

TOWN OF LLOYD TOWN BOARD
WORKSHOP MEETING
MAY 2, 2012

Present: Supervisor Paul Hansut
Councilmember Kevin Brennie
Councilmember Michael Guerriero
Councilmember Herbert Litts, III
Councilmember Jeffrey Paladino

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

Absent: None

5:00PM – Supervisor opened the meeting and led the Pledge of Allegiance.

Supervisor introduced Kathy Cappella of US Department of Agriculture/National Resource Conservation Service who will report on the Project agreement for the stream bank stabilization on River Road

Kathy Cappella said that at the request of the Town after Hurricane Irene, the Department of Agriculture brought in a team to assess damage to streams that might be eligible under the Watershed Protection Program. There was extensive damage from the storms; FEMA took care of parts of it. The one site that they looked at that was eligible was River Road above where FEMA stops their stabilization going up another 175-foot, which would be a stack drop wall. Currently that stream channel is in-sizing and continuing to down cut; as it continues to down cut, it is going to continue to undermine River Road and there will be resultant damage in the sewage treatment plant. The work that was done under FEMA is good for getting the road back open but this should stabilize the stream bank and keep the stream bed from continuing to cut and alleviate any situation that is causing the failure in the future. She met with Supervisor Hansut because it is eligible for their program, with the damage survey report which showed that it had a positive cost benefit ratio. This project was estimated at a total cost of \$100,710 and the federal government will pay 75% of that (\$75,532) and the Town would be responsible for \$25,177. She gave the Supervisor a project agreement reflecting those figures and there are several options. Locally led contracting in which the Town does the contracting, inspection and design, the Town is eligible for another 7.5% reimbursement from the federal government after the completion of the project.

Supervisor said that he had talked about that with Richard Klotz, Highway Superintendent, and he did not believe that he had the equipment or the manpower to do the job, so this is basically at the Town's contribution. There is also a slight possibility that Ulster County has filed for more assistance, 12%.

Cappella said that at the request of the County the Soil and Water District put in for the NYS flood mitigation grant; for \$25,177, the 25% match from New York State. She should know at the end of this week or the beginning of next week if the Town received the grant. This work needs to be done, regardless, because it will continue to down cut in that channel and undermine the stream and the opposite bank.

Brennie stated that the worst case scenario is that the Town would have to pay \$25,000 for the work.

Cappella agreed and added that the best case is that NYS will pick up that amount; the Town Board would have to authorize that the Town go into an agreement with the federal government for this project. The time frame for the project completion is November 7, 2012. The agreement with the Town is needed as soon as possible; they have more request than they have funds so they would like to get all of the projects committed as quickly as possible. It is first-come-first-serve as all of the projects are high priority and all are eligible. The ones that get their project agreements in will get funded. There is over \$38-million worth of requests of projects that are eligible statewide and there is \$31-million that has been sent to New York State. If there have been overestimations, it will trickle down and they will continue to fund projects but get in the agreement to be sure of funding.

Supervisor said he discussed with Cappella the \$7,500 engineering and inspection costs. One option is that they do the engineering and inspection.

Cappella recommended that their staff has to prioritize. If the Town is willing to do local contracting, there will be the 7.5% reimbursement. The project would be at a higher priority than the ones where they have to do the engineering and inspection as there are only four engineers to cover from Canada to Long Island.

Supervisor said that Bill Rohde, Town Engineer, has done all of the work until this point and this is a situation where time is of the essence.

Cappella agreed and said that Bill Rohde and Rich Klotz took them to see the sites. Even though the DEC and Army Corps of Engineers looked at the sites, permits will be required and will still need to weigh in on the project.

Supervisor asked of Counsel if an RFP would be necessary since there was a time constraint.

Sean Murphy, attorney, answered that the Town does have an engineer to do the work.

Cappella added that the contract would require the Town engineer to meet with their engineer for a pre-design meeting and then there is a 70% meeting at which they would go over the project to that date to see if it is consistent with their objective. It is stream bank work but it would be in close conference with their staff.

Supervisor asked if it would be timely if the agreement is approved on May 16 and she has the agreement on May 17 as the Town Board does not have a written resolution tonight. Tonight's presentation gives everyone a chance to think it over and to ask if there are any questions or concerns.

Litts asked about the construction.

Cappella said that it is pinned and stacked rock rip rap to support the road shoulder and down to the stream bank but there is some in-channel cross veins to keep it from down cutting. They will not meet with the Town before the preliminary agreements are signed. She cautioned that in writing any agreement or RFP to include inspection and design services.

1. REPORTS

A. Finance – Karen McPeck, Bookkeeper to Supervisor, reported that she has a couple of budget amendments for the agenda next week; one is a small amount so that she is able to pay one of the bills from the sign maker that has come in and that line has been expended for the year; on the Dog Control line, the expenses are higher than were anticipated but the salary of the Dog Control Officer is lower than anticipated.

Supervisor feels that revenues will be realized from the Dog Control Officer.

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McPeck said that money is being moved around for the salary for the Recreation Director.

The Supervisor's report will be completed by the end of the week; at which time she will email it and send to the department heads so that they know where they stand to date. It looks as if the HRA plan did save some money; from July 1 to April 30, the Town spent \$116,000 and the total exposure possibility is \$295,000. She is transitioning away from Citizen's Bank to Chase Bank; Chase has been very accommodating to meet the needs of the Town and gave her a deposit machine for use at her desk, which has been a huge time saver.

Supervisor reported that he and Karen McPeck met with representatives of the NYS Comptroller's Office, at their request, on Monday, April 30. They sent a draft copy of the audit that was conducted last year. One of the big issues was IT, computer security measures; James Jeffreys, Northeast Computers was at the meeting and made his report. The Comptroller was very pleased with the progress Jeffreys has made and in the next couple of months there will be new computer policies in place. Another issue was the way the vouchers are handled. Currently, the vouchers are placed in a mailbox and one Town Board member does the audit and they are approved by the Town Board. The Audit Committee has to consist of at least two Town Board members to review the vouchers.

McPeck interjected that they specifically said that it should be the entire Town Board.

Supervisor said that a new policy and procedure for dealing with the vouchers will be addressed at the next Town Board meeting. He spoke with the Town of Ulster and their procedure is two Town Board members and a member of the community that sits in to audit the vouchers. Policy for the future will be that vouchers will need to be handed in by a specific date before the Workshop Meeting so they can be done by the Regular Town Board meeting. Karen McPeck, Elaine Rivera and the Supervisor are working on a policy.

Litts said regarding the policy issue that he understood the Comptroller's Office stated that a voucher cannot be signed by the department head if it was submitted by the department head i.e., you are not supposed to be able to sign your own voucher.

Supervisor and McPeck do not recall that.

Litts felt that might have come from his interrogation when the auditor was here; he said that department heads authorize the payment on the voucher that they themselves submit. He feels that it would be prudent for that voucher to go to the liaison or someone else.

Brennie suggested that is the job of the Audit Committee to make sure that it is a legitimate bill.

Supervisor added that there then will be an abstract of all the vouchers and at the Regular meeting the Town Board will sign off on the abstract. He offered that the auditor could be called if there are any questions as he has her phone number and her email address. Another concern was if a Town Board member has a business as a service provider or vendor, it is the responsibility of the Board member to keep track that they are under the \$750 limit; it is not the responsibility of the Town.

McPeck said the Town should oversee it but ultimately it is the responsibility of the board member who owns the business.

Supervisor concluded that there will be a policy; IT was the biggest concern. The Inactive Record Storage Room in the back of the Town Hall where the IT equipment is stored is

neither waterproof nor fireproof and some money will have to be expended to do that. All the systems are backed up and he was glad Jeffreys was at the meeting as it was obvious he was knowledgeable as to what the requirements were.

McPeck added that Jeffreys received a text message about the safety issue. NYS had reviewed the storage facility for a different project and have said that it is okay. What they do and how they encrypt it ensures that the Town's information is just as secure. The auditors were very pleased.

Supervisor said it is required that the Town let them know what we thought of the audit by May 16 and he and Karen McPeck are working on a response. He requested that anyone that has any thoughts or concerns to be added let him know by Monday, May 13. Each department head was sent a notice about procurements in February or March, and the policy needs to be followed. If a vendor is going to be hired the proof of insurance has to be attached to the voucher.

McPeck clarified this does not apply if the Town is buying a product but if a vendor is providing a service to the Town. The insurance certificate could be separate but it has to list the Town as 'additionally insured'.

Paladino asked if this is something that can be kept on file with the Town.

Kate Jonietz replied that she has a binder in her office with the insurance certificates and they are good for either six months or a year; she also has to make sure that the Workers' Compensation is up to date.

McPeck suggested that 'certificate on file' can be written on the voucher.

Supervisor added that in filling out the voucher to be sure that the budget line item number is correctly put on the voucher.

Litts would like those who fill out vouchers to put a quick explanation as to what the item is for and not just an item number and price; if that is done he does not have to send it back and ask for the explanation.

- B.** Assessor – Elaine Rivera reported that she filed the 2012 tentative assessment roll and all of the change in assessment notices have been mailed out; the assessment roll is available in the office or online at www.townoffloyd.com ; all property values were trended again this year, most of the residential went down 4% and most of the commercial went down 3%. Grievance Day is May 22 between the hours of 9 AM to 11 AM, 1 PM to 4 PM and 6 PM to 8 PM. New York State has changed the training requirements for assessors, instead of 24 continuing education hours she now needs only 12. She will be going to the conference in September. Five of the certioraris are done. Wingate at Ulster and Mike Artega's have been settled; the three for Highland Square were withdrawn; Guardian Self Storage, Rite Aide and Vineyard Commons are still outstanding and she is assuming that they will file again for this assessment role.

Mark Reynolds, reporter, asked the amounts of the settlements for Wingate and Mike Artega's.

Rivera answered that Wingate was a reduction of \$1.2-million assessed value for 2011 and \$324,000 reduction in 2012. North Highland Properties (Mike Artega's) was \$145,000 reduction for the 2011 assessment and \$35,000 reduction for 2012.

- C.** Building & Zoning Department – David Barton reported that he, Vince Veltre and Shari Riley attended a conference last month as part of the NYS mandate for credits. He was in court with Vineyard Commons on April 16 and they requested an adjournment until April 23, alleging pending an application to the Town Board. As this is springtime, the

developers come out; there have been multiple meetings all month. Mountainside Woods has come in and the rezoning has been done.

Sean Murphy, attorney, noted that the changes to the zoning map were sent to Ulster County.

Barton said that Mountainside Woods has applied to the Planning Board and he is awaiting a check from them. There have been discussions on who will manage the open space and that is a matter for the Town Board to decide. It could be organizations such as the Wallkill Valley Land Trust and Scenic Hudson or the Town could keep it and control it. He is going to speak with Ray Jurkowski, Morris Associates, and the planner for their recommendations. Altamont Farms, the property on Upper North Road, are proposing active senior housing; they will have to supply sewer and will be following the comprehensive plan to supply the Light Industrial zone with sewer. It is difficult to put a Light Industrial building there without access to sewer.

Brennie asked how many units are proposed.

Barton answered that the guesstimate is 320 units on 500+ acres; the concern will be Highway Department maintenance of the long, loopy roads.

Barton said that he received phone calls this week about Pleasant View, a subdivision on South Street/Station Road; the owners have let their bond expire.

He said that zoning map amendments are on the agenda and there is one change to the dimensional table.

Shari Riley distributed copies of the MS4 Annual Report (March 10, 2011 to March 9, 2012), year 9; and said that this is a mandatory MS4 annual report, a copy of which is to be filed with the Town Clerk; it will also be available at the Building Department and on the Town of Lloyd website. She asked if there are any comments, corrections, or need for clarity, to send the inquiry to sriley@townoflloyd.com.

There are six minimum measures that require a report:

- Public Education & Outreach;
- Public Involvement & Participation;
- Illicit Discharge & Elimination;
- Construction Site Stormwater Runoff Control;
- Post Construction Stormwater Management
- Pollution Prevention & Good Housekeeping.

This is a team effort which includes: the Town Board; Building Department; Highway Department; Town Planning and Zoning Boards; Town Attorney; Town Engineer; Water and Sewer Departments; Environmental Conservation Council; Recreation Department; Fire Department; Highland Central School District; contractors working in the Town; homeowners and businesses in the Town and the general public.

She reviewed the 2011 goals that have been met, those that have not been met and the new and continuing goals for next year (2012-2013).

Riley requested that the Board adopt a resolution accepting this report and authorizing its submission to NYS DEC.

D. Dog Control – Andrew McKee

E. Highway – Richard Klotz distributed copies of the proposed changes to Chapter 62, Freshwater Wetlands, which is an attempt to give the Town more authority to go into fresh water bodies if there is a need for repair. He would like to discuss it at the next Town

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Board meeting. He reported that everything is going well; the Highway Department is still cleaning shoulders of roads and catch basins, the road sweeping should be completed next Tuesday or Wednesday. He is getting estimates for paving. He ordered new catch basins and grates as some of the ones in use are not worth repairing. The free day at the Transfer Station went well last weekend and there will be another free day on Saturday, May 5. He asked what was to be done with the cemeteries as Memorial Day is at the end of this month.

Supervisor understood that Keith Garbounoff is going to begin to work on them.

Klotz said that he can give him a worker and asked if the Boy Scouts could be involved in the clean up.

Kate Jonietz offered to forward the contact information to the Boy Scouts.

Klotz replied that the Town is responsible for 18 or 19 cemeteries; he would like the Boy Scouts to clean up the cemeteries near the roads and his department would work on the ones that are off the road and back in the woods.

He said that on Monday and Tuesday, May 7 and 8, 7:30 AM to 3:30 PM, there will be a class on Confined Space, at the Firehouse. All CSEA members of the Highway, Water and Sewer Departments are required to attend.

Supervisor said that we have partnered with the Town of Poughkeepsie on this training and he thanked Franco Zani, Town of Poughkeepsie, for his help.

Franco Zani offered that this training is at no cost to the Town. It is mandatory training for anyone who enters a confined space; the training should be done annually and the last time it was done was four years ago.

Brennie asked who was responsible to schedule the training.

Zani replied that it is the responsibility of the Town.

Supervisor said at the first Safety Committee meeting of 2012 this is one of the first issues that they discussed; he explained that Franco Zani is a resident of Lloyd but works for the Town of Poughkeepsie and has worked with the Highland CSEA to make sure that the training gets done.

Klotz reported that the Highway Department is responsible for the street name signs and the budget is low. There is a deadline by which these signs have to be installed and he will need funds transferred to that line.

Supervisor recalled that there was a discussion of a stop sign at the Grove/Phillips/Commercial intersection.

Klotz said that there is a drainage problem that will have to be addressed at the Drainage Committee meeting. He did not want to put a new sign in only to have it removed due to the drainage problem.

Paladino noted that it is hard to see from a vehicle that travels north on Commercial Avenue to the intersection with Grove Street. He felt part of the problem is the shrubbery and asked if there could be a warning sign.

Klotz said he has a warning sign that can be installed at that spot.

Supervisor stated that the contract with Advanced Recoveries has been signed and the Town is now being paid for the computers, TV's and electronic equipment that is brought to the Transfer Station.

Klotz noted that it is not as much money as people may think but it is beneficial that the items are not being dumped at the transfer station.

F. Hudson Valley Trail –

G. Justice – Terry Elia/Eugene Rizzo

Terry Elia attended the meeting to ask the Town Board for permission to equip the Court Officer with handcuffs, mace and a policeman's club; the Court Officer is already certified for pepper spray or mace. He felt that the Police Department could furnish those items.

Rivera said that would have to be arranged with the Police Chief and paid for out of the Justices' budget.

Elia said that the Court office will be closed on May 3 as all of the Court Clerks will be in training.

Supervisor asked if some housekeeping could be done in the Court offices tomorrow while no one is there.

Elia responded that they maintain their own offices.

- H. Police – Chief David Ackert** reported that the web filter on the Police computers is no longer usable and shut itself down about a month and a half ago; it has been in use since the department moved to Milton Avenue. He received a quote of approximately \$3,000 for a new filter. The filter blocks the majority of websites for the civilians and police officers. Paladino asked if this is something that Jim Jefferies, Northeast Computers could advise on. Chief concurred and added that the application for a grant from Senator Larkin for a vehicle was denied. He gave the Board an application and request to hire a part time dispatcher.

Litts thanked the Chief for the increase in police patrols.

I. Recreation/Buildings & Grounds – Frank Alfonso

J. Safety Committee –

- K. Town Clerk – Rosaria Peplow** reported that in April she paid \$341,548.01 to the Ulster County Commissioner of Finance; reminder notices were mailed April 30 to property owners whose taxes have not been paid. Her office has issued 491 annual permits for the Transfer Station.

Peplow said that she attended the NYS Town Clerks Conference April 22 through April 25, 2012, and at the business meeting, the Town Clerks voted on:

- Opposing the proposed legislation to that requires dog owners to microchip their dogs before they may obtain a license. This had been proposed two years ago.
- Supporting proposed legislation to amend the state finance law in relation to prohibiting the transfer of unexpended moneys from funds receiving moneys from a dedicated fee into any other fund.
- Supporting proposed legislation that exempts certain public officials and court clerks from provision of law that requires payment of an application fee for the appointment as a notary public.
- Supporting legislation that amends environmental law in relation to providing a waiver of hunting and fishing fees for members of the United States Armed Forces in active service.

Robert Freeman, Chairman of the Committee on Open Government identified the Town Clerk as the Record Access Officer by NYS Law; he discussed a Recent Appellate Division decision regarding the specificity of motions for entry into executive session and said that the Board must identify the specific litigation. She furnished a copy of the decision to each Town Board member and Sean Murphy, attorney for the Town.

Further, the clerks learned that a Nurse Practitioner may now sign a death certificate, which are then filed in the Town Clerk's office and then the Burial Permit is issued.

The NYS Racing and Wagering Board reviewed laws regarding raffles and the newest changes are on reporting and license requirements and are based on proceeds.

NYS Comptroller workshop talked about a new law, General Municipal Law, amendment to Section 103, allowing towns to go out to bid on 'best value' which is defined as "the basis for awarding contracts for services to the offeror which optimizes quality, cost and efficiency, among responsive and responsible offerers, such basis shall reflect wherever possible objective and quantifiable analysis". The bid does not have to necessarily award to the lowest bidder. In order for a town to take advantage of this change, the town must adopt a local law. She questioned if a local law needs to be adopted each time the town wishes to do this or is it one local law. The person that gave the workshop from the Comptroller's office did not know the answer. In addition to the non-collusive certificate on bid, there is now a statement of non-investment in an Iranian energy sector which also has to be included in the bid packet.

She said that Virtual Town Hall, who maintains the Town of Lloyd website were at the conference and they used the Town of Lloyd legal notices to show other towns what is available, which made her very proud.

Murphy said that he would look at the new requirements for best value bids as to whether or not a local law has to be passed for each bid; he does not feel that is the case.

- L. Water – Andrew Paccione reported that the chlorination system at the plant was repaired last month; they have started checking the water at Tony Williams Park on a daily basis and have also begun to collect coli form samples on a monthly basis. The Water Department processed approximately 12 tons of sludge last month. He talked with Clifton Way, owner of Lomax Company, Dutchess County, who may be interested in taking the sludge, on the recommendation of Ray Jurkowski, Morris Associates. He sent samples to the lab and is waiting for the parameters. Way is interested in taking the sludge if it meets his parameters, but he would like to come to the plant to inspect the sludge. The six-month Solar Bee service was done last month. The chloride levels are still bordering on notification status so they are still on shift work. The rain last week dropped the chloride level but now the levels are up again and are hovering at 22 parts per million. Upgrades are being done only on meters to be repaired and he asked the Board to allocate money to buy transmitters so that they can continue the upgrades this year. He would like to send out 150 more notices and do 150 upgrades.

Brennie asked how much that cost last year.

Paccione replied that transmitters and meters were purchased last year for \$82,000; he is now asking for \$25,000.

Litts referred to the pilot testing program for which there is a budget of \$37,000 but he has an invoice for \$41,000 which is over budget; he asked if that was a line item that needed an infusion of money.

Paladino asked if there was not a contribution from New Paltz on that also.

Paccione answered that they cut the price and suggested the Board should speak with Ray Jurkowski, Morris Associates on that.

Rivera recalled that last year the Town Board authorized the cost of that project to come from the unexpended balance, which is why in several conversations about the meters she cautioned that it is not a good idea because there are commitments for the

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unexpended balance. One commitment is that if someone does not take the sludge, \$35,000 to \$40,000 will be needed for the pilot project which has already been authorized. She cautioned the Board about spending more unexpended money; she feels that if it is something that will be done next year, it should be put in the budget; it may be off-set with unexpended balance but it is not budgeted this year.

Paccione said that 450 transmitters and meters have been purchased so far and there are about 70 meters remaining and 100 transmitters; he would like to keep a surplus so that anytime there is an upgrade, they can be changed. There are 1600 water meters and about one quarter are replaced.

Franco Zani asked if the man who may take the sludge will pay for the transportation costs. Paccione replied that the Water Department will have to haul it away.

Zani recommended look into modifying the Waste Transport Permit as it says that they can go from the Water Plant to Clearwater Road; NYSDEC approval will be needed to haul to Lomax Company.

Paccione allowed that he was probably correct but he said that he did not need a DMR for hauling the sludge from the Water Department

Supervisor would like Paccione to check on that before entering into an agreement with Way. He asked if Paccione applied for the Civil Service test.

Paccione said that he did not but he mentioned it to Matt Manning and Bill VanKleeck. There will be another test in November. The test was for a trainee; he does not mind taking the test for Chief Operator, as that is what he does. The woman at Civil Service was encouraging him to be on the list.

Rivera said that in order to be any kind of an operator, a Civil Service test must be taken.

Supervisor interjected that the conversation should not be discussed in this forum. He noted that there should be cross-training.

Paccione said that they have not moved on that because of the shift work.

Supervisor announced that he and Kate Jonietz met with Poughkeepsie Mayor John Tkazyik and people from Walkway over the Hudson; the Town of Lloyd is going into partnership with the City of Poughkeepsie and Walkway for the July 4 celebration. There will be vendors and bands at the Bob Shepard Highland Landing Park, from 2 PM to the fireworks. It is anticipated that the Ulster County will supply the UCAT shuttle buses which will run from the parking lot at Hannaford's to the Walkway to the Hamlet to Bob Shepard Highland Landing Park, in continuous loops all day long to move people throughout the Town so that they may patronize the restaurants and events of the day. There will be a meeting on May 10 with those responsible for safety on this side of the Hudson River to coordinate what is going to happen. The participants will be the police, the fire department, UCAT, and the Sheriff's department. In the past the Town had fireworks in the Village Field but it seemed logical to join with the City of Poughkeepsie; there will be advertising on the radio, newspapers and flyers as co-sponsor with the Walkway and the City of Poughkeepsie.

Erin Quinn, reporter, asked the cost of the share.

Supervisor said that the cost last year with \$4,000 for July 4 and \$1,000 for Christmas, so the Town spent \$5,000 for fireworks; in this year's budget \$4,000 was cut out of the Events Committee. The budget was reduced from almost \$12,000 to \$8,000. The resolution for the fireworks celebration will be for \$5,000 which will be used to either expand the fireworks show or defray some of the cost; they are putting in \$15,000.

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They have not asked us for a contribution, he is considering \$5,000. He feels that there will be a lot of exposure for Mariners and the shuttle buses will disburse people throughout the community and that it will be a win-win for the Town.

He noted that on June 9, the Walkway over the Hudson is trying to break the world record for the Guinness Book of World Records for the Hokey Pokey; they require 3,000 people to break the record. He is encouraging as many people from the Town as possible to participate; it will bring many people to the Walkway to the benefit of the Highland restaurants.

Raphael Diaz said that it is a fund raiser for the Walkway and they are charging \$15 per person to participate.

Supervisor and Jonietz both said that in all the meetings and information that they had not been told that there was a fee.

At the May 16th Town Board meeting there will be a Community Pride Award to the Girl Scouts of the Hudson River Edge Community in recognition of the 100th Anniversary of Girl Scouting. There will be someone here from Ulster County to give a Pride of Ulster County Award; he suggesting also reaching out to Assemblyman Frank Skartados and Senator Larkin for a proclamation.

The Spring Fest will be May 12, which will be an all-day event beginning with a blessing of the bikes at the Highland Methodist Church and continuing with a Kid Bike Parade ending in the Brooks & Brooks, Surveyors parking lot on Main Street where they will have a bike safety rally. There will be a book sale at the Highland Library; pony rides in the Village Field; a food court; a Waiters' Race; a Bed Race; kids' music appreciation by Jacob's Music and then there will be three bands playing 45 minute sets.

Supervisor told the reporters present that there were old copies of newspapers on the break room table that might interest them.

Supervisor said that he attended the Rail Trail Association's meeting last Monday; he was not clear with the Rail Trail Association and the Town Board's involvement with the Rail Trail. He was confused about snow plowing the Rail Trail. Every time the Rail Trail is plowed, it is done by a Water and Sewer employee on overtime. That money comes out of the Water and Sewer budget. Someone from the Highway Department or Buildings and Grounds does the work if there is grass to be mowed or if a tree is down. That money comes out of either the Highway or Buildings and Grounds budget, or it is back-billed to the Town. There was a question about mulch that was ordered for the Rail Trail, to be put on the Buildings and Grounds bill.

He stressed that he has no problem with the Rail Trail and feels that it is great entity but if taxpayers' money is spent it is going to be transparent. If the Rail Trail has to be plowed and if the grass needs to be cut, then there has to be a line item identifying Rail Trail plowing or mowing. The Rail Trail budget is currently \$2500 and that is earmarked for electric and water.

Brennie said that he never understood who pays for the snow plowing and mowing of the Rail Trail and he feels that the Rail Trail should pay for that.

Supervisor said that the name of the corporation is The Hudson Valley Rail Trail Association; he read the statement of purpose: "The Hudson Valley Rail Trail Association is organized to (a) to promote the preservation, protection and balanced use of the Hudson Valley Rail Trail for the benefit of the general public; (b) to identify,

develop and undertake the operation and maintenance of the Hudson Valley Rail Trail for future generations in a manner consistent with wishes of the owners of the Hudson Valley Rail Trail; (c) to promote public awareness of the environmental value of the Hudson Valley Rail Trail and to advance the understanding of natural environment”.

He stressed that operating a transparent government states this is what it costs.

Brennie asked if the Rail Trail has money in their treasury.

Raphael Diaz, Hudson Valley Rail Trail Association, thought there was approximately \$29,000.

Zani felt that the Hudson Valley Rail Trail Statement of purpose item (b) covers maintenance which he felt includes sweeping, garbage pickup, snow plowing etc.

Supervisor said that when the President of the Association returns to Town, he would like to set up a meeting so that he and other Town Board members who may have never seen a copy of the by-laws have better clarification.

Brennie said that there is recreation fees in future PRD's and PUD's that will be split among Bob Shepard Highland Landing Park, Recreation and Hudson Valley Rail Trail so there is a supply of money in the future.

Paladino said that single-family Recreation fees go directly to the Recreation Capital Fund. Supervisor posed that the Town owns the Rail Trail property and the Bob Shepard Park property. Matt Smith is very good about coming to the Board meetings once a month and updating the Board on the activities. He has asked the Rail Trail Association to do the same. The Board has a right to know so there is an answer when the question arises as to where the money comes from.

Guerriero asked if the Town supports other parks in the Town and perhaps something could also be done for the Rail Trail

Supervisor said that is true and there are line items and money appropriated for the parks and he does not disagree with that but he would like to move into the future. For example, if six benches are placed along the Rail Trail, he would like to be able to explain where the money came from and how it was spent.

Brennie gave the example of Tony Williams Park that is funded by the Town; galas are not held as fundraisers; Frank Alfonso has to come to the Board to request expenditure but if the Rail Trail spends money the Town Board has no knowledge of it.

Paladino explained that money for the Rail Trail does not come from the taxpayers, it is donated.

Supervisor said that a gentleman came in the office today to report that a tree from the Rail Trail is ready to fall on someone's property and he was told by Claire Costantino, Rail Trail President, to call the Town and they will take care of it. He has no problem with that but he asked where the money would come from as it is a very tight budget.

Diaz believed that the Rail Trail Association has reported to the Town Board in the past, either by Claire, the president or Ray Costantino former Supervisor as liaison.

Supervisor countered that no one from the Rail Trail has reported since January 2, 2012.

M. Sewer – Adam Litman

2. OLD BUSINESS

A. Vineyard Commons

Dave Barton discussed earlier in the meeting.

B. Spring Fest – Saturday, May 12.

Discussed earlier in the meeting.

C. Contract for sale of water to A. Colarusso & Son

Sean Murphy has contacted the company and told them that it will be addressed in the next couple of weeks. In the past, the Town has charged as a non-metered user and received a fee in lieu of taxes. There have been different fee amounts. Colarusso said that he will get back to him; he feels that he will have more information for the Regular meeting. He spoke to a gentleman at the Comptroller's office and there are some limitations as to what can be done. The NYS Comptroller's office, did not feel it is a problem for the Town to sell water to them as it is a NYS project and it is close.

Litts asked if he was still interested as Colarusso is taking water from Black Creek.

Murphy felt that they are interested but Colarusso is very busy with the contracts and bids.

Colarusso said that they did have options and were thinking of leasing a water tank and filling it up; they may be doing a cost analysis to see where they will get the cheapest water. He was told that NYS DEC will have to be notified as people will wonder if it is coming out of the hydrant and where the water is from that is going on the road.

D. Water Administrator

3. NEW BUSINESS

A. Repairs to exterior rear door/roof

Supervisor stated that it is under the procurement policy of \$3,000, he called Lou Olsen, Bob Sullen and a company by the name of Rossi. Rossi came in 2011 and caulked the outside of the building. The flashing is coming away from the concrete and the last time it rained, the bookkeeper's office on the north side of the building was flooded. He hoped to have estimates by the next Town Board meeting.

B. Zoning Map Amendments

Supervisor said that these amendments are to be sent to the Lloyd Planning Board and the Ulster County Planning Board.

Barton showed the Board the existing map and the proposed map; the Waterfront Overlay was not on the new map which would include Mariners Restaurant, Bob Shepard Highland Landing Park, and the parcels owned by James Relyea. The only changes are instead of doing LB to Residential, it is DB across the board; one of the big changes is running GB from the south end of LB (the parcel past Wagon Wheel Deli on Route 9W). He needs a referral by the Town Board to the Planning Board and the Ulster County Planning Board.

MOTION made by Brennie, seconded by Guerriero, to authorize David Barton to refer the proposed zoning map to the Lloyd Planning Board and the Ulster County Planning Board for comments.

Litts requested that those depictions are put on the website which Barton said he would do.

Five ayes carried.

C. Food Vendor at Pezzo's Laundromat

David Barton said that this is an application for a food vending cart that should not be before the Town Board as this is a Planning Board issue. This is a commercial site and the applicant would like to put the cart on the deck of the building. He and Shari Riley sat with the applicant and he was told as this is a commercial property, he needed a site plan. As an alternative, he could apply to the Town Board for a site in one of the Town Parks. The Municipal Parking Lot is not a 'park' it is not on the Town park list.

Brennie asked if the applicant was a Veteran.

Barton said that he is not and added that the property was never used for food service and even though it is a food cart, it needs a site plan; it is his understanding that the applicant did not want to spend the thousand dollar fee plus escrow. He stressed that this is not under the purview of the Town Board that he should have gone to the Planning Board. If the applicant chose to go to one of the Parks managed by the Town Board he would need a different application. This has been explained to the applicant several times.

4. MOTIONS AND RESOLUTIONS

A. **MOTION** made by Paladino, seconded by Hansut, to appoint Lou DuBois to the Water, Sewer and Drainage Study Committee.

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

Four ayes carried.

B. **MOTION** made by Brennie, seconded by Paladino, to appoint Lewis DiStasi to the Water, Sewer and Drainage Study Committee.

Five ayes carried.

C. **Resolution for May 16, 2012** to approve the following budget amendments for the 2012 Budget:

Sign CE	00-02-3310-40	+\$1.39
Contingency	00-01-1990-40	-\$1.39
Dog Control CE	00-02-3510-40	+\$2,500.00
Dog Control PS	00-02-3510-20	-\$2,500.00

(expenses are higher than anticipated necessary safety equipment and kennel costs)

Recreation Director	00-06-7020-10	+\$ 6,925.00
Town Hall CE (cleaning)	00-01-1620-40	-\$ 4,350.00
Recreation CE (lawn care)	00-06-7310-40	-\$ 2,575.00

(to support resolution from 3/2012 to increase Frank Alfonso's salary effective 4/1/12)

MOTION made by Paladino, seconded by Guerriero, to move into executive session to discuss a particular personnel matter at 6:52 PM.

Five ayes carried.

MOTION made by Litts, seconded by Guerriero, to come out of executive session at 7:34 PM.

Five ayes carried.

MOTION made by Litts, seconded by Guerriero, to adjourn the meeting at 7:35 PM.

Five ayes carried.

Respectfully submitted,
Rosaria Schiavone Peplow
Town Clerk