

WORKSHOP MEETING
TOWN BOARD TOWN OF MARLBOROUGH
MARCH 24, 2014 7:00 PM
MINUTES OF MEETING

PRESENT: SUPERVISOR OSBORN
COUNCILMAN MOLINELLI (Arrived at 7:38PM)
COUNCILMAN KOENIG
COUNCILMAN BAKER

DANIELLE CHERUBINI, DEPUTY TOWN CLERK

ALSO PRESENT: CHUCK VOSS, TOWN ENGINEER
RON BLASS, TOWN ATTORNEY

ITEM #1 Call to order - Pledge of Allegiance

ITEM #2 Moment of Silence

Supervisor Osborn asked for a moment of silence for the people who lost their lives in the mud slides in Washington.

ITEM #3 Motion to approve agenda

Councilman Baker made a motion to amend the agenda to add Resolution #48 To Award a Bid to the agenda. Motion seconded by Councilman Koenig.

Yeas: 3 Nays: 0 Carried

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

Yeas: 3 Nays: 0 Carried

ITEM #4 Motion to approve minutes from the March 10, 2014 meeting

Motion to approve minutes from the March 10, 2014 public hearing

Councilman Koenig made a motion to approve the minutes from the March 10, 2014 meeting. Motion seconded by Councilman Baker.

Yeas: 3 Nays: 0 Carried

Councilman Koenig made a motion to approve the minutes from the March 10, 2014 public hearing. Motion seconded by Councilman Baker.

Yeas: 3 Nays: 0 Carried

ITEM #5 Authorize payment of bills

Councilman Baker made a motion to approve the payment of the abstract in the amount of \$199,088.76. Motion seconded by Councilman Koenig.

Yeas: 3 Nays: 0 Carried

ITEM #6 Comments on the agenda

James Garofalo stated that he feels if Indian Point provides about 25% of electricity to New York City and they stop producing we should say that the transmission lines should stop here. He feels the Town should get together with the school district and Newburgh and have the people in charge of our electricity (the experts) explain what they are doing with our money and learn what is going on first hand. He feels the money should be spent here to build up our power plants and transmission lines. He also thinks this should be number one on the agenda each week.

Supervisor Osborn said the rise in electric rates will help the power plants run more often and they will be reassessed which will lead to higher assessment of the school and then relieve the tax burden on Marlboro. He read an article where it said they are going to bring the power plants up to 70% usage because of the increase in electric rates.

The Board had a difficult debate because they don't know enough about the financials of each situation and they don't want to raise electric rates on the citizens of Marlboro but if the rates are raised then it would help Marlboro substantially by providing more funding to the schools. He was skeptical, but after reading the article and the power plants do resume to 70% of usage then that would be helpful to Marlboro. Marlboro received grants totaling about 4 million dollars last year and a similar amount this year but that won't continue.

Councilman Koenig stated that there was a resolution a few weeks ago which stated that Ulster County would be excluded from the New York City (NYC) zone because it would raise the rate for residents in Ulster County. Marlboro is unique because we are on the southern borders and have a school district that goes into Plattekill and Newburgh. After discussions and reading reports he understands that if NYC is included in the zone then the power plants have to produce 80-88% of their own power. If we are included in the NYC zone then the two power plant would be extremely relevant. There is going to be a 6-10% increase in electric rates, not 25%. If NYC needs the two power plants to produce he assumes that NYC will help fund them to protect the residents of NYC and surrounding counties. He agrees that Marlboro should stay on top of this and feels that he would be okay with a 6% increase in his utility bill as long as there will be a significant decrease in his school tax bill.

Councilman Baker said they have been talking about getting CCI to come and let the Town know what their plans are for the future.

Supervisor Osborn said he can call Assemblyman Skartados and also speak to the school.

Supervisor Osborn read Resolution #45 at this time and the Board voted. Councilman Molinelli had not arrived yet.

ITEM #7 Workshop topics

A). Zoning changes/Zoning issues

Supervisor Osborn explained that the main purpose of having Mr. Voss and Mr. Blass at the meeting tonight is to discuss the zoning changes for the 9W corridor that the Town is looking at. Mr. Blass had suggested putting design guidelines on the overlay so it doesn't conflict with the previous Master Plan. Also, they may want to look at guidelines for the waterfront as well.

Chuck Voss said the Board has been talking about changing some uses and parameters. He suggested looking at some generalized design guidelines for how things look and how they develop in the Town. The design guidelines would be suggestive as in what the Town would like to see but doesn't necessarily have to be that way. He suggested some items to be covered in the design guidelines: density, street patterns, site layout and open space, building design, building alignment and setbacks, architectural harmony and trademark architecture, roof lines and walls, lighting, landscape, parking design, cross-access and driveways, signs, mixed uses, and proper infill. Some flexibility can be built in to accommodate certain parcels.

There is no sense of identity when you come into Town from the north and with the design guidelines you can suggest to new developers and existing business's what they can do to contribute to their part of the corridor. Commercial developers are usually willing to do what the Town would like.

Ron Blass said the Planning Board would have the power to get the standards fulfilled. He added that Mr. Voss is proposing to write these standards into the code and the Master Plan.

The Board discussed design standards (more restrictive guidelines) vs. design guidelines with Mr. Voss and Mr. Blass and they seemed to agree that guidelines would work best. It will take time to get used to the new guidelines but will overall make things easier for the Planning Board.

Mr. Voss said to help communities decide on designs they like, one of the tools they use is a visual preference workshop. It is basically a slideshow of different ideas so the Boards and the community can get together and see what they like. He feels this area has a lot of potential but things won't happen overnight.

Councilman Koenig explained that what they would like to do is make the corridor all HD, but if there is a residential property that resident can stay there as residential or sell that property as residential or HD. Once the property becomes HD then it would stay HD.

Councilman Baker said he is concerned about the residents who don't want to have HD all around them.

Councilman Molinelli said most houses are surrounded by businesses or something now.

Supervisor Osborn added that once the changes are made the residential properties will still be taxed as residential.

The Board discussed what steps are next and who will be a part of this process.

Supervisor Osborn said that most of the updates can be done by the Board then they will be codified then put into the Master Plan. A Public Hearing will need to be held.

Councilman Baker said he would like to make sure this is all well presented at the Public Hearing and asked if Chuck Voss and Ron Blass will be there.

Supervisor Osborn said they can be if the Board chooses, they will know when the time comes.

Chuck Voss said Dennis Doyle from the county may have some resources to help the Town with this project.

Supervisor Osborn said that they can have the county come down once they have ideas ready.

Councilman Baker asked if the Board will be doing all the changes because there is a lot of work to be done and would like some guidance.

Supervisor Osborn said yes the Board will be coming up with the ideas but they can always review something with Mr. Voss or Mr. Blass if need be.

Councilman Koenig said they are bringing experts in to guide them but the Board knows the Town well and knows what they would like to see.

James Garofalo suggested doing maybe one change at time. He said the Greenway Committee spent a year coming up with a sign ordinance. What they did was go through 20 different sign ordinances and pulled things that they did and didn't want done and discussed everything.

Supervisor Osborn suggested to the Board to talk to people in the community about this.

Chuck Voss suggested keeping a notebook to take notes and even take pictures when driving around to notate ideas of what they like or don't like.

Supervisor Osborn explained that the goal is to concentrate and define hamlets while allowing for more business along 9W. We need to have a balance of commercial and residential because of the geography and the economics of this Town. If we can't develop enough commercial, residential taxes will always be high.

Councilman Baker asked Mr. Voss his thoughts on the water main coming down 9W.

Mr. Voss said with infrastructure anything is possible, it's an attraction to development.

Councilman Koenig explained that the zoning changes are like their foundation which will get everything else going.

Councilman Baker asked Chuck Voss if he would be able to do a visual preference workshop so the Board can see different architectural styles and such.

Chuck Voss said he could set something up.

The Board thanked Chuck Voss for coming to the meeting.

Supervisor Osborn said that Nick Galella is looking to rescind a drainage district. Ron Blass said there was an 8 lot subdivision that came before the Planning Board in 2010 that was approved. It required stormwater management facilities to be part of the subdivision. In order to maintain the facilities in the future a drainage district was formed. Five out of 8 lots have been sold and there was an application to reverse the subdivision and consolidate the three remaining lots. This was approved by the Planning Board a few months ago. The request now is to do away with the drainage district for the three lots that were consolidated. This requires a special act of the state legislature because the property owner wants to extract properties from the boundaries of the drainage district. If the consolidated parcel is currently benefiting from the stormwater management facilities it shouldn't be extracted.

The Board discussed if this can be done based on what type of facilities there are and what the plan is for the larger lot.

Supervisor Osborn said he will need to physically go up there with Gael Appler.

Councilman Koenig said he will go.

B). CCAC recommendations

Walt Falkenberg explained that the CAC came up with the recommendations for the Planning Board process by comparing what we had and what other Town's had. A lot of the current material just needed updating. The main goal was to make the process easier for applicants and for the Planning Board. The CAC did many interviews and the Planning Board application was confusing to the public. The changes would also simplify the process and reduce confusion and also hopefully lessen the duration of the whole process.

The report has been distributed to the Town Board. Mr. Falkenberg suggested giving a copy to Tom Corcoran because he's the one who makes sure the project that is before the Planning Board fits into the Zoning Code. He also suggested giving Ron Blass a copy of the report and Supervisor Osborn gave Ron Blass a copy to keep.

The Board discussed putting the application and all the other Planning documents on the website. Most Town's still do not have an online application process but the Board felt this might be a good idea so applicants can either print them and fill them out or fill them out online. Mr. Falkenberg said that all the forms are in PDF format on a disk.

Supervisor Osborn said that the Board can now look over the documents and think about the changes before the next meeting. Ron Blass, who is also the Planning Board attorney, can look over the document and give his legal opinion.

Councilman Molinelli made a motion to the CAC recommendations for the Planning Board process document on the Town website. Motion seconded by Councilman Baker.

Yeas: 4

Nays: 0

Carried

Councilman Koenig said the document should be stamped Draft since it is still in legal review.

ITEM #8 Old Business

A). Wyms Heights

Supervisor Osborn said the property is reviewed regularly by Tom Corcoran and it is looking better than it has in a long time.

B). Town Healthcare benefits

Supervisor Osborn said they are still having union negotiations about the idea of contributions to healthcare.

C). TOMVAC

Supervisor Osborn is still being used for Town activities.

D).New Town Hall

Supervisor Osborn said the bid opening took place for the renovations for the Police and Court and the low bid will be awarded to Prestige Contractors from Newburgh. Their bid came in at \$213,000.00 with a couple of add-ons which brought the total up to \$222,900.00. That amount is under the \$225,000.00 the Board was willing to spend and the total project should be well under the \$350,000.00 that the public approved.

Supervisor Osborn thanked Councilman Corcoran for all the time and effort that he put in. He thanked all the Board members and the school. He also thanked the engineers who took only 7 1/2 % which is very low pay for such a project.

E). Terwilliger Hoffman 384D Retirement

Supervisor Osborn said that there is a resolution on the agenda to resolve this.

Councilman Molinelli made a motion to remove Letter E - Terwilliger Hoffman 384D Retirement from Old Business. Motion seconded by Councilman Koenig.

Yeas: 4

Nays: 0

Carried

F). Bids for Capital Improvements at the Town Park

Supervisor Osborn said there were about 12-13 contractors in attendance for the walkthrough at the Town Park. The renovation on the pavilion will be completed before Memorial Day and the bathrooms will be done sometime after that.

G). McLaughlin Drive

Supervisor Osborn said that they are waiting for FEMA to decide on granting for the drainage.

H). Wind Turbine

Supervisor Osborn said that this is on the agenda to remind the Board that they will need to work on a wind turbine law.

I). Labor Negotiations

No new information

J). Milton School Sewer Extension

No new information

K). Survey of St. Andrews property for purchase

Supervisor Osborn said the Board has all the reports and they will need to discuss what to do with the St. Andrew property.

Councilman Baker suggested putting the reports on the Town's website.

L). Zoning Review for Lyons Lane Section of 9W

Councilman Koenig asked if they could alter or remove item L because they are working on zoning for the entire 9W corridor.

Supervisor Osborn asked for a motion to remove item L Zoning Review for Lyons Lane.

Councilman Koenig made a motion to remove Letter L- Zoning Review for Lyons Lane Section of 9W from Old Business on the agenda. Motion seconded by Councilman Molinelli.

Yeas: 4

Nays: 0

Carried

M). Ethics Committee Open Position

Councilman Molinelli made a motion to change Letter M under Old Business to Ethics Board Open Position. Motion seconded by Councilman Baker.

Yeas: 4

Nays: 0

Carried

N). Replacement Windows for highway

Supervisor Osborn said the windows have been installed.

Councilman Koenig made a motion to remove Letter N- Replacement Windows for Highway from Old Business on the agenda. Motion seconded by Councilman Molinelli.

Yeas: 4

Nays: 0

Carried

O). Water connection to Highland

Supervisor Osborn said that he and the Board went to a public meeting in Highland regarding the Wine Village project. He commented at the meeting that the project will be beneficial to Marlboro because it will bring economic opportunities. The idea of the DEP funding the water main to supply the project with water with an interconnection through municipalities will also bring great opportunities for Marlboro.

P). Sunrise Ridge Drainage District

Already discussed

ITEM #9 New Business

Supervisor Osborn asked for a motion to advertise for an EMT and Aquatics Director for Summer Camp at the Town Park.

Councilman Koenig made a motion to advertise for an EMT and Aquatics Director for Summer Camp at the Town Park. Motion seconded by Councilman Molinelli.

Yeas: 5

Nays: 0

Carried

ITEM #10 Correspondence

Supervisor Osborn read the following letter from the Honorable Michael A. Kraiza which is incorporated into the minutes as follows:

**TOWN OF MARLBOROUGH
JUSTICE COURT**

1650 Route 9W

P.O. Box 305

Milton, New York 12547

Phone: 845-795-2256 Fax: 845-795-5846

Hon. Eleanor Gallagher
Town Justice

Hon. Michael A. Kraiza
Town Justice

March 19, 2014

Mr. Stephen Osborn
Town Supervisor
21 Milton Turnpike
Milton, New York 12547

Dear Steve:

As one of the two current presiding Judges in the Town of Marlborough Justice Court, and in view of the current construction of the new Courtroom facilities, it is my opinion that the Town Board consider dedicating the new Courtroom to the longest serving Town Justice in Marlborough's recent history, the Hon. Eleanor Gallagher, who is currently in her 30th year of service to this Town.

Therefore, I am formally requesting that the Town Board dedicate the new Courtroom located at the Milton Elementary School to Judge Gallagher by placing a plaque in a place of distinction for the public to view.

As we are all aware, Judge Gallagher's family has a strong tradition of Judicial excellence with her uncle serving the Court for 15 years for which the current Courtroom is dedicated.

Very truly yours,
Hon. Michael A. Kraiza
Town Justice

Supervisor Osborn read the following letter from Phil Bell of Bell Engineering which is incorporated into the minutes as follows:

Bell Engineering, PLLC

Engineering • Remediation • Planning • GIS

www.bellengineering.us

OFFICE
334 North Fostertown Drive
Newburgh, NY 12550
(845) 565-3802
Fax: (845) 306-2518
writers e-mail: philbell@bellengineering.us

Town of Marlborough
21 Milton Turnpike, Suite 200
Milton, New York 12547

March 21, 2014

To: Steve Osborn, Town Supervisor

Re: Alterations for the Town of Marlborough, Police & Courts, Milton Elementary School
Bid Opening 11 A.M. – March 19th, 2014

Dear Mr. Osborn:

Bids for the contract ‘Alterations for the Town of Marlborough, Police & Courts, Milton Elementary School’, were received and opened at 11:00 A.M. on March 19th, 2014. Attached is a summary of the bid results for the above mentioned project.

The bids have been reviewed for completeness and references checked for competitive bidder’s as well as items considered within the Bidder’s Questionnaire. The low Bidder, Prestige Building Company successfully completed several prevailing wage projects in the area and has recently completed a project in the Town of Marlborough.

It is our recommendation that the contract ‘Bingham Alterations for the Town of Marlborough, Police & Courts, Milton Elementary School’ be awarded to Prestige Building Company.

The low Bidder is low bid for all Add or Deduct Alternates involved in this project. The Town has indicated the acceptance of the Base Bid plus Add Alternate #2 ‘Drop ceiling in court offices’ and Add Alternate #3 ‘Carpet in Conference Room’ for a total cost of \$222,900.

If you have questions, comments or require additional information regarding the above, please contact me at your convenience.

Bell Engineering, PLLC
Philip Bell, P.E.

ITEM #11 Public Comment

James Garofalo asked if the EMT and Aquatics Director were two separate positions.

Supervisor Osborn said yes.

James Garofalo said with regards to the Wine Village project, that we don't get off "scott free" there are some good and bad points. He also would like to see the electric issue put on the agenda so the Board can continue to be active with it.

Councilman Baker made a motion to add Regional Electrical Distribution and its Financial Implications to the agenda under Old Business. Motion seconded by Councilman Koenig.

Yeas: 5

Nays: 0

Carried

Mark Reynolds asked if there is any update regarding the DiBlanca lawsuit.

Supervisor Osborn said he received an email stating that it is proceeding and we are now waiting for a judge to review the case.

Walt Falkenberg said there were 32 cans of paint dropped off in front of the gate at the Transfer Station and there have been other items dumped in the past. He asked the Board if they would want to install a camera.

The Board discussed what type of camera would be best with Chief Coccozza and the Board asked Walt to look into the different types and get prices.

ITEM #12 Resolutions

A). Resolution #42 To accept an application for towing license

B). Resolution # 43 To approve legislation offering retirement plan to Charles Hoffman and Arthur Terwilliger

C). Resolution # 44 To approve intermunicipal agreement

D). Resolution # 45 To dedicate the new court room

E). Resolution #46 To cancel the 2014 assessment imposed on real properties of the former Stamen Knolls Drainage District

F). Resolution #47 To appoint a part time police officer

G). Resolution #48 To Award bid

ITEM #13 Adjournment

March 24, 2014

A). Resolution #42 To accept an application for towing license

Supervisor Osborn proposes the following:

Whereas, the Town Of Marlborough Town Code, Chapter 140 Town Trucks, states that the Town Clerk shall accept applications for permits from persons desiring to tow in the town, and

Whereas, the Town Board of the Town of Marlborough must approve the application before the Town Clerk can issue a permit.

Be it resolved that the application from Mankes and Sons be approved.

Councilman Molinelli said this information was not in his mailbox so he is not comfortable voting on it because he has not had time to review it. He also had some reservations about the tow list and would like to make some changes to the code regarding fees and fencing and other items. He feels the cars that are impounded should be fenced in. He discussed the location of the tow company and where the cars would be stored with Chief Coccozza which is at 1108 Route 9W.

Chief Coccozza said that he distributed copies of the tow application to the Supervisors Office. He checked everything with Tom Corcoran. Mr. Mankes is renting from D & D Auto and is using his property to store the cars which is an extended use of D & D's property. Chief also checked with the attorney to make sure this can be done during a lawsuit and it is ok. The tow company meets the criteria so he has signed off on it and now the Board can vote. He would also like to make changes to the tow code.

Supervisor Osborn agreed that changes should be made but the changes can't be made until after the lawsuit.

Councilman Molinelli said he was also concerned that if more people get on the tow list before the code is changed will everyone be grandfathered in.

Chief Coccozza said no, he has already looked into that. If the code is changed they don't have to grandfather anyone, they can require them to reapply. Chief already has a list of language that needs to be more clear and other things that he would like to change in the code.

Councilman Koenig suggested that the applications should be renewed or reviewed each year before the yearly licenses are issued by the Town Clerk.

After Councilman Molinelli looked over the application he still had many concerns about the multiple businesses sharing the same building at 1108 Route 9W. He was also concerned that there is only one driver and two trucks.

Chief Cocozza explained that all the business's have their own signs and their own entry into the building. Mr. Mankes is sharing an office with D & D Auto. Mr. Mankes is the only driver listed and only one of his trucks is eligible to tow for the Town. He is also aware that he would be in violation if another driver tows unless we get their license on file. If he were to use his other truck he would be dismissed from the scene.

And moves for its adoption

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

March 24, 2014

B). Resolution #43 To approve legislation offering retirement plan to Charles Hoffman and Arthur Terwilliger

Supervisor Osborn proposes the following:

Whereas, under the terms of the Collective Bargaining Agreement (“CBA”) between the Town of Marlborough and the Town of Marlborough Police Benevolent Association Inc., (Full Time Officers) (PBA) all employees covered by the CBA are to be covered by the non contributory special twenty (20) year plan, Section 384-d under the New York State Police and Fire Retirement System (“the retirement plan”); and

Whereas, part time police officers, Charlie Hoffman and Arthur Terwilliger were inadvertently not enrolled in the retirement plan through no fault of the Town or the PBA; and

Whereas, the Town and the PBA desire to make participation in such retirement plan available to Charles Hofman and Arthur Terwilliger; and

Whereas, the office of New York State Senator William Larkin Jr. has prepared legislative bill draft 04250-05-4 authorizing the Town to offer for Charles Hoffman and Arthur Terwilliger to participate in such retirement plan.

Now therefore be it resolved, that the Town Board of the Town of Marlborough approves legislative bill draft 04250-05-4 in the form attached to this resolution and requests the office of Senator William J Larkin Jr. to introduce such bill for adoption by the New York State Senate.

Councilman Baker made a motion to amend Resolution #43, Paragraph #2 to read Whereas, “part time” police officers. Motion seconded by Councilman Koenig.

Yeas: 4 Nays: 0 Carried

And moves for its adoption

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

March 24, 2014

C). Resolution #44 To approve intermunicipal agreement

See Attached

And moves for its adoption

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

**INTERMUNICIPAL CONTRACT FOR SHARED SERVICES
OF BOARDS OF ASSESSMENT REVIEW**

This agreement by and between the Town of Lloyd, a municipal corporation in the County of Ulster, with offices at Thomas Shay Square, 12 Church Street, Highland, New York 12528, and the Town of Marlborough, a municipal corporation in the County of Ulster, with offices at Route 9W, P.O. Box 305, Marlboro, New York 12547,

WHEREAS, a need has existed, as between the parties, for coverage of the parties' respective Boards of Assessment Review due to possible conflicts of interest when individual members of each Board wish to file a grievance and appeal the respective assessment of their own property and should not hear such cases; and

WHEREAS, any agreement between the towns should be in writing and approved by the Town Boards of both municipalities.

NOW, THEREFORE, IT IS AGREED AS FOLLOWS:

1. The parties shall share the services of their Board of Assessment Review on Grievance Day each year, hearing of any grievance from a Board member who grieves his or her own property or any property in which such member or a family member has an interest.

2. Pursuant to this contract, members of the Board of Assessment Review of each town be, and they hereby are, appointed as temporary members of the Board of Assessment Review of each other's town for all purposes when this contract is approved by the resolution of each municipality. The temporary member's decision shall be final and binding as if the decision of the other Town's Board.

3. There would normally be no remuneration to either town or the Board of Assessment Review for matters referred for a hearing and decision in the place and stead of the other town's Board of Assessment Review.

4. The Board of Assessment Review of each town shall be considered as a temporary appointee when working on a specific grievance, and all insurance and

liability requirements would be covered by the municipality whose grievance was being heard.

5. A Board of Assessment Review acting for a town in this agreement may borrow the Assessor's and other relevant files of the other town for purposes of working on the grievance or case, and it is agreed that the said file shall be returned to the home town when the grievance hearing is completed and a decision reached. At the Board's discretion, it may travel to the other town's office and hear the grievance or review documents there, if the file is too voluminous to move. Records shall be kept of the shared services by each municipality and the provider of the service shall send a memorandum identifying the time and date of the hearing and decision on each grievance. Records shall be available for inspection by either of the municipalities which are a party to this agreement.

6. Any party to this contract may revoke the same by sending a notice of such revocation to the Town Board of the participating municipality. Upon the revocation of this contract, any outstanding records shall be returned within thirty (30) days of such revocation, unless the parties agree in writing to extend such date of return.

7. Any actions taken by the Board of Assessment Review of the affected municipalities hereunder shall be consistent with all of the duties delegated to such officials by law.

8. If any provision of this agreement is deemed to be invalid or inoperative for any reason, that part shall be deemed modified to the extent necessary to make it valid and operative or, if it cannot be so modified, then severed and the remainder of the contract shall continue in full force and effect.

9. This contract shall be approved by the Town Board of each municipality and shall expire five (5) years from the date of its signing by its chief fiscal officer on behalf of its Town Board. The Town Board may extend or renew this contract at the termination thereof for another five (5) year period.

IN WITNESS WHEREOF, the Towns of Lloyd and Marlborough, Ulster County, New York, each has, by order of its respective Town Board, caused these presents to be

From:

03/18/2014 09:33 #534 P.005/005

subscribed by each of its respective Supervisors, and the seal of the Town to be affixed and attested by its Clerk thereof, on the dates affixed next to their respective signatures.

Dated: _____, 2014

TOWN OF LLOYD

By: _____
Paul J. Hansut, Supervisor

(Town Seal)

Attest:

Rosaria Peplow, Town Clerk

Dated: _____, 2014

TOWN OF MARLBOROUGH

By: _____
Stephen Osborn, Supervisor

(Town Seal)

Attest:

Colleen Corcoran, Town Clerk

March 24, 2014

D). Resolution #45 To dedicate the new court room

Supervisor Osborn proposes:

Whereas the Honorable Eleanor Gallagher has served as a Town Judge for the Marlborough Justice Court for 30 years, and

Whereas during her entire tenure she has shown dedication to her duties, a penchant for justice, and an eye for fairness and compassion, and

Whereas the Town of Marlborough is constructing a new Courtroom and Court Offices, and

Whereas it is the will of the Town Board to dedicate the courtroom to one of its Judges who has served a lengthy and honorable term.

Now therefore be it Resolved, that the new Justice Court for the Town of Marlborough New York located on Milton Turnpike be hereafter known as the Justice Eleanor Gallagher Courtroom.

And moves for its adoption

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

March 24, 2014

E). Resolution #46 To cancel the 2014 assessment imposed on real properties of the former Stamen Knolls Drainage District

Supervisor Osborn proposes the following:

WHEREAS, on or about September 24, 2007, the Marlborough Town Board adopted a resolution establishing the Stamen Knolls Drainage District; and

WHEREAS, the Stamen Knolls Drainage District was established more than three (3) years ago; and

WHEREAS, the Stamen Knolls Drainage District has not experienced the making of any improvements; and

WHEREAS, the Stamen Knolls Drainage District has provided service to no property owner or resident; and

WHEREAS, the Stamen Knolls Drainage District has incurred no debt or obligations; and

WHEREAS, the owner of the lands comprising the Stamen Knolls Drainage District (more particularly bounded and described within Exhibit "A" annexed hereto) has requested that the Town dissolve the drainage district; and

WHEREAS, on March 10, 2014, the Town Board held a public hearing, and issued an resolution dissolving the special district.

NOW, IT IS RESOLVED that as a consequence of dissolving the Stamen Knolls Drainage District, pursuant to the grounds set forth in Section 202-c(2) of this state's Town Law, the Town Board further resolves to cancel the 2014 assessment(s) imposed on the real properties or properties of the former Stamen Knolls Drainage District with the intention that an amended 2014 real property tax bill(s) be issued to the owner(s) with the deletion of that assessment(s).

And moves for its adoption

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

March 24, 2014

F). Resolution #47 To appoint a part time police officer

Supervisor Osborn proposes the following:

Whereas, the Police Committee has interviewed for the position of part time police officer,
and

Whereas, it is the recommendation of the Police Committee as well as the Chief of Police
to appoint Francis M. Muscente as part time police officer

Now therefore be it resolved, that Francis Muscente be appointed immediately contingent
upon a back ground check.

And moves for its adoption

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

March 24, 2014

G). Resolution #48 To Award bid

Supervisor Osborn proposes the following:

Whereas, sealed bids were received on March 19, 2014 for the Town of Marlborough Police and Court renovation project, and

Whereas, bids received were open and read aloud, and

Whereas, the lowest qualified bidder for the project was Prestige Building Company of Newburgh NY in the base bid amount of \$213,000, and

Whereas, Alternative 2 was added to the base bid in the amount of \$8,500.00 for drop ceilings, and

Whereas, Alternative 3 was also added to the base bid in the amount of \$1,400.00 for carpet in the conference room.

Be it resolved, that Prestige Building Company be awarded the Police and Court renovation project for the total bid amount of \$222,900.

And moves for its adoption

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

Councilman Koenig made a motion to adjourn the meeting at 9:40PM. Motion seconded by Councilman Molinelli.

Yeas: 4

Nays: 0

Carried

*Respectfully submitted,
Danielle Cherubini
Deputy Town Clerk*