

# TOWN OF LLOYD TOWN BOARD

## REGULAR MEETING

MARCH 21, 2012

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

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

**Absent:** Councilmember Herbert Litts, III

**7:00 PM** – Supervisor opened the meeting and asked Richard Klotz, Highway Superintendent, to lead the Pledge of Allegiance.

Presentation by Scott Woebse of Mobile Life.

Supervisor prefaced the presentation and said that this is a line item on all property tax bills.

Scott Woebse came to his office to explain the ambulance program and he asked him to provide the same information to the public at a Town Board meeting. Questions will be answered at the end of the presentation.

Woebse introduced himself as the Vice President and Chief Operations Officer for Mobile Life Services. He gave an overview of the history: the Town Board and the Commissioners of the Highland Fire District formed a committee in 2008 to investigate options for Emergency Medical Services (EMS) as to response times and if the Town was getting the services that were needed. Several vendors made proposals to the Town and Mobile Life was awarded the contract; service started in April 2008. He noted that aside from the NYS Police, Mobile Life is the largest emergency service in the Hudson Valley with a staff of 400 and 50 vehicles on the road on any given day; last year the company made 77,767 calls, throughout the Hudson Valley, averaging 250 calls per day.

He showed the computer-aided dispatch system, which allows tracking of each vehicle and the activity of each vehicle as it is making emergency calls, in live time.

Woebse said that Mobile Life looked at the emergency calls and asked what resources are needed; both the Town Board and the emergency services professionals answered that they wanted good response time. The national standard for ambulance service performance is 8 minutes and 59 seconds, or better, 90% of the time. The industry has gotten away from looking at average response times which only tells how good they are doing half of the time. They now use 'reliable response time' and that was the goal for all the 911 calls Town-wide. They looked at the data of service needs and determined the number of ambulances needed. Each town has different call volumes and they determined that Lloyd needed about one and a half ambulances which meant one 24-hour ambulance and another 12-hour ambulance to cover the busiest hours to assure the best response times. The rule of thumb is to staff one paramedic-level ambulance, 24-hours per day, 365 days per year, at a cost of \$680,000. This pays for 4.3 paramedics, 4.3 Emergency Medical Technicians (EMT's), benefits, taxes, insurances (automotive, liability, mal-practice); for every five vehicles in the fleet, a spare vehicle is needed and spare equipment is needed. That would be the cost of emergency medical service if there were no billing for calls and every call was free. The majority of Town residents do have insurance and over 92% of the money that they collect is from insurance and a good deal of the remaining percentage is from money sent to the patient from an insurance company to pay for ambulance services and sent to Mobile Life. It takes approximately 1800 calls on fee-for-service basis to pay for one 24/7 unit, 365 days per year. The Town of Lloyd total of the 911 and the nursing facility calls is 2100 calls per year, which is enough to pay for one unit but not enough to pay for the half unit.

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Mobile Life is also concerned with where emergency calls occur, with the computer-aided dispatch system every location can be coded as well as plot the type of calls. This aided in positioning one ambulance at the fire house on Milton Avenue and for the west side of Town a second ambulance is placed off Route 299 near the NYS Trooper barracks. The Town of Lloyd was the first in the Hudson Valley to put in response-time criteria and penalties in the contract. Every month the data and response times to the 911 calls are reported to the Town and for every call that Mobile Life is late (in excess of 8 minutes, 59 seconds); Mobile Life pays \$100 for each late minute; they anticipated that they would incur 12 late minutes per month. There are a few exclusions, the primary one being, hazardous weather i.e. ice, snow accumulation or closed roads due to flooding; safety is the primary issue.

The Town pays the difference when it is figured how much it would cost to cover the 1.5 units on the 2100 calls for Lloyd per year. The contract is \$232,000 per year, actually less than the first year, as the volume of calls has gone up about 8% or 9%; expenses for Mobile Life have also gone up, however, they have been able to maintain either flat or slightly decreased Town subsidy to cover those expenses. Some municipalities such as the City of Poughkeepsie do not pay anything because of the huge volume of calls and they have a much smaller geographic area to cover.

Raphael Diaz, Elting Corners Road, asked how the time is factored when the Police Department or the Fire Department arrives first on the scene.

Woebse explained that having the Police and Fire on patrol in Town equipped and trained as first responders to start the therapies is life saving but it does not factor in the services of Mobile Life as they can offer more. It does not change the response time criteria; first response does not stop the clock on response time.

Diane Cooper, Merlot Drive, thanked Woebse. She said that three years ago Mobile Life transported her from Kingston to New York City on life support and saved her life.

Woebse said that he will identify the crew and convey her thanks.

Mark Reynolds, reporter, referred to the 92% of the calls that are paid by insurance and asked who pays the other 8%.

Woebse said that the 8% are recorded in the system as 'from patient' but they are aware that the insurance company sends the money to the patient and the patient then pays the bill.

Reynolds asked who pays if someone does not have insurance.

Woebse replied that some people have co-pay and under Medicare, the patient may be required to pay 20% of the cost if patient does not have secondary coverage. The practices of Mobile Life are similar to a doctor's or a hospital's, there are no foreclosures. If that was the case, patients would be calling the Town with complaints and he has never had a call from any municipality with that problem.

Reynolds asked if the 12 late minutes were always in the contract.

Woebse answered that the 12 late minutes were always in the contract, with the understanding that particularly in the late, late hours, the ambulances will be coming farther and there may be later response times. On their own, Mobile Life added another unit to be in Lloyd not included in the contract; they also cover other communities to the west i.e. Gardiner and Modena, for ALS mutual aide and the ambulance may also respond as backup. It does not change the responsibilities to Lloyd. Lloyd has one 12-hour unit from 7 AM to 7 PM plus one 24-hour unit, seven days a week.

Guerrero asked what happens if someone calls a hospital instead of 911.

Woebse answered that the ER would take the information and call the 911 Center; Mobile Life Dispatch Center is indirectly tied in with Computer Aided Dispatch (CAD), three county dispatch centers. When the 911 call is answered they know where you are, they

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assess the medical emergency and if an ambulance is needed; Mobile Life is digitally receiving the information and will respond.

Supervisor thanked Scott Woebse for the informative presentation.

Supervisor explained that the public hearings will be individually opened and this provides the opportunity for the public to speak on that particular proposed law; he asked those who choose to speak to stand up and state their name and address; this is not the time to debate with the Town Board. The purpose is for the public to comment and to give opinions relating to the local law change so that the Town Board has more information and is more educated when it comes time to adopt the local law.

**7:27 PM** – Supervisor opened the Public Hearing on **Local Law No. A – 2012**, a local law to rescind and remove in its entirety Chapter 69 of the Town Code entitled, “Junk and Junk Dealers”.

Supervisor asked if there were any comments on the proposed local law and there were none.

**MOTION** made by Brennie, seconded by Paladino, to close the Public Hearing on **Local Law A-2012** to rescind and remove in its entirety Chapter 69 of the Town Code entitled, “Junk and Junk Dealers”, at 7:28 PM.

**Four ayes carried.**

**7:28 PM** – Supervisor opened the Public Hearing on **Local Law No. B – 2012**, a local law to amend the Zoning Map of the Town of Lloyd, upon petition to the Town Board of the Town of Lloyd for a project to be known as Mountainside Woods, on the parcels previously known as Westport, Ledgewood and Trailside by Falls at Lloyd, LLC, Sycamore Creek LLC, and Ash Creek LLC, the applicants for the project described as the “Combined Westport Zoning Petition” for the Mountainside Woods residential project.

Mark Reynolds, reporter, asked if the NYS DOT has weighed in on the number of cars generated by the development.

Sean Murphy, attorney, replied that he has not heard anything from DOT and he feels that study will be part of the Tillson/Toc project and the Supervisor agreed. Murphy added that Mountainside Woods will also have to go before the Planning Board for subdivision approval and the traffic will be considered then.

**7:28 PM** - Supervisor opened the Public Hearing on **Local Law No. C – 2012**, a local law to increase the term of office of the Town Supervisor from two (2) years to four (4) years.

John DiValentino asked if the local laws to increase the terms of offices had to be voted on in an election.

Supervisor responded that they were subject to a mandatory referendum and it will be on the ballot in November 2012. The local law has to be changed first and then it goes on the ballot.

**7:28 PM** – Supervisor opened the Public Hearing on **Local Law No. D – 2012**, a local law to increase the term of office of the Town Clerk from two (2) years to four (4) years.

**7:28 PM** – Supervisor opened the Public Hearing on **Local Law No. E – 2012**, a local law to increase the term of office of the Highway Superintendent from two (2) years to four (4) years.

Supervisor asked if there were any further questions. There were none. He stated that the public Hearing on proposed local laws B, C, D, and E will remain open.

**1. REPORTS** from Town Board Department liaisons.

Assessor – Councilmember Paladino

Audit – January 1 to March 31 2012: Councilmember Brennie

April 1 to June 30, 2012: Councilmember Litts

July 1 to September 30, 2012: Councilmember Guerriero

October 1 to December 31, 2012: Councilmember Paladino

Bob Shepard Highland Landing Park – Matt Smith reported that there was a pre-bid meeting of those interested in bidding on the bulkhead project; seven contractors attended, all of whom seemed to be enthusiastic and they asked many questions. The bid opening for the project is Friday, March 30, at 1 PM, and he feels that there will be good bids. He said that he is a little nervous because the grant funding reflects the budget for the project three and a half years ago and the cost of steel sheeting has quadrupled since then but then on the other hand the labor rate has gone down.

He answered a question from the audience about the bid and said that the project was for the new bulkhead in the front of the park to replace the wood pilings that have been there for over 100 years, rebuild the dock and install a boat launch ramp. Providing the bid comes within the budget, the bid will be awarded in April and the job will start in the end of April or the beginning of May; the contract calls for completion within 90 days. There is black-out date of July 3 and 4 to accommodate the fireworks.

There two more grants for the Riverwalk which is poured concrete behind the bulkhead and will be constructed after the bulkhead is in; the bid for the Riverwalk is being prepared for bid while the first job is underway and then go to the second job when the first is finished. The approval process has been long but electrician's union will send one five-year apprentice and one one-year apprentice will be assigned to do the rough in on the education building and Vito Dispensa, Marada Electric, will put in the actual light fixtures, receptacles and switches.

On a question from Mark Reynolds, reporter, reiterated that the replacement bulkhead will be 18-inches ahead of the old; permits for the work has been received from NYS DEC, Army Corps of Engineers and the NYS Department of State Coastal Management; the sheet pile will be drive in and filled behind it, between the edge of the Park and the bulkhead. The dock has also rotted and will be replaced; the piling bundles, which are called 'dolphins' and the ships lay against will be replaced. There is 650-feet of river frontage, starting from Mariners' Restaurant parking lot north to the point.

Erin Quinn, reporter, asked how much money was in the grant and if he was confident that the bids would come in under that number.

Smith answered that the grant is \$911,000 and he is optimistic bids will reflect that; if the bid is over he will go back to NYS to discuss it. The grant came through three years ago but NYS did not have the funds to give to the Park and the project could not get started at that time; now, prices have gone up. Ray Jurkowski, Morris Associates, has donated the preparation of the bid package and will oversee opening the bids on Friday.

John Roach asked if he was at liberty to say who the seven bidders are.

Smith explained that companies have picked up the bid package and paid a deposit of \$50; they do not have to bid and he does not know who will actually bid until Friday.

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The list of those who have picked up the bid package is public record: Harrison Burroughs, the company who rebuilt the Walkway Over the Hudson; Parrott Enterprises, a dock builder from Newburgh; Kingsley Arms, the contractor working on the Highland Sewer Plant; Servidone, Inc., and C. T. Perry Company, a pile-driving company.

Building Department – Supervisor Hansut

Dog Control – Councilmember Brennie reported that the Board is pleased with the work of Andrew McKee. There is a resolution on this agenda to add a Deputy Dog Control Officer, at no additional cost to the Town, who will help respond to calls.

Environmental – Councilmember Guerriero apologized that he had two meetings at the same time and he was not able to attend the ECC meeting.

Grants – Supervisor Hansut announced that on March 29 at Ulster Community College there will be a seminar on grants which he and people from the Economic Development Committee will attend. Marge Gallagher from the office of the Ulster County Executive attended the last Economic Development Committee meeting and is very enthusiastic about Highland and sees a lot of potential here. She gave the committee good information and insight in an attempt to build a good relationship between the Ulster County and the Town of Lloyd.

Highland Fire Districts – Councilmember Paladino

Supervisor gave the annual NYS Comptroller's report of the Highland Fire District to the Town Clerk.

Highland Central School – Councilmember Paladino reported that he attended a School Board meeting last night and the next School Board meeting will be held on April 10. The school budget was the primary discussion and there should be a budget that the public can review online after the April 10 meeting. The election polling place at the High School has been changed from the Library to the band room to segregate the voters from the students to keep a higher level of security. Ulster County Board of Elections will fund a concrete pad outside of that band room to improve the entrance at no cost to the school. The Board of Elections has money available to improve the entrance for conformance. There was a joint meeting of the School Board and the Town Board and he felt that it was an informative meeting. Elaine Rivera, Assessor, Frank Alfonso, Recreation, Rich Klotz, Highway Superintendent, from the Town and the School District's Maintenance Supervisor also attended. The meeting was primarily to brainstorm to see if there were any opportunities for shared services. In light of the financial restraints of the times there may be some savings possible. He feels that the line of communication was not always open in the past therefore several meetings will be planned throughout the year. There may be another meeting scheduled between the two Boards before the school budget vote in May

Erin Quinn, reporter, asked if there were any concrete ideas for savings that came out of the joint meeting.

Paladino replied that he did not have anything to say at this time but currently there are shared services between the School District and Town Recreation and Highway Departments; however, fuel, insurance and large ticket items are being considered.

Highway/Transfer Station – Councilmember Guerriero referred to the resolution on this agenda to set a public hearing on the highway standards proposed by the Highway Superintendent, Richard Klotz.

Historian – Councilmember Guerriero reported that Mrs. Alfonso continues to gather and catalog artifacts. The winter quilt and bed warmer display will be changed to depict ice harvesting; much of the display, pictures and artifacts have been donated for display by

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Frank Brescia, Schantz and Valentino families. He recalled people coming into his store and telling stories about the history of ice harvesting from Schantz' pond and he appreciated the efforts of Mrs. Alfonso to inform the public of this part of the Town's history.

Supervisor noted that Mrs. Alfonso has begun the display and in her absence, Grace Phillips has been helping in the office.

Justice – Councilmember Litts

Lights – Councilmember Brennie reported that there has been a request for a street light at the driveway of the Rose Hill Manor Day School and Haviland Road.

Matt Smith asked the procedure to notify Central Hudson on lights that are out.

Brennie replied that people can call him and he will notify Central Hudson; they will ask for a pole number.

Supervisor offered that residents can call his office also.

Kate Jonietz, Secretary, noted that she has recently received four calls about street lights. She directed everyone to the Town of Lloyd website front page that says, 'Report a Street Light Out', put in the pole number and what is wrong with the pole. The lights have been fixed within a two-week time frame. She explained that if it is a Central Hudson pole, there is a pole number stamped on a metal plate, if it is a telephone pole, the numbers are embossed in black.

Planning Board – Councilmember Guerriero reported that there was a lot line revision granted on Phillips Avenue in which the Town will convey .02 acres of land to Donna Finch in order to increase the size of the lot and correct the encroachment of the existing garage on Town property.

Police – Supervisor Hansut reported that a contract-negotiations meeting was scheduled, however, the Labor Negotiation Specialist had an illness in his family and hopefully the meeting will take place in April. The contract expired in 2009; it is hoped that we can pick up the pace in April and get that resolved. He met with the Chief and talked about the equipment that is no longer in use and could be put out for bid. One of the vehicles not being used is a 2001 Durango and an ATV that gets very little use; the Board will be asked to approve the bid next month.

Recreation/Buildings & Grounds/Events/Bob Shepard Highland Landing Park/Hudson Valley Rail Trail – Councilmember Brennie

Safety – Supervisor Hansut reported that there is a meeting scheduled for April 9.

Water and Sewer – Councilmember Litts

Zoning Board of Appeals – Councilmember Litts

## **2. OLD BUSINESS**

A. Report of shared services meeting with HCSD

This was discussed earlier in the meeting.

B. Tillson Avenue update

Supervisor explained that Herb Litts is the project manager and he is out of town. Supervisor did speak with Barton & Loguidice and was told that they would have alternatives and pricing available by March, noting that there were nine days remaining in March.

C. Light request on Apple Lane

Supervisor stated that he had asked David Barton, Building Department Supervisor to check the site plans. He saw that there was no light indicated on the site plan so this will have to be discussed later.

D. Light request at driveway to Rose Hill Manor Day School & Haviland Rd.

Supervisor reiterated that there is a pole and Central Hudson will be notified.

### **3. NEW BUSINESS**

- A. There will be no workshop meeting on April 4, 2012.

Supervisor stated that he will be out of Town that week and the Workshop meeting will be rescheduled for the following week, Wednesday April 11; by that time the Bids will be in and opened. Hopefully the Town Board will be able to move forward with a resolution for the Bob Shepard Highland Landing Park project.

- B. Presentation from NYS Real Property Tax Agency with regard to assessment and property tax determinations.

Supervisor said that this is another step to educate the taxpayer on what is on their tax bills; the presentation will take place at the Regular Town Board Meeting on April 18, 2012.

Paladino offered that Superintendent Deborah Haab mentioned this at the recent School Board meeting.

Supervisor said that the meeting may be moved to a larger space at the fire house as there may be many people who have questions and will be able to get an answer at this meeting.

- C. Budget

Supervisor said that during the month of April he is asking the Department Heads for the status of their 2012 budgets and plans for the future. Some things have come up that need to be addressed. For example, in the 2012 budget there was \$30,000 needed for sludge removal from the Sewer Plant and there is another \$10,000 needed for sludge removal from the Water Plant. These items were taken out of the Water and Sewer budgets. This will be a budgetary concern in both departments.

There was an understanding that there was a company in Dutchess County who would take the sludge from the Water Plant without charge; however, the company will not take it for free. He has reached out to Ulster County Resource Recovery Agency, who picks up the sludge from the Sewer Plant; to date, the Town has paid almost \$7,000 for removal. He is going to a meeting with the Ulster County Resource Recovery Agency on Monday, April 16 to ask for their help.

Paladino also contacted Marlborough and they use a company to remove the sludge and he is expecting a return call.

Supervisor requested that each Councilman goes through the 2012 budget with each of his departments and review for cost savings between now and the end of the year.

### **4. PRIVILEGE OF THE FLOOR**

Matt Smith recalled at the last meeting with Barton & Loguidice regarding the Tillson Avenue/Toc Drive intersection that there were safety questions and he hoped that B&L would respond to those questions.

Supervisor replied that B&L will come back to the Town with the alternatives and the pricing.

Sean Murphy, attorney, said that the two main options were the four-way stop and the roundabout.

Supervisor felt that he and Guerriero were new to the Town Board and the information is important so a good decision can be made for the Town.

Frances Raucci, Laurretta Drive, commended the Police force for their quick response to her home when a robbery occurred from her daughter's car which was parked in front of her house. She recommends that the Town Board approves the PBA contract.

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Supervisor thanked her for her comments and added that they arrested a suspect that has been involved in numerous burglaries in Milton, Marlboro and Lloyd. They developed the suspect, made an arrest; with the help of NYS Police and URGENT, they did some search warrants and recovered a lot of stolen property. The Police are asking residents to use caution. If you see something that doesn't look quite right, pick up the phone and call them.

Smith related that the NYS Police did find his truck that had been stolen; the thief was still driving it six days later and he put 700 miles on it locally. He questioned how it was not found sooner as it was reported stolen and the man received four tickets in Poughkeepsie in the length of time that he had it.

Supervisor said that the tickets are issued on a hand-held device and it does not check for stolen vehicles.

Reynolds asked the status of the Marshall & Sterling Insurance coverage of the storm damage at the Sewer Plant.

Supervisor answered that the information he was given last week was that the case will be closed at the end of this month and the Town will know exactly what it will received from the insurance company.

Reynolds asked the status of the issue of the water over Hawleys Corners Road.

Supervisor said that it was brought to the attention of the Water, Sewer and Drainage Committee.

Richard Klotz, Highway Superintendent, said that he is working on easements.

Reynolds said that the problem has been caused by two homeowners: one rerouted the stream and the other person is not fixing a pipe under their driveway. He asked why the Town would be responsible to fix that when it is being caused by two private property owners.

Murphy said that it was his understanding that it was exacerbated by a culvert placed under the road by the Town.

Reynolds explained said that might be the third part of the equation but he feels that the issue is the person that rerouted the creek, the second person has the problem with the water under the driveway and everything backs up and the water goes on to Hawleys Corners Road. He feels that the private homeowner has to fix that pipe under the driveway.

Murphy concurred that if someone is inhibiting the flow of water naturally to the detriment of someone upstream that is a private problem. He will speak to Klotz as he was not aware of that.

Klotz said that the problem was created in the late 1970's or early 1980's; the water started to flow and a pipe was added that is not big enough to handle the water now. It is not the homeowner's fault if millions more gallons of water is dumped into the pipe.

Supervisor said that Klotz is looking into it and will bring the information back to the Water, Sewer and Drainage meeting next month and it will move forward from there.

Charles Meuser, Chodikee Lake Road, reported cars are still in excess of 65 MPH on that road.

Supervisor replied that the Police Chief will have an activity report at the next Workshop meeting.

Paladino asked if they put out the digital readout and Meuser replied that they have not.

Meuser said that when they notify the school that there will be patrols, the cars do slow down briefly; the shift change is the same for both the Police and the DFY so the Police can't be there when these people are on the road.



Supervisor said that his office did receive a call from the facility which is now called the Highland Residential Center; they are going to have a program where their residents will be able to come out into the community under supervision and help with street cleanups and things of that nature. He will call that office tomorrow and ask that they speak to their staff about the speeding issue.

In response to a comment from Matt Smith about televising the meetings, the Supervisor said that some of the equipment has been delivered to Town Hall and a transmitter is on its way. Some adjustments have to be made in the inactive record storage room to accommodate the equipment. The goal is April but it may be May. There will be training as soon as it is installed,.

**5. RESOLUTIONS**

**A. MOTION** made by Paladino, seconded by Brennie to approve the minutes from: Workshop Meeting of February 1, 2012; Regular Meeting of February 15, 2012; Special Meeting February 22, 2012.

**Four ayes carried.**

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

General	G182 to G301	\$135,154.37
Highway	H102 to H190	\$ 58,600.95
Miscellaneous	M113 to M155	\$459,152.87
Prepays	P31 to p71	\$ 76,391.02
Sewer	S61 to S90	\$ 30,820.37
Water	W113 to W144	\$ 33,674.73

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

**Three ayes carried.**

**C. RESOLUTION** made by Brennie, seconded by Guerriero, to amend the Town of Lloyd fee schedule adding an Escrow Deposit Schedule (as attached) at the recommendation of David Barton, II, building and zoning administrator:

Type of application

Subdivisions: Number of Lots:

	Initial Deposit	Minimum Reserve
Lot Line realignment	\$250.00	\$100.00
Subdivision: per lot	\$250.00	\$100.00

Special Use Permits:	Initial Deposit	Minimum Reserve
	\$200.00	\$100.00

Site Plans: Square Footage of built and disturbed areas (buildings, parking lots, etc)

Pre Application Conference (prior to submission)	\$500.00	\$100.00
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	Initial Deposit	Minimum Reserve
Up to 1,000	\$2000.00	\$200.00

1,001 to 10,000	\$7500.00	\$500.00
10,000 and over	\$15,000.00	\$2000.00
WBOD Site Plan Review for residential and non-residential accessory structures that would not trigger full site plan review	\$200.00	\$100.00
Rezoning / Overlay Zone Pre-application Conference	\$1500.00	\$200.00
Town Board Review—all overlay and rezoning applications: Concept and Sketch Plan review		
up to 20 acres	\$10,000.00	\$2000.00
20-100 acres	\$20,000.00	\$3000.00
Over 100 acres	\$30,000.00	\$5000.00
Town Board Review—all overlay and rezoning applications: Final development review		
up to 20 acres	\$10,000.00	\$2000.00
20-100 acres	\$20,000.00	\$3000.00
Over 100 acres	\$30,000.00	\$5000.00

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

**D. RESOLUTION** made by Paladino, seconded by Brennie, to approve **FREE days at the Transfer Station** for Saturday April 28, 2012 and Saturday May 5, 2012. These are normal operating days at the Transfer Station and the hours will be from 8:00 AM to 3:45 PM. These days would be for residents of the Town of Lloyd with a Transfer Station Permit. White Goods only will be half price including Freon items; there will be the usual charge for tires. Construction and Demolition debris will be prohibited as per Town Code.

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

**E. MOTION** made by Paladino, seconded by Guerriero, to appoint Bethany R. O’Dell as Deputy Dog Control Officer at no remuneration at the recommendation of Andrew McKee, Dog Control Officer.

**Four ayes carried.**

**F. RESOLUTION** made by Brennie, seconded by Guerriero, to accept the resignation of Police Officer Jeffrey W. Cohen as of April 1, 2012.

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

**Four ayes carried.**

**G. RESOLUTION** made by Brennie, seconded by Guerriero, to accept the resignation of part time dispatcher Garret Stoutenberg.

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

**Four ayes carried.**

**H. MOTION** *was made earlier in the meeting* to close the public hearing on Local Law A to rescind and remove in its entirety Chapter 69 of the Town Code entitled "Junk and Junk Dealers".

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

**WHEREAS**, a proposed Local Law No. A – 2012, a local law to rescind Chapter 69 of the Town Code entitled "Junk and Junk Dealers", was introduced at a meeting of the Town Board held on the 15<sup>th</sup> day of February, 2012 at 7:00 p.m.; and,

**WHEREAS**, a public hearing has been held thereon on the 21st day of March, 2012 at 7:00 p.m., at which time all interested parties were given an opportunity to be heard thereon; and,

**NOW, THEREFORE, BE IT RESOLVED** that Local Law A – 2012 be enacted as in the form attached hereto as Schedule "A" as fully as if set forth herein, being a local law to rescind Chapter 69 of the Town Code entitled "Junk and Junk Dealers". (See Attached)

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

**Four ayes carried.**

**J. MOTION** made by Paladino, seconded by Brennie, to close the public hearing on Local Law B to amend the Zoning Map of the Town of Lloyd for a project to be known as Mountainside Woods on the parcels previously known as Westport, Ledgewood and Trailside by Falls at Lloyd LLC, Sycamore Creek LLC and Ash Creek LLC as applicants for the project described as the "combined Westport Zoning Petition" for Mountainside Woods residential project located on Hilltop Lane and Vista Drive in the town at 8:17PM.

**Four ayes carried.**

**K. MOTION** made by Paladino, seconded by Brennie, to close the public hearing on Local Law C a local law to increase the term of office of the Town Supervisor from two (2) to four (4) years at 8:17PM.

**Four ayes carried.**

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

**WHEREAS**, a proposed Local Law No. C – 2012, a local law increasing the term of office of the Town Supervisor from two (2) years to four (4) years, was introduced at a meeting of the Town Board held on the 15<sup>th</sup> day of February, 2012 at 7:00 p.m.; and,

**WHEREAS**, a public hearing has been held thereon on the 21st day of March, 2012 at 7:00 p.m., at which time all interested parties were given an opportunity to be heard thereon; and,

**NOW, THEREFORE, BE IT RESOLVED** that Local Law C – 2012 be enacted as in the form attached hereto as Schedule "A" as fully as if set forth herein, being a local

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law increasing the term of office of the Town Supervisor from two (2) years to four (4) years. (See Attached)

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

**Three ayes carried.**

**M. MOTION** made by Paladino, seconded by Brennie to close the public hearing on Local Law **D** a local law to increase the term of office of the Town Clerk from two (2) to four (4) years at 8:18PM.

**Four ayes carried.**

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

**WHEREAS**, a proposed Local Law No. D – 2012, a local law increasing the term of office of the Town Clerk from two (2) years to four (4) years, was introduced at a meeting of the Town Board held on the 15<sup>th</sup> day of February, 2012 at 7:00 p.m.; and, **WHEREAS**, a public hearing has been held thereon on the 21st day of March, 2012 at 7:00 p.m., at which time all interested parties were given an opportunity to be heard thereon; and,

**NOW, THEREFORE, BE IT RESOLVED** that Local Law D – 2012 be enacted as in the form attached hereto as Schedule “A” as fully as if set forth herein, being a local law increasing the term of office of the Town Clerk from two (2) years to four (4) years. (See Attached)

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

**Four ayes carried.**

**O. MOTION** made by Paladino, seconded by Brennie, to close the public hearing on Local Law **E** a local law to increase the term of office of the Highway Superintendent from two (2) to four (4) years at 8:19 PM.

**Four ayes carried.**

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

**WHEREAS**, a proposed Local Law No. E – 2012, a local law increasing the term of office of the Highway Superintendent from two (2) years to four (4) years, was introduced at a meeting of the Town Board held on the 15<sup>th</sup> day of February, 2012 at 7:00 p.m.; and,

**WHEREAS**, a public hearing has been held thereon on the 21st day of March, 2012 at 7:00 p.m., at which time all interested parties were given an opportunity to be heard thereon; and,

**NOW, THEREFORE, BE IT RESOLVED** that Local Law E – 2012 be enacted as in the form attached hereto as Schedule “A” as fully as if set forth herein, being a local law increasing the term of office of the Highway Superintendent from two (2) years to four (4) years. (See Attached)

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

**Three ayes carried.**

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

**WHEREAS**, a local law, being proposed as Local Law No. **F** – 2012, was introduced at this meeting as follows: Local Law No. **F** – 2012, a local law to amend the Code of the Town of Lloyd Chapter 49 entitled “Control of Animals and Wildfowl” Article 1 “Dogs”, Section 49-9 “Redemption of Seized Dogs” to amend the rates charged for kennel fees as follows:

**Section 1)** The Code of the Town of Lloyd, Chapter 49, Article 1 entitled “Dogs” be, and the same hereby is, amended by canceling existing Section 49-9 and enacting a new section as follows:

**“Section 49-9. Redemption of seized dogs.**

**A.** Each dog which is not identified, whether or not licensed, shall be held for a period of five days from the day seized during which period the dog may be redeemed by its owner, provided that such owner produces proof that the dog has been licensed and has been identified pursuant to the provisions of this article and further provided that the owner pays the following impoundment fees:

(1) Twenty-five dollars for the first impoundment of any dog owned by that person, plus \$30.00 per day kennel fee for every day impounded.

(2) Fifty dollars impoundment fee and \$30.00 kennel fee for each additional 24 hours or part thereof for the second impoundment, within one year of the first impoundment, of any dog owned by that person; or

(3) Seventy-five dollars impoundment fee and \$30.00 kennel fee for each additional 24 hours or part thereof for the third and subsequent impoundments, within one year of the first impoundment, of any dog owned by that person.

**B.** In addition to impound and kennel fees: after-hours pickup fees will be \$50.00. Normal pickup hours are 8:00 a.m. to 6:00 p.m., Monday through Friday.”

**Section 2)** This local law shall take effect when filed with the Secretary of State in accordance with the Municipal Home Rule Law.

**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 18th day of April, 2012 at 7:00 p.m.; 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.

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

**Four ayes carried.**

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

**WHEREAS**, a local law, being proposed as Local Law No. **G** – 2012, was introduced at this meeting as follows: Local Law No. **G** – 2012, a local law to revise Chapter 89 of the Code of the Town of Lloyd to clarify responsibilities and incorporate numerous changes to the highway specifications for both private and public roads; and

**WHEREAS**, the Town Board of the Town of Lloyd has determined that this matter constitutes an unlisted action under the State Environmental Quality Review Act (SEQRA) and a short form EAF has been prepared on behalf of the Town Board, with the Board assuming lead agency to do all necessary reviews in the matter; and

**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 the Town Board, having examined the short form EAF and considered the environmental effects of the matter, finds, as lead agency, that there is no environmental impact, hereby issuing its Declaration of Non-Significance; and it is further

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**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 18th day of April, 2012 at 7:00 p.m.; and it is further

**RESOLVED**, 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.

TOWN OF LLOYD LOCAL LAW NO. G OF THE YEAR 2012, A LOCAL LAW TO REVISE CHAPTER 89 OF THE CODE OF THE TOWN OF LLOYD TO CLARIFY RESPONSIBILITIES AND INCORPORATE NUMEROUS CHANGES TO THE HIGHWAY SPECIFICATIONS FOR BOTH PRIVATE AND PUBLIC ROADS.

Section 1. Purpose. Code Chapter 89 entitled "Streets and Sidewalks" needs revision to incorporate improved construction and procedural requirements and to clarify certain sections of the law governing streets and sidewalks.

Section 2. Amendments to ARTICLE III, Chapter 89. Chapter 89 of the Code of the Town of Lloyd entitled "Streets and Sidewalks," ARTICLE III entitled "Road Specifications" is amended as follows:

A. §89-12. Purpose; compliance required. Add paragraph §89-12.D. to read as follows:

"D. Prior to construction, the developer/constructor shall have on-site at all times a copy of the latest edition of the following documents to ensure full compliance with these road specifications:

- (1) Approved construction plans
- (2) Approved subdivision plat
- (3) Chapter 89 – "Streets and Sidewalks" of the Town of Lloyd Town Code,
- (4) Stormwater Management Plan together with all permits
- (5) Construction Agreement as accepted by the Town Board
- (6) Approved shop drawings and other submissions and test reports as approved by the Town Highway Superintendent
- (7) Any other documents deemed necessary by the Town Highway Department and the Town Attorney"

B. §89-13.B. Delete this paragraph and enact a new paragraph as follows:

"B. Dedication of the roadway right-of-way, along with any requisite and/or adjoining drainage structures and bridges and/or utility rights-of-ways or easements, will not be accepted until the developer's professional engineer, the Town Superintendent of Highways and the Town Highway Engineer have certified, on the Town's form, to the Town Board that the construction of the road or roads, together with all improvements made thereon, has been completed in accordance with the approved plans and these specifications which follow, and that all such improvements have been properly documented on a legible as-built survey drawing, as certified by the developer's New York State Licensed Professional Engineer or Land Surveyor."

C. §89-13.D. Delete therein the reference to "multiple-use driveways" and revise this paragraph to read as follows:

“D. The Planning Board is authorized to direct that any specific road, street or highway shown on a proposed plat to be public or private; and in the exercise of the public welfare, the Planning Board may place reasonable conditions on the approval of any such road, street or highway, even those intended to be private and not dedicated to or maintained by the Town of Lloyd.”

D. §89-16.A. Delete this paragraph in its entirety and revise to read as follows:

“A. Prior to the commencement of construction and throughout the same period of the maintenance bond and until the final acceptance by the Town of any proposed street, the developer shall file with the Town Clerk evidence that he has taken out an insurance policy in the amount of \$500,000/\$1,000,000 for public liability and \$300,000 for property damage, naming as additional insured the Town Board and/or the Town Highway Department and/or the Town Superintendent of Highways. This insurance policy shall be in full effect until the date of acceptance of the dedication of the street by the Town Board, or the date of approval by the Highway Superintendent if it is a private road.”

E. §89-18. Construction specifications. NOTES FOR TABLE 2, SUMMARY OF RURAL ROAD AND PRIVATE SPECIFICATIONS: Delete (1) and enact new (1) to read as follows:

“(1) The fifty-foot required right-of-way under Private Roads should not in any case be construed to replace the requirements of §90-3.D, §90-5.A(3)(b) and §100-14 of the Town of Lloyd Code. Private rights-of-ways shall not be counted as part of the lot requirements for Residential Districts per Chapter 100, Attachment 2, Town of Lloyd Dimensional Table. All lot areas and yard setback requirements shall be computed from the private right-of-way boundary as though it were a public highway.”

F. §89-19.E. Drainage pipe. Delete §89-19.E and enact new subsection §89-19.E. to read as follows:

“E. Drainage Culverts, Bridges and Stream Bank Protection.

(1) Storm drainage culvert pipe may be reinforced concrete (RCP), high density polyethylene (HDPE) or coated steel pipe (CSP) with a minimum diameter of fifteen (15) inches across driveways and a minimum diameter of eighteen (18) inches for road drainage.

(a) All round and oblate culvert pipes shall be designed to withstand an H-25 highway loading and shall conform to NYSDOT and these specifications.

(b) All collars and connecting bands shall be soil-tight with a minimum width of twelve (12) inches wide and with hot-dipped galvanized bolts or nylon ties as the standard recommended by the pipe manufacturer.

(c) Reinforced concrete pipe (RCP) shall be Class V with a Manning's Roughness Coefficient ( $n = 0.012$ ) and shall be manufactured with gasket slip-joints or gasket bell and spigot joints. Each piece of reinforced concrete pipe shall be marked with the specification number and the date of manufacture.

(d) High Density Polyethylene (HDPE) pipe shall have a smooth interior wall ( $n = 0.012$ ) with soil-tight, gasket joints per AASHTO standards.

(e) Coated Steel Pipe (CSP) shall conform to ASTM A252, Grade 2 or 3 or better, with an internal and external bituminous asphalt coating to meet ANSI-A21.4 ( $n = 0.012$ ) and with the following minimum wall thicknesses: 16-inch to 22-inch diameter (0.375-inch wall thickness); 24-inch to 36-inch diameter

(0.500-inch wall thickness); and 42-inch diameter and larger (0.625 inch wall thickness). Joints on steel pipe shall be welded and coated.

- (f) No other type of pipe material will be allowed unless authorized in writing; pipes of other material shall be submitted for approval in triplicate and in writing to the Town Superintendent of Highway.
- (2) Bridges may be of reinforced concrete, structural steel, treated timber and/or aluminum structural plate, and shall be as follows:
  - (a) For the purpose of these specifications, bridges are defined as any structure that is designed to span across a natural or man-made water course and with a clear span of 5 ft or more.
  - (b) All bridges shall be designed for an H-25 highway loading (front axle at 10,000 pounds and rear axle at 40,000 pounds) and shall properly convey stream flows from a 100-year storm event without flowing over or around the bridge.
  - (c) The waterway area below the bridge shall be free of pipes, culverts and other forms of obstruction.
  - (d) The underside of the bridge deck shall be no lower than the top of the adjacent roadway.
  - (e) Bridges shall have a smooth interior face to reduce turbulent flow conditions.
  - (f) An open deck shall be provided on all bridges with a minimal curb and open safety railing system to allow extreme flood waters to flow over the bridge deck.
  - (g) A smooth inlet and outlet headwall system shall be provided so that flood waters may be safely diverted into the waterway under the bridge.
  - (h) Bridges and vehicular railings shall be designed per AASHTO Standards.
- (3) Stream Bank Protection:
  - (a) Constructed walls along streams shall be prohibited unless the effect of such walls will not alter the calculated or documented elevation of floodwaters generated during a 100-year storm event.
  - (b) Stream walls shall be designed to resist the hydraulic loading of flood waters generated during a 100-year storm event.
  - (c) Rip-rap revetments shall be designed to withstand the maximum water flow velocity when the stream bank is at full stage.

Velocity of Stream at High Flows	Rip-rap Range
2 to 6 feet per second	4" to 12"; average 6"
6 to 8 feet per second	6" to 18"; average 12"
8 to 10 feet per second	12" to 24"; average 18"
10 to 12 feet per second	18" to 30"; average 24"

The variance in size and rough angular shape surfaces of the rock shall allow the revetment to absorb the impact of the flowing water. Rocks are to be NYSDOT compliant and are to be placed tightly together to form a dense layer of protection. The layer of rip-rap shall be 1.5 times the thickness of the largest stone. The final surface shall be as uniform as possible.

- (4) The required submissions to be made to the Town Highway Department for approval shall include all culverts, bridges and stream bank protection work, on or off town roads, complete with drawings, specifications, hydraulic report and design criteria. Such submissions are required for all projects, private and municipal, before the Town and/or Planning Boards."



- G. §89-19.I Foundation course, granular material. Add §89-19.I (3) as follows:  
“(3) All foundation material shall comply with NYSDOT Specifications (crushed shale is not permitted). Submit in triplicate to the Town Highway Superintendent copies of the laboratory reports (gradation, hardness, modified protector test curve and NYSDOT certification) along with representative samples of the proposed foundation material to be used for approval.”
- H. §89-19.K. Asphaltic concrete surface courses. Add new subsection §89-19.K.(5) to read as follows:  
“(5) Submit in triplicate for approval to the Town Highway Superintendent copies of laboratory reports and NYSDOT certifications of the asphalt concrete material and formulation to be used.”
- I. §89-19.L. Curbs. Add new subsection §89-19.L.(4) to read as follows:  
“(4) Submit in triplicate for approval to the Town Highway Superintendent copies of laboratory reports and NYSDOT certifications of the Portland Cement concrete mix, materials and formulation to be used .”
- J. §89-19.P Signs. Add new subsection §89-19.P (3) to read as follows:  
“(3) All signs located within twelve (12) feet from the edge of pavement of any road shall have a breakaway feature to allow for easy repair or replacement. This includes all street and traffic control signs.”
- K. §89-19.U. Culs-de-sac.  
1.The title of this section shall be revised to read as follows: “Culs-de-sac and T-turnarounds”.  
2. §89-19.U.(1) second sentence only shall be revised to read as follows:  
“(1) ... Permanent turnarounds shall take the form of a circle or a “T” as required by the Planning Board and the Town Superintendent of Highways and shall be constructed as shown in Figures 18 and 19A...”
- L. §89-20. Drainage. Revise §89-20.D.(3) to read as follows:  
“(3) To prevent pollution of receiving ground and surface waters in accordance with current USEPA and NYSDEC regulations and Chapter 55 of the Town of Lloyd Town Code.”
- M. §89-20. Drainage. Add §89-20.D.(4) to read as follows:  
“(4) To prevent post-development peak stormwater flows from exceeding pre-development peak stormwater flows in accordance with USEPA and NYSDEC regulations.”
- N. §89-25 Names and signs. §89.25 is to be amended to read as follows:  
"**§89.25 Street names and signs.** All private roadways of any kind are to be properly signed and named in accordance with all Town and 911 requirements. Such roads shall also be signed as a “Private Road”.”
- O. §89-26 Interpretation and variances. §89-26 is to be renumbered to §89-29; and the following three sections are to be added as §89-26, §89-27 and §89-28 to read as follows:  
1. **“§89-26 Street opening permits.**  
A. Description. Street opening permits are necessary any time an excavation is made in a street right-of-way. Excavations in street pavements and sidewalks

require a street opening permit. A permit may be necessary from the NYS Department of Transportation or the Ulster County Department of Public Works Office if the roadway is under their jurisdiction.

B. Application. Street opening permits are issued by the Town of Lloyd Highway Department for all Town roads.

C. Requirements.

(1) A street opening permit for a Town road can only be issued to a person, firm or corporation that has on file with the Town a \$5,000 street opening bond and has paid the street opening permit fee at the Town Building Department. The street opening permit fee per opening is to be set by the Town Board by resolution.

(2) The permit holder is responsible for the restoration and maintenance of the street opening.

(3) The permit holder is responsible for the placement and maintenance of the necessary traffic signs and barricades throughout the construction period.

(4) The permit holder is responsible for contacting the Underground Facilities Protective Organization at 1-800-962-7962 (Dig Safely New York) at least two full working days before digging for the marking of utility locations and for confirming that all utilities have responded in a satisfactory manner.

(5) The permit holder shall be responsible for the continued maintenance of the finished street opening, if settlement should occur. Approved crushed stone aggregate backfill is required on all street openings. The type of pavement replacement shall match the existing pavement in thickness and composition. Final paving operations shall be made within 48 hours after completion of all backfill operations and to the satisfaction of the Town Superintendent of Highways.

D. New pavement. A street opening permit will be denied to anyone requesting to open pavement less than five years old unless there is an emergency or the opening is approved by the Town Board.”

2. “**§89-27 Mailbox locations** (Figure 21). All mailboxes placed within the right-of-way of Town roads shall be located in accordance with Figure 21 of these specifications and in accordance with the US Postal Regulations.”

3. “**§89-28 Submittals**. In addition to the aforementioned construction materials, shop drawings and product data are to be submitted in triplicate for approval to the Town Highway Superintendent, together with ASTM, AWWA and AASHTO designations on the following:

A. Manholes, catch basins, drainage inlets, clean-outs, covers, grates and flared-end sections.

B. Hydrants and valve boxes.

C. Street signs and traffic control signs.

D. Guide rails (galvanized steel only), anchorages and details.”

P. **§89-27 Enforcement**: Present §89-27 is to be renumbered as §89-30 and amended to read as follows:

“**§89-30 Enforcement**. Administration and enforcement shall be regulated by ARTICLE IX of Chapter 100, Zoning, as applicable, and enforced by the Town's Codes Enforcement Officer. In addition to receiving approval for the completed work from the Zoning Inspector, approvals from the Town of Lloyd Highway Department and the local Fire Department are also required.”

Q. **§89-28 Severability**: Present §89-28 is to be renumbered as §89-31.

Section 3. Index: The present Figures in the **List of Town of Lloyd Highway Standards** attached to Chapter 89 are amended individually and are re-enacted as shown in Figures 1 through 22 inclusive as annexed hereto and are to be included in the Town Code at the end of Chapter 89.

Section 4. Effective Date: This local law shall be effective when filed with the Secretary of State, pursuant to the New York Municipal Home Rule Law.

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

**Four ayes carried.**

**S. MOTION** made by Paladino, seconded by Guerriero, to appoint Daniel Faison as an alternate on the Board of Ethics.

**Four ayes carried.**

**T. MOTION** made by Brennie, seconded by Paladino, to appoint Leonard "Bud" Hossenlopp to the Environmental Conservation Council.

**Four ayes carried.**

**U. RESOLUTION** made by Brennie, seconded by Guerriero, to authorize the Town Supervisor to sign the agreement between Civil Service Employees Association, Inc., Local 1000, AFSCME, AFL-CIO on behalf of Paul Frasch and the Town of Lloyd.

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

**Three ayes carried.**

**V. RESOLUTION** made by Brennie, seconded by Paladino, to enter into agreement with the Natural Resources Conservation Service, United States Department of Agriculture or NRCS-USDA under the Emergency Watershed Protection program for stream bank stabilization on River Road and authorize the Supervisor to execute the same. (See Attached)

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

**Four ayes carried.**

**W. RESOLUTION** made by Paladino, seconded by Brennie, to enter into agreement with Advanced Recovery, Inc. for the removal of e-waste and authorize the Supervisor to execute the same. (See Attached)

*Supervisor explained that this company is going to collect all electronic equipment brought to the Transfer Station and pay the Town for it; the previous collection company did not pay for the electronic equipment. This will be revenue for the Transfer Station. He thanked Rich Klotz and Kate Jonietz who worked diligently to make this happen.*

*Klotz added that on cleanup day Advanced Recovery will send personnel to the Transfer Station to help receive the e-waste as it comes in. They will also take any electric or electronic item which will save on dumping fees; the Town will also receive \$2 per cell phone, Advanced Recovery is based in Port Jervis, NY, and will pay 20-cents a pound and a \$1 each on some other things.*

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

**Four ayes carried.**

**X. RESOLUTION** made by Brennie, seconded by Paladino, to establish the budget line 00-06-7330-40 in the General fund for the Bob Shepard Highland Landing Park for electricity and other expenses associated with the function and upkeep of the park.

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

**Four ayes carried.**

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

**WHEREAS** the Town of Lloyd approved the agreement with Camoin Associates for \$38,000 for the Hamlet Development Analysis Report on September 22, 2010;

**WHEREAS** the Lloyd Community Development Corp (LCDC) approved funding the Town's portion of \$12,000 plus \$3,000 for incidentals on September 2, 2010;

**WHEREAS** Camoin Associates has completed the project;

**WHEREAS** the Town of Lloyd has received the \$25,000 grant from NYSDOS;

**NOW THEREFORE BE IT RESOLVED** that the \$2,000 that is remaining in the capital fund for this project after all expenses have been paid be returned to the LCDC.

*Paladino said that was a grant and the document should be used as a tool for future grant writing.*

*Supervisor confirmed that the Economic Development Committee is utilizing the document.*

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

**Four ayes carried.**

**Z. RESOLUTION** made by Paladino, seconded by Brennie, to approve the following Budget Amendments as noted:

**2011 Budget**

General Fund

Rail Trail CE 00-04-5680-40 +\$2,165.00

Contingency 00-01-1990-40 - \$2,165.00

(Posts for signage and pipes and catch basins for work done in December 2011)

**2012 Budget**

**General Fund**

Central Comm Equip 00-01-1680-20 +\$250.00

Central Comm CE 00-01-1680-40 - \$250.00

(Price of the Server for the bookkeeping software increased from last year)

Unallocated Insurance 00-01-1910-40 +\$11,037.10

Contingency 00-01-1990-40 - \$11,037.10

(not enough money budgeted for unallocated insurance)

Claims 00-01-1950-40 +\$5,000.00

Contingency 00-01-1990-40 - \$5,000.00

(Insurance Deductible due for paid claim)

Police CE 00-02-3120-40 +\$3,296.75

Ins Recovery 00-2685 - \$3,296.75

(Insurance payment for accident Action Collision)

BSHL Park 00-06-7330-40 +\$1,000.00

Contingency 00-01-1990-40 - \$1,000.00

(Bob Shepard Highland Landing Park)

**Highway**

Unallocated Insurance 01-01-1910-40 +\$5,149.00

Snow Removal PS 01-04-5142-10 - \$5,149.00

(Insurance was allocated more accurately; not enough was budgeted)

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

**Four ayes carried.**

Supervisor announced that there would be an Easter Egg Hunt on March 31, sponsored by the Events Committee.

He added that the Town has had the good fortune of having Ferry Godmother Productions bring musical series shows at the Village Field on each Thursday night from 6:30 to 8:30 PM beginning July 5. There is no cost to the taxpayers as it is funded by sponsors and he suggested that if anyone who has a business would like to be a sponsor, to call his office for information. She brought a band to the press conference last week and he felt that it was phenomenal. The music is Pop, Rock and Do-Wop and geared for people over 35 years of age. This production company has been a great success every place its been. The one complaint they have received is that too many people are coming to watch the shows. The local businesses could not handle the number of people and he would love it if that would happen here. He suggested that families pick up a pizza or sandwiches and go to the Village Field to listen to some good music. It is hoped that the concerts will bring people back to the Hamlet businesses.

Smith asked how this came about.

Supervisor answered that Joe Indelicato and his wife regularly went to the concerts in Newburgh and brought the idea back.

Reynolds referred to Resolution U. and asked the Supervisor to explain the resolution. He then asked Paladino why he voted 'no'.

Supervisor explained that there was a grievance filed on behalf of a CSEA Town employee and it regarded a call in for overtime and it was alleged that this gentlemen was not called. The resolution was a result of a meeting with the Town CSEA representatives and the County CSEA. Supervisor related that it was felt that it was in the best interest of the Town to settle

Murphy added that there was no monetary settlement and the Town did not agree that the Town did anything wrong and the grievance was withdrawn.

Paladino voted 'no' based on information that he had that the grievance was not valid.

**MOTION** made by Paladino, seconded by Brennie, to go into executive session to discuss the tax certiorari case with Wingate at Ulster and possible litigation with Vineyard Commons at 8:40 PM.

**Four ayes carried.**

**MOTION** made by Brennie, seconded by Guerriero, to come out of executive session at 9:17 PM.

**Four ayes carried.**

**AA. RESOLUTION** made by Brennie, seconded by Guerriero, to adjust the water bill for Constantina and Gary Carbone, 172 Sterling Place, Account Number 0036, Water adjustment of \$26.90 and Sewer Adjustment of \$17.61 for a total credit of \$44.51.

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

**Four ayes carried.**

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

**WHEREAS**, there is presently pending against the Town of Lloyd a proceeding pursuant to Article 7 of the Real Property Tax Law of the State of New York to review the assessment of a parcel of real property located within the Town of Lloyd,

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sued on the 2011 tax roll, owned by the Petitioner, WINGATE OF ULSTER, INC., as such parcel is set forth and described in the attached copy of proposed Stipulation of Discontinuance with respect to such petition.

**NOW, THEREFORE, BE IT RESOLVED**, that settlement on the terms set forth in the annexed Stipulation is approved and Sean Murphy of DiStasi Moriello & Murphy Law PLLC, attorneys for the Town of Lloyd, be and hereby is, authorized on behalf of the Town of Lloyd to execute the within Stipulation, and that said settlement be submitted to the Ulster County Supreme Court for final approval and entry of the Consent Order directing adjustment of the affected tax roll and payment of appropriate refunds. (See Attached)

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

**Four ayes carried.**

**MOTION** made by Paladino, seconded by Brennie, to adjourn the meeting at 9:20 PM.

Respectfully submitted,

Rosaria Schiavone Peplow  
Town Clerk