

TOWN OF LLOYD TOWN BOARD
REGULAR MEETING
APRIL 13, 2011

Present: Supervisor Raymond Costantino
Councilmember Kevin Brennie
Councilmember Nancy Hammond
Councilmember Jeffrey Paladino

Also present: Sean Murphy, Attorney
Rosaria Peplow, Town Clerk
Wendy Rosinski, Secretary

Absent: Councilmember Herbert Litts, III*

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

7:00 PM – Supervisor opened the public Hearing on Local Law No. A – 2011, a local law to revise Chapter 100 of the Town Code entitled “Zoning”, to amend provisions for expiration of Planning Board approval of a site plan.

Supervisor explained that the current Town Code provides that a Planning Board approval expires in six months and then the developer can have an additional six-month extension. Due to the adverse economy at this time it was determined to change the expiration to one year and allow the applicant to apply for another year extension.

Mark Reynolds, Southern Ulster Times reporter, asked if the extension was for two years or for three years.

Sean Murphy, attorney, responded that the present law states that within six months from the initial approval all the conditions are met and the map is signed and filed. That would be extended one year and upon proper cause the developer may apply for two extensions of one year each, making a total of three years.

7:00 PM - Supervisor opened the public Hearing on Local Law B -2011, a local law to revise Chapter 100 of the Town Code as part of a plan for the orderly, efficient, economic and environmentally sound development of the Town. The Town Board has prepared a proposed local law known as the “Amendments of Chapter 100 of the Town of Lloyd Code: Zoning”.

Supervisor stated that after adopting Chapter 100 there were a few things that had to be changed. For example, accessory buildings were permitted within five feet of the property line with the intent that it would be a shed. Someone wanted to put a garage five feet from the property line, now the size of the structure will be limited.

7:00 PM – Supervisor opened the public Hearing on Local Law C - 2011, a local law to amend the zoning map of the Town of Lloyd as part of a plan for the orderly, efficient, economic and environmentally sound development of the Town. The Town has prepared a proposed local law to amend the zoning map of the Town of Lloyd.

Supervisor stated that Local Law C was to amend the Zoning map.

He stated that Councilmember Litts was delayed returning from his trip and would arrive later. He commented on the amount of people that were at the Highland Community Connection Expo last night and complimented Councilmember Hammond on the great job she did.

Hammond thanked him and added that it was team work and a lot of people did a lot to make it successful. She thanked the Town officials and committees that attended. She will welcome all suggestions for future Expos.

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Jack Maguire, Chairperson Environmental Conservation Committee, stated that they have always enjoyed the Community Expo and had hoped to attract new members to the ECC Committee.

Donna Deepröse added that she has seven names of individuals who are interested in joining the ECC committee.

1. REPORTS from Town Board Department liaisons

Assessor – Councilmember Litts

Audit – April 1 to June 30 – Councilmember Brennie

Building Department – Supervisor Costantino

Building and Grounds – Supervisor Costantino

Dog Control – Councilmember Brennie

Environmental – Councilmember Hammond

Events – Supervisor Costantino reported that there will be a block party on May 13 at 7 PM in the Hamlet. Clean Sweep will be on May 14 and volunteers will meet at the Town Hall at 8:30 AM to choose streets on which they would like to work. The Rotary Club and the Boy Scouts are cleaning up Route 9W. Many people volunteer and a great deal of trash is collected. If anyone has files they want to get rid of, the Rotary Club is renting a shredder truck that will be at the Village Field from 9AM to about 12 Noon. Shredded materials will be recycled. The Easter Bunny will be in the Hamlet this Saturday, April 16, at 11AM.

Grants – Supervisor Costantino reported that the payments on the Rail Trail East project will be processed today and the project will be finalized.

There will be a second presentation on Rail Trail West at the next Town Board Workshop on May 4. The preliminary presentation on the project will illustrate how it connects to New Paltz.

The Walkable Hamlet sidewalk project will be starting again soon. A lot of the sidewalks were done last fall. A section on Woodside Place from Hillside Avenue to Vineyard Avenue, across the street from Sutton's Funeral Home, is being added to the project. Assemblyman Tom Kirwan gave the Town a member item of \$15,000 in 2006 and that will go toward funding that change order.

Highland Fire Districts – Councilmember Paladino reported that Highland Hose had an Election of Officers last Tuesday night. John Gallagher is the new Fire Chief. He will have the new list of officers for the next meeting as there have been some changes. There was an energy efficiency study done with the help of the Town Board and Wendy Rosinski. Central Hudson and Alliance Energy gave the Fire Department new high-efficiency T12 bulbs to replace the old light bulbs. This will result in a savings of \$2,000 to \$4,000 per year on energy costs.

Highland Central School – Councilmember Hammond

Highland Landing – Supervisor Costantino

Donna Deepröse, Highland Landing Park Association Trustee, announced that the Second Annual Spring Yard Sale will be May 21; Art in the Park, June 4; Crafts in the Park, June 18; and Tai Chi will be offered again this summer. Details on all of the events are on the website www.highlandlandingpark.org and there will be posters advertising the events.

Highway

Historian – Supervisor Costantino

Hudson Valley Rail Trail – Supervisor Costantino

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Justice – Councilmember Hammond

Lights – Councilmember Brennie

Planning Board – Councilmember Paladino reported that the Planning Board had several requests for lot line changes on large parcels. A lot was subdivided either for sale or for a family member. The parcel at the intersection of Mile Hill Road and Haviland Road has been purchased and the new owner is in discussions regarding erecting a commercial business. He felt that it will be an asset to the users of the Rail Trail and visitors in general. The car wash on Route 9W, near Casa Mia Restaurant (Merritt Avenue), has been purchased by the Travesse family. They are putting a quick lube in one of the bays in an effort to improve the business. Ed Saunders, North Eltings Corners Road, was given an approval for an accessory apartment on his property in accordance with the new law that was adopted regarding accessory apartments.

Police – Councilmember Hammond

Personnel – Councilmember Brennie

Recreation – Councilmember Brennie deferred to Frank Alfonso, Recreation Director who reported that members of the dog park association came to the Recreation Commission meeting on Monday. Several members will meet with members of the Recreation Commission on Tuesday to discuss where the park might be located. He had a concern that the access is from the Rail Trail and not from the park and that there is enough of a buffer between the dog park and the new children's playground.

Paladino asked if anyone inquired if the dog park increased the liability for the Town's insurance.

Supervisor stated he would look into whether the insurance would change.

Alfonso continued that the SummerFun program will be for 6 weeks this year. The signage package he showed to the Supervisor is for Tony Williams Park and Berean Park, which includes handicapped parking signs. The new signs state: no pets on tennis courts and no swimming unless a lifeguard is on duty.

Alfonso said that a contractor will put together a package on repairs and painting lines on the tennis courts, pickle ball courts and basketball courts. There are some cracks around the net poles on the tennis court at the Tony Williams Park and the cracks have to be addressed before they continue across the court.

Hammond asked if there was a deadline to sign up for SummerFun and Alfonso answered that it is June 10, after that date, the registration fees will be increased by \$10 for each child registered.

Supervisor commented that the improvements to the Town parks are being funded by the Recreation Fees that have been collected from developers.

Safety -Supervisor Costantino

Shared Services – Councilmember Paladino reported that there is nothing new.

Water and Sewer – Supervisor Costantino reported that the Sewer Plant improvements are moving along and it is fortunate to have a great contractor who wants to finish the project on time, however, the contractor expects to be finished ahead of schedule. There are several change orders but the job is still in the black and will get money back. Houses were demolished: honey bees removed from one and asbestos abatement was done for the two houses.

Transfer Station/Recycling – Supervisor Costantino confirmed that the free days will be Saturdays, April 30 and May 7. There will be a charge for items with Freon and for tires.

Zoning Board of Appeals – Councilmember Litts

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Supervisor stated that the Public Hearing for **Local Law B** and **Local Law C** will remain open for comment until next month and the Public Hearing for **Local Law A** will be closed tonight.

2. OLD BUSINESS

A. Free dump days

Previously discussed and a resolution is on this agenda for authorization.

B. RFP Town Hall Cleaning Service

Supervisor noted that a cleaning service had been retained in the past to clean Town Hall at a cost of approximately \$1000.00 per month and the contract was not renewed in 2011; Building and Grounds took over the cleaning. He would like to RFP the cleaning for one day per week.

Hammond asked if that would be enough considering the traffic in and out of Town Hall and Supervisor answered that once a week seems to be working now.

3. NEW BUSINESS

A. Independence Day Celebration

Supervisor feels that a discussion is needed as to when to schedule the Town fireworks.

The Balloon Festival is the same weekend and last year a balloon lifted off on the Village Field the same night of the fireworks; this year, the balloon liftoff would be Saturday, July 2. The Poughkeepsie/Walkway fireworks will be on Monday, July 4. A wiffleball competition will be held on Saturday, July 2; he is leaning to fireworks after the wiffleball competition.

Wendy Rosinski, Events Chair, said that there was a meeting for the balloon festival and liftoff locations were picked out of a hat, liftoffs will be Friday night and Saturday night. The Events Committee would like to make it an all-day celebration with the wiffleball competition and fireworks on Saturday. She is looking for suggestions.

Brennie has received comments that the Hamlet business people would like to have a block party in conjunction with the fireworks.

Rosinski said that was discussed and the block party in the Hamlet would be similar to Highland Day during the day with the streets blocked off but then streets would have to be opened to handle the traffic from the fireworks.

Supervisor asked if the consensus was to have the fireworks on Saturday and as the Board is in agreement and he will contact the fireworks company.

Peplow asked if Highland was chosen to have a balloon.

Rosinski said that Highland was picked and they will find a sponsor for the balloon but she needed to confirm with the Town Board as liftoff had to be on Saturday.

B. Dutchess Community College License Agreement

Supervisor explained that DCC has their local television station tower on the top of Illinois Mountain and they have paid the following annual fees: 1977 - 1983 fee was \$100.00; 1983 - 2006 fee was \$125.00; 2006 - 2011 fee was \$500.00. He asked the Board to consider what they feel should be charged.

Brennie said that he would like to see the fee increased every year.

Supervisor suggested increasing it \$100.00 a year for five years and make it \$1000.00 at the end of five years and asked if the Board would like to go directly to \$1000.00.

Paladino asked if there was a market value to be considered and what would they be willing to pay.

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Supervisor said that the charge is for the use of the road to the tower; the tower does not belong to the Town.

4. PRIVILEGE OF THE FLOOR

Supervisor asked if there were any questions on the public hearings and if there were any public comments.

Gino Milone stated that he was concerned about the drainage work on Ose Road where new catch basins have been installed; from the new catch basin in front of his house the water runs across the street and into the backyard of Tom Tortorella, which is under water.

Tortorella presented a petition from his neighbors asking to continue with the drainage. Supervisor and Hammond suggested that he discuss the problem with Frank Lombardi, Highway Superintendent.

Kit Cowan, Lloyd Development Association, urged that when developers come to the Town Board to discuss new developments that the Board allows the Town Code to preserve the integrity of the Town; the Association believes that the Code is designed to protect the community. They feel that the Code should not be changed to meet the needs of the developers and that the developers should be made to meet the Town Code; residents look to the Town Board to represent them with the developers.

Secondly, as an organization, they are doing a density review of retirement communities within a fifty-mile radius and they believe that more retirement developments are not needed; they will have a report available for the Board in the next few weeks.

Mary Phillips, Sunnybrook, also a member of LDA and also speaking as a representative of the Mid-Hudson Valley Alzheimer's Association, noted that many of the adult communities state an association with Alzheimer units and the HVAA does not know anything about it. She is curious as to how the developers conduct their marketing studies and need assessments and feels that the saturation point in Lloyd has been reached. Woodland Pond in New Paltz and Valley Vista in Highland have big Alzheimer's units.

Brennie feels that the unit at Highland Square is more for research; it is intended to be assisted living and a section for post traumatic stress syndrome, Alzheimer's and brain injury. He does not know if it is for long-term care.

Supervisor spoke with Mrs. Liu, Valley Vista, and she told him that they are licensed by NYS; in a petition to NYS they have to prove the need and NYS allows so many beds.

Further, he has spoken with Dave Barton regarding the PUD regulations that demand that 50% is residential; the Town makes a developer who comes in for a PUD build residential that we don't want because of the impact on the school district. He would like to decrease the requirement of 50% residential; if the Town really wants businesses and commercial development, he asked if there is a need for the residential component. He would like to discuss that.

Fran Raucci, Laretta Drive, noted that when she attended the meetings on Highland Square, it was stated that it would be Alzheimer's living facilities, plus assisted living, plus research. She noted that there is no activity at the site and asked if there was something wrong.

Supervisor answered that the Board does not know of a problem.

Raucci asked the meaning of Local Law "A-2011".

Supervisor explained that this is a proposed local law amending the provisions for expiration of Planning Board approval. A site plan approval expires in six months

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unless an extension is requested. This changes the expiration to one year and there are two one-year extensions instead of six months and two six-month extensions. The Town Board will close the public hearing on this local law at this meeting. The present economy dictates that the project can't go forward and insures that the money that has been spent by the developer is not lost.

Rauci clarified that this gives the developer more time to complete a project with which the Supervisor agreed.

Ann Marie Spiciarich, 24 River Road, stated that a neighbor is expanding his property at his house on the bluff on Bellevue Road above her house; he has been using fill in the backyard. Large boulders and debris have been rolling down the hill behind her house and the drainage has changed resulting in flooding her the yard. A boulder knocked down her spring house. The neighbor now wants to build a dirt berm, using fill from the Sewer plant, across the hill to keep items from falling down. She told him 'no' as she feels that this is very dangerous; however, if this was the opinion of an engineer and properly supervised she would not have an issue.

Brennie suggested that she call the NYS Department of Environmental Conservation.

Supervisor said that Kingsley, contractors for the Sewer plant, brought fill up to Ransom Road to fix the steep piece off Haviland Road. He will contact David Barton, Building Inspector, to look at the situation.

Mark Reynolds, *Southern Ulster Times*, recalled a question asked at the Public Hearing for the Sewer plant about the calculations for tax impact.

Supervisor replied that it is hard to predict the total cost of a project and the finance fee. The \$7.9-million bond in 2009 was 82-cents per thousand of assessed value; after the bond was reduced, it was 67-cents per thousand; now, with the upgrade, it is 74-cents per thousand.

Reynolds noted that last fall the Board talked about reseeding the grass at Tony Williams Park and he asked the status and if that would cost the taxpayers more money.

Supervisor said that his understanding was that Baker Brothers reseeded where they were supposed to and that the grass is growing where DanRos & Son needed to reseed. The contractor, DanRos & Son would like his retainage check and that request was sent to the engineer to see if all of the requirements of the contract have been met. The reseeding was part of the contract at no further cost to the taxpayer.

Ralph Diaz directed a comment to Paladino regarding the plans for the new development on Haviland Road and the access to the Rail Trail, saying that the bank is 30-feet straight up.

Paladino said that the developer is looking for an easement from Central Hudson; there is a strip between the Valentino (developer) property and the Rail Trail.

Supervisor added that the Rail Trail has an easement from Mile Hill Road down to the Walkway that is 40-foot wide.

Paladino said that if he does get that easement, the Planning Board would allow more parking, which would make the development overall less congested; it is still under discussion.

Brennie feels that if economic development is going to be encouraged, businesses have to be allowed access to the people on the Rail Trail.

Paladino then said that another option is to access the Rail Trail at the southern end of the property.

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Kit Cowan asked if the Comprehensive Plan has been adopted.

Supervisor and Hammond said that it was adopted.

Supervisor said that he has looked at it over the last three years to see if the actions taken have been in compliance and he feels that they have been.

5. RESOLUTIONS

A. **MOTION** made by Hammond, seconded by Paladino, to approve the minutes from: Workshop Meeting of March 2, 2011, Regular Meeting of March 9, 2011, Special Meeting of March 10, 2011, Special Meeting of March 29, 2011.

Four ayes carried.

B. **MOTION** made by Paladino, seconded by Hammond, to close Public Hearing on Local Law No. A – 2011, a local law to revise Chapter 100 of the Town Code entitled “Zoning” to amend provisions for expiration of Planning Board approval of a site plan at 8:06PM.

Four ayes carried.

C. **MOTION** made by Hammond, seconded by Paladino, to set a Public Hearing for a public information meeting to share and discuss the proposed construction of a shared use path between the intersection of County Road 22 (South Street) and NY Route 299 to Tony Williams Park. This meeting will be held at the Town Board Workshop in the Meeting Room, 12 Church Street, Highland, NY 12528 on Wednesday, May 4, 2011 at 5:30 PM.

Four ayes carried.

Paladino asked if there were any planned park, picnic area or parking area in the westward expansion of the Rail Trail.

Supervisor replied that there is a parking lot across from Station 2 of Highland Hose, which will be a trailhead parking lot and shared with the firemen. There is a spot where the Black Creek runs under the road between the second bridge that is being demolished and Weeds Mill Road. Parking and access is anticipated at Lowe’s and/or the future development at the present Central Hudson property.

He said that he spoke with Jeff Anzevino about signage and introduced Anzevino to Vincent Bettina about Bettina’s plans for walking paths in his development on Vineyard Avenue.

Brennie expressed frustration that visitors come to the Walkway over the Hudson and then they get in their cars and leave. He asked how these people would know where the businesses are in the Town.

Supervisor said that the flyers are in the kiosk at the Highland Station and all agreed that people are taking them. In speaking with Anzevino, they are considering revisiting the Loop Trail with Scenic Hudson and making it bigger. They also talked about signs and how to get traffic into the Hamlet and it was suggested that signs could be placed at the beginning of the Rail Trail, right at Walkway. A sign at the Commercial Avenue ramp was also discussed. He asked Anzevino for help with the signage.

Diaz recommended a gateway arch to indicate where the Rail Trail begins.

Hammond felt signs would be useful in the parking lot.

Donna Deeprise suggested footprints on the blacktop advertising the name of a destination.

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Paladino agreed with Brennie that the Walkway opened in 2009 and the busy season is once again upon us and feels that the signs should be put up ASAP even if the signs are temporary.

Fran Raucci asked if there was a plan to encourage businessmen to open businesses in Town.

Supervisor said the Town received a \$25,000 grant which was used to hire a consultant to a study of the underutilized buildings, traffic and parking. There have been discussions on how the Lloyd Revolving Loan Fund can help with getting businesses started.

Geri Ritchie offered that there are other models to use as an example of refurbished downtown areas; see feels that signage is a start.

Paladino said that Beacon was an example of what the right investors and a communal vision can do.

Hammond cautioned, in response to a short discussion on a previous plan for the Hamlet, that this is America and people cannot be forced to follow a plan.

Brennie said that the businesses in the Hamlet are economy driven and people are not willing to take a risk at this time but there is hope that the economy will turn around.

***8:25 PM** – Litts arrived at 8:25 PM

D. RESOLUTION made by Paladino, seconded by Brennie,

WHEREAS, a proposed Local Law No. A – 2011, a local law to revise Chapter 100 of the Town Code entitled “Zoning” to amend the provisions of Section 100-53(F)(6)(a) to extend the time period that an applicant has to submit a site plan for stamping and signature by the Chair of the Planning Board, and further, to extend the time periods for which the Planning Board may grant extensions to the time period for an expiration of approval of a site plan, was introduced at a meeting of the Town Board held on the 9th day of March, 2011 at 7:00 p.m.; and,

WHEREAS, a public hearing has been held thereon on the 13th day of April, 2011 at 7:00 p.m., at which time all interested persons were given an opportunity to be heard thereon; and,

WHEREAS, for this unlisted SEQRA action the Town Board has examined the EAF and considered the environmental effects of this amendment to Chapter 100 and finds, as lead agency, that there is no environmental impact, hereby issuing its declaration of non-significance.

NOW, THEREFORE, BE IT RESOLVED that Local Law A – 2011 be enacted as in the form attached hereto as Schedule “A” as fully as if set forth herein, being a local law to revise Chapter 100 of the Town Code entitled “Zoning” to amend the provisions for expiration of Planning Board approval of a site plan. (See Attached)

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

Five ayes carried.

E. RESOLUTION made by Brennie, seconded by Paladino, to award and authorize Supervisor to sign contract for **TruGreen Commercial Services** to fertilize the Village Field at \$265.00 per application; and the Tony Williams Park at \$554.00 per application for 4 applications which include early spring, late spring, summer grub and early fall and Veterans Memorial Park and Town Hall will be at no cost for the stated quote of \$3,276.

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

Five ayes carried.

F. RESOLUTION made by Paladino, seconded by Hammond,

WHEREAS, the Town of Lloyd currently owns and/or maintains certain properties located within the Town for the use of and benefit of the public; and,

WHEREAS, the Town Board would like to make arrangements for the maintenance, lawn cutting and general clean-up of certain of the properties located in the Town which the Town owns and/or maintains; and,

WHEREAS, the Town Board has received several proposals for the maintenance of the properties set forth below:

Tony Williams Park; Berean Park; Village Field; Veterans' Memorial Park and "Welcome to Highland" sign on Milton Avenue Sidewalk strip on Route 9W southbound from Milton Avenue to Tillson Avenue and northbound from White Street to Haviland Road; Town Hall; and,

WHEREAS, the Board would like to enter into a contract with Ron Stanton/Absolute Lawn Care, P.O. Box 1408, Highland, New York 12528, for the upkeep and maintenance of said properties.

NOW, THEREFORE, IT IS RESOLVED AS FOLLOWS:

1. The agreement between the Town and Ron Stanton/Absolute Lawn Care for the upkeep, mowing and maintenance of properties in the Town which the Town owns and/or maintains, and described as: "Tony Williams Park" located at 105 South Riverside Road; "Berean Park" located at 1 Thomas Rizzo Boulevard; "Village Field" located off of Vineyard Avenue and Main Street, adjacent to the Village parking lot; "Veterans' Memorial Park" and "Welcome to Highland sign" located at Route 9W/Milton Avenue; Sidewalk strip on Route 9W southbound from Milton Avenue to Tillson Avenue and northbound from White Street to Haviland Road; "Town Hall" located at 12 Church Street; be, and the same hereby is, approved by the Town of Lloyd. A copy of the contract, as approved, is attached hereto and made a part hereof as Exhibit 1.
2. The Supervisor is authorized to sign the agreement on behalf of the Town, and duplicate copies of the agreement shall be furnished to Absolute Lawn Care. (See Attached)

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

Five ayes carried.

G. RESOLUTION made by Hammond, seconded by Brennie, to approve **FREE days at the Transfer Station** for Saturdays, April 30, 2011 and May 7, 2011. 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 any resident of the Town of Lloyd with or without 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: Costantino, aye; Paladino, aye; Hammond, aye; Litts, aye; Brennie, aye.

Five ayes carried.

H. RESOLUTION made by Hammond, seconded by Brennie, to hire Robert J. Wray for the position of part-time dispatcher at \$12.00 starting April 13, 2011 pending pre-

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employment physical and satisfactory back ground check at the recommendation of Chief Dave Ackert.

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

Five ayes carried.

- I. RESOLUTION** made by Brennie, seconded by Hammond, to approve Sharon Morris, Director, Women Over-18 Softball; Paul Canino, Director, Men's Softball League; Frank LaManna, Director, Men's Over-35 Softball League; at the budgeted rate of \$275.00 each for the 2011 season, on the recommendation of Frank Alfonso, Recreation Director.

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

Five ayes carried.

- J. RESOLUTION** made by Hammond, seconded by Paladino, to approve change order #2 for **Roehrs Construction** in amount of \$31,057.27 for a revised Contract Amount of \$209,353.13 for the Walkable Hamlet Project. The project has been expanded to include Woodside Place; funding for this expansion is available from the Walkable Hamlet Grant and a Legislative Member Initiative Grant from Thomas Kirwan in the amount of \$15,000.00.

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

Five ayes carried.

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

WHEREAS, the Town of Lloyd owns a parcel of land on Mile Hill Road donated by Dolores Alfano many years ago; and,

WHEREAS, this land is held in a proprietary capacity by the Town of Lloyd; and,
WHEREAS, the Highway Superintendent, Frank Lombardi, has determined that the slope above Mile Hill Road has eroded along a 260 foot section on the northerly side of Mile Hill Road; and,

WHEREAS, proper erosion and sedimentation control measures must be utilized to prevent further erosion and sedimentation; and,

WHEREAS, a contractor must remove trees, cut back the steep slope, Install Curlex Enforcer excelsior vegetated blanket on bare surfaces, and in all respects stabilize the slope above Mile Hill Road for safety and MS-4 purposes; and,

WHEREAS, the Highway Superintendent has funds available in his budget, namely Account 5110, to do the work and comply with any MS-4 requirements; and,

WHEREAS, the Highway Superintendent and his Engineer have sought quotations from several reliable contractors, and have determined that Sun Up Enterprises, Inc., 1607 Route 376, Wappingers Falls, New York 12590, has provided the best quotation and should do the work; and,

WHEREAS, due to the proprietary nature of the Town's ownership, the Highway Superintendent wishes the Town Board to pass a formal resolution approving this project and awarding the bid to Sun Up Enterprises, Inc., for a total cost of \$23,160.00, as set forth in the price quote results dated April 4, 2011.

NOW, THEREFORE, IT IS RESOLVED AS FOLLOWS:

1. The Mile Hill Road eroded earth slope restoration project of the Town of Lloyd Highway Department be, and the same hereby is, approved for work by the Highway Department, to be paid out of budget line 5110.

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2. The project is hereby approved for work to be done by Sun Up Enterprises, Inc., for a total cost of \$23,160.00, in accordance with the price quote results received 11:00 a.m. April 4, 2011, filed with the Highway Department by its Engineer W.A. Rohde, P.E.
3. The Highway Superintendent and his Engineer, Wilfred A. Rohde, P.E., shall supervise the work and notify any necessary agencies when it is completed.
4. The Town Board consents to entry on its premises on the northern side of Mile Hill Road for purposes of this project, and the Highway Superintendent is authorized to supervise and pay the contractor out of his budget, as set forth above.

Litts feels that this may not be necessary as it is Town property and the Highway Superintendent is an agent of the Town.

Murphy said that the resolution states that the land is being held for proprietary reasons, not part of the governmental functions, not in the dedicated road or road-by-use.

Supervisor added that this clarifies how the Highway Superintendent is paying for it, out of the 5110 line of his budget. He explained that the Town accepted this property, which is on both sides of Mile Hill Road, as the south side of the road between Mile Hill and the Rail Trail is very low spot. Water drains from Bridgeview, across the Bridge Toll Plaza, through the new RT parking lot, downstream, and this might have been a good place for a retention pond if it was needed.

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

Five ayes carried.

L. RESOLUTION made by Paladino, seconded by Brennie,

WHEREAS, the Town Board has determined that, in order for the Town of Lloyd to better accomplish its public purposes, the Town needs to acquire the use of the Equipment consisting of one 2011 Ford F150 vehicle to be acquired from Van Bortel Ford, East Rochester, New York, for use of the Building Department; and,

WHEREAS, the Town of Lloyd has determined that the most economical and efficient means of acquiring the use of said Equipment is pursuant to a lease purchase of \$24,179.64, to be paid at the rate of \$6,636.17 per year for 4 years, pursuant to the General Municipal Law of the State of New York.

NOW, THEREFORE, IT IS RESOLVED

1. The Town of Lloyd is hereby authorized to enter into a Lease Purchase Agreement (Lease) for \$24179.61 between the Town of Lloyd as lessee and Ford Motor Credit Company as lessor, for the 2011 Ford F150, the lease and other documents to be in the form as approved by the Supervisor and Town Attorney;
2. In furtherance of the accomplishment of the Lease, the Supervisor is hereby authorized to execute and deliver on behalf of the Town of Lloyd such agreements, indemnities, purchase orders, leases, bills of sale, certificates or other instruments or obligations as they or any one of them, with the advice of counsel, may deem necessary or appropriate to the accomplishment of the Lease, and the execution and delivery of any such agreement, instrument or obligation prior to the date hereof by any such officer is in all respects hereby confirmed, ratified and approved;
3. The proper officers of the Town of Lloyd are authorized and directed to do or cause to be done all such other acts and things, to make all payments, including rent payments, required pursuant to the lease, and to execute all such documents,

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certificates and instruments which in his, her or their judgment may be necessary or advisable in order to carry out the foregoing Resolutions and the Town of Lloyd's obligations under the Lease, or any amended, renewed or supplemental lease; and all actions heretofore taken by the officers of the Town of Lloyd in connection with the acquisition of the Equipment and negotiation of the Lease are hereby approved, ratified and confirmed in all respects.

Hammond asked if there was money in Barton's budget for the new vehicle.

Supervisor said that the money would be taken out of contingency; \$24,000 was not budgeted this year and the only money available is from contingency.

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

Five ayes carried.

M. RESOLUTION made by Brennie, seconded by Hammond, to approve the transfer of funds in the amount of \$10,000.00 from the Recreation Reserve to the Capital fund expense line 50-06-7310-40 for Capital Improvements to Tony Williams Field which includes batting cages, infield upgrading, park enhancements and landscaping work that needs to be completed as recommended by Frank Alfonso, Recreation Director.

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

Five ayes carried.

N. RESOLUTION made by Hammond, seconded by Paladino, to approve the following Budget Amendments:

General Fund

Central Data Equip	00-01-1680.20	+\$570.00
Building Dept CE	00-07-8010.40	-\$570.00
(New computer for Building Dept Receptionist)		

Central Data Equip	00-01-1680.20	+\$860.00
Supervisor CE	00-01-1220.40	-\$860.00
(New computer for Bookkeeper)		

Unallocated Insurance	00-01-1910.40	+\$512.40
Contingency	00-01-1990.40	-\$512.40

Unemployment	00-08-9050-80	+\$2,000.00
Contingency	00-01-1990-40	-\$2,000.00
(Patmore Unemployment 2011 first Quarter \$6,783.75)		

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

Five ayes carried.

O. RESOLUTION made by Hammond, seconded by Paladino to approve the vouchers as audited by the audit committee

General	G317– G526	\$ 58,986.69
Highway	H167– H220	\$ 28,824.18
Miscellaneous	M51 – M97	\$ 1,001,863.21
Prepays	P63 – P100	\$ 166,576.67
Sewer	S70 – S111	\$ 16,005.33
Water	W84– W128	\$ 41,144.58

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

Five ayes carried.

Supervisor explained that Arris Contracting is ready to open the bridge on New Paltz Road the first week in May. They cannot get blacktop now as their contract requires them to get NYS certified blacktop and the plants do not open until April 25. Arris asked for permission from the Town to allow them to store their rebar forms on the section of the property that the Town owns between the second bridge and Highland Hose Station 2. He feels that this is something the Town should allow; Arris furnished a map of the area and an insurance policy.

Secondly, in speaking with Arris, the Supervisor noted that the Rail Trail will be open for an event on May 13. Arris told him that the Rail Trail will not be paved under the bridge. Repaving is not in their contract. Arris did not intend to destroy the blacktop; they were paid to dig up the ditch and move the fiber optic cable and Ulster County said that they would not pay for the blacktop, only to move the fiber optic cable.

He spoke with Paul Hansut, County Legislator, and with Arris telling both that the Town Board would not approve parking on Town property if the Rail Trail is not blacktopped and suggested they fix the Rail Trail. Hansut told him that the County is either going to engage Arris to do the work or the County will pave it.

Hammond asked the time frame.

Supervisor said that our stake is only getting the blacktop fixed and the Trail is back to the way it was, that is our concern. It is a County project.

MOTION made by Litts, seconded by Hammond, to adjourn the meeting at 8:45PM.

Five ayes carried.

Respectfully submitted,

Rosaria Schiavone Peplow
Town Clerk