

TOWN OF LLOYD TOWN BOARD

WORKSHOP MEETING

February 12, 2014

Present: Supervisor Paul Hansut
Councilmember Michael Guerriero
Councilmember Michael Horodyski
Councilmember Jeffrey Paladino

Also present: Sean Murphy, Attorney
Rosaria Peplow, Town Clerk
Kate Jonietz, Secretary

Absent: Councilmember Kevin Brennie

4:00 PM – Supervisor opened the meeting and led the Pledge of Allegiance.

Presentation – ServPro, Kelly Morrissey Gamma, Marketing Manager, Emergency Ready Profile

Kelly Gamma said that ServPro is a fire and water restoration company; they will clean anything from a carpet cleaning, duct cleaning, water damage, fire damage, mold, and crime scene cleanup. They decided to provide a tool to local businesses and municipalities which would include an Emergency Ready Plan. She has contacted small businesses, insurance agents, Highland Central School District, New Paltz Central School District, SUNY New Paltz, as well as other municipalities and businesses in the area.

The Emergency Ready Plan is a 24/48-hour snapshot of any emergency. This is a supplemental plan in addition to a contingency plan and will help to handle organizing clean up of the damage. Emergency contacts are listed. The plan is no cost and customizable; ServPro does the work of visiting the buildings, taking pictures and labeling. ServPro assembles the plan and provides as many copies as needed. The plan is available as an APP on a SmartPhone; it is completely secure and available only to those authorized. Police Chief Waage felt that it would be beneficial to have a copy of the plan for the Highland Central School District available to the Police Department. Municipal building inspectors would like to be involved as buildings are not always in complete compliance and by adding a few things to the ERP it would help get the building into compliance. ServPro can attach shutoff tags for water, gas, etc. The ServPro business card and the business cards of any vendors of choice can be left at the site. The last thing to be added to the ERP is the emergency protocol. SUNY New Paltz wanted the bomb threat check list, active shooter protocol and all types of storm procedures are included. Insurance information and photos could also be included.

Paladino asked the point of ServPro in offering this service.

Gamma replied that if there is damage, ServPro would like to get the clean up job. This is strictly marketing the service and there is no contract. The franchise was started by her parents 20 years ago and the business is growing. ServPro has the ability to have teams available at their disposal at any given moment for any kind of damage remediation.

Mark Reynolds, reporter, asked if the procurement policy would not be required and a company such as this could be hired in an emergency situation.

Supervisor concurred.

1. REPORTS

A. Finance – Karen McPeck, Bookkeeper to Supervisor, reported that the Single Audit has been completed and copies are available for review in the Town Clerk's office or as a PDF.

~The BAN for 9W North Water Extension will go out for bid tomorrow to rollover for another year. The Town Board should discuss if they want to go out for permanent financing next year if rates are still low; it would be easier to budget and plan if there was a set amortization schedule.

~All outstanding vendor payments for the 2013 Budget should be submitted so that the Audit Committee can process them. The accountants will be here on Tuesday, February 25, to start the Annual Report and once the accountants start the process, there will be no more charge-backs to 2013.

~The Budget Amendments will be on the agenda for the Regular meeting. The Supervisor's Report and Account Summary were emailed to the Board yesterday and she asked that if anyone needed a printout to contact her.

There were no questions from the Board.

B. Assessor – Jennifer Mund said that it has been a very busy time in her office. The exemption filing period is coming to an end as March 1 is the filing deadline for all exemptions. Reminder letters are being sent to seniors who have not filed their exemption renewal; she will visit any senior who cannot come to the office. If she does

not hear from people by February 24 and if they have a phone number on file, she will try to contact them.

The NYS Comptroller's Office requires all of the industrial development agencies in New York State to produce a report of the activity of the pilots' billing and payment histories for 2013. She has submitted the financial information for the pilot agreements that was requested by the Ulster County Industrial Development Agency. She is currently reviewing the documentation she received from the Department of Taxation and Finance which gives NYS' estimate of the Town's level of assessment. If her analysis is within 5% tolerance of NYS', it will be accepted as the Town's equalization rate. She is completing a systematic analysis that is required by NYS if the Town is going to make adjustments to retain the 100% equalization rate and she will determine areas that need to be adjusted.

She is doing research on the certiorari cases and working with Town Attorney Sean Murphy to try to bring them to completion. They will be going out over the next couple of weeks to view the construction projects and continue to update the Under Construction file so that they can be included in the 2014 tax roll.

C. Building & Zoning Department – David Barton reported that it has been a busy month and a half; there have been ten fire calls, most of which have been pipes that have burst. Building has had a slow month but the new Sawyer Bank on Route 9W is underway and the concrete has been poured. He asked Anthony Giangrasso to come to the meeting tonight to present his concerns to the Board about the heat that is escaping the Town Hall building. He explained that the light 'cans' (recessed lights) in the Courtroom are open to the attic and so the heat has been escaping from the first and second floors. This is the reason for the ice dams on the north side of the building. Giangrasso built Styrofoam boxes to insulate the space around the lights. Keith Garbounoff, Stephen Delmar and Anthony Giangrasso went into the attic and put the boxes over the lights; insulation cannot be used because of fire reasons. He proposes that the Town insulates the attic in a more substantial way.

Anthony Giangrasso showed photos to the Town Board of the northwest corner of the building, the icicle that is above the side door to the building, the ice dam is building up. The ice is coming inside the fascia end of the roof and the whole 2x6 blocking is encased in ice. The insulation is missing along the whole front of the gable end and is acting like a chimney; all of the heat is going up through the building making a huge icicle. Someone who was in the attic for IT work, electrical work or phone work moved the insulation when they ran the cable. Giangrasso put it back in place. The last photo he showed the Board was of remnants of electrical work in the attic that needs to be addressed.

Barton said he asked Giangrasso to get quotes.

Giangrasso said that all the insulation was replaced that was taken out but in order to get the attic energy compliant, he would recommend more than the R48, which is what is recommended for new houses. This will save money in fuel and air conditioning. He called H. G. Page for numbers and for 3,800 square feet; it would be \$4,200 for material to insulate the attic. This includes the discount for the Town and there are no taxes. He got a callback from Mid-Valley Insulation, who did not look at the job, but if they supplied the material and does all of the installation work, it would be approximately \$8,000.

Guerriero asked if blown-in insulation would be cheaper.

Barton replied that he does not advocate blowing in insulation over bad insulation. If the insulation was going to be pulled out, he would recommend spray-foam insulation which would be \$10,000 to \$12,000.

Horodyski recalled previous discussions about the need for more space and asked if this work would carry over to potential additions.

Barton answered that it would and he has done some preliminary sketching for an addition on the building. The current, unshared, version has three stories in the back, going out to the T-wall. This space doesn't get adjusted in that version. He feels that the work in the attic can be done in-house for \$6,000 and it would be worthwhile. This is an open sieve to the outside; he estimated that for every BTU produced, one BTU is lost. It is like having a window open all of the time. The Supervisor's Report shows \$21,500 in the capital fund for the Town Hall building and he feels that it would be a wise investment.

Guerriero noted that Barton has given a figure of \$6,000, for material and installation if done in-house and he asked about the electrical repairs.

Barton said it may be just hanging boxes, attaching them to the rafters and that could be done in-house. It may be necessary to attach a 2x4 or 2x3 to the ceiling joist or the rafter. He said that he needs more quotes for solid numbers.

Giangrasso explained that the back door on the second floor has a 1/2-inch gap which allows the cold air to come in making the vestibule as cold inside as it is outside. He is also getting quotes on replacing the door with a steel fire door to stop the drafts. It could freeze up the heating system and there will be a major breakdown.

Barton noted that the windows rattle in the wind on both floors and suggested that if there is an addition on the Town Hall, the Town should bond and upgrade the remainder of the building.

Supervisor asked Barton and Giangrasso to follow the procurement policy. He would like a dialogue to begin on an addition to the Town Hall or options for additional space and encourages all the Town Board members to think about that.

Barton said that there will be three quotes for labor and three quotes for materials. He has a template ready for needs assessment, which can be circulated and people can indicate what they need.

D. Dog Control – Andrew McKee

E. Highway – Richard Klotz reported that another big snowstorm is forecast for tonight to add to the snow amounts over the last month Highway has about 100 tons of salt left on contract and if more is needed, it will be more money. He distributed last year's gasoline reports to the Board.

Paladino asked if 'on contract' meant if he had it in his possession or if it is available at the depot and how much salt was needed on an average day.

Klotz said that it was preordered and allocated to him; an average day is 40 tons. For the Transfer Station, he showed the Board sketches of a plan to cover the roll-offs at a cost of approximately \$80,000. There may be grants to pay for it and Ulster County Resource Recovery may be able to help pay for it.

Supervisor said that he will reach out to Tim Rose, Executive Director of the Ulster County Resource Recovery Agency.

Paladino guessed that it could cost 40% more because of the water weight of the roll-offs.

Supervisor said that the Town had received a \$40,000 grant many years ago.

Klotz thought the money was used to put in the road to the Transfer Station. Town pays tipping fees for recyclables including cardboard. He has four quotes from \$10,000 to \$19,000 for a new roller. The roller now being used is a 2003 but new parts are not available.

Supervisor asked Klotz to explain the process of snow maintenance on the roads.

Klotz said that roads are pretreated which helps to keep the snow from sticking to the roads and makes it slushy, it keeps the snow from packing down. The salt does not work at such low temperatures.

Horodyski asked at what point Klotz decides to plow. He has heard the comment that the trucks are going out later than they have in the past. He did not want his question to be misunderstood but he wanted to be able to answer when he is questioned; he feels that the Highway does a fantastic job of clearing the roads. He would like to see the downtown area cleared but realizes that it is difficult to work around the cars. He asked where people can put the snow from the sidewalks. Only now has the Planning Board been addressing the issue with property owners as to where they are going to put the snow in their projects.

Klotz answered that he sends the trucks out as soon as it starts; it takes three or four hours for the nine available trucks to make one round of the 130 miles of road. Ulster County and the Police Department call when the roads begin to get slick. He felt that the biggest problem is the people who throw the snow back on the road in the country; further, there are three or four people who plow driveways downtown and push the snow into the street. He suggests it is pushed to the backyards. The Highway does clean up the Town and he feels they did a great clean up of the Town this storm.

Supervisor said one of the drivers did get frustrated in the downtown area and the storeowner took offense to it. He said that they discussed that the temperature has been brutal and when the roads are scraped, the roads refreeze.

Klotz said that the roads are then sanded and salted. He agreed with the Supervisor that County, State and Town roads are in the same situation.

Guerriero noted that driveways are plowed and then a plow comes by and blocks in the driveway on all roads.

All agreed this is the way winter used to be.

F. Hudson Valley Rail Trail –

G. Justice – Terry Elia/Eugene Rizzo

H. Police – Chief Daniel Waage reported that January was a fairly busy month as there were 796 calls for service, 318 other/public service; 40 motor vehicle accidents; 116 parking tickets; 68 UTT's; 44 arrests; Hamlet foot patrols for Officer/Sgt, approximately 140 hours, Chief/Lt approximately 15 hours; schools for Officer/Sgt approximately 15 hours, Chief/Lt, approximately 5 hours.

~January 15 – Town of Lloyd Police 'Tips Hotline' was set up (691-7407).

~January 16 – meeting with ServePro for information on "Emergency Ready Profiles" flip charts which contains emergency personnel information, company contact numbers, property overview and gas, electric and fuel locations, etc. that could be used for various businesses and schools in Town to assist emergency services (Police, Fire and EMS).

~January 20 – Departmental CPR and AED training. Department awards were given to ten members for meritorious service, achievements and lifesaving.

~January 24 – a Poughkeepsie man, age 45, was arrested as a Fugitive from Justice after being arrested by Lloyd Police for shoplifting at Tractor Supply. The subject was wanted by Florida officials for Parole/Probation violation stemming from a Grand Larceny arrest.

~January 25 – Lloyd Police, Ulster County Sheriff's Department and the New York State Police responded to a shooting at Home Night Club on Route 9W. One victim suffered a gunshot wound to the leg area and treated at St. Francis Hospital. Police were involved in a shooting with armed subjects in a vehicle that was fleeing from the night club during a motor vehicle stop on Route 9W and Milton Avenue. One Lloyd Police Officer suffered a minor hand injury and two officers were evaluated at the hospital. All three officers were treated and released. All four occupants in the vehicle were arrested on felony gun charges and two illegal handguns were recovered at the scene. The driver was treated for non-life threatening gunshot wound and was released. All four are currently in Ulster County Jail on felony weapons charges awaiting Grand Jury proceeding. Another subject was located walking from the night club on Upper Riverside Road, found with an illegal handgun and was remanded to jail. The case is being investigated by the New York State Police and the Ulster County District Attorney's Office.

~January 25 – Three Newburgh teens, ages 17, 15 and 13 were arrested for breaking into more than 10 parked cars in the Bridgeview area over two nights and stealing money, cell phones and other valuables. Investigation revealed that the teens would take a taxi from the Newburgh area to Highland to commit the larcenies.

~Officer Jim Plass reports six knives, two Leatherman tools, two pepper sprays, one box cutter and one pair of surgical scissors were confiscated at Lloyd Town Court.

~T/L Police has established a Med Return drop box for the disposal of unwanted and outdated drugs. It is located in the foyer of the Police Department and drugs can be dropped off 24 hours a day, 7 days a week. No paperwork required and no questions asked. Police Department will store the medications in a secure area and dispose of them. Items accepted: prescription medications, all over-the-counter medications, medication samples, pet medications, vitamins and medical ointments. Items not accepted: needles, IV bags, infectious waste, thermometers, inhalers, hydrogen peroxide and aerosol cans. It is hoped that this will help keep excess prescriptions and over-the-counter medications off the streets and out of the hands of youth and substance abusers by means of safe and secure disposal.

Supervisor commended the Police Department, Chief Waage, Lt. Janso and the Command Staff in handling the situation at Home night club on Route 9W. He received a call about 4:30 AM on January 25 and went to the scene. He felt that it was nice to see the cooperation and professionalism of the Town of Lloyd Police, Ulster County Sheriff, NYS Police and the Ulster County District Attorney's Office.

Paladino asked if the Tips Hotline should be considered for a robo-call.

Supervisor said that the telephone number will be put on the Town's access channel.

I. Recreation/Buildings & Grounds – Frank Alfonso

J. Safety Committee –

K. Town Clerk – Rosaria Peplow reported that the 2014-2015 permits for the Transfer Station have been ordered and the color is light green. The current permit expires March 31, 2014 and the new permits will go on sale March 1, 2014; 820 permits were sold this year. \$730,000.00 was paid to the Bookkeeper for taxes in January. Wells Fargo, Bank of America and Corelogic Tax Service provided their payments on CD's, which were then downloaded into the tax program. This was the first year that there were no duplicate payments on the disc. The new tax program has updates based on the recommendation of the Ulster County Tax Collectors' suggestions. The program's new feature allows a tax bill to be saved in PDF format and then e-mailed; this feature has expedited providing duplicate tax bills upon request. In January, she notified the department heads that Keith Garbounoff of Buildings and Grounds was available to dispose of records that have reached their disposition date. A few responded and the Supervisor arranged for a truck to come to the Town Hall on January 22 to shred the records. This made it a lot easier for Garbounoff to dispose of the records. The records to be disposed of are listed on a form that is signed by the department head and then signed by Keith Garbounoff as the person destroying the records. During a discussion of the Simple Audit, Mary Kimball suggested that the disposition schedule should be more accessible to department heads. Peplow will send them a link to the NYS Department of Education so that they can look up the disposition schedule for their records. The Town Board adopted the NYS Department of Education disposition schedule and the Town's records are to be stored with the box labeled with the name, the date and disposition date of the record.

L. Water & Sewer – Adam Litman reported that in early December the Water Department moved from full-river water to a blend of river/reservoir water and then to full reservoir for water production; if the weather patterns continue and there is snowmelt, the Water Plant may be able to stay on full reservoir for 2014. There are ongoing projects at the Water Plant. One of the projects is rebuilding and rewiring the sludge pumps. One pump has been completely rebuilt and the process that would take two full days now takes about four to six hours. The second pump requires adjustments because of some necessary mechanical changes. The departments are cross training. Frank Palmateer is spending two or three days a week at the Water Plant so that he is more familiar with operations there and can fill-in when needed. Palmateer has a 2A license to run the Water Plant. Kevin Klotz has been working with the Road Crew to learn the usual maintenance and the repairs to the distribution/collection systems. He has also been cross-training at the Sewer Plant to learn the operation and working with Mark Schaaf at the Water Department so he can eventually get a license. There were two water main breaks last month, one on North Road and one on Old New Paltz Road; repairs took between eight and ten hours for each. Due to the weather there have been some minor issues with tanks at the Sewer Plant. They have been working with Ray Jurkowski and Andy Seidel of Morris Associates to try to get the methane system on the digester to function properly.

M. Supervisor –

2. OLD BUSINESS

A. Executive summary from Northeast Computer Services

Supervisor stated that the Board members received copies of the report.

B. Hudson Valley Wine Village

David Barton said that the Town Clerk is in receipt of the Draft Environmental Impact Statement and it is available for review in her office; digital copies are also available in his office. Board members received copies in their mailboxes. It is the responsibility of the Town Board to read it. It is the advice of your advisors, Teresa Bakner and David Barton, it is complete for public review and they advocate that the Town Board deems it complete. In that case, a public hearing will be set for March 19. He asked the Board where they felt the public hearing should be held.

Supervisor suggests that the public hearing be held at the Town Hall as it could not be televised if it was held at the Firehouse.

Barton said that the comment period will stay open until April 18, which is statutory.

3. NEW BUSINESS

A. White Wolf Holdings, Inc. – Request for rezoning of property on Route 9W from R-1 to GB.

Patti Brooks, Brooks and Brooks, surveyors, said that she was representing White Wolf Holdings and the proposed rezoning on Route 9W, bordering the Town of

Marlborough town line and splitting a parcel of land bounded on the north by North Road and on the west by Route 9W. The property is currently zoned R1 in the Town of Lloyd and abuts Town of Marlborough lands that are Highway Development, the entire corridor of Route 9W is Highway Development and the lands in the Town of Lloyd are substantially vacant along that Route 9W corridor.

Sean Murphy, Town Attorney, confirmed that Lloyd is R1 Zone and Marlborough is Highway Development Zone.

Brooks said that part of the Comprehensive Plan is to extend water to Marlborough, to bring more commercial development into that area; this may be Phase I or part of a bigger deal, it may be time to look at the whole thing. She is representing this particular client.

Barton said that this has been discussed before and the Town has already done this piece to rezone this corridor and have heard from Ulster County Planning that they did not like it; it has been referred to Lloyd Planning Board who voted for it unanimously. This application may be the trigger to get the highway corridor zoned appropriately, which is what he advocates. It will be another process and will have to be referred to Ulster County Planning Board again; a map will have to be created. It is on the front side of what is hoped will occur for the Winery.

Horodyski asked if Ulster County Planning has seen this particular rezone.

Barton replied that they have not seen this one. This might be difficult because it is a small piece although the Comprehensive Plan calls for it, it will not be spot zoning.

Horodyski asked the size of the Lloyd piece.

Brooks said that the entire piece is 2.58 acres and the Lloyd piece is 1.7 acres. It is deeded as one single piece.

Barton said that when Marlborough pushed back on this, he contended that the use is an accessory use for the piece in Marlborough which is a single piece split because the Town line passes through it. It is a single parcel in ownership and deed and, in his opinion, use. Marlborough disagrees. It is a moot point now with this application.

Horodyski posed that given the County's negative response of the total rezone it requires four votes.

Barton said that was correct and Lloyd will have to re-refer it and this will be a new petition. The previous application to the County was for multiple pieces, Lumen Lane was the one that was changed from GB to DB.

Brooks added now that the Town has their new Master Plan in effect and this is part of the recommendations it could be that Ulster County Planning Board has a different take on it.

Barton said that he will get something together for next week.

Supervisor feels that it is time to move forward.

Brooks said that she will work with Barton to put something together.

4. PRIVILEGE OF THE FLOOR

Supervisor asked if there were any questions from the floor. There were no comments or questions.

5. MOTIONS AND RESOLUTIONS

A. RESOLUTION made by Horodyski, seconded by Paladino,

WHEREAS pursuant to the Ulster County Regional Enforcement Narcotics Team Cooperative Agreement, (URGENT) and the Inter-Municipal Agreement for the year 2013 between the Town of Lloyd and the County of Ulster, the Town of Lloyd is eligible for a distribution of monies that were seized by URGENT in the amount of \$7,000;

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Lloyd has authorized the general release related to this distribution and has authorized the Town Supervisor of the Town of Lloyd to sign the general release required in order for the funds to be released by the County of Ulster on behalf of Urgent.

Supervisor clarified that this is the second payment from URGENT in two years.

Roll call: Hansut, aye; Horodyski, aye; Guerriero, aye; Paladino, aye.

Four ayes carried.

B. RESOLUTION made by Paladino, seconded by Horodyski, to accept the estimate of between \$775 and \$935 from General Code Publishers to codify Local Laws No. 11-2013 and No. 12-2013 and authorize the Supervisor to sign the estimate.

Roll call: Hansut, aye; Horodyski, aye; Guerriero, aye; Paladino, aye.

Four ayes carried.

- C. RESOLUTION** made by Paladino, seconded by Guerriero, to hire Kevin Klotz as a seasonal employee at the rate of \$18.07 per hour on a temporary, on-call, as-needed basis, effective December 1, 2013, at the recommendation of Richard Klotz, Highway Superintendent.

Roll call: Guerriero, aye; Paladino, aye; Hansut, aye; Horodyski, aye.

Four ayes carried.

- D. RESOLUTION** made by Paladino, seconded by Horodyski, to authorize the Supervisor to sign the Inter-municipal Agreement with the Town of Plattekill for the Crescent Avenue subdivision known as MML Homes Subdivision for winter-time maintenance as outlined in said agreement. (See Attached)

Roll call: Hansut, aye; Horodyski, aye; Guerriero, aye; Paladino, aye.

Four ayes carried.

- E. RESOLUTION** made by Paladino, seconded by Horodyski, to approve and authorize the Supervisor to sign the 2014 Extended Service Agreement for Joseph R. Trapani as Special Prosecutor for traffic offenses (excluding vehicle and traffic misdemeanors and alcohol offenses such as DWAI) issued by either New York State Troopers or Town of Lloyd Police Officers not to exceed \$21,000.00 at the recommendation of Town Justices Rizzo and Elia.

Roll call: Hansut, aye; Horodyski, aye; Guerriero, aye; Paladino, aye.

Four ayes carried.

- F. RESOLUTION** made by Horodyski, seconded by Guerriero, to hire Paul J. Italiano for the position of Part-time Police Officer at the contract rate of \$21.75/hour, effective February 13, 2014, pending the pre-employment physical at the recommendation of Police Chief Daniel Waage.

Roll call: Hansut, aye; Horodyski, aye; Guerriero, aye; Paladino, aye.

Four ayes carried.

- G. MOTION** made by Paladino, seconded by Horodyski, to approve the Town of Lloyd Board of Ethics Regulations, Version 8.

Four ayes carried.

MOTION made by Paladino seconded by Guerriero, to go into executive session first with Jennifer Mund, Assessor, and Sean Murphy, Attorney, to discuss the Rite Aid tax certiorari; second with Adam Litman, Water and Sewer Administrator, to discuss personnel and third with Police Chief Daniel Waage, regarding personnel, at 5:14PM

Four ayes carried.

MOTION made by Guerriero, seconded by Horodyski, to come out of executive session at 6:05 PM.

Four ayes carried.

MOTION made by Paladino, seconded by Guerriero, to adopt the Med Return Box General Operations Manual.

Four ayes carried.

MOTION made by Guerriero, seconded by Horodyski, to adjourn the meeting at 6:06 PM.

Four ayes carried.

Respectfully submitted

Rosaria Schiavone Peplow
Town Clerk