

TOWN OF LLOYD TOWN BOARD

REGULAR MEETING

APRIL 15, 2015

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

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

Absent: None

7:15 PM – Supervisor opened the meeting and led the Pledge of Allegiance.

7:15 PM – Supervisor opened the Public Hearing on Local Law E – 2015, a local law to amend the Code of the Town of Lloyd, Chapter 98, Article III, Sections 98.10, to allow access into properties for the purposes of inspecting, repairing and/or replacing water meters and their appurtenances.

Mark Reynolds, reporter, asked how many meters are in the water district.

Supervisor replied there are approximately 1700 and about 900 have been upgraded. There have been repeated attempts to arrange appointments to replace meters.

1. REPORTS – Town Board Liaisons

Audit – January 1 to June 30, 2014: Councilmember Horodyski, Councilmember Brennie
July 1 to December 31, 2014: Councilmember Paladino, Councilmember Guerriero

ECC /Zoning Board – Councilmember Michael Guerriero reported that Village View Assisted Living Care Center on Grove Street is applying for an increase in the number of beds at the facility; there are 46 beds and they are asking for an increase of 36 beds. Concerned neighbors attended the ZBA meeting to express their opinions. Paul Gargiulo, ZBA Chair, recommended that the ZBA consider their comments. Supervisor has asked for a Tri-Board meeting and this will be one of the items on the agenda.

Highland Central School District – Councilmember Kevin Brennie reported that the School Board is preparing for the May school budget vote and elections. This is a very tense time in the schools because of the testing in grades 3 through 8; there is confusion regarding the validity of the test and Common Core. This year 47% of the Middle School students opted out of taking the test, this is up from 10% of the students last year. The momentum is swinging towards opt-out. This is the result of Gov. Andrew Cuomo's budget that shifted some of the percentage of the evaluations.

Planning Board – Councilmember Mike Horodyski reported that the Planning Board is working on the accessory use apartments and the digital sign laws.

Police/Fire/Town Justice – Supervisor Paul Hansut reported that the Police Department has increased their patrols in the Hamlet for parking violations due to complaints from the local businesses about the tenants living there and some employees who park all day.

Water/Sewer/Drainage Committee – Councilmember Jeff Paladino reported that the Committee met and the property owner of the Foxx Pools business south on Route 9W has requested an extension of the Sewer District and/or Water District. Adam Litman, Water and Sewer Administrator, did not attend the meeting but he and Ray Jurkowski of Morris Associates have been notified of the request. This is on the west side of Route 9W from the corner of Chapel Hill Road to Foxx Pools, giving access to the three commercial properties and the houses on South Chapel Hill Road. Ray Jurkowski is going to get back to the Committee with the feasibility of the extension and the cost figures some of preliminary work has been done from a past proposal.

Horodyski asked how many water mains that would be as the water and sewer now run to Rite Aid on the east side of the Route 9W.

Paladino said that it would come through the back of South Chapel Hill Road and would access approximately ten parcels including three or four commercial. Some of the parcels are having problems with septic systems; the owner of the Foxx Pools property would be willing to house the pump station. He feels that this is a good project to consider.

REPORT – Claire Costantino, President, Hudson Valley Rail Trail

Representative was not present at meeting.

REPORT – Matthew Smith, Manager, Bob Shepard Highland Landing Park, reported that he has been at the Park all day with the contractor who will be paving the parking lot and Greg Axelson, the volunteer surveyor who is marking out the parking lot, the driveways, the curbing, radii, and planting areas. He also met with Dave Toder, the architect who has done the full scale plan of the Park. He showed the Town Board the design for the compass rose which will be made of 6-inch thick reinforced 4,000 PSI concrete, and will be 30-feet in diameter. It will be constructed this summer and will be highly visible from the Walkway over the Hudson. It is hoped that it will attract people who will then visit the Park. Hank Behr, the former owner of Custom Concrete, and John Diaz, Atlantic Concrete, are going to help with the project. The Highland Rotary donated the marine-type flagpole in memory of Leo Rizzo, which will be erected. The Association would like to invite people to visit the Park on the first Friday evening of every month, May through September. There is an item on tonight's agenda asking the Town Board to authorize that the Park remains open until 10:30 PM on those nights. The picnic tables, bike rack and charcoal grills have been ordered and will arrive on May 1. There will be a 5-foot x 14-foot slab of donated concrete for each 8-foot picnic table. Dick Hardman and Dan McLaughlin, Park Trustees, will dig out the space and make forms for the concrete pads. Dick Hardman bought a John Deere backhoe which he is going to use to dig out these spaces.

2. OLD BUSINESS

A. Use of Town Fields - the Recreation Director will continue to charge for the use of the Town fields as authorized by the Recreation Commission.

Supervisor explained that the organizations that use the Tony Williams fields, with the exception of Highland Babe Ruth Baseball (formerly Highland Little League) pays a \$50 fee to use the field. This pays for the Town personnel to prepare and line the field; Speedy Dry may be needed to make the field playable if it is a wet night. Recreation Director wanted the Town Board aware that this is being done.

B. Lime Energy-additional information on proposal.

Supervisor said that the representative was not at this meeting to give the presentation.

3. NEW BUSINESS

A. The Ulster County Board of Realtors will host a Cleanup Day on the Hudson Valley Rail Trail from 75 Haviland Road to Tony Williams Park on Saturday, May 9, 2015, 9 AM to 1 PM. The volunteers will park at 101 New Paltz Road.

B. Tri-Board Meeting on May 6, 2015 at 6 PM.

Supervisor said that the meeting will consist of the Town Board, Planning Board and Zoning Board of Appeals. Terresa Bakner, land use attorney, will attend and will help with any questions about zoning and planning. There was a ZBA meeting with a lot of great questions from the audience so it was thought that it would be a benefit to bring everyone together so that the right decisions can be made.

Supervisor thanked all of the volunteers, Girl Scouts, Boy Scouts, the PBA, who came to Clean Sweep on Saturday; it was the biggest turnout of participants thus far. They did a nice job. Some students needed community service hours for school and they helped.

He noted that there is a new store in the Hamlet, Main Street Market and Deli and recommended it saying that it was very nice, clean and a lot of good food. The owner is hoping to make it into a New York City-type bodega.

Supervisor commented that mulch was put down at the edge of the Town Hall parking lot along Grove Street, as well as at Tony Williams Park; the boxes around the trees in the Hamlet have been cleaned out and new mulch applied. There has been social media conversation about the dog poop on the Rail Trail; he feels that it is the lack of personal responsibility. The new mulch was put down and the next day people allowed their dogs to defecate there. It might be helpful to put more signage on the Rail Trail asking people to clean up after their dog. Buildings and Grounds will now insure that the plastic disposal bags are supplied to the boxes at the Rail Trail.

He said that he had formed a Building Committee to explore the feasibility of either an addition to the Town Hall or to relocate the town offices. However, he and the Town Board members feel that the taxpayers cannot afford additional tax burden. The focus

is going to be on taking care of this building; the tiles are popping up in the Court and the next project is new flooring. Four cameras, a monitor and a recorder have been installed in the Courtroom and the Court Clerk office. At the May Workshop meeting he will ask for RFP's for two cameras in the back of Town Hall and one in the front of the building, also provide some type of panic button for the Town Clerk's office. There are some things that should be addressed, as recommended by the insurance company.

4. PRIVILEGE OF THE FLOOR

Kit Cowan asked if it was possible to post the agendas of the Town Board meetings on the town website before the Town Board meetings.

Kate Jonietz replied that the agenda is on the website and it is posted the Friday prior to the meeting, under 'What's New'.

Supervisor said that Mark Reynolds suggested the website be updated and it has been. It is more user-friendly; there have been a lot of positive comments. The offices try to get the agendas on the website the Friday before each meeting. Virtual Towns, the Town's web site host, has coordinated with his office and some modifications have been made to the web site. He thanked Reynolds for his input.

Jack Maguire, Chair of the Environmental Conservation Council, announced that at 10:00 AM on Saturday, May 2 there will be a cleanup of the Black Creek. This has been done for the past 15 years using kayaks and canoes. In the past it was clearing logs that fell across Black Creek, picking up trash, going around the beaver dams, by NYSDEC guidelines. They have been doing this work for so long that the Creek is pretty clean but more so the cleanup has become another chance to be out in the Black Creek. It is now high water. There are extra canoes available if anyone would like to join them at the Black Creek boat launch, you would be welcomed.

Supervisor thanked Jack Maguire for all of his work.

Reynolds asked about Paladino's comments on the water and sewer project.

Paladino said that the request was for sewer but there is a possibility it would also be water and he answered the question that the regulation is water and sewer lines are 10-feet apart; however, there are some concessions that the Board of Health can make.

5. MOTIONS AND RESOLUTIONS

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

Five ayes carried.

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

General	G231 – G311	\$ 70,078.42
Highway	H126 – H167	\$141,252.04
Miscellaneous	M47 – M57	\$ 53,760.40
Prepays	P97 – P155	\$184,532.20
Sewer	S77 – S116	\$ 30,635.94
Water	W86 – W140	\$ 26,803.05

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

Five ayes carried.

C. RESOLUTION made by Horodyski, seconded by Brennie, to change the Transfer Station Hours to: Fridays 8 AM to 3 PM, Saturdays 8 AM to 4 PM, and Sundays 9 AM to 3 PM, effective immediately.

Guerriero asked why there was a change in the hours; the changes are confusing.

Supervisor explained that there was some confusion about the hours when a resolution was adopted to open the Transfer Station on Friday instead of Wednesday

Rosaria Peplow said that a resolution was adopted in December and there was some question as to the hours it would be open on Friday.

Supervisor added that this was done on the recommendation of John DiValentino.

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

Five ayes carried.

D. RESOLUTION made by Brennie, seconded by Paladino, to authorize the Ulster County Board of Realtors to host a Cleanup Day on the Hudson Valley Rail Trail from 75 Haviland Road to Tony Williams Park on Saturday May 9, 2015 from 9:00 AM to

1:00 PM, at the recommendation of the Hudson Valley Rail Trail Association. They will split into two groups and will return to the Hudson Valley Rail Trail Depot at 101 New Paltz Road for refreshments when finished.

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

Five ayes carried.

E. RESOLUTION made by Brennie, seconded by Guerriero,

WHEREAS, the Town of Lloyd Code Chapter 73-3 provides that the Bob Shepard Highland Landing Park be open from dawn to dusk, and

WHEREAS, Chapter 73-3 (A) provides that the Town Board may keep the park open past normal closing hours for special events or occasions, and

WHEREAS the Trustees of the Highland Landing Park Association would like to extend the hours to make the park more available for public use during the summer months;

NOW THEREFORE BE IT RESOLVED that the Town Board approves that the Bob Shepard Highland Landing Park remains open on the first Friday evening of each month from May through September until 10:30 PM, and

BE IT FURTHER RESOLVED that the Town of Lloyd Police Department be notified of the extended hours.

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

Five ayes carried.

F. RESOLUTION made by Paladino, seconded by Horodyski, to amend the working hours of the Town of Lloyd Highway crew from the current hours of 7:00 AM to 3:30 PM to summer hours of 6:00 AM to 2:30 PM, effective May 26, 2015 until Labor Day September 8, 2015, at the recommendation of the Highway Superintendent Richard Klotz.

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

Five ayes carried.

G. MOTION made by Horodyski, seconded by Paladino, to close the Public Hearing on Local Law E – 2015, a local law to amend the Code of the Town of Lloyd, Chapter 98, Article III, Sections 98.10, to allow access into properties for the purposes of inspecting, repairing and/or replacing water meters and their appurtenances at 7:45PM.

Sean Murphy explained that in the local law the method of notification reads, “Notification in writing may be delivered personally or by certified or registered mail to the last known billing address provided to the Water District by the property owner”. There was a concern about this. He recommends that “personally” is deleted as it is difficult to prove and suggested that notification will be “certified or registered”.

Horodyski said that he would like it to state, “Notification in writing to be sent by certified or registered mail to the last known billing address provided to the Water District by the property owner”. There would then be a record that the notice was sent.

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

Five ayes carried.

H. RESOLUTION made by Horodyski, seconded by Brennie,

WHEREAS, Local Law E – 2015, a local law to amend the Code of the Town of Lloyd, Chapter 98, Article III, Sections 98.10, to allow access into properties for the purposes of inspecting, repairing and/or replacing water meters and their appurtenances was introduced at a meeting of the Town Board held on the 18th day of March, 2015, at 7:00 p.m.; and,

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

WHEREAS, a public hearing has been held thereon on the 15th day of April, 2015, at 7:00 p.m., at which time all interested persons were given an opportunity to be heard thereon;

NOW, THEREFORE, it is resolved that Local Law “E” of 2015 be enacted as in the form attached hereto as Schedule “A” as fully as if set forth herein, a local law to

amend the Code of the Town of Lloyd, Chapter 98, Article III, Sections 98.10, to allow access into properties for the purposes of inspecting, repairing and/or replacing water meters and their appurtenances. (See Attached)

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

Five ayes carried.

I. RESOLUTION made by Brennie, seconded by Paladino, to approve the following budget amendments for the 2015 budget:

HIGHWAY

No. Chodikee Lake Rd	5112.56	+\$ 80,000.00
Park Lane	5112.57	+\$ 80,000.00
General Repairs CE	5110.40	-\$ 160,000.00

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

Five ayes carried.

Supervisor said that good news for the hamlet is that Underground Coffee and Ales has applied for a liquor license to open at 74 Vineyard Avenue. The proprietors are a young couple who have committed to redo the front of the building and to make improvements to the interior. They will serve coffees and food in the daytime, ales and micro-brewery beers at night. The micro-brewery on Milton Avenue is progressing and they hope to be open by the summer.

Donna Deepröse asked if there would be a problem in getting a liquor license for 74 Vineyard and Supervisor replied that it will not as there is a liquor license there now.

Reynolds asked about the budget amendment for North Chodikee Lake Road and Park Lane.

Kate Jonietz explained that the cost for each road is \$80,000 and the \$160,000 to do this came from the General Repairs budget line.

Reynolds asked if a Transfer Station sticker could be designed so that the people who bought it in July could use it for a full year and not expire March 31.

Supervisor explained that the passes are now hangtags on which two license plate numbers can be written for the vehicles going to the Transfer Station.

Peplow and Superintendent Klotz said that the hangtags are good for the fiscal year April 1 to March 31; the issue of credit for a shorter time has not been addressed. In order to keep track of different expiration dates, the programmer would have to modify the Town Clerk's Williamson Law Book cashbook program. There is no place in the program to indicate when the Transfer Station permit would expire and no way to track it.

Supervisor replied that the answer to his question is 'no' but they will look into it. He said that he went to a meeting last Tuesday at Ulster County Resource Recovery and they had a resolution on the agenda which they were going to vote on to close all of the Transfer Stations in Ulster County. UCRRA is claiming that nearly bankrupt, they have no money to purchase roll-offs and trucks; they were looking to the towns to pay for the roll offs and the trucks or close down the transfer stations. Ten Ulster County Supervisors and members of the media attended the meeting. A town resident, David Gordon, is a member of the UCRRA board and the County Supervisors Association is meeting with him and others to see if they can work out a resolution. The UCRRA was started as a public benefit, three other counties in NYS did it and the others let the county do it. When the agreements were signed 25 or 30 years ago, it was based on the idea that someone would step up and open a county transfer station in their town; that has never happened. A supervisor from the Town of Rochester mentioned it at a Supervisors' meeting and it got back to his town; 150 people were ready to hang him. UCRRA instituted flow control two years ago so the town and all of the private garbage haulers have to take all of our garbage to Kingston to RRA. He will keep everyone updated with the progress. Some town residents were upset when the price of the permits increased but it was hoped that would help with the expenses.

Matt Smith asked what would happen if the Transfer Station was closed and if it then be privatized.

Supervisor replied that he felt that would be what is going to happen and then RRA will have the flow control for all of the private haulers. The Town of LaGrange, Dutchess County, privatized a couple of years ago. Royal Carting runs their transfer station. Royal Carting has their own personnel and there is no cost to the town; however, the garbage bag charge used to be \$4 each now it is \$8.

Smith posed that UCRRA has been in this position for a long time and it is not a matter of one or two trucks or one or two containers, everything needs to be replaced.

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Supervisor agreed that it was the case of everything needs to be replaced; they sent a letter to the town that if they found us pushing the garbage down in the containers, they would close the landfill. The bottom line is that it is poor management; the yearly budget should include money to fix assets, not wait until everything needs to be replaced.

MOTION made by Paladino, seconded by Horodyski, to adjourn the meeting at 7:55 PM.

Five eyes carried.

Respectfully submitted,

Rosaria Schiavone Peplow
Town Clerk