

# TOWN OF LLOYD TOWN BOARD

## REGULAR MEETING

MARCH 18, 2015

**Present:** Supervisor Paul Hansut  
Councilmember Kevin Brennie  
Councilmember Michael Guerriero  
Councilmember Michael Horodyski  
Councilmember Jeffrey Paladino

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

**Absent:** None

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

Supervisor asked those present for a moment of silence in memory of Kyle Brewer, New Paltz High School student athlete, who died suddenly on Sunday, March 15.

Supervisor read the following proclamation:

### PROCLAMATION

Town of Lloyd, Highland, New York

#### 100th Birthday of Sarah Brennie Palmateer

**WHEREAS**, longevity of life is a blessing for an individual and for a community which benefits from the knowledge, creativity, and experiences this individual brings to all; and

**WHEREAS**, The Town of Lloyd Town Board recognizes the contribution of senior citizens to our community and the important role they serve in our society; and

**WHEREAS**, Highland senior citizens have earned the respect and admiration of all the citizens of the Town for their knowledge, wisdom, and community spirit; and

**WHEREAS**, Sarah Brennie Palmateer was born on March 20, 1915 and is a lifelong citizen of the Town of Lloyd, Highland, New York; and

**WHEREAS**, Mrs. Palmateer married Zachariah Palmateer on November 2, 1940 and they were blessed with two daughters: Joan Palmateer Vigliotti and Linda Palmateer McPeck; four grandchildren: Frank Vigliotti, Christine Vigliotti, Mark McPeck and Todd McPeck and seven great grandchildren: Christine Vigliotti, Katelin McPeck, Sara Bonavita, Matthew McPeck, Lindsay Bonavita, Anthony Vigliotti and Zackary McPeck

**WHEREAS**, Mrs. Palmateer has provided a living daily example of the highest human values of mankind and contributed unselfishly to her family, friends, and neighbors and on this day should be honored for her 100 years on this Earth.

**NOW, THEREFORE, BE IT RESOLVED that the Town of Lloyd Town Board** does hereby proclaim its congratulations on the event of Sarah Brennie Palmateer's 100th Birthday and urges the citizens of the Town of Lloyd to pay special tribute to this very special member of our community.

Supervisor congratulated Mrs. Palmateer and acknowledged her grandson, Mark McPeck, who was present at the meeting. He stated that he would visit Mrs. Palmateer on Friday, March 20, and present her with a certificate. Supervisor read the Community Pride award that will be given to Mrs. Palmateer:

In celebration of

#### Sarah Brennie Palmateer

who turns 100 years young on the 20<sup>th</sup> day of March 2015

presented this 18<sup>th</sup> day of March 2015, with the greatest sincerity from the  
Town of Lloyd Town Board.

*"It is lovely, when I forget all birthdays including my own, to find somebody remembers me", Ellen Glasgow*

Supervisor asked Deputy Supervisor Jeffrey Paladino to read the following proclamation:

### PROCLAMATION

**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.

**1. REPORTS – Town Board Liaisons**

**Audit** – January 1 to June 30, 2015: Councilmember Horodyski, Councilmember Brennie  
July 1 to December 31, 2015: Councilmember Paladino, Councilmember Guerriero

**ECC/Zoning Board** – Councilmember Michael Guerriero reported that Highland Assisted Living, Grove Street, came before the ZBA because they would like to expand the facility on a piece of property that they bought. He explained that the first application was denied because there was not enough property; they have since purchased an adjacent piece of property with a house on it which they are going to remove so they have adequate space for their expansion plans.

**Highland Central School District** – Councilmember Kevin Brennie said that they are preparing for the budget/school board vote in May. NYS is holding the school districts hostage by not releasing the financial aid for the schools and the School Board is trying to work that out.

**Planning Board** – Councilmember Michael Horodyski reported that the Planning Board is busy as there are a number of applications this month and a couple they are dealing with that were carried over; there are some accessory-use issues from the Accessory Use law.

**Police/Fire/Town/Justice** – Supervisor Paul Hansut reported that the PBA negotiations are moving along. He thanked the fire department for their help today as there was a chimney fire at Elaine Rivera, former assessor's, house; her neighbor saw the flames and called the fire department who responded. He does not believe that there was damage.

**Water/Sewer/Drainage Committee** – Councilmember Jeff Paladino related that the meeting will be held next month.

**REPORT** – Claire Costantino, President, Hudson Valley Rail Trail

Rafael Diaz, representing the Rail Trail, reported that there will be a Moon Walk on Friday, April 10, 7:30 PM; the springtime Moon Walk was started last year in addition to the traditional event in the fall. This is a fundraiser and there will be a nominal charge. The walk in the dark will feature identifying the sounds heard at night and will be led by a naturalist. The 18<sup>th</sup> Learn to Run class will begin on April 18. It is a 10 week program that takes people from zero ability to being able to run for 20 minutes non-stop. He said that it is very important for people to get out and walk if you don't want to run, the Rail Trail is great and it is plowed in the winter; doctors are saying that in terms of health that sitting is the new smoking. He encouraged the Board members to join the program. On Friday, June 12, 6:30 PM, the Middle School PTA is again running a 5K race, which was very successful last year. There were about 75 participants, students, parents, relatives, teachers and principals. On June 28 is the Bike New York event with 2,000 bikes on the Rail Trail. There was some negative impact last year.

Horodyski asked if everyone had a bell.

Diaz replied that they have asked them to have bells and the Rail Trail sells bells with the Rail Trail logo. He has been working with Chief Waage on alternate routes. Regarding the extension of the Rail Trail from Tony Williams Park to the Fire Station II, they are waiting for an okay from NYS DOT.

Supervisor said that all of the trees that would have affected the long-eared bats have been taken down.

Diaz added that he liked the extension portion of the trail as he and his wife, Donna Deeprise, had participated in a 'walk on the wild side' years ago and noted that there is a waterfall on the trail.

**REPORT** – Matthew Smith, Manager, Bob Shepard Highland Landing Park

Supervisor related that Matt Smith has some very good news to share.

Matt Smith said that Donna Deeprise obtained a grant to build the sea wall for almost a million dollars in 2008. It was a big job to write the grant and we were very happy and impressed that we got it. We thought NYSDOS would send us the money; it is not anywhere near that easy. NYS didn't have the money to give us and Donna had to constantly renew it to keep it active. The work couldn't be done for five years. Finally, the work was done and it came out beautifully. We found out that began the hard work of a grant in convincing NYS to send the money. Donna spent a thousand or more hours on this; it is a full time job to administer one of these grants. He thanked Donna for her work. The money came in three different checks: \$20,019; nearly \$700,000 and this last check is the balance which is \$243,319.32. He presented the check to the Town Board so that the bond can be paid off and, again, thanked Donna to the applause of those present.

Supervisor then read:

Community Pride Award  
presented this 18<sup>th</sup> day of March, 2015, to  
Donna Deeprise  
for your dedication and immeasurable hours dealing with the Department of State,  
the paper cuts from mountains of paperwork in grant work for the  
Highland Landing Park

Supervisor commented that he thought that Donna was phenomenal and he did not know anyone who would not have said, 'enough is enough'; she would submit paperwork, DOS would get it, they would send it back; she would send it again, they would send another email. He thanked her for the amazing amount of volunteerism that she has performed and the love that she has for the Bob Shepard Highland Landing Park.

Donna Deeprise protested that she did not do this alone and that she has been in much better spirits since the check arrived.

Smith continued his report and said that the sea wall had to be completed before anything else could be done due to the extensive equipment that had to be used. Therefore, the parking lot and the Riverwalk, for which there are grants, could not be completed. He showed a drawing of the proposed parking lot, in and out driveway, cement sidewalks and curbing, the boat launch ramp paving, which will be paid by the \$70,000 grant. Several people helped to put this grant together: Rich Klotz, Highway Superintendent, who obtained three quotes from companies who are qualified to do it, they chose one and it is hoped that the work will be done in May; Sal Cuciti drew up the original plans and Kate Jonietz, who has wide talents, helped to redraw the plans. There is also in-kind labor, most of which has already been done.

Deeprise said that this is a 25% match.

Smith said that last year that there was a campaign to sell stainless steel plaques which were put on the bulkhead and they looked great but people were walking on them, making muddy footprints. The glue that was used was not adequate and he was able to easily remove the plaque from the bulkhead; a bracket is being made to be set the plaques at an angle so people will not be able to walk on them. The design work has been done, a company is going to bend the steel for them and ironworkers have volunteered to install the bracket. The work will be done in May. Donna also obtained a \$7500 grant from the Hudson River Foundation, who sends the check and then asks for receipts for the purchases. This grant will pay for eight picnic tables, grills and a bike rack. The wooden picnic tables that had been donated lasted about two years but these new tables will be of galvanized steel with a recycled plastic table and seats, installed on concrete slabs. Each picnic table is American Disabilities Act (ADA) approved; a wheel chair can be seated at each end. These tables were recommended by NYS Parks and Recreation and are made in New York State.

Rafael Diaz added that the Trustees are considering keeping the Park open until 10 or 11 PM on the first Fridays of each summer month, beginning in May, similar to the Rail Trail Moonwalk.

Smith said that there will be a proposal for the next Town Board meeting on extending the hours of the park on first Fridays.

## 2. OLD BUSINESS

### A. Transfer Station

Supervisor announced that the new permits for the Transfer Station are available at the Town Clerk's office. There has been a change from the window sticker to a hangtag for the rearview mirror. There is adequate space for two license plate numbers in the event that two different vehicles are used to go to the Transfer Station. Permit fees have increased to \$35 for residents under the age of 62 and \$15 for seniors. Last March, Ulster County Resource Recovery Agency notified the towns of the increase of pull and container charges. The Town Board had a public information meeting and he spoke to residents at the Transfer Station. The sentiment that he heard was that most of the seniors were okay with paying a fee for the permit in lieu of closing the Transfer Station. He noted that seniors often have the smaller kitchen bags that are brought to the Transfer Station and a \$2.50 charge was created for those, rather than the \$4 they were being charged. The increases are not what the Board wanted to do but something that had to be done.

### B. Proposed Local Law to amend Chapter 100 of the Code of the Town of Lloyd by revising Section 100-36, "Affordable Housing Regulations".

Supervisor stated that the Ulster County Planning Board had some comments about this proposed law. Dennis Doyle, Director of the Ulster County Planning Board, is coming to Lloyd on Tuesday, March 24 at 3 PM, to discuss ideas to come up with a good plan.

## 3. NEW BUSINESS

### A. Fees at Tony Williams Fields and Village Field.

Supervisor said that predominately on the weekends during the year there are different organizations that use these fields. The playing fields require a great deal of preparation for these games. Frank Alfonso, Recreation Director, would like to set a fee for these organizations who use the fields. There is a Sunday morning men's wood bat league and everyone playing is from out of town. Alfonso has been charging the league \$50 a game which covers raking the field, lining the field and picking up the garbage. Alfonso is recommending that any organization from outside of the Town of Lloyd that uses the fields would pay a \$50 fee. This is an item for discussion at the Workshop meeting. The Little League is changing organizations and will now be the Babe Ruth League but they were never charged for field use as it is the Town's children who are using the field. Dutchess Community College, Ulster Community College, among others, will use the field and he feels that it is fair to ask them to pay at least what it will cost to prepare the fields.

## 4. PRIVILEGE OF THE FLOOR

Mark Reynolds had questions about the zoning law and Supervisor suggested he waits for the presentation that David Barton, Building Supervisor, is going to give.

Roy Sivertsen, Bridgeview, asked about the new parking regulations at Bridgeview.

Supervisor replied that the legislation has been passed for No Parking on the odd sides of the street.

John Bernhardt, Bridgeview, asked if the street sign near the mailboxes that says Sterling *Pl* could be changed to Sterling *Dr*, which is the correct name of that street.

Supervisor welcomed Marybeth Maio, Ulster County Legislator, who will update the Board at the April meeting on the activities of the UC Legislature.

## 5. MOTIONS AND RESOLUTIONS

A. **MOTION** made by Horodyski, seconded by Brennie, to approve the minutes of the Workshop Meeting February 4, 2015 and the Regular Meeting of February 18, 2015.

**Five ayes carried.**

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

General	G173 to G230	\$75,332.08
Highway	H80 to H125	\$45,693.21

Miscellaneous	M27 to M46	\$56,919.10
Prepays	P59 to P96	\$32,008.11
Sewer	S65 to S76	\$ 4,731.10
Water	W54 to W85	\$43,258.83

**Roll call:** Hansut, aye; Brennie, aye; Guerriero, aye; Horodyski, aye; Paladino, aye.  
**Five ayes carried.**

**C. RESOLUTION** made by Paladino seconded by Brennie, to hire Michael J. Rizzo as a part-time Police Officer at an hourly rate of \$18.25 per hour pending pre-employment physical at the recommendation of Police Chief Daniel Waage.

**Roll call:** Brennie, aye; Guerriero, aye; Horodyski, aye; Paladino, aye; Hansut, aye.  
**Five ayes carried.**

**D. RESOLUTION** made by Brennie, seconded by Horodyski, to hire Yuliana Lavariega as a part-time Dispatcher at an hourly rate of \$14.25 per hour pending pre-employment physical at the recommendation of Police Chief Daniel Waage.

**Roll call:** Guerriero, aye; Horodyski, aye; Paladino, aye; Hansut, aye; Brennie, aye.  
**Five ayes carried.**

**E. RESOLUTION** made by Brennie, seconded by Horodyski, to hire Nicole Thompson as a full-time Dispatcher from the civil service list of eligibles at an hourly rate of \$14.25 per hour at the recommendation of Police Chief Daniel Waage.

**Roll call:** Horodyski, aye; Paladino, aye; Hansut, aye; Brennie, aye; Guerriero, aye.  
**Five ayes carried.**

**F. RESOLUTION** made by Brennie, seconded by Guerriero, to accept the resignation of part-time Police Officer Stephen Sawyer, effective March 1, 2015.

*Supervisor wished him well on his induction into the NYS Police Academy.*

**Roll call:** Paladino, aye; Hansut, aye; Brennie, aye; Guerriero, aye; Horodyski, aye.  
**Five ayes carried.**

**G. MOTION** made by Horodyski, seconded by Brennie, to close the Public Hearing to consider the adoption of Local Law B-2015, a local law to amend Chapter 100 entitled "Zoning" of the Code of the Town of Lloyd to create the Highway Business District at 7:35 PM.

**Roll call:** Hansut, aye; Paladino, abstain; Brennie, aye; Guerriero, aye; Horodyski, aye.  
**Four ayes carried.**

David Barton, Building Department Supervisor, reiterated that rezoning of portions of the 9W corridor has been discussed many times. The revised Comprehensive Plan in 2010 made some recommendations for rezoning and he showed a map of the changes. The proposal was to rezone a much larger portion; Ulster County commented that the area was too big. Many of these parcels are already used commercially. A committee suggested Design Standards and the Design Standards were adopted by resolution of the Town Board a few years ago for GB and DB zones. This is creating a new zone as a Highway Business zone on Route 9W from Macks Lane/Chapel Hill Road south on certain parcels but it goes through the entire range of what the Planning Board should consider for a commercial project in this zone if it comes before them. The design standards are for architecture, building height, roof design, landscaping, types of windows and doors, facades, spacing of buildings, and the types of building materials in order to control what gets built. Ulster County did not want strip malls and the way to forestall that was to put in Design Standards which would consider parking areas and consider the streetscape, allowing people to get out of cars and walk from shop to shop. He continued to talk about landscaping, placement of the buildings and interior access roads instead of a series of curb cuts to the highway.

Horodyski asked him to speak to the concerns of the Ulster County Planning Board.

Barton replied that the biggest concern is the LED signs; there is a resolution for a moratorium on tonight's agenda. The sign language is stronger to control these signs. The second thing UC suggested is an overlay zone such as the one that Marlborough has. He feels that it is a terrible idea and after recommending that to the Town of Lloyd, they shot down Marlborough's proposed overlay zone. In an overlay district if someone comes to the town with a plan to build in a spot they have to apply for an overlay, which is a

rezoning. With an overlay a sense of total vision for what the corridor can be is lost. If the zone ran solidly south, as was originally intended, it would be shop, after shop, after shop. Horodyski said that it was always known that topography would limit commercial development in the area.

Barton agreed that the east side of Route 9W would be difficult to build on as there are steep slopes and a Central Hudson right of way which dips down behind the shed retailer to a creek and then comes up the hill.

Horodyski said that he talked to Dennis Doyle, UCPB Director, who said he does not want another area in Ulster County to look like Ulster Avenue and Route 9W in Kingston. In fact, neither does the Town of Lloyd. A contemplative approach was used in identifying those zones and the parcels that would lend themselves to commercial development. He credits the committee and Planning Board for drafting that.

Barton agreed and said that the committee helped put together the design package; it gives very clear direction and vision as to what the town wants.

Horodyski feels that the use was secondary to what the business would look like from the street and how it was presented.

Barton added that this is good form-based zoning.

Mark Reynolds, reporter, referred to Page 2 of the recommendations from the County regarding the site design based on economic necessity.

Barton responded that he has a lot of respect for Dennis Doyle and Rob Leibowitz, UCPB Principal Planner, but he thinks that UC has a hard time seeing local economic needs and that they do not see the particulars of each of the municipalities, their onus is regional planning.

Horodyski said that he has had this conversation with Dennis Doyle that in a perfect world the hamlet would develop but it is not a perfect world. If a person owns property in a given area, the town tries to accommodate them. No one wants it to be Kingston and Ulster Avenue but a certain level of commercial development is going to be needed to support the tax base as costs go up. This was good form-based zoning along a state highway in the town in a way that he thinks the buildings are going to look very nice and appropriate.

Barton agreed and said that the second response to Dennis Doyle is that in the highway corridor, there is not a lot of land available from the Franklin Roosevelt Mid-Hudson Bridge north except for the former M&S car dealership site. There are opportunities along the corridor; one property owner in the corridor is currently running an auto repair shop on Route 299 in a rental space but he would like to open the business on his own property. The zone is now residential; however, it is a good use for that property. The properties a half mile south of the town line, Perkinsville Road south, are not residential. From a planning perspective, keeping the high, intense uses all together makes good sense. He does not believe that Dennis Doyle sees local needs.

Reynolds posed that no matter what the guidelines are, the property could still end up with a poor result.

Barton said that could happen in the Walkway-Gateway District but the design standards minimize the possibility of that happening. These are the strongest design standards the town has, stronger than the Gateway District.

Guerrero asked if the zoning change will be running into the established neighborhoods along that corridor.

Barton replied that the committee thought of that but many of the parcels already have commercial use on them so it is buyer beware: don't build a house behind an auto parts store.

Guerrero is concerned that the houses were there first.

Barton said that there are not that many houses; for example, Mackey Lane, Bert Long has come in and asked the town to provide water many times. This would be a good opportunity for some grant money because he could have some commercial use and the property value will increase. He may be able bring in something with more traffic and of more value to the town.

Guerrero commented that Barton did a very good job in explaining this zoning change. He did not get a copy of this recommendation from the Ulster County Planning Board and had to ask for a copy. He feels he does not always get paperwork and he feels that it is important he does.

Barton agreed that it is important that Guerrero sees the correspondence and he will see to it that he does.

Kate Jonietz said that she emails them as soon as she gets them.

Supervisor feels that there must be something wrong with Guerriero's email because everything is sent out to him and then asked him to follow up to see if his office has the correct contact information. He said that when his office emails documents to the Board, he has asked Kate Jonietz to request 'return receipt' so that when it is opened it says 'read' and they know that it has been received. He asked if Guerriero received emails from him last week as he did not get a reply.

Guerriero explained that Supervisor was asking how he was going to vote on something on the agenda so he did not reply.

Supervisor said that he was looking for his opinion.

Barton asked if anyone had questions; there were no further questions from those present.

**H. RESOLUTION** made by Brennie, seconded by Horodyski,

**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 create a new district, the "Highway Business District" (HBD); and,

**WHEREAS**, SEQRA Part 617 requires the Town Board to make a SEQRA 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 Parts 1 and 2 of the Full Environmental Assessment Form and considering the factors, as contained in 6 NYCRR Section 617.7(c) and considering the environmental effects of the amendments to Chapter 100, Attachment 1, "Use Table" of the Town Zoning Code, 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 create a new district, the "Highway Business District" (HBD), 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:** Hansut, aye; Paladino, abstain; Brennie, aye; Guerriero, aye; Horodyski, aye.

**Four ayes carried.**

**I. RESOLUTION** made by Brennie, seconded by Horodyski,

**WHEREAS**, proposed Local Law "B" of 2015, a local law to amend Chapter 100, entitled "Zoning", of the Code of the Town of Lloyd to create a new district, the "Highway Business District" (HBD), was introduced at a meeting of the Town Board held on the 17th day of December, 2014, 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 Board, with the Town Board assuming lead agency to do all necessary reviews in this matter; and

**WHEREAS**, a public hearing was scheduled for January 21, 2015, and 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**, a public hearing has been held thereon on the 21st day of January, 2015, at 7:00 p.m., and continued on the 18<sup>th</sup> day of February, 2015 at 7:00 p.m. and on the 18<sup>th</sup> day of March, 2015, at which time all interested persons were given an opportunity to be heard thereon.

**NOW, THEREFORE**, it is resolved that Local Law "B" of 2015 be enacted as 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 Code of the Town of Lloyd to create a new district, the "Highway Business District" (HBD). (See Attached)

**Roll call:** Hansut, aye; Paladino, abstain; Brennie, aye; Guerriero, aye; Horodyski, aye.

**Four ayes carried.**

Supervisor addressed Reynolds and said that this also resolves the concern about Autos by Joseph, which is now in the Highland Business District. He welcomed Wesley Walker who has been running a business on Route 299 and would like to continue have a business in the Town of Lloyd; he will now be able to move forward with his project in the new business district.

**J. MOTION** made by Horodyski, seconded by Guerriero, to close the Public Hearing to consider the adoption of Local Law C–2015, a local law to amend Chapter 100 of the Code of the Town of Lloyd by revising Section 100-36, “Affordable Housing Regulations”. The purpose of the local law is to limit the Affordable Housing Regulations to the R-1, R-1/2, R-1/4, Walkway-Gateway Mixed Use, PUD, and PRD zones, to make said regulations permissive instead of mandatory and to revise an applicant’s eligibility to purchase an affordable dwelling at 7:56 PM.

**Five ayes carried.**

**K. MOTION** made by Paladino, seconded by Horodyski, to close the Public Hearing on the adoption of proposed Local Law D – 2015, a local law to temporarily suspend a land owner’s ability to obtain approvals for or the installation of digital signs and/or LED signs within the Town while the Town considers and adopts changes to its land use regulations at 7:56 PM.

**Five ayes carried.**

**L. RESOLUTION** made by Paladino seconded by Brennie,

**WHEREAS**, proposed Local Law D of 2015 was introduced at a meeting of the Town of Lloyd Board on the 18<sup>th</sup> day of February, 2015; and,

**WHEREAS**, this local law establishes a moratorium on the approval of use or installation of digital signs and LED signs within the Town; and,

**WHEREAS**, the Town Board has determined that this matter constitutes an Unlisted Action under the State Environmental Quality Review Act (SEQRA), and the Town Board declared Lead Agency to do all necessary reviews in this matter; and,

**WHEREAS**, a Short Form EAF having been prepared on behalf of the Town; and,

**WHEREAS**, the Town Board has determined that the proposed action, to wit, a moratorium on the approval of use or installation of digital signs and LED signs within the Town, will have no significant adverse environmental impacts.

**NOW, THEREFORE, IT IS RESOLVED** that the Town Board, as Lead Agency under the New York State Environmental Quality Review Act, finds that the proposed action will not result in any adverse environmental impacts and hereby issues its declaration of non-significance.

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

**Five ayes carried.**

**M. RESOLUTION** made by Paladino seconded by Brennie,

**WHEREAS**, proposed Local Law “D” of 2015, a local law to establish a moratorium on the approval of use of or installation of digital signs and LED signs within the Town, was introduced at a meeting of the Town Board held on the 21st day of January, 2015, at 7:00 p.m.; and,

**WHEREAS**, the Town Board of the Town of Lloyd, having determined that this matter constitutes an Unlisted action under the State Environmental Quality Review Act (SEQRA), and a Short Form EAF having been prepared on behalf of the Town, and the Board having assumed lead agency to do all necessary reviews in this matter; and

**WHEREAS**, a public hearing has been held thereon on the 18th day of February, 2015, at 7:00 p.m., at which time all interested persons were given an opportunity to be heard thereon.

**NOW, THEREFORE**, it is resolved that Local Law “D” of 2015 be enacted as in the form attached hereto as Schedule “A” as fully as if set forth herein, being a local law to establish a moratorium on the approval of use of or installation of digital signs and LED signs within the Town.

*Supervisor asked David Barton if he was going to follow up on the newly erected digital sign on Route 9W and Barton said that he is working on that.*

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

**Five ayes carried.**

**N. RESOLUTION** made by Brennie, seconded by Guerriero,

**WHEREAS**, a local law, being proposed as Local Law E – 2015, was introduced at this meeting as follows: Local Law E – 2015, a local law to amend the Code of the Town of Lloyd, Chapter 98, Article III, Sections 98.10, to allow access into properties for the purposes of inspecting, repairing and/or replacing water meters and their appurtenances. (copy of Local Law attached)



**WHEREAS**, this Board desires to hold a Public Hearing with respect to the adoption of the said local law;

**NOW, THEREFORE, BE IT RESOLVED** that a Public Hearing will be held by the Town Board with respect to the adoption of the aforesaid local law at the Town Hall on the 15th day of April, 2015 at 7:00 p.m.; and it is further

**RESOLVED**, that the Town Board of the Town of Lloyd has determined that the within local law is a Type II action pursuant to the State Environmental Quality Review Act (SEQRA) and is exempt from further proceedings under such act; and it is further

**RESOLVED**, that the Town Clerk is hereby directed and authorized to cause public notice of said hearing to be given as provided by law.

#### **LOCAL LAW E - 2015**

A LOCAL LAW TO AMEND THE CODE OF THE TOWN OF LLOYD, CHAPTER 98, ARTICLE III, SECTIONS 98-10, TO ALLOW ACCESS INTO PROPERTIES FOR THE PURPOSES OF INSPECTING, REPAIRING AND/OR REPLACING WATER METERS AND THEIR APPURTENANCES.

#### **Section 1 Purpose.**

The purpose of this local law is to provide Highland Water District employees or authorized agents access into buildings served by the Highway Water District for the purposes of maintaining or repairing water meters, and to establish penalties for non-compliance of the same.

#### **Section 2**

The Town of Lloyd Code, Chapter 98, Article III, entitled "Service" be, and the same hereby is, amended by enacting a new sub-section 98-10D as follows:

D. All meters, cables, remote reading heads and all other equipment accessory to the meters shall be under the exclusive control of the Water Department and subject to inspection at all times by the Water Department and other agents authorized by the Town Board. A penalty of \$150 per quarter will be imposed when, after a period of 30 days from being notified in writing, a property owner fails to make arrangements allowing access by the Water District into the premises for the purpose of inspecting, repairing and/or replacing a water meter and its appurtenances. Such penalty shall constitute a lien upon the real property and shall be subject to collection and levy, as set forth in Section 98-23 of this chapter. Notification in writing may be delivered personally or by certified or registered mail to the last known billing address provided to the Water District by the property owner.

#### **Section 3**

This local law will take effect when filed with the Secretary of State in accordance with the Municipal Home Rule Law.

*Horodyski said that he thought that notification would be through certified mail. Murphy replied that it could be certified mail; he suggested to Adam Litman that it could be personal, certified or registered. The problem with certified, return receipt requested is that sometimes people don't pick them up. Horodyski said that even it is not picked up, the property owner is on notice. They may not receive it by regular mail; we have talked about how bad the mail service has been. He would like it to have a more teeth before billing the property owner for \$150.*

*Murphy said that it could say personally or certified; the way the law is drafted, it gives the person issuing the letter the option. It could be sent out by regular mail and then by certified mail.*

*Horodyski said that he is content with the fact that they chose not to pick it up; he would like something on the record that states that there was an attempt was made to service. He is okay with 'and regular mail'.*

*Murphy added that it does not say is 'return receipt requested'; the problem with that is if the people don't sign for it, it eventually comes back. Certified or registered and not 'return receipt' can be tracked through the Post Office that it was delivered. He concluded that it could say, 'personally, regular, certified or registered'.*

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

**Five ayes carried.**

**O. RESOLUTION** made by Paladino, seconded by Brennie, to authorize the use of the Hudson Valley Rail Trail from its connection with Walkway over the Hudson to Tony Williams Park for Bike New York to host their Discover Hudson Valley Ride on Sunday June 28, 2015 with the Rail Trail closed from 7:00 AM to Noon, unless

otherwise determined, subject to the following conditions: co-ordination with Town of Lloyd Police Department regarding use of Town roads for that portion of the ride and co-ordination with Rafael Diaz, HVRT Safety and Courtesy Coordination regarding Rail Trail closure, signage, monitors, etc.

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

**Five ayes carried.**

- P. RESOLUTION** made by Guerriero, seconded by Brennie, to authorize the Supervisor to sign the agreement with Sun Up Enterprises, Inc. for the paving at the Bob Shepard Highland Landing Park, which is in compliance with all OGS requirements and shall not exceed the awarded Estuary Grant #303684 amount of \$70,000.00 at the recommendation of Matthew Smith, Park Manager.

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

**Five ayes carried.**

- Q. RESOLUTION** made by Guerriero, seconded by Brennie,

**WHEREAS** the Bob Shepard Highland Landing Park has received 2008 Hudson River Estuary Grant contract #C303684, and;

**WHEREAS** the Grant is a reimbursable grant that will be used to pave the parking entrance, lot and south entrance of the Bob Shepard Highland Landing Park, and;

**WHEREAS** the General Fund has unexpended balance available to loan to the project

**NOW THEREFORE BE IT RESOLVED** that the General fund will loan \$70,000.00 to the Capital fund expenditure code 50-06-7110-44, for the expenses that will be reimbursed by the NYS DEC Hudson River Estuary Program for the paving at the Bob Shepard Highland Landing Park. The General Fund will be repaid the \$70,000 upon receipt of the grant funds.

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

**Five ayes carried.**

- R. RESOLUTION** made by Brennie, seconded by Paladino, to approve reimbursing the Highland Fire District the amount of \$3,070.00 for the following equipment that will be utilized by the Town of Lloyd Police Department:

(2) AED model #20100000302011010 @ \$1,299.80 each;

(2) Type 123 Lithium Batteries model #8000-0807-01 @ \$60.00 each;

(2) Pedi-Padz II Pediatric Multi-function Electrodes model #8900-0810-01 @ \$76.00 each;

(2) CPR Stat-Padz HVP Multi-function CPR Electrodes model #8900-0402 @ \$60.00 each;

(1) USB IrDA Adapter model #8000-0815 at \$78.40;

**Total = \$3,070.00.**

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

**Five ayes carried.**

- S. RESOLUTION** made by Paladino, seconded by Brennie, to authorize the purchase of 2015 Ram 5500 4X4 dump body truck, and a 2015 Ram 5500 4X2 dump body, crew cab truck and related equipment accessories, from Sawyer Motors in Saugerties, NY from the New York State bid at a cost not to exceed \$95,000; monies will be from current unexpended balance funds of the Highway Department, at the recommendation of Richard Klotz, Highway Superintendent.

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

**Five ayes carried.**

- T. RESOLUTION** made by Brennie, seconded by Guerriero, to approve the following budget amendments to the 2015 budget:

HIGHWAY

Snow Removal PS 5142.10 +\$10,000.00

General Repairs PS 5110.10 -\$10,000.00

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

**Five ayes carried.**

Supervisor announced that Easter Magic in the Hamlet will be held on March 28, 11:00 AM to 1:00 PM: at 11:00 Penelope, the Easter Bunny's granddaughter will read a story; at

03.18.2015

11:30 there will be Springtime Frolic and Games; 12 noon, is the Egg Hunt for children of all ages. All events will be held in St. Augustine's School Gym. Look inside of your eggs for a NOTE from the Easter Bunny and win a special prize. Join us in Cottontail Capers and win a prize; plus, Peter Rabbit's Potting Shed. This is sponsored by Town of Lloyd Events Committee and the Highland Business Association.

**MOTION** made by Horodyski, seconded by Brennie, to adjourn the meeting at 8:10 PM.

**Five ayes carried.**

Respectfully submitted,

Rosaria Schiavone Peplow  
Town Clerk