

TOWN OF LLOYD TOWN BOARD

REGULAR MEETING

APRIL 19, 2017

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

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

Absent: Councilmember Kevin Brennie *

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

Presentations:

Peter Barnard – Scenic Hudson: John Burroughs Black Creek Trail

Peter Barnard, Urban Designer for Scenic Hudson, said he has been leading the process for the John Burroughs Black Creek Trail for the past year. The trail plan is completed and he is asking the Town Board for a resolution in support of the plan. The resolution will not formerly adopt the plan. They have a list of items they desire to have for the trail but specifics have not been finalized. They will provide more specific plans such as locations and components of the trail in the future.

Supervisor asked when the shareholder meeting will be.

Barnard said they had a series of public meetings as part of the planning process. They are moving forward with the design of the shared signage and branding process to integrate a sign system to create a walkway experience for the John Burroughs Black Creek Trail. A meeting for major stake holders will be held on April 26th.

Mazzetti asked about the easements for the trail.

Barnard said the NYSDEC feels they do not need easements as it is a public right of way the DEC will be the lead agency on the Unit Management Plan.

Paladino asked when they thought the process would be completed.

Barnard said the implementation of the plan is estimated to take approximately 2-5 years. The signage will be designed over the next 6-9 months and then they will go forward with funding and fabrication of the sign system. Scenic Hudson and the John Burroughs Association will be working on the Consolidated Funding Application over the summer for the major infrastructure. There will address a number of items over the next year with the hope they will see some components installed by next spring or early summer.

Elizabeth Waldstein-Hart, Executive Director Walkway Over the Hudson: updates on west side construction, Haviland Road project, trail connections and marathon.

Elizabeth Waldstein-Hart said the Haviland Road Parking and the Bus Turnaround Project in partnership with the Town of Lloyd is in progress. The Ulster Welcome Center contract has been awarded and construction is set to begin in 60 days with an end date scheduled in November. A bid will go out this summer for the Dutchess Welcome Center on the east side of the Walkway Over the Hudson. Both Welcome Centers are expected to be

completed in 2018. There will be running water, bathrooms and a real entrance to the Walkway Over the Hudson State Historic Park.

The Haviland Road Parking and Bus Turnaround Project is primarily to get a safe place for tour buses to turn around. There will be space for three buses at a time and approximately 20 spaces for parking. Phase I will predominantly be done by the Town of Lloyd.

Paladino said the grading will be done by the Highway Department, it will be used as a staging area in 2017 and completed in 2018.

Waldstein-Hart said the Project is funded from Market New York. It is a reimbursement grant which means the money is spent and then they are given the money back when the project is finished.

The Ulster Welcome Center will be comprised of a plaza with three pads for vending and events and a beautiful paved section with a natural rock lined amphitheater. The present visitor center will remain. The building will be solar and will house bathrooms, a storage area, office space, and a covered porch large enough to host a tour bus. It is a New York State project that has utilized sustainable and green practices that will make it a showcase building. The Walkway will stay open during the construction.

The Dutchess Welcome Center will have a small building with an information station and a plaza that will separate the parking lot, the bathrooms and the Dutchess Rail Trail. There will be an outdoor seated area and a stairwell that leads down to the street.

Mazzetti asked if there was any way to attract more business to the hamlet like the stairwell that connects to the street on the Dutchess County side of the Walkway.

Waldstein-Hart said there has been a lot of discussion about it. She believes that the governor's commitment to the Empire State Trail with the map will encourage people to visit the Town of Lloyd. The Walkway Over the Hudson will work with the Town of Lloyd to promote more visitors to the area. They have many ideas to promote tourism, however she feels that the tour buses will be a great asset in encouraging tourism to the whole area. New signage will make it easier for people to visit and take advantage of the businesses in Highland. The drone video (<https://vimeo.com/164915259>) is a great way to advertise the area as well as planning events that will promote visitation to the Town of Lloyd. They will also be doing more direct advertising in NYC, more outreach with digital kiosks as well as more information available on the Walkway Over the Hudson Website. Their goal is to allow people to obtain all and any information regarding the visiting area quickly and easily.

They have created a new map of The Walkway Loop Trail that connects bridge to bridge which encourages visitation by highlighting the Hamlet of Highland. The map supplies tourists with intricate information regarding such things as the extensiveness of trails. They have made 50,000 copies of the map which will be disbursed within the next month and they will be available everywhere including shops and stores. Many businesses have advertised in the brochure which will be additionally advantageous to tourism in the area.

The marathon event this year will come across and turn around at the end of the Walkway because of the construction. They will be implementing course improvements and introducing a college to college 5K run this year. Many local businesses will be sponsoring these events. Additional goals are to strengthen eco-friendly practices as well as expanding community connections. Information on the marathon is available at walkwaymarathon.org. They expect approximately 2,500 athletes this year for the marathon which will encompass three countries and 22 states.

The Think Differently Dash this year will be a one mile run down Main Street in the City of Poughkeepsie which will promote revitalization and celebrate individuals with physical, cognitive and developmental disabilities. The event will take place Saturday June 10th at 10 am.

They have been promoting the Walkway as a showcase for sustainability. The Marathon will be the first NYS green certified race and will be a green model for all communities. It will be paperless, only use recyclable/compostable products, provide recycled signage, work with carters on recycling, use hybrid buses and promote local food and products.

The Walkway Over the Hudson has a huge volunteer program with volunteers donating over 5,268 hours of time in 2016 with a total monetary value of \$145,351.00. Some of the upcoming events and projects will be Starry Starry Night which will be at the Upper Landing Park due to the construction on the west side, the 4th of July and the Empire State Trail which will connect many trails within New York State.

Supervisor thanked resident John Storyk who has been instrumental as a coordinator for the Ulster County side of the Walkway.

Highland High School – FED Challenge Team: economic forecast

John Manganiello, Highland High School teacher, explained the FED Challenge team puts together an economic forecast and makes a presentation that includes a question and answer session at the Federal Reserve Bank in NYC in front of several federal judges. The students are required to make predictions on what interest rates might be, where they think the economy is going to be in the future and where it is now as well as a discussion on economic indicators. The team did very well this year; they received 42 out of a possible 50 points. They compete against many teams from NYC and New Jersey in this federal reserve district. The purpose of the club is to create financial literacy which will help at the Town, State and Federal level.

Kirti Shenoy, high school student and team captain, said as a team they spend a lot of time learning about all the different aspects of the economy and preparing for the one day presentation at the Federal Reserve Bank. It is a wonderful and invaluable learning experience to be part of the team. They look at all the different business topics as a team, and then split up into research teams where they come up with their ideas and formulate a ten-minute presentation to the Federal Reserve Bank. In the future, they would like to transform the club into a wider club like Future Business Leaders of America which would appeal to a wider variety of high school students. The goal is to learn more about the economy and broaden the program to help promote better future business leaders of America.

Team members Kirti Shenoy, Christine Poluzzi, Gabe Gibson, Sam Considine, and David Zaiman (member Christina Taylor was absent) gave the presentation of their predictions and recommendations for the economy to the Town Board that they had given at the Federal Reserve Bank. The club also helps students learn about economic issues prior to their senior year Economics class in high school and provides some background before approaching college. The FED Challenge Club is open to any Highland High School student.

Supervisor presented the Fed Challenge Club students with a Town of Lloyd Community Pride Award.

1. REPORTS – Town Board Liaisons

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

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

ECC /Zoning Board – Councilmember Guerriero

Highland Central School District – Councilmember Mazzetti

Mazzetti reported that over 50% of Highland students opted out of taking Language Arts State testing. It is very important that parents have their children participate in the mathematics testing on May 2nd through May 4th 2017 as it affects the school standing which directly affects the community.

April 27th is the high school battle of Act I plays. The Highland Central School District prides themselves in having quality programs like the FED Challenge club. In order to have the programs the school budget needs to be adopted on May 16th. The school works diligently to keep the budget under the tax cap which needs a simple majority to pass. The responsible budget will continue the high-quality programs that are offered now and will not eliminate anything.

Planning Board – Councilmember Paladino

Police/Fire/Town Justice – Supervisor Paul Hansut

Hansut reported that Save a Life Citizens CPR AED Education Day, Saturday, May 6th 2017 9am-12pm or 1pm-4pm in the Highland Community Room at the Highland Hose Company I. It is an opportunity to learn about CPR and how an AED machine works. The informational event sponsored by Mobile Life Support Services and the Highland Rotary is \$10.00 per person and includes lunch. The registration deadline is April 28th; contact Kate in the Supervisors Office for information.

On April 22nd, 2017 at 11:30am there will be a ribbon cutting and grand opening of the Laundry Shoot, a coin operated laundromat located at 45 Main Street in Highland. The Little Flower Shop Downtown is under new ownership and will have a grand opening at Springfest on May 20th.

On April 29th, there will be a garbage pickup to clean up the community at 8:30am at the Town Hall. The Highland Rotary and Highland Business Association will also present a Shred Event that day which is free to the community from 9am-12noon at the Town Hall parking lot off Grove Street.

Supervisor thanked the Highland Fire Department for getting the flagpole back up in front of the Methodist Church in the Hamlet and helping with the flag at the Highland Landing Park. He and Peplow contacted a flag painting companies and they are looking for one more estimate for the procurement policy. Their hope is to have one of the companies finish it by Memorial Day.

Water/Sewer/Drainage Committee –Councilmember Brennie

REPORT – Peter Bellizzi, President, Hudson Valley Rail Trail

Bellizzi reported that they are waiting for New York State to approve the fiber optics; the packages are set and ready to go. The Rail Trail is working on 360-degree signage by the caboose on Haviland Road and one on the extension of the Rail Trail. The kiosk at 101 New Paltz Road from Ulster County will be named Illinois Mountain. The gateway CAD drawing is almost completed and they would like to see if they can make a trail

down to Bob Shepard Landing Park. They need the right of way from Central Hudson as they would be going under the power line to make the trail.

Supervisor commended the efforts of Bellizzi and Glasner with communication and the good relationship they have fostered with the Walkway Over the Hudson.

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

Auchmoody reported that there has not been much physical work done at the park within the last month. They are working on a cost estimate to finish the park as it has been envisioned. The cost estimate is a reflection of the highest prices received plus an additional 10%. The highest total cost estimate to finish everything at the park is \$301,798.00.

He gave the Town Board copies of a booklet of cost estimates for the park which they have given to area senators and congressmen that have shown an interest in obtaining funds for the completion of the park.

Supervisor said Nancy Hammond, resident and trustee for the Bob Shepherd Landing Park, has compiled the booklet with a letter of support from the Town Board to Assemblyman Skartados, Senator Amedore and Congressman Faso in hopes of obtaining funding for the park.

Reynolds inquired if they are still contemplating the amphitheater at the park.

Auchmoody responded that the cost estimate he is submitting includes the price for the amphitheater.

2. OLD BUSINESS

A.

3. NEW BUSINESS

A. Lloyd Economic Development Committee -

Charles Glasner, chairperson of the Economic Development Committee (EDC), presented a brochure that connects the Walkway Over the Hudson with the Town of Lloyd businesses and activities. The brochure called “The Wild Side” brochure, includes a map of restaurants, accommodations, walking trails etc.

Gary Pregno, EDC Committee member, said the brochures are available in many businesses in Town as well as on the Walkway Over the Hudson. He reported that there are 18 new businesses in Town. The EDC is proud to announce their latest project called “Passport”. Passport is a walking challenge that encompasses parks in the Town of Lloyd and those who complete the challenge will receive a commemorative patch. The project will not only be fun but will draw tourists in to patronize and promote businesses in Town.

Glasner said two years ago they had a rewards ceremony for different achievements in local businesses. They are planning a similar event in the fall which will recognize the many long operating existing businesses. The celebratory event will bring awareness to and support civic pride within the community.

Mark Reynolds, reporter, inquired on the progress of the house which will be the future home of the Historical Society and how much acreage is there.

Glasner said they have hired a firm which will provide them with an historic structures report which is needed before applying for grants. The house is on 2.2 acres.

*Brennie arrived at 8:30PM

4. PRIVILEGE OF THE FLOOR

Scott McCord, resident, inquired about Resolution O on the agenda authorizing the purchase of a 2017 Dodge Ram 5550 Heavy Duty Chassis Cab 4X4 Dump Truck. He wanted to know if the truck was fitted with a dump body already or will they have to spend additional money to up fit the truck.

Richard Klotz, Highway Superintendent, said everything is included in the purchase price of the truck.

McCord asked if they were going to plow with a two-wheel truck.

Klotz said it is a four-wheel drive truck.

Reynolds asked if the Town Board is aware that residents are using the building at Tony Williams Park and if liability issues have been resolved as a result.

Supervisor said he has known that for the last fifteen years seven or eight senior citizens play pinochle under the pavilion. It was a social event for them and in inclement weather they would play cards in the garage. He has not had a chance to speak to the Town Attorney about it yet but most of the seniors are now in their nineties and they have not been playing lately as a result of their age.

Reynolds said he wondered if the liability issue was ever addressed.

Murphy said he could call the insurance carrier. It is public property and he does not see an issue with it. He does not know the condition of the building.

Paladino said the area where they play is in office type of setting.

Reynolds inquired about the Town Board minutes on the webpage. He said they are not in order and none of the 2017 minutes are posted.

Jonietz replied the issue has been resolved.

Reynolds asked about the status on Town committees taking minutes at their meetings.

Murphy said his research does indicate that volunteer committees should take minutes when a resolution is passed or when action is taken because the Town adopted the policies of the Public Officers Law in to the Town Code. The Water/Sewer Committee's only action is to make a recommendation to the Town Board. All committees should take minutes when they make a recommendation. All committees should look at the records they have and compile them with the future minutes they will take.

Reynolds said the tow law is on the agenda and if the Town Board is satisfied with what is in the tow law.

Paladino said the resolution is to set a public hearing for the original tow law. The Town Board rescinded the law so the Town would not have a law in effect so they will put the

original law in place in the interim. They will consider a new proposed law which may include some amendments to the original law by the attorney.

5. MOTIONS AND RESOLUTIONS

- A. **MOTION** made by Mazzetti, seconded by Paladino to approve the minutes Special Meeting March 1, 2017 and Regular Meeting March 15, 2017.

Five ayes carried.

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

General	G-263 to G-332	\$ 33,884.13
Highway	H-139 to H-182	\$ 20,654.68
Miscellaneous	M-64 to M-78	\$ 37,717.48
Prepays	P-141 to P-219	\$ 82,172.63
Sewer	S-49 to S-72	\$ 14,826.43
Water	W-86 to W-115	\$ 9,967.81

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

Five ayes carried.

- C. **MOTION** made by Paladino, seconded by Mazzetti to authorize at the request of Peter Bellizzi President HVRTA, the Ulster County Board of Realtors hosting the "Realtors for Clean Trails" event on Saturday May 5, 2017 from 10 am to 12 pm. They will use the parking area at 101 New Paltz Road as a staging area and will pick up trash along the entire trail. The Hudson Valley Rail Trail will remain open for this event.

Five ayes carried.

- D. **MOTION** made by Paladino, seconded by Mazzetti to authorize at the request of Peter Bellizzi President HVRTA, the Highland Middle School PTA hosting the "Huskies 5K Challenge" on Thursday, May 18, 2017 from 5:00pm to 7:00pm to be staged at the Hudson Valley Rail Trail Depot beginning at 3 pm and the concluding at 8:00 PM. The race will go westward to Tony Williams and return to the Depot; this section of Hudson Valley Rail Trail will be closed from 4:30pm to 7:30pm The organizers of the event will contact Rafael Diaz, Trail Safety and Courtesy Coordinator, before the event to coordinate necessary signage and the use of monitors on the trail before and during the event.

Five ayes carried.

- E. **MOTION** made by Paladino, seconded by Mazzetti to authorize at the request of Peter Bellizzi President HVRTA, the Town of Lloyd Events and Spring Fest Committees to use

the Hudson Valley Rail Trail May 20, 2017 10:00am to 12:00pm for Semper Fi 5K Run/Walk from Commercial Ave to the Pavilion at 101 New Paltz Rd. The referenced portion of the trail will be closed from 9:00am to 12:30pm. The organizers of the event will contact Rafael Diaz, Trail Safety and Courtesy Coordinator, before the event to coordinate necessary signage and the use of monitors on the trail before and during the event.

Five ayes carried.

- F. MOTION** made by Paladino, seconded by Mazzetti to authorize at the request of Peter Bellizzi, President HVRTA the use of the Rail Trail by Bike New York to host their Discover Hudson Valley Ride on the Hudson Valley Rail Trail from its connection with Walkway over the Hudson to Tony Williams Park on Sunday June 25, 2017 with the rail trail closed from dawn to 1:30pm subject to the following conditions: co-ordination with Town of Lloyd Police Department regarding use of Town roads for that portion of the ride and co-ordination with Rafael Diaz, HVRT Safety and Courtesy Co-ordination regarding trail closure, signage, monitors, etc. at the recommendation of the Hudson Valley Rail Trail Association.

Five ayes carried.

- G. MOTION** made by Paladino, seconded by Mazzetti to authorize at the request of Peter Bellizzi, President HVRTA the Hudson Valley Hospice Foundation to use the Hudson Valley Rail Trail from the Hudson Valley Rail Trail Depot to Tony Williams Park for their 16th Annual 5K Run/Walk on September 23rd, 2017 from 8:30am to 9:30am. The referenced portion of the trail will be closed from 8:00am to 10:00am. The organizers of the event will contact Rafael Diaz, Trail Safety and Courtesy Coordinator, before the event to coordinate necessary signage and the use of monitors on the trail before and during the event.

Five ayes carried.

- H. MOTION** made by Paladino, seconded by Mazzetti to authorize at the request of Peter Bellizzi, President HVRTA, the 2017 Walk to End Alzheimer's scheduled for Saturday October 14th 2017 from 6:00am to 3:00pm on the Hudson Valley Rail Trail 75 Haviland parking lot to Walkway Over the Hudson. The parking lot will be closed from dawn to 4:00pm. The organizers of the event will contact Rafael Diaz, Trail Safety and Courtesy Coordinator, before the event to coordinate necessary signage and the use of monitors on the trail before and during the event.

Five ayes carried.

- I. MOTION** made by Paladino, seconded by Mazzetti to authorize at the request of Peter Bellizzi, President HVRTA the 2017 Hudson Valley Walk to Defeat ALS on Sunday October 15th 2017 from 6:00am to 3:00pm on the Hudson Valley Rail Trail 75 Haviland parking lot to Walkway Over the Hudson. The parking lot will be closed from dawn to 4:00pm. The organizers of the event will contact Rafael Diaz, Trail Safety and Courtesy

Coordinator, before the event to coordinate necessary signage and the use of monitors on the trail before and during the event.

Five ayes carried.

- J. MOTION** made by Guerriero, seconded by Paladino to close the following streets for the Sixth Annual Springfest on Saturday May 20, 2017 from 8:30 AM to 9 PM – all of Main Street and Vineyard Avenue from Milton Avenue to 54 Vineyard Avenue. No overnight parking permitted on these streets starting Friday May 19, 2017.

Five ayes carried.

- K. MOTION** made by Paladino, seconded by Brennie to close the municipal parking lot and the town field along with the access driveway from Main Street between the First United Methodist Church and the Little Flower Shop Downtown for the Herb Litts “Forget Me Not” Car and Vehicle Show to coincide with Springfest on Saturday May 20, 2017 from 8:30am to 9pm.

Five ayes carried.

- L. MOTION** made by Guerriero, seconded by Mazzetti to appointment Jonathan A. Kaplan to the Town of Lloyd Environment Conservation at the recommendation of Neil Curri, Chairman.

Five ayes carried.

- M. RESOLUTION** made by Mazzetti, seconded by Guerriero to hire Joseph A. Cannelli as a part-time, seasonal employee on an as needed basis, effective April 24, 2017 at the Laborer rate of \$19.22 per hour, as supported by the Highway budget, at the recommendation of Richard Klotz, Highway Superintendent.

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

Five ayes carried.

- N. RESOLUTION** made by Brennie, seconded by Paladino to hire Fernando Lopez as part time recreational aide at the hourly rate of \$13.84 effective April 20, 2017 at the recommendation of Frank Alfonso, Recreation Director.

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

Five ayes carried.

- O. RESOLUTION** made by Guerriero, seconded by Brennie to purchase a 2017 Freightliner 108SD Heavy Duty Dump Truck at a cost of \$161,318.00 and a 2017 Dodge Ram 5550 Heavy Duty Chassis 4X4 Dump Truck at a cost of \$73,163.00 for the Highway Department. Financing will be provided through the use of Highway’s 2016 unexpended funds for a total amount of \$234,480.00 at the recommendation of Highway Superintendent Richard Klotz.

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

Five ayes carried.

P. RESOLUTION made by Guerriero, seconded by Brennie to purchase a 2017 Freightliner 108SD Heavy Duty Dump Truck, in the amount of \$179,905.00 to be financed for 5 years through a lending institution, at the recommendation of Highway Superintendent Richard Klotz.

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

Five ayes carried.

Q. RESOLUTION made by Brennie, seconded by Mazzetti to accept the quote of \$8,000.00 from Fireworks Extravaganza for the Town of Lloyd Independence Day fireworks display to be held on Sunday July 2, 2017 and authorize the Supervisor to sign the contract.

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

Five ayes carried.

R. RESOLUTION made by Brennie, seconded by Guerriero

WHEREAS, a proposed local law has been drafted as Local Law B - 2017, and is hereby introduced at this meeting, as follows (copy of local law attached); and,

WHEREAS, this Board will hold a public hearing on the adoption of the said local law attached hereto.

NOW, THEREFORE, IT IS RESOLVED AS FOLLOWS:

1. A public hearing will be held at the Town Hall, 12 Church Street, Highland, New York, at 7:00 P.M. on the 17th day of May, 2017 with respect to the adoption of the aforesaid local law;
2. The Town Board of the Town of Lloyd has determined that the within local law is a Type II action pursuant to the State Environmental Quality Review Act (SEQRA) and is exempt from further proceedings under such act; and
3. The Town Clerk is directed to publish and post a notice of said public hearing in accordance with law and circulate, pursuant to the Town of Lloyd Code

LOCAL LAW B OF THE YEAR 2017

**A LOCAL LAW TO REPEAL AND REPLACE
CHAPTER A110: TOWING LIST OF THE CODE OF THE TOWN OF LLOYD**

Section 1. Purpose

The purpose of this local law is to rescind in its entirety Chapter A110 entitled "Towing List" from the Code of the Town of Lloyd and replace with a new Chapter A110 entitled "Towing List". The amendment is designed to protect the health, safety, and welfare of Town residents.

Section 2. Severability

The invalidity or unenforceability of any word section, subsection, paragraph, sentence, clause, provision or phrase of the aforementioned sections as declared by the valid

judgment of any court of competent jurisdiction to be unconstitutional shall not affect the validity or enforceability of any other section, subsection, paragraph, sentence, clause, provision or phrase, which shall remain in full force and effect.

Section 3. Amendments to Chapter A110 of the Town Code, entitled “Towing List”

Chapter A110 entitled “Towing List” from the Code of the Town of Lloyd Code of the Town of Lloyd, is hereby amended by deleting it in its entirety and substituting therefore the following new chapter to read as follows:

§ A110-1. Declaration of purpose.

It is hereby declared and found that it is of vital importance to the traveling public that disabled vehicles be removed from the highways as promptly as possible, that delay in removal results in retarding the movement of traffic unnecessarily and causes street accidents and that the towing of disabled motor vehicles in the highways of the Town of Lloyd is a matter affecting the public interest and consequently should be subject to supervision and administrative control for the purpose of safeguarding the public against traffic problems and confusion at the scene of accidents, fraud and exorbitant rates and similar abuses. The Town Board believes that establishing a towing list for use by the police instead of licensing towers can accomplish this purpose.

§ A110-2. Establishment of policy.

A.

It is the intent of the Town Board of the Town of Lloyd to establish a fair and uniform Town-wide policy for the towing of vehicles. The following issues have been taken into consideration in the development of this policy:

(1)

The needs of the public.

(2)

The needs of the towing industry.

(3)

The needs of the Town police.

B.

To meet the needs of the public, unethical or unfair business practices on the part of private towing companies used by Town policemen must be regulated. Towing companies who wish to participate in the Town towing program must demonstrate to the police that they can give prompt, safe and professional service.

C.

The needs of the towing industry must be met by providing them with a consistent Town system for the equitable distribution of tow calls within the Town. This provides the towing industry with clear and concise requirements for continued service to the Town police. This policy also allows for a fair and equitable means to resolve disputes between the tow operators and the Town police.

D.

The Town police need tow operators who are competent and able to respond to calls with a minimum of time delay. This requirement mandates an appropriate administrative response to deal with those towing agencies which do not provide services which meet Town standards.

§ A110-3. Criteria for tow operators.

The Town Board requires that any towing agency which applies for inclusion on the Town police towing list, within the Town, must meet the following standards:

A.

All towing companies must maintain a minimum of \$1,000,000 insurance for each occurrence, and on-the-hook and in-the-yard coverage of at least \$100,000.

B.

All towing companies must maintain a valid inspection and registration for each of their towing vehicles. The operators must provide a complete list of all tow trucks to be used within the Town, along with a list of all drivers who will be operating said vehicles, with driver's license ID numbers.

[Amended 1-14-2004 by L.L. No. 1-2004]

C.

All towing agencies must have a secure storage area available in which to store specified vehicles out of public access.

D.

All towing agencies must maintain adequate equipment to perform the required towing tasks. Each tow truck operator shall maintain a valid operator's license for the class of vehicle being driven to and from the tow scene. Operators must have the following capabilities and/or equipment:

[Amended 1-14-2004 by L.L. No. 1-2004]

(1)

A lifting boom on the rear of the truck or flatbed, with a minimum of a three-ton power winch, equipped with 75 feet of 3/8" steel cable.

(2)

A dry chemical fire extinguisher with a minimum of 10 pounds of contents.

(3)

Three DOT-approved triangular road reflectors.

(4)

A broom.

(5)

A shovel.

(6)

An approved first aid kit.

E.

All towing agencies must be capable of and agree to twenty-minute response time to the scene of the tow after receiving the request for their services.

F.

All towing companies must make their facilities and equipment available for scheduled inspections. These inspections will be made to ensure that each company maintains a valid Department of Motor Vehicles (DMV) shop registration, vehicle registrations, vehicle inspections and vehicle insurance. The Town police must give two weeks' notice before inspecting any towing company's vehicles or facilities.

G.

Operators on the list must apply for and receive a sticker from the Town of Lloyd Police Department, which will be displayed on the tow vehicle by all operators on the list.

[Added 1-14-2004 by L.L. No. 1-2004]

H.

All operators shall provide a rate structure for days, evenings, weekends and holidays, to the Town of Lloyd Police.

[Added 1-14-2004 by L.L. No. 1-2004]

I.

All vehicles towed pursuant to this chapter shall be stored in a secured, fenced area, within the Town of Lloyd.

[Added 1-14-2004 by L.L. No. 1-2004]

§ A110-4. Towing list procedures.

A.

Two rotational towing lists shall be kept. One towing list shall be for normal passenger vehicles and light trucks. The second list shall be used for towing companies capable of towing larger commercial-type vehicles. Only towing companies located within the Town shall be included on each towing list. (This will be determined by the business location as recorded on the DMV shop registration.) In the event that satisfactory towing services cannot be obtained in the Town, towing companies from adjoining Townships may apply to be included on the Town of Lloyd's rotation list.

B.

Priority for contacting towing companies shall be made in the following sequence:

(1)

Emergency needs at the towing scene.

(2)

Owner request for a specific towing agency (within a reasonable distance).

(3)

Next towing agency from the rotational towing list.

C.

Towing agencies will initially be placed on the towing list in random order. Once the use of the towing list has commenced, new agencies to be included on the list shall be placed at the bottom of the list.

D.

Tow calls from the towing list shall be made from the top of the list. Each company shall be allowed 10 rings to answer the phone. Once a towing agency has responded to a call, or failed to respond, their name shall be placed at the bottom of the rotation list. If a towing agency uses an answering service or pager, voice contact must be made with a Division employee within five minutes.

E.

A towing log shall be maintained at the Town police answering point. After a towing agency has been contacted, or failed to answer in 10 rings, the call shall be logged onto the towing log. The log shall include the name of the towing company, the time the call was made and whether or not the company responded. Upon the company's response to the scene, the officer at the scene shall advise the dispatch point of the arrival. The arrival time shall then be recorded on the towing log.

F.

No operator from any other towing agency or an agency on the list shall appear at the scene of an accident unless called. Any operator who comes within 500 feet of a scene without being called shall be subject to removal from the list by the Town of Lloyd Police.

[Added 1-14-2004 by L.L. No. 1-2004]

(1)

Operators removed from the list, pursuant to this subsection, shall not be eligible for reinstatement to the list for the following period:

(a)

First offense during any twelve-month time period: two weeks;

(b)

Second offense during any twelve-month time period: four weeks; and

(c)

Third offense during any twelve-month time period: 26 weeks.

(2)

Any operator removed from the list pursuant to this subsection who wishes to be reinstated to the list shall make application to the Chief of Police of the Town of Lloyd Police Department.

§ A110-5. Administrative procedures.

A.

Any Town police officer who has received unsatisfactory service from a towing agency shall report such deficiency by memorandum to his/her Sergeant or superior officer.

(1)

Sergeant or superior officer: Upon receiving a memorandum from a patrol officer reporting a problem with a towing agency, contact the owner of such agency and attempt to resolve the problem.

(a)

If he is able to resolve the problem, the Sergeant or superior officer must write a memorandum to the police file outlining the circumstances of the problem, who he spoke with from the towing agency and what steps were taken to resolve the problem. Attach this memorandum to the original memorandum submitted by the reporting officer and file both in the Town's file for one year. If he receives more than three separate such reports on a towing agency within a one-year time span, report the situation to the Chief and Town Board.

(b)

If he is unable to resolve the problem, advise the Chief and Town Board of the nature of the problem and what steps have been taken to attempt to resolve the matter.

(2)

Town Board:

(a)

Upon receiving notice of an unresolved problem, or repetitive problems, with a towing agency, contact the Police Chief or officer in charge and become familiar with the situation.

(b)

Contact the towing agency involved in the problem(s) and attempt to settle the issue(s). If unable to resolve the issue(s), schedule a meeting among the towing agency owner, the Police Chief or officer in charge and the Town Board. Attempt to solve the problem(s) at this meeting.

(c)

If unable to satisfactorily resolve the problem(s), send a letter to the owner(s) of the towing agency formally advising him of the problem(s) and, if a violation of the policy is evident, remove him from the list.

(d)

Send a letter to the towing agency's owner(s) advising him that his agency is being removed from the Town's tow list. Further advise him that he can reapply to be placed on the towing list after six months. Notify him of the date that the removal is effective and the date that his agency will be eligible to apply for reinstatement to the Town's towing list. Also advise the

owner of a date on which he may appear in front of the Town Board for a formal hearing regarding his removal.

B.

Town police officers at the scene of tows should periodically inspect the registration, insurance and inspection status of vehicles being used by towing agencies. Also include an inspection of the tow truck operator's license to ensure that it is valid and that it is the correct class for the tow truck being operated. Results of these inspections should be noted in the blotter at the end of the shift.

C.

Sergeants and superior officers: In April, schedule inspections of the towing agencies' facilities which are on the Town's towing list.

(1)

Schedule these inspections with the owners of the agencies at least two weeks in advance.

(2)

During these inspections, check the following items and ensure that they are valid and/or adequate:

(a)

DMV shop registration, if the agency is a repair shop.

(b)

Each towing vehicle's registration, inspection and insurance card.

(c)

The secure storage area used by the towing companies.

(3)

Record the results of these inspections in the police blotter. Note any deficiencies in your blotter entry. Within two weeks, return to the towing agency and ensure that any noted deficiencies have been corrected. Note this follow-up inspection in the blotter. By May 15 of each year, submit a memorandum to the Police Chief and Town Board listing the facilities inspected and the results.

§ A110-6. Additional operational guidelines for towing companies.

In addition to the above criterion and procedures, the following guidelines shall also be adhered to:

A.

Tow companies are expected to be available 24 hours a day, seven days a week. Tow companies must be willing to respond to any type of tow call, whether it be a collision, disabled vehicle, impound, etc. Tow companies who do not desire to tow at night or on weekends, etc., or who want to respond only to certain types of tow calls, will not be considered for placement on the towing list. (This does not preclude the tow company from being called as a result of an owner's request.) Failure to respond to three calls, absent extenuating circumstances, will result in temporary removal from the towing list.

B.

Tow companies must provide one permanent day and/or night phone number. Absent mitigating circumstances, tow companies will not contact Town police and attempt to leave phone numbers of on-call tow truck operators.

(NOTE: The Town police prefer to make voice contact with towing companies, as this

minimizes errors and room for scrutiny. However, if a tow company does utilize an answering service, the twenty-minute response time shall commence when the original phone call is made and not from the time voice contact is made with the tow company.)

C.

While responding to scenes in a timely manner, the Town police expect employees of towing companies to act within the parameters of the Vehicle and Traffic Law. The twenty-minute response should be sufficient for providing a timely response to scenes.

D.

The Town police realize that tow companies are entitled to compensation for their services. However, the Town police cannot, and will not, condone incidents of exorbitant charges for services rendered. Additional charges for things such as "wait time" are not considered to be in the best interest of the motoring public and, therefore, are not supported by the Town police. The Town police also strongly advocate that the public should not be subject to a storage fee for any day they are not able to physically retrieve their vehicle from a towing/storage facility.

E.

Tow companies must accept standard methods of payment for their service, like credit cards, and not be restricted to cash-only transactions.

F.

In the event of a multiple-car accident scene, the towing company next in rotation shall be afforded the first choice of which vehicle to tow, the second in rotation will make the next selection and so on. This will be accomplished regardless of the order in which summoned tow trucks arrive at the scene.

(NOTE: The Town police can vary this rule, and the order and selection of the cars to be towed, in the interest of safety, so that the vehicles are removed in appropriate order.)

G.

Owners of tow companies shall address any problems or complaints, concerning the Town police, with the Chief of Police or officer in charge. If the owner feels the problem was not remedied, or that it continues, he/she shall notify the Police Chief and request to discuss the matter with the Town Board.

H.

In the event that a company is removed from the tow list, the owner of such company will be afforded the opportunity to meet with the Town Board to discuss the reason(s) for removal.

§ A110-7. Additional operational guidelines for Town police and employees.

In addition to the aforementioned procedures, Town police and Town employees shall comply with the following guidelines:

A.

The towing of vehicles will be completed in accordance with both the Town Police Manual and the instructions, guidelines and procedures set forth in this policy.

B.

If applicable, the towing of a vehicle shall be done by the owner's/operator's request. If the owner/operator has no preference, or is not present, or is unable to provide a proper response, then the tow will be performed by the next tow company on the established tow list for that particular Town.

C.

Police officers and employees shall avoid offering personal recommendation to motorists who have no preference of a towing company. Members shall inform the person in need that a tow list is maintained, comprised of companies which have all met certain criteria, thus affording them the opportunity to be utilized by the Town police.

D.

An owner's/operator's request form shall be completed for all such cases. If the owner/operator gives a preference but is physically unable to sign the form, it should be signed by a person who has witnessed the request, such as an EMT, fireman, vehicle passenger, etc. This form will be submitted to the Chief or officer in charge for review and filing. The forms shall be retained at the station for the current year plus one.

E.

The tow company, whether the owner's request or from the tow list, shall not be changed once it has been notified to respond to a scene. While it is the Town police preference that owners request the tow, we cannot repeatedly cancel wreckers after they have been dispatched, even if it is at the owner's request. To do so would leave the tow policy open to scrutiny and create speculation that unfair or improper practices are being utilized.

F.

If the tow list calls fail to obtain a response to an incident, then the closest available, and authorized, tow company from an adjacent Town shall be utilized. This type of response shall not be considered as a response on that company's normal tow list, and its position in the rotation should remain the same. The same principle shall apply when seeking heavy-duty commercial-type tow trucks. If there is none available within the Town, then the closest to the scene from an adjacent Town shall be utilized. Members/employees should make every effort to ensure that the closest available tow company is used in these situations, as this policy increases the margin for error and can subsequently breed criticism and complaints.

G.

While it is not our purpose, or responsibility, to ensure a livelihood for tow companies, it is our responsibility to ensure that a fair and uniform towing policy is established and followed. All members/employees will abide by this policy and not create their own personal adaptations of the procedures and guidelines. "Owner's request" means just that, the owner's personal preference of a tow company. Members will refrain from offering personal opinions, or suggesting which tow company to use, and disguising such request as that of the owner/operator. Again, an owner's/operator's request must be reflected by the completion of the owner's/operator's request form. There should be little room for scrutiny or complaints, by tow companies, if members/employees adhere to this policy and avoid deviating from same.

H.

Tow companies have been advised that the Town police will not condone excessive or unscrupulous charges. It has become apparent that some companies, in addition to the normal tow fee, are now charging for the time they have to wait at a tow scene. These types of additional expenses are not considered to be in the best interest of the motoring public. To avoid such charges members should not, barring extenuating circumstances, contact a tow company unless the vehicle is ready to be towed. Any reports/complaints regarding excessive fees should be brought to the attention of the Police Chief or other officer in charge.

Section 4. Effective Date

This local law shall become effective immediately upon filing with the Secretary of State pursuant to the Municipal Home Rule Law.

Paladino remarked that counsel Andrea Gellen, from the firm of McCabe and Mack, will be on the May 3, 2017 Town Board Workshop Meeting Agenda to go over suggestions for the new tow law amendments.

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

Five ayes carried.

S. RESOLUTION made by Paladino, seconded by Mazzetti

WHEREAS, the John Burroughs Black Creek Trail Steering Committee (“Steering Committee”) has been developing a plan for a multimodal trail from Illinois Mountain to the Hudson River through the Black Creek Corridor; and

WHEREAS, the Town of Lloyd is home to the southern half of the proposed trail, running from Illinois Mountain north to the Town boundary with the Town of Esopus; and

WHEREAS, after conducting a planning process with public input for the past year, the Steering Committee has completed a “John Burroughs Black Creek Trail Plan,” (the “Plan”) which makes nine recommendations and proposes a multi-phase implementation plan for the trail; and

WHEREAS, the Town of Lloyd was represented on the Steering Committee throughout the planning process by the Chairpersons, or their designee, of the Lloyd Economic Development Committee and the Lloyd Environmental Conservation Council; and

WHEREAS, the Chair of the Economic Development Council and Scenic Hudson presented the recommendations and vision for the trail as set forth in the Plan to the Town Board for its consideration; and

WHEREAS, the Plan will enable the Steering Committee, the Town of Lloyd, John Burroughs Association, Scenic Hudson, and/or other major project partners to strengthen requests for funding to conduct further study and implement the vision set forth in the plan; and

WHEREAS, the Plan represents a preliminary step in the planning and funding processes necessary to develop a detailed implementation plan for the trail, and future review and approval of detailed plans is required of the Town of Lloyd.

NOW, THEREFORE, BE IT RESOLVED, that this resolution to support the John Burroughs Black Creek Trail Plan constitutes a Type II action under the State Environmental Quality Review Act regulations at 6 NYCRR §§ 617.5 (c) (18), (21), (27), and (28); and

BE IT FURTHER RESOLVED that the Town of Lloyd Town Board hereby expresses its support for the John Burroughs Black Creek Trail Plan and takes no exception to the Steering Committee or project partners taking the next steps necessary for preparation of detailed implementation plans, including preparation of funding applications and further studies.

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

Five ayes carried.

T. RESOLUTION made by Paladino, seconded by Mazzetti

WHEREAS, a local law, being proposed as Local Law C-2017, was introduced at this meeting as follows:

“Local Law No. C– 2017, a local law to amend Chapter 92 of the Town of Lloyd Code to increase the maximum exemption allowable under Sections 458-a and 458-b of the Real Property Tax Law to provide increased levels of exemption amounts for certain owners eligible for the Alternative Veterans’ Exemption and the Cold War Veterans’ Exemption.

(copy of Local Law attached)

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

NOW, THEREFORE, BE IT RESOLVED that a Public Hearing will be held by the Town Board with respect to the adoption of the aforesaid local law at the Town Hall on the 17th day of May, 2017 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.

LOCAL LAW C - 2017

**A LOCAL LAW TO AMEND CHAPTER 92 OF THE TOWN OF LLOYD CODE
TO INCREASE THE MAXIMUM EXEMPTION ALLOWABLE
UNDER SECTIONS 458-a AND 458-b OF THE REAL PROPERTY TAX LAW
TO PROVIDE INCREASED LEVELS OF EXEMPTION AMOUNTS
FOR CERTAIN OWNERS ELIGIBLE FOR THE ALTERNATIVE VETERANS’
EXEMPTION AND THE COLD WAR VETERANS’ EXEMPTION**

Section 1

The Town hereby intends to grant owners eligible for the Alternative Veterans’ Exemption the maximum allowable property tax exemptions, pursuant to Real Property Tax Law Section 458-a, and owners eligible for the Cold War Veterans’ Exemption the maximum allowable property tax exemption, pursuant to Real Property Tax Law Section 458-b.

Section 2

Section 92-7 (D) of the Town Code, in Chapter 92, is hereby repealed and the following sub-section enacted in its place:

“(D). The maximum exemption allowable under RPTL Section 458(2)(d)(ii), as allowable in paragraphs (a), (b) and (c) of said subdivision shall be, \$45,000.00, \$30,000.00 and \$150,000.00, respectively.”

Section 3

Section 92-25 of the Town Code, in Chapter 92, is hereby repealed and the following sub-section enacted in its place:

“Section 92-25. Exemption adopted; legislative authority; amount of exemption.

The Town of Lloyd adopts the exemption for Cold War Veterans pursuant to Real Property Tax Law (RPTL) Section 458-b. The maximum exemptions allowable from Town real property taxation, pursuant to Section 458-b of the Real Property Tax Law shall be fifteen percent (15%) of the property's assessment, not to exceed \$45,000.00 multiplied by the latest final State equalization rate for service during the Cold War and the percentage of the property's assessment equal to one-half of any service-connected disability rating, not to exceed \$150,000.00 multiplied by the latest final State equalization rate."

Section 4

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

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

Five ayes carried.

U. RESOLUTION made by Paladino, seconded by Guerriero to approve the following budget amendments to the 2017 budget:

GENERAL

Elections	1450.40	+\$9,894.09
Contingency	1990.40	-\$9,894.09
(2016 county charge for elections for 2016, bill received after 2016 closed)		

HIGHWAY

Vineyard Ave (2017)	5112.72	+\$35,000.00
Upper Grand St (2017)	5112.73	+\$31,000.00
River Road (2017)	5112.74	+\$32,000.00
General Repairs CE (2017 CHIPS projects)	5110.40	-\$98,000.00

WATER

Unallocated Insurance	1910.40	+\$1,777.00
Refund Prior Year Revenue	20-2701	-\$1,777.00
(change in flood insurance coverage and premiums)		

SEWER

Unallocated Insurance	1910.40	+\$6,491.00
Refund Prior Year Revenue	30-2701	-\$3,658.00
Administration Prof Services	8110.30	-\$2,833.00
(change in flood insurance coverage and premiums)		

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

Five ayes carried.

MOTION made by Mazzetti, seconded by Brennie to adjourn the meeting at 8:45PM

Five ayes carried.

04.19.2017

Respectfully submitted,

Rosaria Schiavone Peplow
Town Clerk