package to advertise for the annual maintenance agreement for the drainage districts. Motion seconded by Councilman Koenig.

Yeas: 5

Nays: 0

Carried

C). Advertise for bid-Annual Maintenance for Cluett-Schantz Park

Some of the Board members discussed briefly the anticipated cost to hire an employee versus putting the annual maintenance out to bid.

Councilman Corcoran made a motion to advertise to bid for annual maintenance for Cluett Schantz Park. Motion seconded by Councilman Koenig.

Yeas: 4

Nays: 1 (Molinelli) Carried

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ITEM #11 Correspondence

Supervisor Osborn read correspondence from Milton Engine Company asking to use the pavilion at Cluett Schantz Park for a Family Day event in October at no charge.

Councilman Corcoran made a motion to waive the fee for Milton Engine Company to use the pavilion at Cluett Schantz Park. Motion seconded by Councilman Molinelli.

Yeas: 5 Nays: 0 Carried

Supervisor Osborn said he received a great inspection report for Andrew McKee, Dog Control Officer, from the Department of Agriculture and Markets.

Supervisor Osborn said he received a letter from Mason's Voice for allowing them to use the park.

Supervisor Osborn read a resignation letter from Dispatcher Tyler Choate who will be resigning as of September 30, 2015.

Supervisor Osborn read a resignation letter from Highway Mechanic Brian Morris who will be resigning as of September 25, 2015.

Supervisor Osborn received correspondence regarding the restoration of the three Town roads to complete the Central Hudson gas project which would be approximately \$12,500.00.

Councilman Baker made a motion to spend up to \$12,500.00 to restore the three Town roads to complete the Central Hudson gas project. Motion seconded by Councilman Koenig.

Yeas: 5 Nays: 0 Carried

ITEM #12 Public Comment

Mark Reynolds asked what the changes with Bayside are and has it been formalized and if they are still willing to pay the sewer rate.

Supervisor Osborn said they are asking for rentals instead of condos, a smaller footprint, and more density. Nothing is formal and believes the sewer rate would be the same.

*Ralph Walters asked if copies of the budget were available.
Councilman Corcoran said yes.*

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Mark Reynolds asked where the Town is at with the budget.

Councilman Corcoran stated that there is an overall increase to the general levy by 1.17 and the highway by 1.14. Currently, there is a -0.25 tax decrease which could change because they are still waiting for the water bill rates, fire district budgets, library proposition increase, insurance rates, and Mobile Life.

ITEM #13 Resolutions

A). Resolution #78 To approve the 2016 Tentative Budget

B). Resolution #79 To approve a stipulation of settlement

C). Resolution #80 To hold a public hearing on extension 1 of the Milton Sewer

ITEM #13.5 Executive Session

Councilman Corcoran made a motion to enter executive session at 8:42PM. Motion seconded by Councilman Koenig.

Yeas: 5

Nays: 0

Carried

Councilman Koenig made a motion to end executive session at 9:56PM. Motion seconded by Councilman Molinelli.

Yeas: 5

Nays: 0

Carried

No decisions were made.

ITEM #14 Adjournment

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Councilman Corcoran made a motion to amend the time on Resolution #78 to read 7:15 PM. Motion seconded by Supervisor Osborn.

Yeas: 5

Nays: 0

Carried

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A). Resolution #78 To approve the 2016 Tentative Budget

Supervisor Osborn proposes the following:

Whereas The Town board wishes to approve the 2016 tentative budget, and

Whereas, consistent with Town Law Section 108, a public hearing on the Preliminary Budget will be held on October 13, 2015 at 7:15 PM.

Now therefore be it resolved, that the 2016 tentative budget be approved.

And it moves for adoption

Councilman Corcoran	Yes
Councilman Molinelli	Yes
Councilman Koenig	Yes
Councilman Baker	Yes
Supervisor Osborn	Yes

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B). Resolution #79 To approve a stipulation of settlement

Supervisor Osborn proposes the following:

Whereas, a real property tax assessment review proceeding was commenced by Marwest, LLC (“petitioner”), regarding the premises known as and by 2 Riverview Drive, Marlboro, New York (SBL 109.1-5-211) (the Premises) to review its tax assessment for the tax year 2014, and

Whereas, the tax assessment for the Premises for the tax year 2014 was \$2,088,500 and

Whereas, the parties have agreed, subject to approval from the Marlborough Town Board, to a stipulation of settlement consenting to the reduction of the assessment roll for 2015 through 2018 pursuant to the terms of the Consent Judgment attached hereto as Schedule A, and

Whereas, the stipulation will require a refund of taxes to Marwest, LLC, for the year 2015, and

Now therefore be it resolved, that the Marlborough Town Board hereby approves the stipulation of settlement as set forth in the Consent Judgment annexed hereto schedule A, and authorizes the refund to Petitioner of refunds for the amounts paid by petitioner as taxes on the original taxable assessment in excess of what the taxes would have been if the assessment had been fixed as determined in Schedule A.

Be it further resolved that the Town of Marlborough Supervisor and/or Assessor take the necessary steps to effectuate the refund and said monies to the Petitioner.

And moves for its adoption

Councilman Corcoran	Yes
Councilman Molinelli	Yes
Councilman Koenig	Yes
Councilman Baker	Yes
Supervisor Osborn	Yes

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Councilman Koenig made a motion to amend Resolution #80 to add the date of the public hearing as October 13, 2015 and change the time to 7:30PM. Motion seconded by Councilman Corcoran.

Yeas: 5 Nays: 0 Carried

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C). Resolution #80 To hold a public hearing on extension 1 of the Milton Sewer

Supervisor Osborn proposes the following:

**ORDER BY TOWN BOARD FOR HEARING ON EXTENSION
NO. 1 OF THE MILTON SEWER DISTRICT**

WHEREAS, on Petition of both relevant owners of real property, the Marlborough Town Board proposes to establish Extension No. 1 of the Milton Sewer District;

WHEREAS, the proposed district is described and bounded to include the real properties identified as follows:

<u>OWNERS</u>	<u>TAX PARCEL NO.</u>
Youngs 9W Plymouth, Inc.	103.1-1-28 & 27
Dean-Paul Properties	103.1-4-1

WHEREAS, the proposed improvements consist of items specified in a Map, Plan and Report prepared by Brinnier and Larios, P.C. dated September, 2015 and on file with the Town Clerk, more particularly extension of the facilities of the Milton Sewer District by construction of a low pressure sewer system, and related fixtures and improvements, for collection of wastewater from the subject properties.

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WHEREAS, the maximum amount proposed to be expended as stated in the Petitions and the Map, Plan and Report is **\$226,000.00**.

WHEREAS, as set forth within the Map and Plan which is on file with the Town Clerk, the annual cost to the actual users shall be as follows:

<u>OWNERS</u>	<u>ANNUAL COST</u>
Youngs 9W Plymouth, Inc.	\$15,967.00
Dean-Paul Properties	\$22,130.00

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ORDERED, this Board will hold a public hearing to consider all matters relevant to the establishment of the Extension No. 1 of the Milton Sewer District on October 13, 2015, at 7:30 p.m., prevailing time, at the Town Hall, 21 Milton Turnpike, Milton, New York. All persons interested in this matter shall be heard, and it is further

ORDERED, that the Town Clerk of the Town of Marlborough is hereby authorized and directed to publish a certified copy of this order in the official paper, the first publication thereof to be not less than ten nor more than twenty days before the day set for the hearing, and to post a copy of same on the sign-board of the Town of Marlborough, in the same time and manner, as required by Town Law §193.

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

Supervisor Osborn	Yes
Councilman Molinelli	Abstain
Councilman Corcoran	Yes
Councilman Baker	Yes
Councilman Koenig	Yes

DATED: Milton, New York
September 28, 2015

COLLEEN CORCORAN, TOWN CLERK

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Councilman Koenig made a motion to adjourn the meeting at 9:57PM. Motion seconded by Councilman Molinelli.

Yeas: 5

Nays: 0

Carried

*Respectfully submitted,
Danielle Cherubini
Deputy Town Clerk*