

TOWN OF LLOYD TOWN BOARD
REGULAR MEETING
MARCH 15, 2017

Present: Supervisor Paul Hansut
Councilmember Kevin Brennie
Councilmember Michael Guerriero
Councilmember Joseph Mazzetti
Councilmember Jeffrey Paladino

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

Absent: None

7:00 PM – Supervisor opened the meeting and led the Pledge of Allegiance

Supervisor read the following Proclamation:

PROCLAMATION – PARKINSON’S AWARENESS MONTH

WHEREAS, Parkinson’s disease is a progressive neurological movement disorder of the central nervous system, which has a unique impact on each patient; and

WHEREAS, according to the Parkinson’s Action Network, the Parkinson’s Disease Foundation, the American Parkinson’s Disease Association and the National Institutes of Health, there are over one million Americans diagnosed with Parkinson’s Disease; and

WHEREAS, symptoms include slowness, tremor, difficulty with balance and speaking, rigidity, cognitive and memory problems; and

WHEREAS, although new medicines and therapies may enhance life for some time for people with Parkinson’s, more work is needed for a cure; and

WHEREAS, increased education and research are needed to help find more effective treatments with fewer side effects and ultimately a cure for Parkinson’s disease; and

WHEREAS, a multidisciplinary approach to Parkinson’s disease care includes local wellness, support and caregiver groups; and

WHEREAS, April has been proclaimed as World Wide Parkinson’s Awareness Month for all to recognize the need for more research and help in dealing with the devastating effects of Parkinson’s disease.

NOW, THEREFORE, I, Paul J. Hansut, Supervisor of the Town of Lloyd, do hereby proclaim April as Parkinson’s Awareness Month in the Town of Lloyd.

7:00PM- Supervisor opened the Public Hearing on Local Law A of 2017, a proposed local law known as the “Amendments to Chapter 100, entitled “Zoning” of the Town Code of the Town of Lloyd to provide for the accommodation of solar energy systems and equipment and access to sunlight necessary therefore, so far as conditions may permit within the Town. He asked if there were any comments with regard to the proposed law

John Reagan

Zoning Manager - Development

Cypress Creek Renewables
1399 New Scotland Road, #339 | Slingerlands, NY 12159

Reagan said that he wanted to commend the town on the solar energy law that is being proposed which shows a commitment to cleaner renewable energy. In the proposed Local Law A of 2017, Section D, paragraph 2, on “Ground Mounted Solar Energy Systems” there is a 10-foot height requirement. He asked if that could be changed to a 12-foot height requirement. He submitted written comments to the Town Board. The typical design is 3½ x 7 feet solar panels and community solar array has two panels per row tilted at approximately a forty-five-degree angle fixed tilt racking system. The panels are 2 ½ feet off the ground to keep undergrowth from blocking the panels and at that angle two seven foot panels the maximum height is twelve feet. This is a typical standard design that any solar developer might use for a ground mounted system in this part of the country. He requested that the Board consider those specifications. The parcel in question is 30 acres along Elting Corners Road.

Dave Plavchak, Planning Board Chairperson, stated that the proposed law was altered to 15 feet after the Tri-Board meeting.

Murphy said he knew there was discussion about it but he has not seen a revision. He felt that fifteen feet is significantly more than the 12 feet standard. It is the Town Board’s decision. He asked if there were other changes.

Paladino said there was discussion about changing technologies and that there may be a need to have more flexibility in the future.

Supervisor said they wanted to adopt the law tonight.

Plavchak said he would have it at 12 feet and change it in the future if need be.

Murphy agreed since the industry standard is 12 feet.

Supervisor said they could amend it to 12 feet.

1. REPORTS – Town Board Liaisons

Audit –January 1 to June 30, 2017: Councilmember Brennie, Councilmember Mazzetti

July 1 to December 31, 2017: Councilmember Guerriero, Councilmember Paladino

ECC /Zoning Board – Councilmember Guerriero

Guerriero reported that the Zoning Board of Appeals had an approval for an accessory apartment.

Guerriero said he wanted to make everyone aware of the possibility of having floating oil barges docked in the Hudson River from Yonkers to Albany. The United States oil industry is producing so much oil that they are going to start to export it. The plan is to

have floating barges filled with oil in approximately twelve locations along the Hudson River with forty 600 hundred feet long vessels occupying these ports. Many towns along the Hudson River that have invested millions of dollars in riverfront revitalization and businesses and communities that draw their drinking water from the river are against these ports. A leak from any of the barges could affect and become a problem to many communities. The Coast Guard is going to be the lead agency. The Hudson River Water Alliance from Mount Vernon to Albany was formed to protect, restore and conserve the Hudson River Water Basin and would like to prevent building the barge ports.

Highland Central School District – Councilmember Mazzetti

Mazzetti reported that between March 28th and 30th grades 3-8 will take the New York State ELA testing. The testing marks the school's academic ranking standards and is very important for school funding. In January, 142 high school sophomore students took the Common Core ELA exam of which 126 students passed the exam. The 18 students who did not pass the exam will be able to retake it in June.

Thursday, March 16th is foreign language night at the high school and elementary students will be attending the Bardavon on March 24th and 29th.

The third marking period ends on March 31st. It is important that parents contact their child's teacher to see what work they may need to complete to achieve a passing grade in each of their courses. Report cards will be sent home on April 6th.

April 6th scholars will be inducted into the national honor society.

Kindergarten registration has begun. Screenings will be on Friday, May 19, 2017. Forty-one registration packets have been picked up from the registrar.

School is closed for Spring Break April 10th - 14th.

Planning Board – Councilmember Paladino

Paladino said he was unable to attend last month's Planning Board meeting. On the agenda were several public hearings on accessory apartments and all were approved. There were several discussions on signs for some businesses within the community. One of the adaptive reuse parcels, previously Vintage Village/Pratt Lumber, is moving forward. There is also an adaptive reuse parcel on the corner of Commercial Avenue and New Paltz Road, previously Babe's Gas Station. It will eventually house a business with an apartment upstairs. He felt it was good to see the unutilized parcels becoming assets to the community.

Police/Fire/Town Justice – Supervisor Paul Hansut

Supervisor reported that the court received a grant and put cameras in the courtroom. The same individuals that gave the grant have now said the court has to move the cameras from inside to the outside of the courtroom. They are getting quotes to move the cameras.

He thanked the police, highway department and all the first responders for their due diligence in the last snowstorm. It was more snow than has been seen in a long time. The state of emergency has been rescinded as of 8AM this morning. Originally the state of emergency was until midnight but Supervisor extended it because he felt it was

03.15.2017

needed until 8AM. He would like to discuss the Bridgeview Townhouse development as there is no place to put the snow there.

The Highland Hose Company 1 Ladies Auxiliary Penny Social will be held on Saturday April 1st at 5:30PM.

The Easter Magic egg hunt in the hamlet will be on Saturday April 8th from 11AM-1PM in Saint Augustine's gym.

The shred event sponsored by the Highland Business Association and the Highland Rotary Club Saturday will be on April 29th from 9am-12 noon in the parking lot in the rear of the Town Hall at 12 Church Street and is free to the community.

Troop 193 Eagle Scouts Highland is having an Easter Plant Sale fundraiser. The plants are \$7.00 each and were supplied by Adams Fairacre Farms.

The Mid-Hudson Senior citizens St. Patrick's Day luncheon was postponed due to the snowstorm to March 21st at 12:30 pm.

The Town Clerk's monthly report is available for anyone to view.

Water/Sewer/Drainage Committee –Councilmember Brennie

Brennie reported that the last meeting had a light agenda. The only new issue was the request by Weidner Memorials on Upper North Road to connect to municipal water.

Murphy said he was not sure if they are located within the water district.

REPORT – Peter Bellizzi, President, Hudson Valley Rail Trail

Peter Bellizzi said people are utilizing the Rail Trail this winter. They will start on the fabrication of the arch/gateway on the Rail Trail this month. He hoped it would be completed by the end of April. The CAD (computer aided drafting) drawing for the signage was being done by a volunteer who is unable to finish it.

Paladino asked if everything has been coordinated with The Walkway Over the Hudson and if there have been any issues.

Bellizzi said that it had been, everything is fine and they want to blacktop the area.

Klotz said he will talk to the engineer for the Highway Department to see if he can complete the CAD drawing.

Bellizzi said the Semper Fi parents of the Hudson Valley will be at Spring Fest on May 20th. The Semper Fi parents sponsor a 5K Walk.

Supervisor asked Bellizzi if he could put on the Rail Trail webpage that the trail is not going to be plowed soon as the roads take priority.

Bellizzi said he has to get permission to put it on the webpage but he will put it on the Facebook.

REPORT – Leonard Auchmoody, Manager, Bob Shepard Highland Landing Park

Auchmoody reported that since the last meeting Timmy Baker has removed large rocks and boulders from the gravel bed at the park with his excavator and truck. They have raised the wall on the north end of the Riverwalk and put twelve large rocks around the parking lot to stop a vehicle from rolling into the river. That is all the physical work they have had to do.

Auchmoody thanked the Highland Fire Department for measuring the top of the flagpole in the frigid weather. He received a letter from Scenic Hudson that the light on top of the

flag is not dark sky compliant. They had to measure the flagpole in order to find a dark sky compliant solar powered light that could be fitted to the measurement.

They are calculating the amount needed to finish the immediate tasks. The prices obtained for a wooden fence are so high that they will table it for now.

Some of the items that need to be completed are the Riverwalk, the outdoor classroom, and the education center inside the building. He hopes to have a definite cost by next month's meeting. There is enough money for the Riverwalk and the handicap ramp. It must go on the side of the building and there should be enough money to complete the steps in the back.

Selux Lighting Corporation had offered to donate seven lights to the park eight years ago. One of the engineers from Selux came to the park and made a drawing of the lights they feel are needed. They will have to lower the posts if they are too high to be dark sky compliant and then will need more lights. The sales representative from Selux is determining what he can do on the cost because the project has become much more expensive.

The proposed storage building across from the sewage treatment plant with the size specifications needed will cost \$42,000.00. A 13x24 shed will cost \$9700.00. They are also working on a sign to be placed over the entrance.

The estimate to finish the education center, which does not include plumbing, is \$43,980.00.

2. OLD BUSINESS

A.

3. NEW BUSINESS

A.

4. PRIVILEGE OF THE FLOOR

Mark Reynolds, reporter, said the Town of Plattekill has had the same issue with cameras in their courtroom and said they are only allowed to direct the cameras to where the judge sits. He asked if the Supervisor has obtained information that all the cameras in the Town of Lloyd Court have to be removed.

Supervisor reiterated that the court was told that they want them removed.

Reynolds asked if Supervisor could give an update on the towing law litigation and the deadline date to report.

Supervisor said there is a resolution on tonight's agenda to obtain McCabe and Mack as the attorney for the town to answer the challenges filed in the Supreme Court. The date to respond is May 5th.

Reynolds asked what the hourly rate is for McCabe and Mack and if they have put a cap on how many hours the attorneys could work.

Supervisor said the attorneys will send a retainer agreement but that most law firms charge \$195.00 per hour for municipal law and there was no cap set.

Alex Cacchio, Highway Department, said he is proposing a project that will benefit the

community. He felt that everyone needs a good mentor and that is why they would like to pursue a paid internship program for the various municipal jobs within Town of Lloyd. The internships would be made available to interested Highland High School students who do not want to pursue college or who want to learn a trade prior to college. The interns would learn different occupations or trades within the municipal departments. He has spoken to the union head and it would be a three-year approximately 29 hour a week training program. The students upon completion of the program would be ready for placement in a career within the municipality should a vacancy occur or within many local businesses.

Cacchio has spoken with the principal of Highland High School and he is agreeable that Cacchio make a presentation to any students who are interested in the program. They would interview any potential candidates and make a decision.

Paladino asked if Cacchio thought about working with BOCES for the project.

Cacchio said he would like to limit the potential candidates to the students in the community and to involve all the departments in the town.

Mazzetti said he would be glad to help write a proposal for the project if they needed it.

Franco Zani, resident, said last month the Town Board approved an appraiser for the office building of Drs. Strell and Barash behind Town Hall and wanted to know the progress of that.

Supervisor said there is a dentist who purchased the practice. Dave Barton, Building Department Head, spoke to Mr. Gruner, the approved appraiser, and he is not going to bill the Town because he had not gotten very far into the process.

5. MOTIONS AND RESOLUTIONS

A. MOTION made by Mazzetti, seconded by Paladino to approve the minutes of the Workshop Meeting February 1, 2017 and Regular Meeting of February 15, 2017.

Five ayes carried.

B. RESOLUTION made by Paladino, seconded by Guerriero to authorize the payment of vouchers as audited by the Audit Committee.

General	G-176 to G-262	\$ 49,219.23
Highway	H-103 to H-138	\$ 130,864.62
Miscellaneous	M-38 to M-63	\$ 48,733.67
Prepays	P-68 to P-140	\$ 178,070.19
Sewer	S-34 to S-48	\$ 11,072.68
Water	W-59 to W-85	\$ 15,658.45

Roll Call: Brennie, aye; Paladino, aye; Hansut, aye; Guerriero, aye; Mazzetti, aye.

Five ayes carried.

C. MOTION made by Brennie, seconded by Paladino to amend proposed Local Law A, Code Section D 2C, from 10 feet to 12 feet.

Five ayes carried.

- D. MOTION** made by Brennie, seconded by Paladino to close the Public Hearing on Local Law A of 2017, a proposed local law known as the “Amendments to Chapter 100, entitled “Zoning” of the Town Code of the Town of Lloyd to provide for the accommodation of solar energy systems and equipment and access to sunlight necessary therefore, so far as conditions may permit within the Town at 8:00PM.

Five ayes carried.

- E. RESOLUTION** made by Brennie, seconded by Paladino

WHEREAS, the Town of Lloyd has introduced a local law to amend Chapter 100 entitled “Zoning”, of the Code of the Town of Lloyd, to add a new section 100-39.1 entitled “Solar Energy Facilities”; and

WHEREAS, New York State Environmental Quality Review Act (SEQRA) requires the Town Board to make a determination on every project that is not a Type II action; and

WHEREAS, said local law constitutes a Type I action under SEQRA; and

WHEREAS, after reviewing Part I and Part II of the Full Environmental Assessment form and considering the factor, as contained in 6NYCRR Section 617.7(c), and considering the environmental effects of the amendment to Chapter 100 by the addition of section 100-39.1 entitled “Solar Energy Facilities”, the Town Board of the Town of Lloyd has determined that the adoption of the local law will have no significant environmental impact.

NOW, THEREFORE, it is resolved by the Town Board of the Town of Lloyd that the local law to amend Chapter 100 entitled “Zoning” of the Code of the Town of Lloyd, to add a new section 100-39.1 entitled “Solar Energy Facilities” will have no significant environmental impact, and the Board hereby issues its negative declaration pursuant to Part 617 of the New York State Environmental Quality Review Act.

Roll Call: Brennie, aye; Paladino, aye; Hansut, aye; Guerriero, aye; Mazzetti, aye.

Five ayes carried.

- F. RESOLUTION** made by Paladino, seconded by Brennie

WHEREAS, proposed Local Law “A” of 2017, a local law to amend the Code of the Town of Lloyd, Chapter 100 to add a new section 100-39.1 entitled “Solar Energy Facilities”, was introduced at a meeting of the Town Board held on the 18th day of January, 2017, at 7:00 P.M.; and

WHEREAS, this is a Type I action under SEQRA, and Part I of a Full Environmental Assessment Form has been prepared on behalf of the Town, with the Town Board assuming lead agency to do all necessary reviews in this matter; and

WHEREAS, a public hearing was scheduled for March 15, 2017 at 7:00 P.M., the Town Clerk published and posted a notice of said public hearing in accordance with law, and circulated, pursuant to the Town of Lloyd Code and the New York State General Municipal Law, to the Town of Lloyd Planning Board, the Ulster County Planning Board, and any other interested agencies for response prior to the public hearing; and

WHEREAS, the Town's Planning Board has recommended that the law be enacted as proposed; and

WHEREAS, the Ulster County Planning Board has provided a response to the Town which included advisory comments recommending two additions to the local law; and

WHEREAS, the Town Board has considered these recommendations and determined that it is in the best interest of the Town to proceed with the local law as proposed; and

WHEREAS, a public hearing has been held thereon on the 15th day of March, 2017 at 7:00 P.M. at which time all interested persons were given an opportunity to be heard thereon.

NOW, THEREFORE, be it is resolved that Local Law "A" of 2017 be enacted in the form attached hereto as Schedule "A" as fully as if set forth herein, being a local law to amend Chapter 100 entitled "Zoning" of the Town Code of the Town of Lloyd, to add a new section 100-39.1 entitled "Solar Energy Facilities". (See Attached)

Roll Call: Brennie, aye; Paladino, aye; Hansut, aye; Mazzetti, aye; Guerriero, aye.

Five ayes carried.

- G. RESOLUTION** made by Paladino, seconded by Brennie to accept the quote from ProBuild, 918 Route 32, Rosendale, NY for nineteen (19) Marvin Integrity windows for the town hall building in the amount of \$25,149.92 and the quote from Nathan Lewis Construction in the amount of \$4,750.00 to install the windows.

Roll Call: Brennie, aye; Paladino, aye; Hansut, aye; Guerriero, aye; Mazzetti, aye.

Five ayes carried.

- H. RESOLUTION** made by Brennie, seconded by Guerriero to authorize retaining McCabe & Mack, LLP, Attorneys at Law, for pending legal action.

Roll Call: Brennie, aye; Paladino, aye; Hansut, aye; Guerriero, aye; Mazzetti, abstain.

Four ayes carried.

- I. RESOLUTION** made by Paladino, seconded by Brennie to hire Vincent Rizzo as part-time dispatcher at the rate of \$17.95 per hour at the recommendation of Chief Daniel Waage.

Roll Call: Brennie, aye; Paladino, aye; Hansut, aye; Guerriero, aye; Mazzetti, aye.

Five ayes carried.

- J. RESOLUTION** made by Brennie, seconded by Mazzetti to hire Brandon Persell as part-time dispatcher at the rate of \$17.95 per hour at the recommendation of Chief Daniel Waage.

Roll Call: Brennie, aye; Paladino, aye; Hansut, aye; Guerriero, aye; Mazzetti, aye.

03.15.2017

Five ayes carried.

K. RESOLUTION made by Brennie, seconded by Mazzetti to hire Jesse Vail as part-time police officer at the rate of \$18.25 per hour at the recommendation of Chief Daniel Waage.

Roll Call: Brennie, aye; Paladino, aye; Hansut, aye; Guerriero, aye; Mazzetti, aye.
Five ayes carried.

MOTION made by Brennie, seconded by Paladino to adjourn the meeting at 8:05PM.
Five ayes carried,

Respectfully submitted,

Rosaria Schiavone Peplow
Town Clerk