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Supervisor asked Lombardi to do some erosion control and that Lombardi would have to prioritize the projects according to his budget.

Lombardi would like to meet with the Town Board to discuss proposed projects. He has not heard anything about CHIPS funds this year and he cannot count on that funding for the roads this year. He will go to Albany with other highway superintendents next week to find out what has happened to the CHIPS money.

Franco Zani, Senior Wastewater Treatment Plant Operator, asked the plan for North Road.

Lombardi said that he is waiting for a survey of the road; it is his feeling that some sidewalks will have to be eliminated as the plan calls for a 50-foot right of way.

Supervisor said that he did not recommend sidewalks as that puts the burden on the property owner to keep them clean; he feels that a plow-able shoulder suitable for walking would be appropriate. If the street is going to be rebuilt, pedestrians and bikes must be addressed.

Lombardi would like to repave only the road due to the high cost of materials and the complaints about the bumps in the road, concentrating on a 20-foot wide roadway and milling it down to the concrete.

Zani said that he would like to put in new sewer infrastructure before the road is repaved.

Supervisor stressed that North Road must be more than 20-foot wide, somehow shoulders need to be added to that road to make it walkable. He does not feel that paving should be done this year

Hammond concurred that there are a lot of people of all ages who walk on that road and there is no where for them to walk. She asked for a cost estimate.

**F. Hudson Valley Rail Trail – Ray Costantino**

**G. Justice – Terry Elia/Eugene Rizzo**

**H. Police – Chief David Ackert**

Lt. Wade Sargent noted that on the agenda there are resolutions to accept a dispatcher resignation and to hire a part-time dispatcher. He answered a Board member's question that the department is busy and the violent nature of the calls is going up a little, as a result of money issues and a long winter.

Supervisor said that the department has received a new Ford police car.

Lt. Sargent added that they took advantage of the fact that this is the last year that the Ford Crown Victoria will be available.

**I. Recreation – Frank Alfonso reported that the winter youth basketball and wrestling programs ended on February 26 and adult basketball will end next week. SummerFun was discussed at the last Recreation Commission meeting and it was decided to increase the program to six weeks; during the final week, Berean Park will remain open with a skeleton crew of lifeguards.**

Alfonso asked about the mowing of the parks and the painting that needs to be done.

Supervisor noted that the NYS auditor has been in Town Hall for risk management and RFP's will be required for lawn care this season. He said that his office has the standard list of companies and asked if there are additional names to let his office know who should be notified.

Alfonso would like to paint under the pavilion and inside and outside the bathhouse and concession stand before Berean Park is opened for the season; he did not know if this is something that Buildings and Grounds would do.

Supervisor said that it was suggested that plywood is installed in the ceiling to cover the beams of the pavilion roof.

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Alfonso planned to complete the cement patio in front of the concession stand and black-topping the two parking lots in the spring. Hudson Land Design is working on the designs for the beachfront, which should be completed by the end of this month.

That work to be done in August.

Supervisor suggested that little pieces of the plans could be done by getting prices and doing it, anything over \$10,000 needs to go out for bid.

Paladino emphasized that work needs to be done at the Park in the next month, in preparation for the opening and cannot wait until the April Board meeting.

Supervisor feels that the painting job should be outsourced and not painted by Buildings and Grounds.

Litts suggested contacting the youth program at Highland High School to do these smaller jobs, which gives them something to do, a work ethic, and keeps them off of the street.

Supervisor commented that sounds great but someone has to be there with them.

Brennie added that it does not work well as someone ends up babysitting and you do not get quality work from them.

Alfonso concurred and said that was tried at the Little League field and was not successful.

Zani offered that the high school students are supposed to complete 10 hours of service for each year as a requirement for graduation but they need to be supervised and that takes up a lot of time.

Alfonso asked the Supervisor if he should advertise or call three painters.

Supervisor answered that he did not need to advertise and he could phone paint contractors for bids. Alfonso noted that he needs to follow up on the contractor about the grass at Tony Williams Park and the funds that were held until the grass grows.

**J. Safety Committee – Franco Zani**

**K. Town Clerk – Rosalie Peplow** reported that in February she gave \$4,360,980.05 to the Supervisor for taxes. The new permits for the Transfer Station have been received and are available at her office; the color is blue this year. The current permits expire March 31.

The new dog license program is going well, reminder notices have been sent out for dogs that are due for renewal in March and additional notices were sent to owners have not responded to the first notice. Jim Myer, Dog Control Officer, has been given a list of those people who have not replied.

She has been working with the NYS Auditor over the last few weeks.

**L. Water and Sewer – Ray Costantino**

Franco Zani of the Sewer Department reported that the contractor for the Wastewater treatment Plant is pouring concrete daily and has worked 118 days; he has begun a spread sheet on change orders and credits that are due to the Town. As of this date, it is \$47,000 to the good and it projected to increase to \$100,000 by the end of March. The contractor is expecting a completion date of middle to late August. The plant is staying in compliance and is 3% below the norm; NYS DEC said that is normal for a sewer plant operating on half of the equipment.

The asbestos abatement on the two houses to be demolished will begin March 3 and that space is needed for the equipment.

He thanked the Building Department for the as-builts for the Sewer plant. They were able to locate the utilities because of the maps.

Barton asked for a copy of the new as-built.

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Zani said that the contractor is going to furnish multiple copies of a disc with digital pictures of the underground utilities, which he will give to Barton. He did meet with Hammond and Litts at the Sewer plant and invited other members of the Board to see the construction.

Andrew Paccione, Water Department, stated that he has been told by the contractor that the pump has to be in service for 30 days before starting the #3 pump to make sure that everything is running properly. This will be difficult because by then the Water Department will be running reservoir water. It will delay installation of the other pump.

Supervisor suggested talking to the engineer and contractor to see if the pump cannot be run for longer periods to shorten the days it needs to be run.

He complimented Paccione and Zani and said that they treat the plants as if they were their own and that he appreciates the work that they have done. He asked them to the meeting so that they could elaborate on what is getting done at the plants.

Paccione explained that there was a centrifuge failure and the consultants said that it needed to be upgraded at a cost of \$20,000 to \$40,000; however, he researched DC drives which are used in Europe and they outlast any upgrade to the centrifuge. He was able to trouble-shoot the process over the phone and it turned out to be a circuit board, which was a \$2600 repair. It can be repaired in-house.

Supervisor's asked about the new meters.

Paccione said that any new projects will need to use a newer style meter as the current meters are obsolete.

Supervisor would like to begin to replace the obsolete meters on a street-by-street basis and some of the older meter tops can be changed; department is going to continue to use Badger meters so that the older meters can be retrofitted with the new readers.

Paccione explained that he has data from May of 2009 and May of 2010 on water consumption but he cannot do a monthly reading per consumer, on an overall yearly average, it is going to show a 24% loss which includes backwash and flushing.

Hammond felt that 24% was high.

Paccione explained that a backwash uses 40,000 gallons and one flush is 18,000 gallons.

Supervisor related that a better filtration for the Water plant has been discussed to capture this wash water so that it does not go to the sewer. The water could be treated for reuse and lessen the impact at the Sewer plant.

**PRESENTATION:** Altamont Farms, Upper North Road

Richard J. Olson, attorney, McCabe & McCabe, council to ABS Development (Dan V. Gueron), on the project referred to as Falcon Ridge, stated that he wanted to review the Town of Lloyd Zoning code. It was his understanding that this is a flexible design statute. Initially a sketch plan would be submitted to the Town Board and if they agree with the mix, use and density, it would then be referred to the Planning Board, assuming that the Town Board finds it to be an acceptable plan. The Code refers to application fees that he noted were for escrow which will be funded on an ongoing basis depending on the level of review; once it was before the Planning Board, sufficient detail in environmental information would be needed because the Town Board would be acting as the lead agency under SEQR and environmental determination would be made before site specific planning levels were achieved, assuming there is agreement with the Town.

He introduced Chris Round of the Chazen Companies for the initial presentation.

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Paladino disclosed that he was the former owner of this property and that Rich Olson represents him in legal matters; however, he has no interest in the project and the property was not purchased from Paladino.

Chris Round, Chazen Companies stated the project is called Falcon Ridge, 520 acres, 250 houses and a 9-hole executive type golf course. The larger lots, 100x150 feet or 120x180 feet are conventional family houses; the smaller lots are targeted to active adult seniors, single family, with minimal setbacks. There are 200 active adult and 150 single family lots. These numbers may change as the project moves forward in reflection of the market. They spoke to Ulster County Planning and they liked the idea of flexible space that would attract a variety of tenants, which fits in with the industrial or manufacturing uses.

He noted that KC Motorsports, Upper North Road and Route 9W, is going to grant an easement across their property, which gives Falcon Ridge direct access to Route 9W. They would like to hook into the municipal water; they are evaluating sewer systems and may also want to hook into municipal sewer system, if it is feasible. Round said that the flex area could produce up to 1000 jobs.

Round said that the PUD regulations do have limits on the number of permitted residential units, limits on residential use versus non-residential use; conflicts have to be worked through with the Town of Lloyd Code and get that on the table as early as possible. The Code now says that no more than 10% of the residential development can be one and two family homes, which he reads to mean that the Town is looking for multi-family homes in the PUD. The Code also says that no more than 50% of the floor area should be non-residential. They are not proposing a multi-family project so that needs to be resolved and if a zoning variance is needed.

Supervisor said that there is a 12x12 tee at the end of their driveway for water service, so water is available to the property; however, the property is probably too far away. A constructed wetlands may be possible and the water used to irrigate the golf course.

Paladino asked if they have had feedback from NYSDOT.

Round said that they have from the initial concept but nothing from a permitting standpoint. He does not feel that the volume of traffic would be wanted on Upper North Road and that access to Route 9W would be appropriate.

Brennie asked if 350 single family homes are feasible in this market.

Round answered that there would be a two-year window to go through the process and in two years the market will be different than it is today.

Barton pointed out the Light Industrial Zone and he suggests putting the back parcel in a Planned Residential Development zone and not do an overlay district. This would help with the two year build-out expiration problem.

Hammond asked about the time line.

Barton answered that it would be three years for a site plan; if the Town Board rezones it, the PUD would be forever.

Paladino questioned if it would be too restrictive as residential if the market changes again and Barton agreed that it would be restrictive.

Round feels that if the PUD would allow the golf course and accessory uses, it would be suitable.

Litts concurred that the advantage of Barton's suggestion is that the front parcel could be developed immediately but if it is tied to the back parcel, development may have to wait two or three years.

**\*6:10 PM** - Brennie left the meeting.

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Supervisor introduced Mark Wildonger, Scenic Hudson, and asked what the developer should be talking about in the presentation to Scenic Hudson.

Wildonger replied that Scenic Hudson would look for using subdivision elements where clustering would be used and allowing 50% passive open space; the golf course would be classified as active open space. He offered to transmit the primer on conservation subdivisions. The view of the build out from public points can be simulated by computer.

Paladino asked in what forum is the Town obligated to the recommendations of Scenic Hudson.

Wildonger feels that working with Scenic Hudson would help to streamline the approval and the environmental impact statement processes, rather than Scenic Hudson coming to the public hearings and commenting.

Barton stressed that the comments need to be considered but all of the recommendations do not need to be followed; the Town Board can make a legislative act as the courts give legislative acts the highest latitude as they assume that the Town Board knows better than anyone what is best for the Town. The Town has a good relationship with Scenic Hudson and they have been a good neighbor to the Town; they also can be of help because of their planners and people on staff that can help the processes move forward.

Wildonger would like to look at the specifics of the PRD rezoning and he asked if the Town would initiate that action.

Barton answered that the Town has begun discussions

Litts said that it was eliminated in the new Zoning Code and now the Town Board finds that it should not have been changed.

Round asked the procedure for making an application for something that is not currently permitted under the zoning regulation.

Sean Murphy, Town Attorney, answered that an application cannot be made for a law that is not in effect.

Barton said a draft of the new law will be available in a couple of months, probably May.

Dan Gueron, ABS Development, said that the recession has changed the market as seniors were not able to sell their homes and move south. Older people are not necessarily moving away; they do like smaller homes with homeowner's association that will aid in the maintenance. One market is the young family upgrading from the starter home and the other is a group of active adults. The location of the 500 acres is an excellent location. He feels that the 9-hole golf course that is open to the public will be an amenity to garner sales; the market will get better and this development offers a unique opportunity.

Supervisor noted that there are project like this in Orange County.

Gueron feels that these active adults are still working, have lots of money and the ability of buying luxury homes. The similar development is the only one in Orange County that has sold. There is one finished in Dutchess County and another coming out.

Hammond asked the approximate price range of the houses and the age of active adults.

Gueron answered that if they were available today that the market homes would be \$450,000 and over; the active adult will probably start at \$350,000 or \$375,000. He wants to make it community-friendly with walking trails and golf. Before the market crashed, these homes would start at \$100,000 higher. For active adults, one member of the household has to be over 55, no school age children, no one under 18.

Supervisor spoke with Deborah Haab, Superintendent, Highland Central School District, who said that the enrollment was down 18%. He feels that it may be beneficial to add students to the school district.

Gueron added that the only comment they received on the project from the Ulster County Planning Board is that Ulster County has too many golf courses and they do not want to see another one.

## 2. OLD BUSINESS

### A. Hamlets

Sean Murphy stated that Hamlets have their approval and pursuant to the current Code, they may have two six-month extensions to complete the project, the last six-month extension expires June 4, 2011. They could lose their approvals unless something happens. He received a letter from them requesting a year extension and another year on top of it, a total of three years from the date of approval. He spoke with Barton and copied Terresa Baker regarding their request. This would be a one-year-at-a-time extension. A public hearing and a change in law would be needed.

Hammond asked what happens at the end of the three years.

Barton and Murphy said that the approval expires; if nothing is done, it expires this June.

Barton added that it may be good to let it expire because sometimes there are major impact changes in that time period; for example, on March 1, the NYSDEC stormwater regulations changed.

Hammond said that she does not want to put the Town back into a situation where the project just sits there and there is no action.

Barton commented that after an expiration, it is possible that the Planning Board will accept the old plan and environmental; however, as Building Inspector he would make them pay all of the fees again and submit another review.

Supervisor said that this project has been through the whole review process.

Litts asked if they were serious about the project and why the Board has to hold their hand for their business decisions.

Murphy explained they were saying that it is because of the economic times, it is very difficult for them to move forward by June 4, 2011. The discussion is allowing another year extension, they have to show good cause and make application.

Litts said that he felt that the six month time period was too short due to the northeast construction periods; if these people are serious, they need to progress and make the investment.

Supervisor noted that there is a delay in collecting recreation fees until they are ready to sign the maps; however, there is no impact on recreation, water or sewer. An extension would give them the time to sell the project or get funding.

Paladino added that the developer has a lot of soft costs already in the development.

Murphy said that the change to the Town Code has to be made before June 4 and they have to make application, a public hearing has to be set for the May meeting.

Hammond asked for clarification of the change in extension.

Litts explained that the change would be a one-year extension instead of the current six-month extension; at the end of the one year, the developer may come back and ask for a second one-year extension and after that, the opportunity to apply for a third one-year extension. After that extension another will not be allowed.

Barton said that this development is extremely close in their readiness for approval. He said that this is getting from conditional approval, to final approval. That is the extension they need. Once the development has site plan approval, it is three years. It is possible that it would be six years from the conditional approval to build out; there is nothing in the law that obligates a Board to grant an extension.

Supervisor told Barton that the Board would like to look at the changes as soon as possible.

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**B. Mile Hill Road**

Supervisor said that the estimate to do the project is \$40,000; the Highway Superintendent does have unexpended balance left over from the last two years. He feels that Lombardi should seriously consider not paving this year if this oil crisis continues and do other improvements that need to be done, i.e. drainage on Maple Avenue, Grand Street wall, etc.

Paladino feels that there will be a great deal of work to fill potholes this spring.

Supervisor added if there are more storms, there are monies that can be transferred from one account to the other but as it looks now there is plenty of money in the Highway budget for sand and salt to finish out until Spring. He thinks it is imperative to have a walkable shoulder on North Road, which with Hammond agreed.

Paladino would like to take into consideration the point made by Franco Zani on the infrastructure of the road.

Supervisor noted that if and when Highland Square comes on line and buy into the sewer system, there will be \$700,000 available for improvements.

Paladino asked if that project is moving forward and the Planning Board would like to know if site plans will be available in the next couple of months.

Barton feels that they are moving forward and that they are meeting conditions.

**3. NEW BUSINESS**

A. Acknowledge resignation of Dispatcher MargaretAnn Waage, effective March 1, 2011.

**4. MOTIONS AND RESOLUTIONS**

A. **RESOLUTION** made by Litts, seconded by Hammond, to hire Kelly A. O'Donnell for the position of part-time dispatcher pending department background check, at the rate of \$12.00 per hour at the recommendation of Police Chief David Ackert.

**Roll call:** Costantino, aye; Paladino, aye, Hammond, aye; Litts, aye.

**Four ayes carried.**

B. **RESOLUTION** made by Paladino, seconded by Hammond, to approve hiring John Zani as a part-time laborer on an as needed basis for all departments at a rate of \$17.20 per hour.

**Roll call:** Costantino, aye; Paladino, aye, Hammond, aye; Litts, aye.

**Four ayes carried.**

C. **TABLED Resolution** to approve Change Order #1 for \$3,040.42 for Highland River Pumps Replacement with Standard Construction for additional fittings; original contract price \$207,000.00, new contract amount \$210,040.42 and authorize the Supervisor to sign.

*Litts asked if the original contract was 'supply and install' and if these things that were under consideration or additions that were not in the original price. He asked if the pump company explained why it took so long to supply the pumps, there is a request for a two-week extension and there has not been an answer as to why he did not finish on time.*

*Supervisor and Board noted that they did not have a copy of the change order. Andy Paccione asked for additional valves. He answered that there has not been a reply as to why delivery of the pump took so long. He will follow up on the extension of time; however, the pumps are needed.*

*Discussion ensued as to what should be included in the resolution; Standard Construction will be asked to resubmit which should include the explanation of the extension of time.*



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**D. RESOLUTION** made by Hammond, seconded by Paladino, to approve use of Hudson Valley Rail Trail by 1-2-3 PLAY Private Preschool for a Trike-a-Thon on April 16, 2011; rain date April 17, 2011, from 9 am – 3 pm.

**Roll call:** Costantino, aye; Paladino, aye, Hammond, aye; Litts, aye.

**Four ayes carried.**

**E. RESOLUTION** made by Paladino, seconded by Hammond, to approve an adjustment for Account #100750, 261, 271 Upper North Road, of a \$81.89 credit for water and \$65.51 credit for sewer for a total adjustment of \$147.40 as the it meets the criteria as set forth by the Town Board.

**Roll call:** Costantino, abstain; Paladino, aye, Hammond, aye; Litts, aye.

**Three ayes carried.**

**MOTION** made by Hammond, seconded by Paladino, to adjourn the meeting at 7:10 PM.

**Four ayes carried.**

Respectfully submitted

Rosaria Schiavone Peplow  
Town Clerk