

TOWN OF LLOYD TOWN BOARD

REGULAR MEETING

MAY 21, 2014

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

Also present: Sean Murphy, Attorney
Rosaria Peplow, Town Clerk

Absent: None

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

Supervisor explained that in 1962 President John Kennedy proclaimed May 15 as National Peace Officers' Memorial Day and the calendar week in which May 15 falls as National Police Week; it was established by a joint resolution of Congress. National Police Week pays special recognition to those law enforcement officers who have lost their lives in the line of duty for the safety and protection of others.

In May 1997 the Police Unity Tour was organized by Officer Patrick P. Montuore of the Florham Park Police Department with the hope of bringing public awareness of Police Officers who have died in the line of duty and to honor their sacrifices. What started with 18 riders on a four-day fund-raising bicycle ride from Florham Park, NJ, to the National Law Enforcement Officers Memorial in Washington, DC, has grown into eight chapters consisting of nearly 1700 members nationwide who make the trip annually. Officer James Manley of Town of Lloyd Police has participated for the last six years raising over \$18,000 in donations for the National Law Enforcement Officers Memorial. In May of 2012, Jim and two other members of the City of Poughkeepsie Police made the 300-mile ride from New Jersey to the Law Enforcement Memorial in memory of Detective John Falcone, Poughkeepsie Police Department. Jim has logged close to 1800 miles over the last six years to honor fallen officers and to help raise public awareness of the sacrifice of America's Law Enforcement. Jim has served the citizens of the Town of Lloyd since 1993.

Supervisor presented Officer Manley with the Community Pride Award:

Town of Lloyd

Community Pride Award

presented this 21st day of May 2014

to

James E. Manley, Jr.

for participation in the

Police Unity Tour

"We Ride for those Who Died"

bicycle riding almost 1,800 miles over the last six years

in memory of fallen Law Enforcement Officers to help raise public awareness

With greatest sincerity from the Town of Lloyd Town Board,

Signed: *Paul J. Hansut*, Supervisor

"Heroes are the people who do what has to be done regardless of the consequences." – John W. Young

7:05 PM - Supervisor opened the public hearing to consider the adoption of Local Law B – 2014 to amend the Zoning Map of the Town of Lloyd along Route 9W on the southern end of town, as follows:

Proposed Zoning Map amendments:

The following properties (with owners) along North Route 9W are to be changed from R1 to GB:

Route 9W, Jeff Paladino; 16 Sam Williams Road, Harriet Taber; Route 9W, 2480 Belmont Avenue Corp.; 3860 Route 9W, Vincent Coppola; Route 9W, Vincent Dilorenzo; 3748 Route 9W, New Life Church of God in Christ Inc.; 3839-3841 Route 9W, Alan D. Hartman; Route 9W, Hudson Valley Village Inc.; 3819-3815 Route 9W, Stephen Albee; Route 9W, Vincent Dilorenzo; 3843 Route 9W, Larry Demasi; 3851 Route 9W, Thomas Corcoran, Jr.; 3850 Route 9W, Vincent Dilorenzo; 4 Marie Road, Carmine Iadarola; 3790/3794 Route 9W, Tammy L. Ale; 4 Blue Point Road, Anna Stefanini; 3791 Route 9W, Judith Marie Couch; Route 9W, Van Orden Road Holdings LLC; 3797 Route 9W, Carmel H. Forrester; 3799 Route 9W, Liboria Insinga; 3809-3813 Route 9W, Larry Demasi; Route 9W, 576 East 187th

Street Corp.; Blue Point Road, Hudson Valley Wine Village Inc.; 3825 Route 9W, Elmer Lukach; 68 Mackey Road, John R. Hare; 75-77 Mackey Road, Bertin J. Long; Route 9W, Central Hudson Gas & Electric; Route 9W, Vincent Coppola; 53-73 Mackey Road, Charly C. Long; 3865 Route 9W, Vincent Coppola; 51 Mackey Road, Richard Lewis; 52 Mackey Road, Fred A. Folmsbee, Jr.; 3884 Route 9W, Denis Rundle; 45 Mackey Road, Carraine Holding Corp.; Route 9W, Hudson Valley Wine Village Inc.; 3895 Route 9W, Kirk Enterprises Inc.; Route 9W, Blue Point Associates; Route 9W, Central Hudson Gas & Electric; Route 9W, Paladino Properties LLC; 371 Perkinsville Road, Carl M. Appler; 310 North Road, Van Orden Road Holdings LLC; Route 9W, East USA Real Estate LLC; Milton Road, Lewis Haywood; Route 9W, White Wolf Holdings Inc.; 8 Marie Road, Thomas Johnson; Route 9W, Paladino Properties LLC; Perkinsville Road, Lloyd Nine LLC; 2 Paladino Drive, Lloyd Nine LLC; 1 Paladino Drive, Lloyd Nine LLC; 3761-3763 Route 9W, Rt 9W Real Estate Co LLC.

Mark Reynolds, reporter, **Southern Ulster Times**, asked if the Supervisor would explain this change.

Supervisor said that David Barton, Building Supervisor, would comment as needed.

Barton said that the goal of the Comprehensive Plan that was adopted this year is to encourage development along the highway corridors and Route 9W is the principal corridor. The Town of Marlborough is on the other side of the Town line and the zone is Light Industrial; Marlborough is working on their zoning now in their Comprehensive Plan to invigorate some of that. The Hudson Valley Winery project is pending under an application before the Town Board for rezoning and it seemed to make sense to allow further development along that corridor. The proposed zone is GB which is highway related uses; some of the properties are wet or steep and will not be buildable. On Route 9W past Mackey Lane there are six automobile locations, a trailer zone, a shed dealer and a little further up the road there are other commercial activities. There is a lot of non-conforming commercial development there already; this will make them conforming and allow further use along that corridor.

Richard Lewis, Mackey Road, asked how Mackey Road falls into this.

Barton replied that it will make his residential use currently non-conforming but it will be allowed to continue. He might sell the property in the future for commercial use or sell a residential piece and the non-conforming will continue until such time someone stops living in the house.

Ruthann Lewis, Mackey Road, said that their property taxes right now are zoned for mobile home even though they do not live in the parks and asked how it would affect them.

Barton said that he could not speak to that as he does not do the assessments for the Town and she will have to speak with the Assessor.

Horodyski said that at the public hearing the Town Board hears the comments and they will ask the same questions as to tax implications. He felt it was a valid concern.

Supervisor suggested that people reach out to the Assessor for answers. He noted that the comments are being recorded and will be considered moving forward.

Paladino thought that the west side of Mackey Road remains residential; this is across the street from the Lewis'.

Lewis Haywood, 306 Milton Road, sent comment letter for the record, said that he does not have direct access to Route 9W and the property is on the side of a hill. He asked how it works when the property is split in half.

Barton said that in a zoning change, the center line of the road is taken and then a buffer is applied to the center line. Development would be allowed on the business side and it could encroach on the residential side but only if most of the activity occurred on the business side. You don't want a jagged line on a zoning map because then it looks as if property is being consumed arbitrarily that may not want to be consumed. The buffer line is used and even distance is applied.

Barbara Heywood said she understood that it is a residential piece of property as long as you live there and if sold it will stay residential but if the house burns down and they don't rebuild within a year, it will be commercial. That does not seem right.

Barton said that is true but he feels that it would be strange for a Building Inspector to use a fire to start the clock ticking. If it were abandonment and you moved away and the house sat idle for two, three, four years, then it would convert. He said that in the seven years he has been with the Town there have been multiple fires in that time but they have never used the date of the fire as the clock ticking forward.

B. Heywood said that her property is not commercially viable and they would like to keep it as residential.

Jeff Anzevino, Director of Land Use Advocacy, Scenic Hudson, Inc. read the following statement: Scenic Hudson, Inc. is a 51-year-old nonprofit environmental organization dedicated to protecting and enhancing the scenic, natural, historic, agricultural and recreational treasures of the Hudson River and its valley.

Scenic Hudson has recently met with Town officials to discuss areas of mutual interest, including Smart Growth opportunities in Highland and ways to work with state economic development officials to help bring jobs, commerce, and opportunity to the Town. We are encouraged by these meetings and look forward to working closely with the Town to ensure these goals are met.

Our discussions have included the need for a "Smart Growth Corridor Plan" that would identify along Route 9W south of Highland the most appropriate places for commercial development as well as other areas that would retain their rural character. In light of satisfying the requirements of New York's 2010 Public Infrastructure Policy Act, a Smart Growth Corridor Plan would be critical given the Town's plan to extend a public water line from Highland south to Marlborough.

Planning in New York State requires that zoning amendments follow the adoption of a plan. Therefore, if the Town is to prepare a 9W Smart Growth Corridor Plan—a necessary precursor to the extension of public water—it would put the cart before the horse to rezone the corridor to GB before that plan is created.

A corridor plan should identify which parcels are well-suited to support new commercial development with a focus on those areas where development already exists. Rezoning the entire corridor from R-1 to GB would facilitate strip-style development from Highland hamlet to the town line. Furthermore, such rezoning would create uncertainty for property owners that would find their land rezoned to GB only to discover later that, due to steep slopes or other constraints, commercial uses would be either not possible or would require very expensive engineering and disruptive land grading.

We understand that, as a way to mitigate the impacts of the rezoning, the Town is considering the adoption of design guidelines that would require standards relating to items such as architecture and landscaping, etc. While design guidelines are certainly needed throughout this corridor and elsewhere in Town, guidelines do not address the more basic questions that identify the specific, appropriate places for commercial development and types of uses and sizes of buildings that would make sense in those areas. These are the questions that a Smart Growth Corridor Plan must answer before the corridor is rezoned—and before funding for a water line is sought.

Conclusion

Scenic Hudson values our relationship with the Town. We have worked together on many important initiatives, including Walkway Gateway Zoning, the Greater Walkway Experience branding and sign program, Bob Shepard Highland Landing Park, trails on Illinois Mountain, and we expect this relationship will continue.

We urge the Town to develop a thoughtful and well-reasoned approach to the future of Route 9W and we look forward to working with you in this regard. This approach should be based on an examination of existing conditions and environmental constraints, and is most effectively understood in the context of a corridor plan. And the plan should precede the rezoning from R-1 to GB that's before you this evening. Therefore, we urge the Town to defer the rezoning of properties from R-1 to GB until a corridor plan is complete, or to incorporate the rezoning into the corridor planning process.

Thank you for this opportunity to provide these comments tonight.

Maria Rundle, Route 9W, asked how the rezoning affects the waterline going down to Town of Marlborough and if that is not important for general business development.

Supervisor answered that the Town applied for a CFA grant last year to run the water extension down Route 9W to Marlborough. The Town was not successful in receiving the grant but is looking at other opportunities of running the water down 9W.

Rundle asked if a sewer line would also be run south and she felt that if the sewer line was installed those residents would be able to continue using private wells.

Supervisor replied that the waterline is the first consideration. He explained that the water extension south to Marlborough was not for one particular project and he noted that there are people at this meeting living in the trailer park along Mackey Lane and he feels that they would be very happy to have water provided to them. The public hearing will remain open. As Paladino mentioned there have been some meetings with Scenic Hudson about this corridor. He asked for MOTION L. to be adopted establishing a Corridor Committee. He explained that this Committee will examine the Route 9W corridor as it is and its future, look at potential plans and designs. The committee meetings will be public, the first is tomorrow night at 7 PM, at Town Hall, the public is encouraged to attend and be a part of the discussion. He asked the committee to have something back to the Town Board in September or October.

Horodyski offered that the committee hopes to move quickly and to get an idea as to the vision for the 9W corridor as well as establishing more stringent requirements as opposed to the existing guidelines that are in the plan for the General Business zone. They are also going to look at the Design Business zone to establish more stringent requirements as

opposed to suggested guidelines that are in the code now. He thinks that will provide a much better picture of the types of buildings, uses, architecture, what the Town would like to see along that corridor. It is a heavily traveled corridor and there is a lot of opportunity for the Town to capture some good ratable commercial development but no one wants to see another Ulster Avenue created along Route 9W in Lloyd. What we would like to see is good, well designed, commercial businesses where we can shop in our own town and not give sales tax to Dutchess County. We go across the River to buy wares that we cannot get here in Ulster.

Supervisor addressed Jeff Anzevino, Scenic Hudson, and said that the Board has heard him and is moving forward.

Anzevino asked if that meant the Town Board would defer the rezoning until this committee comes back with a plan.

Supervisor said that was correct.

Horodyski added the plan is to leave the public hearing open, collect all of the comments and then come back to the Board.

Supervisor remarked that the Board wants to make sure that it done right and Anzevino offered help from Scenic Hudson.

Sean Murphy, Attorney, clarified that this pertains to Local Law B.

7:05 PM - Supervisor opened the public hearing to consider the adoption of Local Law C – 2014 to amend the Zoning Map of the Town of Lloyd south of Bridgeview and around Macks Lane, as follows:

Proposed Zoning Map amendments:

The following properties (with owners) south of Bridgeview and around Macks Lane are to be changed from LB to GB:

16 Sherwood Lane, Cornwall Land Holding LLC; 3733 Route 9W, Philip T. Fern; 3748 Route 9W, New Life Church of God in Christ Inc.; 3650 Route 9W, AVR Bridgeview, LLC; 3715 Route 9W, VJA Realty LLC; Route 9W, Highland Estates LLC; Chapel Hill Road, Vincent Coppola; 3725 Route 9W, VJA Realty LLC; 4 Marie Road, Carmine Iadarola; 17 Argent Drive, Bridgeview Bldrs of Highland; 13 Argent Drive, Maureen E. Nickolich; 11 Argent Drive, Thomas M. Calahan; 9 Argent Drive, Barbara D'Angelo; 3648 Route 9W, CPD NY Energy Corp; 5 Wingate Way, Ulster County IDA; Route 9W, Bridgeview SP Corp; 3731 Route 9W, Mid-Valley Petroleum Corp; 6 Chapel Hill Road, Philip T. Fern; 4 Chapel Hill Road, Philip T. Fern; 3739-3743 Route 9W, Michael C. Renus; 8 Marie Road, Thomas Johnson; 1 Wingate Way, Properties Inc., Nationwide Health; Route 9W, Charles Scott; 3746 Route 9W, Full Gospel Rock Church Inc.; 3732 Route 9W, Macks Lane LLC; 3761-3763 Route 9W, Rt 9W Real Estate Co LLC.

Reynolds asked about Local Law C-2014

Barton replied that Chapel Hill Road, Chapel Hill Road extension and South Gate Road are now Local Business. The Local Business zone was written out of the zoning code in 2010 and there is now a map and there is no language to enforce. The goal is to make them conform; Hosanna Church and the Lombardi house on the corner are residential. The other change is the LB zone on the corner of Chapel Hill, Macks Lane and Route 9W. It is local business. The major corridors of the Town were designed LB (Local Business) in the 1930's and 1940's because on those corners you could buy milk. LB no longer makes sense with the intersection and Chapel Hill Road at 20,000 cars per day. There is a conceptual plan at Rite Aid at the corner of Mack's Lane and Route 9W to allow a restaurant behind the drugstore and there are four pads that are approved. The restaurant would not be allowed in the LB zone. That is to be changed to General Business (GB) which would allow restaurants and commercial use on that corner.

Conrad Decker, Director of Real Estate for Drake Petroleum successor to Mid-Valley Oil and Mid-Valley Petroleum, representing the Sunoco gas station at the corner of Route 9W and Chapel Hill Road, stated that they are opposed to the zone change from LB to GB. Their property is a small triangular piece with an acute angle and the property is very limited, bounded by three streets. LB has zero setbacks, the GB zone is going to have front yards, side yards and rear yards, and they would not be able to do anything with their property. If the gas station continues in its current form, it would be legal non-conforming; if anything was done to the property, it would be a renovation or raze and rebuild. The building envelope as a result of the new GB zone renders the property unbuildable. At this point the ability of the property is diminished, the value of the property is diminished and physically being able to develop it is shot. If the Town is inclined to vote LB to GB, he

asked that the property is excised from that designation for the reasons he stated. If it remains as LB, the utility of the property remains untouched.

Horodyski asked if razing and rebuilding on the existing footprint causes an issue.

Barton replied that if it was built on the same spot, it would not change but if there was an addition to the building, Decker is correct in that with an addition, the envelope shrinks.

Paladino posed that they could apply for a variance.

Barton answered that they could; there are other options. He said that the property could not remain LB as LB is not in the zoning code. The Town Board in planning the Town would not want the LB written back in the zoning code.

Horodyski asked where the setbacks for the property are currently; as if there are no setbacks, he is working with no setbacks.

Barton said that it is a pre-existing condition and that is the frustrating position he has been in; he has asked to change the LB's as he has no language to enforce.

Guerrero asked if they would be able to rebuild if the building burned to the ground.

Barton replied that he would in that footprint as it exists now.

Decker said that there is a subtext to the Code under GB that says gasoline pumps cannot be closer than 50-feet to the street. His property cannot comply with the GB zone even changing the use 10 years from now.

Thomas and Lonnie Johnson, New Life Church, asked for an explanation in layman's terms of the affect of the proposed zoning change on the church property on Route 9W.

Barton explained that the church property is 8.7 acres, and right now you can do residential uses or a church on there. The GB zone, the piece that is being changed on that property, will allow six or seven times the number of uses in commercial or otherwise.

Supervisor said that the public hearing will remain open.

7:05 PM - Supervisor opened the public hearing to consider the adoption of Local Law D–2014 to consider the adoption of Local Law D – 2014 to amend the Zoning Map of the Town of Lloyd along South Gate Drive and Chapel Hill extension, as follows:

Proposed Zoning Map amendments:

The following properties (with owners) along South Gate Drive and Chapel Hill extension are to be changed from LB to R 1/2:

84 Mayer Drive, Paul Domenech; 121 Chapel Hill Road, Francis H. Goes; 99 Chapel Hill Road, Joseph E. Florio; 101 Chapel Hill Road, Peter Ramaglia; 2 South Gate Road, James T. Huy; 117 Chapel Hill Road, Margaret Mary Warren; 3 South Gate Road, Jerold L. Davis; 119 Chapel Hill Road, Frank M. Lombardi; 1 South Gate Road, Barry P. Purcell; 103 Chapel Hill Road, Joseph DeQuarto; 105 Chapel Hill Road, Joseph DeQuarto; 109-111 Chapel Hill Road, Vincent Dolce.

Vincent Dolce, Chapel Hill Road, questioned why the zoning is being changed.

Horodyski reiterated that there is no Light Business zone in the code.

Dolce said that his deed shows that the property is LB.

Horodyski agreed and said that at the time, there was a LB zone but there is no longer a LB zone. The residential houses that are there conform to true half-acre lots in R1/2.

Joseph DeQuarto, Chapel Hill Road, said that two of his houses on South Chapel Hill are approved multi-family and asked if the change to R1/2 will affect the multi-family.

Barton said that it would not affect it; all of the uses will continue.

Supervisor said that the public hearing will remain open. As Paladino mentioned there have been some meetings with Scenic Hudson about this corridor. He asked for MOTION L. to be adopted establishing a Corridor Committee. He explained that this Committee will examine the Route 9W corridor as it is and its future, look at potential plans and designs. The committee meetings will be public, the first is tomorrow night at 7 PM, at Town Hall, the public is encouraged to attend and be a part of the discussion. He asked the committee to have something back to the Town Board in September or October.

Horodyski offered that the committee hopes to move quickly and to get an idea as to the vision for the 9W corridor as well as establishing more stringent requirements as opposed to the existing guidelines that are in the plan for the General Business zone. They are also going to look at the Design Business zone to establish more stringent requirements as opposed to suggested guidelines that are in the code now. He thinks that will provide a much better picture of the types of buildings, uses, architecture, what the Town would like to see along that corridor. It is a heavily traveled corridor and there is a lot of opportunity for the Town to capture some good ratable commercial development but no one wants to see another Ulster Avenue created along Route 9W in Lloyd. What we would like to see is good, well designed, commercial businesses where we can shop in our own town and not

give sales tax to Dutchess County. We go across the River to buy wares that we cannot get here in Ulster.

Supervisor addressed Jeff Anzevino, Scenic Hudson, and said that the Board has heard him and is moving forward.

Anzevino asked if that meant the Town Board would defer the rezoning until this committee comes back with a plan.

Supervisor said that was correct.

Horodyski added the plan is to leave the public hearing open, collect all of the comments and then come back to the Board.

Supervisor remarked that the Board wants to make sure that it done right and Anzevino offered help from Scenic Hudson.

Sean Murphy, Attorney, clarified that this pertains to Local Law B.

1. REPORTS – Town Board Liaisons

Audit – January 1 to June 30, 2014: Councilmember Horodyski, Councilmember Brennie

July 1 to December 31, 2014: Councilmember Paladino, Councilmember Guerriero

ECC /Zoning Board - Councilmember Mike Guerriero reported that the ECC is working on a few projects and had an information table at SpringFest. They worked cleaning up Black Creek with help from The Mountain Club. They are working with DEC on the Black Creek launch site for a permit. There is a new member, Kathryn Tallman, the group is growing as she is the second new member this year and there is a possible third person who is interested. We are lucky to have these dedicated people. There was no Zoning Board of Appeals meeting.

HCSD – Councilmember Kevin Brennie said that the school budget passed yesterday at almost a 2/1 margin, the tax levy was 3.52%, which fell under the tax cap with some exceptions. Both proposals passed i.e. two buses and some capital improvements. From the point of view of the school district, they are feeling good about moving forward. There is a school district committee that continues to look into large capital projects and the best way to spend the taxpayers' money.

Planning Board – Councilmember Mike Horodyski attended the April Planning Board meeting, albeit late, and there was a good discussion regarding the accessory use apartment zoning requirement. There is a resolution on the table tonight to adjust and bring it more into what the Planning Board is seeing on a recurring basis. He does not feel that there is a monumental amount of those properties coming in but there are certainly people who would like to add accessory apartments. He recalled when the law was done and the whole purpose of the law was to give people the ability to use additional space in their homes or, as in this case, a secondary structure as far as a two-car garage but to establish maximum 650 square foot apartments to help with taxes or bring mom and dad to live with them. There was also a discussion to formulate their comments on the Wine Village project.

Police/Fire/Town Justice – Supervisor Paul Hansut said that he did not have much to report this month; however, there was an air conditioning problem in the Court that was addressed. He thanked the Police for their assistance with SpringFest and the Fire Department for the use of their parking lot for the over-flow parking.

Water/Sewer/Drainage Committee –Councilmember Jeff Paladino reported that the Water/Sewer/Drainage Committee met and some officials from New Paltz also attended the meeting. One of the highlights of the meeting was discussion of connecting Highland water to New Paltz and possibly parcels along the Route 299 corridor. He explained that New Paltz receives their water from the aqueduct and in 2016 or 2017 could be shut off from this water. They have hired a legal firm to look at the possibility of connection to Highland and are going to continue to gather information. W/S/D expects to hear from them again by the end of this month or early June. They have been looking for ground-source water in their own community and it has not panned out to this point; therefore, connection to Highland or potentially Gardiner is looking more viable as a solution. The Committee also discussed Town-wide drainage where a nominal fee would be collected from each parcel. The Committee concluded that this might allow additional drainage work and some small capital improvement projects throughout the Town. The Committee asked Sean Murphy, who also is a member, to investigate this idea. There will be another meeting in June.

REPORT – Raphael Diaz

Supervisor said that before the report he wanted to thank Rich Klotz; every time the Town has an event, cones and barricades are needed and he read the following letter: Please be advised that

05.21.2014

the Town Highway Department has purchased twelve 28-inch orange traffic cones as well as hand-constructed and painted 6x6 barricades for the Hudson Valley Rail Trail Association out of our own budgets. The above items were delivered by the Highway Crew on Friday, May 16 at approximately 2 PM to the Rail Trail Pavilion. These items are now the sole responsibility of the Hudson Valley Rail Trail for their use as they see fit – signed, Richard Klotz.

Raphael Diaz acknowledged Klotz also and said that they made use of them two days later. He said that they were handy and a good size, a truck is not needed and can be moved by an SUV. Two days after the receipt of the cones and barricades the Wounded Warriors Race/Walk was held led by Susan Van De Bogart with an army of volunteers and Boy Scouts. He said that he missed most of it because he was on duty securing safety of the Trail at the Commercial Avenue crossing but it was impressive with a bugler and honor guard; the day was a great success.

A week earlier, the Highland Middle School PTA ran a 5K race on Friday afternoon and it was a great success. *Southern Ulster Times* had a front page article and photo by Mark Reynolds, which caught the excitement and spirit of the race. The event was headed up by Heidi Greenleaf; students, teachers and two principals participated. Diaz, along with Heidi Greenleaf and her husband, marked out the course on the Trail so now anyone who would like to practice a 5K run or walk can see it and it is marked at the turnaround point with 1K, 2K, 3K and 4K. This is a big improvement.

The annual meeting will be held June 7 at 9 AM, free breakfast provided by the Walkway Café; they will be talking about the development of the last year and about the westward expansion. They also will talk about the proposed gateway arch and the origins and history of the cabooses, along with future plans.

On tonight's agenda, there is a motion to authorize the Supervisor to sign the letter of support to County Executive Mike Hein for application for TAP funding for Phase 4 of the HVRT.

Paladino asked the timing of the arch and when they expect to construct it.

Matt Smith interjected that Herb Litts is going to donate the steel towers for the gateway and they are trying to get together to do this; Litts is taking them out to the Highway garage. Litts is also donating a tower for the Highland Landing Park to put on top of the pilings which looks just like the steelwork on the Walkway.

Diaz said that the sign will welcome people to the Rail Trail and serve as delineation between the Walkway and the Rail Trail as some people don't know that there is a difference.

Paladino said that he asked because some time ago he attended a meeting and Walkway talked about constructing restrooms and tourist welcome center at the east end of the Rail Trail and the west end of the Walkway, at the site of the NYS Parks trailers. He would like the Rail Trail Association to speak with the Walkway so that they were aware of the plans of each.

Donna Deepröse asked Diaz where the breakfast would be held on the Rail Trail.

Diaz said that it would be held at 101 New Paltz Road, variously known as the Rotary Pavilion or the Rail Trail Depot.

Anzevino acknowledged, speaking as a private resident, that there is a desire to delineate that 'this is ours and this is Walkway's' and there is a small sign that says that. If the arch is right on the border, it is so close to the confusion of all of the Walkway stuff, the arch will meld with all of that. He suggested moving the arch west 50-feet, or some distance, along with plantings and gardens showing that as the gateway and entrance to the Rail Trail. He believes that it would make a nicer statement and a better first impression to the Rail Trail than have it on top of that ugly Park's office.

Horodyski said he sits on the Walkway board and they are dealing with NYS Parks but the plan is that the new 1600 square foot building will be nice and an upgrade.

Diaz said that the actual legal Rail Trail point is halfway along that trailer; right now the fence is 50-feet short of the line. There are also wires to consider so there is much to be discussed. He will take the comments under advisement and pass them along to the Association.

REPORT – Matthew Smith, Manager, Bob Shepard Highland Landing Park, reported that a marine engineer from the Town insurance company is working on an estimate for replacement of our deficient dolphin. Parrott Dock Builders from Newburgh is also getting an estimate together. I will be diving on the dolphin to try to determine the cause of the failure (whether it was broken or pushed over). Ray Jurkowski of Morris Associates is helping as a volunteer with his engineering expertise.

We will be spreading the large pile of material that was screened over the winter starting this week. We have been working on the old Town back-up loader and will finish up on it tomorrow morning.

Rick and Patti Brooks of Brooks and Brooks have done a lot of volunteer work on the site plan to get the grades correct so that the grade stakes may be installed. Dave Toder of Bolder Architecture also helped. Both are very busy with their own businesses and we thank them for doing all of this volunteer work for our Park.

Baker and Sons Landscaping have volunteered to spread our topsoil, plant the grass seed and mulch it. We have set up a watering system using water pumped from the Hudson River. Jeff Paladino donated grass seed and the supplier, Jonathan Green, has donated the rest, so all of the necessary grass seed has been donated.

05.21.2014

Richie Klotz, our Highway Superintendent, has arranged for us to get the material they clean out of the ditches. Ricky Auchmoody is donating a couple of hundred yards of sandy loam and Custom Compost in Milton is donating some of their manufactured topsoil. Lenny Auchmoody is screening and blending all that into nice topsoil. Thanks to all of these people for their generous donations of material and labor. We have volunteers who will be trucking the materials to Lenny's gravel bank and then down to the Park. Richie has been a very big help to us.

I would ask that we all remember these volunteers when we need to hire someone or purchase materials.

The Highland Landing Park Association is working on signs to be placed at the boat launch and other parts of the Park. These will be finished and installed next month (June). This should end the complaints about parking on the ramp and other, mostly parking, complaints; hopefully, the signs will help.

Supervisor said that he was asked about the large logs in the boat ramp.

Smith said that during this time of year with the spring rains, all of the streams rush to the River and bring in debris and it will continue for about a month and half. He will remove them with the Water and Sewer backhoe.

Supervisor said that he spoke with Kevin Rider and he would like to volunteer to do whatever is needed as he has some spare time.

Reynolds asked if Gary Arold is going to cover the repair of the dolphins.

Smith replied that they are not taking responsibility as construction work is guaranteed one year and this was one year and two months. We do not have an estimate.

Horodyski asked the amount of the deductible.

Smith answered that he did not know but he thought that it is \$1,000; he guesses that it is in the \$20,000 to \$50,000 range to fix it.

Brennie said to let Arold know that they would keep that in mind for the next project.

Smith said that he is very disappointed that is what happened. The last dolphins were installed by Parrott, 48 years ago, so for 48 years there has been a lot of ice so that the fact that they lasted only a year and two months and lumber that they lasted 50 years.

Deeprose concurred that it is very disappointing and the members of the Board are really upset; she added that we should remember that they donated more in the whole construction of restoration of the waterfront than the value.

Smith added that both M. A. Bongiovanni, Inc., the subcontractor who did the pile driving, and Arold Construction donated a substantial amount of money. They donated the entire material and installation for the south piece of the bulkhead, which is in the \$120,000 range and other things. If it was something he could have fixed he would not have even called them. We very much appreciate all that they did do however disappointed we are with the dolphin situation.

Supervisor noted that someone brought to his attention that the pay phone in the front of Town Hall has not worked for quite some time; NY Bell was contacted and they will remove it tomorrow or Friday.

Letter was received from St. Augustine's Parish who would like to use the Rail Trail for fireworks on Friday evening, June 20, 2014; they will see to it that the debris is removed. He feels they have done a good job the last couple of events. The Police will rope off the area and insure the safety of all involved. They have the approval of the Rail Trail Association.

2. OLD BUSINESS

A. Vintage Village – roadway failing

Supervisor said if you travel on Vineyard Avenue, past the former 'Pratt Lumber' that is now Vintage Village, you will see that the sidewalk in front of the building is coming up and the building is going down. Highway Superintendent Rich Klotz has been going back and forth with NYS DOT. There was another hole by a catch basin and DOT was out there yesterday and supposedly fixed it. The owner of the Vintage Village property, Ethan Jackman, is back in Town and has sent a letter to NYS DOT putting them on notice that it is their responsibility if something should occur. Walking from the driveway up to the Rail Trail and south toward Tillson Avenue the damage is unbelievable. The retaining walls are moved; and water can be seen actually running under the road and coming out. He discusses this with Klotz on a daily basis as to what can be done.

Guerriero suggested it may also be dangerous to walk there.

Supervisor said that they did put up cones.

Matt Smith offered that he and Ethan Jackman were looking there this morning. The catch basin just before the driveway has a big hole in the side of it so when the water level in the stream comes up it is back flowing into there and running under the road. He felt that NYSDOT hasn't noticed this; he took pictures and sent them off today.

The water runs into the catch basin and goes under the road so the whole area could very well be washed out. He went under the building and took some pictures; you can see a large dark area that goes way back and if you shine a flashlight, the beam disappears.

Supervisor said that if you go toward the driveway up to the Rail Trail, that bridge is also undermined. He asked Sean Murphy to send the NYSDOT a letter to put them on notice that this is an unsafe situation.

- B. Karen McPeck, Bookkeeper, attended class held by the NYS Retirement System, Office of the Comptroller, on May 15, 2014. At the class she learned that the retirement reporting format was changed slightly. The resolution that was adopted on May 7, 2014 regarding retirement reporting is on the agenda again tonight because the resolution that is adopted and the resolution that is posted for the public must match what is sent to the state exactly. The information did not change; some people were omitted because they were still covered by a previous resolution.

3. NEW BUSINESS

- A. Highland Farmers' Market starts Wednesday June 4 and continues through October 8 from 2 PM to 6 PM at 199 Route 299.

Supervisor commented that there is a lot of interest in the market this year. The property belongs to Lou Olson.

- B. Independence Day celebration will take place on Saturday, July 5, in the Village Field and the municipal parking lot.

- C. Memorial Day Parade is Monday, May 26, start 9 AM at St. Augustine's and will end at the Methodist Church.

- D. West Point Partners LLC/NYSPSC energy highway

Barton said that he and Kate Jonietz decided to advise the Board of the underwater electrical cable that is going to run from Athens, Greene County, NY to the Buchanan, NY power plant through the center of the Hudson River; they have asked for comments and he said that he has none. He noted that it will be a 1,000 megawatt line and it is well away from the Highland Landing Park.

Town Board members had no comments to offer.

- E. Cablevision news coverage

Supervisor said that he met with Dan Ahouse of Cablevision. Part of the agreement with Cablevision and the Town is that Cablevision would provide local news and due to economic reasons and other financial considerations, if you are getting television service through Cablevision, you pay 54-cents per month for just the news portion. If we choose to continue with the news, it would go up to \$2.50 per month. He asked by show of hands if anyone watches the local news on a regular basis. He feels that the Town has Channel 22 as the public access channel. He suggested to Cablevision that that they do something revolving around the Town of Lloyd, where they would help us produce something once a month on Channel 22, perhaps using the high school students.

Ruth Ann Lewis said that she has Dish Network and they do not carry the local news.

Supervisor said that he did not feel that it was worth the extra money from the subscribers; Ahouse asked him what the viewership was and he did not have an idea who watches. This is the local news on Channel 18.

- F. Lime Energy

Paladino said that he happened to meet Paul Costello of Lime Energy the company installed the securing lighting at the Highway Garage. There was an opportunity for Lime Energy to get funding through Central Hudson as an incentive for exterior lighting as we did on the interior lighting. There is a limited amount of capital available and it is evaporating rapidly. It would be to the Town's advantage to have Lime Energy come in to do an evaluation on exterior lighting and security lighting at the Water and Sewer plants or any of the Town buildings while there is still funding available. He suggested adding this to the June Workshop agenda.

Supervisor said that the man who did the Highway Garage lighting was supposed to come in and talk to the Board but he did not.

Richard Klotz, Highway Superintendent, said that he did go to the Water plant and he recalled that it was already mostly updated and he did not feel that there was enough work at the Water plant to do. He recommended calling him to come back.

Paladino did not feel this was the same person but he will follow up with him as he feels that this might be worthwhile.

4. PRIVILEGE OF THE FLOOR

Ruth Ann Lewis is concerned about the cases of leukemia in the Town.

Supervisor said that three months ago he sent a list of the names of the children that were diagnosed with leukemia to the Department of Surveillance of Cancer, Albany, and he has not heard from them. The first girl who was diagnosed was contacted by an actress who just moved to Tivoli and heard of the cancer cluster; they are going to do a documentary on the cancer in the area. He will reach out to find out the status.

Barton said that he budgets \$2,000 every year for mowing the lawns of abandoned properties; there are six right now in the Town. That \$2,000 will be consumed this week if he has them mowed. He feels that a better solution is to take the Contingency line and the Planning Consultants line and ask Frank Alfonso, Buildings and Grounds to go out for bids on a mower and enclosed trailer. These to be used so that the Town can do this in house, take that \$2,000 for mowing and pay two part-time employees (kids that he probably has in his summer program) to do the lawns for us. If he would assign one of his full-time guys to go with them, Barton would give them a list every week to mow and it could be done in a day; not needed for another three weeks. In the long run it will make things easier and there will be far less phone calls and, hopefully, people's property values will remain stable. This would be \$5,000 out of the Planning Consultants line and \$10,000 from the Contingency line; get NYS bids on the mower and the box trailer to move it around. Right now we borrow the Police trailer which is an hour out of someone's day to pick up and drop off. He would like permission from the Board to go forward with this; this is not random thing and we will see more of it. For a fee, he recommends the hourly wage of the three guys and appreciation value on the time spent on the mower and the trailer, then, add that together to whatever they would be charged.

Brennie posed that it was self-paid.

Horodyski said that he did not disagree but it is self-paid anyway as the money will come back when the County pays the taxes.

Barton agreed that was true, ultimately; right now, the process is that there is notice that the lawns are not mowed, two letters are sent to the homeowner to notify them of dissatisfaction and our intent to mow, wait for the return on a green card saying that they did not get the letter and it then has to go out for bid. He makes a list of all of the properties that needs to be mowed to four or five local companies for bids.

Horodyski asked if the bid process could be done each season.

Barton replied that it would run over.

Horodyski felt that it is purely a receivable from the County.

Barton said that comes back in next year's taxes; ultimately, it is a year behind in what he has to spend and the money won't be seen in the General Fund until next year.

Supervisor explained that a woman called from Mayer Drive with a complaint about high grass; NYS law says that the grass has to get 10-inches and by that time it is very high and looks horrible. The thought process at that point is that \$300 is going to go on their taxes so with this process, we know the ones that are empty and have been on the list. Rather than wait until the grass grows 10-inches, we go and cut the lawns so they look nice.

Horodyski asked if the Town can charge if it does not use the 10-inch requirement.

Barton replied what has been needed for a long time is a Nuisance law; right now we wait until there is 10-inches of growth. With a new law in place, we could say that it is an abandoned structure and until we hear differently, we will continue mowing the lawn and billing for it.

Paladino added that houses are for sale and if their neighbor is not taking care of a house, prospective buyers see that and it makes a sale difficult.

Supervisor said 10 Tano Drive was empty for ten years and the man across the street had his house for sale; buyers would ask what the deal was with 10 Tano, also making the sale difficult. He feels that this is not going to cost the taxpayers any money and it will make the community look better.

Matt Smith suggested pricing the mowing so that it is not too cheap because people will stop maintaining their lawns and expect the Town to do it; make the price high enough so that they are also penalized.

Barton agreed and said that the NYS Attorney General is working on a law that will force banks to maintain properties that they still have title to and they will not be able to walk away from them. It may be a problem to enforce for overseas banks.

Horodyski said that it would only be for three years, if it goes to tax sale, the bank will no longer own it as it will be the County's problem.

Barton said that this is the worst year. So far there are vacant properties in Bridgeview, two in Cambridge Court, three or four in the Hills, so it has become a theme.

Paladino added that he received a call about a house on his street, Perkinsville Road.

Supervisor asked Barton if he could get the prices by the Workshop meeting.

Barton suggested that as summer is coming that it would be great to put an article in the paper that all pools need a full barrier with latching gate and offered that if anyone has questions, to come and see him.

Raphael Diaz noted that there was an injured raccoon on the Rail Trail and they determined that it was hit by a car on New Paltz Road. He made calls to find out what to do about it. Donna Deeprise, at home, finally found the number of a wildlife rehabilitator. Everyone who came by the raccoon was very sympathetic; he and Carol Potenza babysat the raccoon most of the day. He would like to work out a protocol, with the help of Donna Deeprise and Carol Potenza, of who can be called in this type of situation.

Supervisor said that Diaz called him at 8:30 in the morning and when he got back to Town at 4 PM, he was still with the raccoon.

Brennie asked if they saved the raccoon and Diaz said that they did not know.

Deeprise added that there are certified wildlife rehabilitators in Ulster County but none of them have the special certification needed to handle a raccoon; however, there is nothing to say that any of us who are not certified rehabilitators cannot cuddle up with a raccoon all we want.

Jeff Anzevino commended the Town Board for deferring the GB zoning and feels the Corridor Committee is a great idea. Hearing that it is possible that a water line will be needed for New Paltz as well, it might be wise to get in front of that and consider the Route 299 corridor also; this would be proactive.

5. MOTIONS AND RESOLUTIONS

A. MOTION made by Brennie, seconded by Paladino, to approve the minutes of the Workshop Meeting April 2, 2014, the Regular Meeting of April 16, 2014 and the March 19, 2014 Public Hearing on the Hudson Valley Winery.

Five ayes carried.

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

| | | |
|---------------|--------------|-------------|
| General | G354 to G426 | \$66,295.25 |
| Highway | H187 to H224 | \$18,586.93 |
| Miscellaneous | M69 to M81 | \$27,596.94 |
| Prepays | P116 to P165 | \$79,314.18 |
| Sewer | S109 to S137 | \$ 8,604.81 |
| Water | W150 to W173 | \$33,729.19 |

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

Five ayes carried.

C. RESOLUTION made by Horodyski, seconded by Brennie, to hire Joseph Pugliese as Part-time Seasonal Maintenance Worker for Recreation and Buildings and Grounds at the rate of \$8.00 per hour, effective May 13, 2014, at the recommendation of Frank Alfonso, Recreation Director.

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

Five ayes carried.

D. RESOLUTION made by Brennie, seconded by Horodyski, to hire Dorairaj Rammohan as a camp counselor at the rate of \$8.00 per hour at the recommendation of Frank Alfonso, Recreation Director.

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

Five ayes carried.

E. RESOLUTION made by Brennie, seconded by Horodyski, to hire part time dispatcher Nicole Thompson, as a provisional full-time dispatcher at the rate of \$14.17 per hour, until such time as there is an established Civil Service list for dispatchers, at the recommendation of Chief Daniel Waage.

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

Five ayes carried.

F. RESOLUTION made by Horodyski, seconded by Brennie, to amend the working hours of the Town of Lloyd Highway crew from the current hours of 7 am to 3:30 pm to summer hours of 6:00 am to 2:30 pm, effective May 27, 2014 until Labor Day September 2, 2014, at the recommendation of the Highway Superintendent, Rich Klotz.

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

Five ayes carried.

G. RESOLUTION made by Paladino, seconded by Brennie, to authorize adjustment for Account #6100, J. Tipple, 16 Maple Avenue as the house has been vacant since December, 2013, a credit of \$81.71 for water and \$32.29 credit for sewer, at the recommendation of Adam Litman, Water and Sewer Administrator.

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

Five ayes carried.

H. RESOLUTION made by Paladino, seconded by Brennie, to authorize adjustment for Account #5076, Susan Delgiudice, of \$19.87 for water, Account #5190, Marcos Padilla \$10.14 for water, Account # 4208, Michael Reese #18.60 for water as there were no notifications that the houses were vacant and estimated bills were sent at the recommendation of Adam Litman, Water and Sewer Administrator.

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

Five ayes carried.

I. RESOLUTION made by Brennie, seconded by Paladino, to authorize adjustment for Account #0056, Claudia Boren, #30.51 for water and \$35.00 for Sewer as there was no notification and the property has been sold as of May 16 at the recommendation of Adam Litman, Water and Sewer Administrator.

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

Five ayes carried.

J. RESOLUTION made by Horodyski, seconded by Brennie

WHEREAS, Mountainside Woods, LLC, Sycamore Creek, LLC and The Falls at Lloyd have received final conditional subdivision plat approval from the Town of Lloyd Planning Board for a Conservation Subdivision off Toc Road and Vista Drive; and,

WHEREAS, pursuant to and in accordance with the preliminary subdivision plat approval of the Town of Lloyd Planning Board for this project, the Developer is obligated to construct certain roadways, storm water control facilities and storm water conveyance facilities, install water mains in the roadway, install sewer mains in the roadway, provide landscaping within the Town right of way, install sidewalks adjacent to the roadways located within the subdivision, and install fencing in identified areas, and provide a plan and bonding for the site plan improvements; and,

WHEREAS, the Town has agreed to allow the Developer and its contractors to access and use certain Town properties as a staging area to facilitate the construction and installation of the improvements as set forth above with certain conditions, including the provision of adequate insurance coverage to protect the Town's interest; and

WHEREAS, Mountainside Woods, LLC, Sycamore Creek, LLC and The Falls as Lloyd, as "Developer", and the Town of Lloyd, including the Town Board as Commissioners of the Highland Water and Sewer Districts, have heretofore entered into a "Revised Developer's Agreement" dated July 11, 2013 to address the issues set forth above; and

WHEREAS, the Developer has requested that the Town revise the first paragraph of Section 17, which provides that, "Commencing upon the start of any construction or installation of improvements on any Town property or rights of way, and at all times thereafter until completion of the work thereon, the Developer shall maintain, and shall cause its contractors performing the work to maintain, public liability insurance covering death and bodily injury of not less than \$1,000,000.00 for one person and \$3,000,000.00 in the aggregate, and property damage coverage with limits of not less than \$500,000.00, which insurance shall name the Town as an additional insured, and Worker's Compensation insurance fully covering all persons engaged in the performance of such work."; and

WHEREAS, the Developer has requested that the Town reduce the amount of public liability insurance covering death and bodily injury the Developer is required to

maintain to not less than \$1,000,000.00 for one person and \$2,000,000.00 in the aggregate as the Developer is not actually doing the work on the Town property and the Town will be adequately protected as long as all of Developer's contractors accessing Town property and performing the work maintain public liability insurance covering death and bodily injury of not less than \$1,000,000.00 for one person and \$2,000,000.00 in the aggregate and umbrella liability coverage for each occurrence of not less than \$3,000,000.00; and

WHEREAS, the Town Board has determined that its interests will be sufficiently protected in this manner; and

WHEREAS, the Developer has requested that the Town agree to an addendum; and

WHEREAS, the Town Board desires to approve such addendum.

NOW, THEREFORE, IT IS RESOLVED AS FOLLOWS:

1. The Addendum to the Revised Developer's Agreement, by and between Mountainside Woods, LLC, Sycamore Creek, LLC and The Falls at Lloyd, as "Developer", and the Town of Lloyd, annexed hereto as Exhibit A, be, and the same hereby is, approved.
2. Supervisor Paul J. Hansut and Planning Board Chairman Scott Saso be, and they hereby are, authorized to sign said addendum. (See Attached)

Murphy explained that there is a portion of the property that Mountainside Woods donated to the Town in an exchange of properties but they are using it as a staging area for the work being done on the sub-division. In the developer's agreement there was a requirement that insurance was needed for \$1-million individual and \$3-million in the aggregate before there was any work done on the property or access to the property for any reason. Dave Weinberg indicated that to get a \$3-million policy was very expensive so they discussed it and it came to light that the contractor who is doing the work and accessing the Town property has a \$3-million umbrella policy, which is what the Town asked for anyway. The Town is named as an additional insured, they have base coverage of \$1-million and \$2-million aggregate with a \$3-million umbrella. Any contractor that accesses the Town property has to have proof of insurance. There is a separate requirement that if there is any blasting, a \$3-million umbrella is also required.

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

Five ayes carried.

- K. MOTION** made by Horodyski, seconded by Brennie, to close the boat launch at the Bob Shepard Highland Landing Park from 6 AM, July 4, 2014, to 6 AM, July 5, 2014, for the safety and well-being of the spectators at the Park to see the Poughkeepsie fireworks display; rain date closure will be 6 AM, July 5 to 6 AM, July 6, at the recommendation of the Highland Landing Park Association.

Supervisor clarified this means that no one will be using the boat launch on the 4th of July.

Smith replied that even if people launched early in the day before the fireworks start they would return to the launch at night; the Association felt that with all of the people at the Park to view the fireworks display it would be unsafe to keep it open. He acknowledged that people are probably going to be disappointed about this.

Paladino agreed that it is probably be for the best.

Supervisor asked how it will be closed.

Smith answered that it would be as it was last year, the Water Department loaned the Park sawhorses and cones and there will be signs.

Supervisor added that when people call him, he will give Smith's cell number to them and Smith said that he may do that. He said that last year he got 15 calls on the 4th of the July saying that they could not take the boat out.

Peplow said that she did not understand how people thought it would be safe to back a trailer into the River to take out a boat with so many people there.

Supervisor said that it is his opinion that it could be closed at 5 PM.

Smith added that a sign stating the closure will be going up a month ahead of time to give people a chance to make plans; this was discussed at length at the HLP meeting.

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

Four ayes carried.

L. MOTION made by Brennie, seconded by Horodyski, to establish a Visionary Corridor Committee and appoint the following people to serve: Scott Saso, Dave Plavchak, Fred Pizzuto, Lawrence Hammond and Michael Horodyski.

Five ayes carried.

M. MOTION made by Brennie, seconded by Paladino, to authorize the Supervisor to sign the letter of support to County Executive Mike Hein for Ulster County's application for TAP funding for phase 4 of the HVRT.

Five ayes carried.

N. MOTION made by Horodyski, seconded by Brennie, to close the Public Hearing on Local Law D - 2014 a local law to amend the Zoning Map of the Town of Lloyd along South Gate Drive and Chapel Hill extension at 8:35 PM.

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

Four ayes carried.

O. RESOLUTION made by Brennie, seconded by Horodyski,

WHEREAS, the Town of Lloyd has introduced a local law to amend the Zoning Map of the Town of Lloyd; and,

WHEREAS, the Town Board originally designated this amendment as a Type I action under the New York State Environmental Quality Review Act by the Town Board; and

WHEREAS, after reviewing Part 1 of the Full Environmental Assessment Form, the Board has determined that this is an Unlisted action pursuant to SEQRA; and

WHEREAS, SEQRA Part 617 requires the Town Board to make a SEQRA determination on every project that is not a Type II action; and

WHEREAS, after reviewing Parts 1 and 2 of the Full Environmental Assessment Form, the Town Board of the Town of Lloyd finds that:

a. the action involves the rezoning of approximately 11.8 acres near Chapel Hill Road and South Gate Road from a "Local Business" zone to a "Residential ½ acre" zone to better conform to the predominantly residential nature of the affected properties;

b. the action of the proposed rezoning will not create any adverse environmental impacts but will bring the actual uses of the affected properties into conformity with the Town's zoning law;

c. the adoption of this local law will have no significant environmental impact.

NOW, THEREFORE, IT IS RESOLVED that the Town Board, as lead agency under New York State Environmental Quality Review Act, finds that the proposed action will not result in any adverse environmental impacts and hereby issues its declaration of non-significance.

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

Four ayes carried.

P. RESOLUTION made by Horodyski, seconded by Brennie,

WHEREAS, proposed Local Law "D" of 2014, a local law to amend the zoning map of the Town of Lloyd along South Gate Drive and Chapel Hill extension, was introduced at a meeting of the Town Board held on the 16th day of April, 2014, at 7:00 p.m.; and,

WHEREAS, this local law amends the zoning map to rezone areas near Chapel Hill Road and South Gates Road from "LB" to "R 1/2" zone to better conform to the predominantly residential nature of those properties; and

WHEREAS, this is an Unlisted action under SEQRA; and

WHEREAS, the Town Board, having examined Part I and Part II of a full Environmental Assessment Form and considered the environmental effects of the matter, has found, as lead agency, that there is no environmental impact and has issued its Declaration of Non-Significance; and,

WHEREAS, a public hearing has been held thereon on the 21st day of May, 2014, at 7:00 p.m., at which time all interested persons were given an opportunity to be heard thereon.

NOW, THEREFORE, it is resolved that Local Law "D" of 2014 be enacted as in the form attached hereto as Schedule "A" as fully as if set forth herein, being a local law to amend the zoning map of the Town of Lloyd. (See Attached)

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

Four ayes carried.

- Q. RESOLUTION** made by Brennie, seconded by Paladino,
WHEREAS certain development fees have become outdated; and
WHEREAS a new category of fees for Solar Panel Installation has become necessary;
and
WHEREAS at present the penalty for failure to obtain a permit discourages people
from ever applying for a permit.
NOW, THEREFORE, be it resolved that the Town of Lloyd Development Fee
Schedule be revised as follows:

Section 6.6 - Electrical Installations and Additions

Residential - changed from \$25 to \$50.00

Commercial - changed from \$50 to \$100.00

ADD - Solar Panel Installation \$100.00

Section 7.1 Failure to Obtain Permit changed from 5X Permit Fee to \$300.00
plus Permit Fee.

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

Five ayes carried.

- R. RESOLUTION** made by Paladino, seconded by Brennie,
WHEREAS Rev. Thomas Lutz from St. Augustine's Church has requested use of the
Hudson Valley Rail Trail on Friday, June 20, 2014 as the launching site for their
fireworks display for the St. Augustine's Annual Bazaar, and
WHEREAS the Town Board has granted St. Augustine's Church's request to launch
fireworks from the Centennial Garden location of the Hudson Valley Rail Trail in
previous years;
NOW THEREFORE, be it resolved that the Town of Lloyd Town Board approves St.
Augustine's Church use of the Hudson Valley Rail Trail on Friday, June 20, 2014, to
launch fireworks from the Centennial Garden location with the stipulation that St.
Augustine's Church abide by the following:

1. They carry appropriate insurance and file proof of such with the Town.
2. They have an ambulance on site in the event of an emergency.
3. They have the Fire Department on standby on site in case of emergency.
4. They clean up and dispose of all debris resulting from the fireworks from the Rail
Trail and the lawns of the adjacent property owners by 8 AM on the morning of June
21, 2014.
5. There shall be no alcoholic beverages on the Rail Trail.
6. They shall abide by all other Hudson Valley Rail Trail regulations. Failure to
comply with these regulations may result in denial of permission for the granting of
future requests by St. Augustine's Church.

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

Five ayes carried.

- S. RESOLUTION** made by Brennie, seconded by Horodyski, to approve and file the
Annual MS4 Report for Year 11 (March 10, 2013 to March 9, 2014) as presented by
Shari Riley, Storm Water Officer, and dated May 7, 2014.

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

Five ayes carried.

- T. RESOLUTION** made by Paladino, seconded by Brennie, to appoint a representative
from Morris Associates, PLLC, and from Lawrence J. Paggi, PE, PC, as engineers for
MS4 and authorize a representative from either to sign SWPPP acceptance forms and
authorize submission to the NYSDEC.

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

Five ayes carried.

- U. RESOLUTION** made by Brennie, seconded by Horodyski,
WHEREAS, a local law being proposed as Local Law E of 2014 was introduced at this
meeting as follows:

WHEREAS, the Town of Lloyd Town Board is in receipt of a local law known as the
"Amendment of Chapter 100, Section 100-42: Accessory Apartments, of the Town
of Lloyd Zoning Code", the purpose of which is to amend the Zoning Code by
replacing "Section 100-42: Accessory Apartments" in its entirety; and

WHEREAS, the Town Board is empowered to adopt local laws to amend the Town Code; and

WHEREAS, this is a Type I action under SEQRA and the Town Board wishes to declare its intent to act as Lead Agency and to conduct all necessary reviews in this matter.

NOW, THEREFORE, be it resolved that the Town Board hereby declares its intent to act as lead agency, and

IT IS FURTHER RESOLVED, that a public hearing will be held by the Town Board with respect to the adoption of the aforesaid local law at the Town Hall on the 18th day of June, 2014 at 7:00 p.m. and

IT IS FURTHER RESOLVED, that 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 and the New York State General Municipal Law, to the Town of Lloyd Planning Board, the Ulster County Planning Board, and any other interested agencies for response prior to the public hearing.

LOCAL LAW E OF THE YEAR 2014

SECTION ONE. PURPOSE.

The purpose of this local law entitled "Amendment of Chapter 100, Section 100-42: Accessory Apartments, of the Town of Lloyd Zoning Code" shall be to amend the Zoning Code by replacing "Section 100-42: Accessory Apartments" in its entirety.

SECTION TWO.

This local law revokes and rescinds Section 100-42 of the Code of the Town of Lloyd and replaces it with the following: "100-42: Accessory Apartments

One accessory apartment per single-family dwelling shall be allowed by special use permit within a principal building as provided in the Use Table, provided that:

- A. The principal dwelling on the premises is owner-occupied. For purposes of this section, the principal dwelling is defined as a detached single family dwelling.
- B. The lot containing the accessory apartment contains the minimum acreage for the zoning district as set forth in the Dimensional Table.
- C. The accessory apartment shall not be counted as a residential unit for the purposes of determining density.
- D. The accessory apartment is self-contained, with separate cooking, sleeping, and sanitary facilities for use by the occupant(s).
- E. The accessory apartment shall have only one (1) bedroom or be a studio apartment, and no other space shall, in the opinion of the planning board, be so configured that it could be used as a second bedroom (i.e., a den, a sewing room, etc.).
- F. The accessory apartment is subordinate to the principal residence and contains no greater than 650 square feet of gross floor area and no less than 400 square feet of gross floor area.
 - (1) Area shall be measured from the outside of exterior walls, and from the centerline of interior walls. It shall include all spaces accessible to the unit, including hallways, bathrooms, closets, etc.
 - (2) The 650 square foot limitation may be adjusted, with permission of the Planning Board, to reasonably accommodate the existing shape of the area being converted to the accessory apartment.
- G. Off-street parking shall be provided in accordance with **§100-29**.
- H. Approval has been granted by the Ulster County Health Department for any required on-site sanitary or water supply system, including, as may be applicable, a determination that the water supply and sewage disposal facilities are adequate to accommodate the additional demands of the accessory apartment.
- I. Any additional exterior entrances that may be created for the principal structure shall be located at the side or rear of the structure.
- J. If a secondary structure (garage, carriage house, etc) is used to house the accessory apartment, the following conditions must be met:
 - (1) The secondary structure must have its use related to the principal dwelling (i.e., the garage must be primarily used for parking cars, storage, etc. of the principal dwelling).
 - (2) The accessory apartment must be a secondary use of the secondary structure.
 - (3) The accessory apartment must comply with the limitations and requirements listed above for accessory apartments.
 - (4) The secondary structure must, in the opinion of the Planning Board, architecturally mirror and enhance the appearance of the principal structure (i.e.: siding should match, windows and doors should be similar in appearance and trimmed appropriately, etc).
 - (5) The secondary structure must conform with the side yard setbacks of a principal dwelling, regardless of the secondary structure's pre-existence to setback requirements.
 - (6) If an accessory apartment is created through the conversion of an accessory structure more than 50 years old, the conversion shall be accomplished in a manner that preserves the historic architectural features of the structure.

- K. Site plan review shall be required for an accessory apartment.
- L. The applicant acknowledges in writing to the Town of Lloyd the understanding that, should the parcel be sold, the Town Code Enforcement Officer is authorized to conduct a site visit to verify that the accessory apartment is in compliance with the conditions of the special use permit issued for the property.”

SECTION THREE. EFFECTIVE DATE.

This local law shall take effect upon filing with the Secretary of State.

Paladino commented that he was not disagreeing with the proposal of the Planning Board other than in the new law, it states that if you have a pre-existing nonconforming lot in the R1 zone, this law would not allow an accessory apartment; the same thing with setbacks or existing buildings that are on those properties. He would like to see some latitude in the verbiage but he does not know how to do that. It could be a variance of some sort. It could be the type of property that is the most deserving and most needing is just .95 acre, therefore, cannot do an accessory apartment. He is not asking this for someone who has a half acre but there must be some leeway within the parameters.

Horodyski asked if he did not feel that was a slippery slope if someone came in with a .90 acre property.

Paladino agreed and did not know the answer to that but he would like the possibility considered.

Barton said that he and Paladino did have this conversation they do have the opportunity of an area variance.

Horodyski added that any law that says, “you will not”, you can still seek relief from the ZBA.

Barton said that is in there because in the case of an R1/2 zone there is a three-car garage, they did not want a second story apartment looking down in someone else’s yard.

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

Five ayes carried.

V. RESOLUTION made by Horodyski, seconded by Paladino,

WHEREAS, a local law being proposed as Local Law F of 2014 was introduced at this meeting as follows:

WHEREAS, the Town of Lloyd Town Board is in receipt of a local law to amend Chapter 100 of the Code of the Town of Lloyd by revising Attachment 1, “Use Table”, attached thereto; and

WHEREAS, the Town Board is empowered to adopt local laws to amend the Town Code; and

WHEREAS, this is a Type I action under SEQRA and the Town Board wishes to declare its intent to act as Lead Agency and to conduct all necessary reviews in this matter.

NOW, THEREFORE, be it resolved that the Town Board hereby declares its intent to act as lead agency, and

IT IS FURTHER RESOLVED, that a public hearing will be held by the Town Board with respect to the adoption of the aforesaid local law at the Town Hall on the 18th day of June, 2014 at 7:00 p.m. and

IT IS FURTHER RESOLVED, that 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 and the New York State General Municipal Law, to the Town of Lloyd Planning Board, the Ulster County Planning Board, and any other interested agencies for response prior to the public hearing.

LOCAL LAW F OF THE YEAR 2014

SECTION ONE: PURPOSE.

The purpose of this local law is to amend Chapter 100 of the Code of the Town of Lloyd by revising Attachment 1, “Use Table”, attached thereto.

SECTION TWO: USE TABLE AMENDMENT

The Use Table attached to Chapter 100, “Zoning”, of the Code of the Town of Lloyd is hereby amended to provide that the uses labeled “Upper-floor apartment” and “Back-facing apartment” will be allowed in the “W-G: GC” zone as a permitted principal use with site plan approval required.

SECTION THREE: SUPERSESION

This local law shall supersede all prior inconsistent local laws.

SECTION THREE: EFFECTIVE DATE.

This local law shall take effect upon filing with the Secretary of State.

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

Next pages are for the USE TABLE when approved minutes are printed for Minute book.....

W. RESOLUTION made by Horodyski, seconded by Brennie, to approve the following budget amendments to the 2014 budget:

GENERAL

| | | |
|--|---------|--------------|
| Police FT PS | 3120.10 | +\$1,427.32 |
| Police PT PS | 3120.11 | +\$ 988.00 |
| Police Seizure | 00-2771 | - \$2,415.28 |
| (Using Police Seizure funds for High Risk Stop Training) | | |
| Unemployment Ins | 9050.80 | +\$72.90 |
| Contingency | 1990.40 | - \$72.90 |

HIGHWAY

| | | |
|------------------------------------|---------|--------------|
| Snow Removal CE | 5142.40 | +\$1615.75 |
| HCSC | 01-2655 | - \$1,615.75 |
| (funds received for salt for HCSD) | | |

WATER

| | | |
|---------------------------|---------|--------------|
| Unallocated Insurance | 1910.40 | +\$7,102.00 |
| Trans & Distrib Prof Serv | 8340.30 | - \$7,102.00 |

SEWER

| | | |
|---------------------------|---------|--------------|
| Unallocated Ins | 1910.40 | +\$3,628.00 |
| Admin Prof Serv | 8110.30 | - \$3,628.00 |
| (flood insurance premium) | | |

Roll call: Hansut, aye; Horodyski, aye; Brennie, aye; Guerriero, ay; Paladino, aye.
Five ayes carried.

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

BE IT RESOLVED, that the Town of Lloyd / 30587 hereby established the following standard work days for these titles and will report the officials to the New York State and Local Retirement System based on time keeping system records or their record of activities:

| Title | Standard Work Day (Hrs/day) Min. 6 hrs Max. 8 hrs | Name (First and Last) | Social Security Number (Last 4 digits) | Registration Number | Tier 1 (Check only if member is in Tier 1) | Current Term Begin & End Dates (mm/dd/yy-mm/dd/yy) | Participates in Employer's Time Keeping System (Yes/No - If Yes, do | Record of Activities Result* | Not Submitted (Check only if official did not submit their |
|---|---|--------------------------|---|---------------------|---|---|--|---------------------------------|--|
| Elected Officials | | | | | | | | | |
| Town Clerk | 6 | Rosaria Peplow | 6232 | 35648641 | | 1/1/2014-12/31/2017 | N | 27.78 | |
| Councilmember | 6 | Jeffrey Paladino | 8820 | 50540624 | | 1/1/2014-12/31/2017 | N | 3 | |
| Councilmember | 6 | Kevin Brennie | 1633 | 41792714 | | 1/1/2012-12/31/2015 | N | 11.45 | |
| Highway Superintendent | 6 | Richard Klotz | 9166 | 50573807 | | 1/1/2014-12/31/2014 | N | 40 | |
| Appointed Officials | | | | | | | | | |
| 1st Deputy Town Clerk | 8 | Kathy Schoonover | 9974 | 40932980 | | 1/1/2014-12/31/2017 | Y | | |
| 2nd Deputy Town Clerk | 7 | Rena Rizzo | 0154 | 41048281 | | 1/1/2014-12/31/2017 | Y | | |
| Bookkeeper | 7 | Karen McPeck | 9135 | 40711079 | | 1/1/2014-12/31/2015 | Y | | |
| Clerk to Justice | 7.5 | Lucy Davoli | 0371 | 43197821 | | 1/1/2014-12/31/2015 | Y | | |
| Clerk to Justice | 7.5 | Stacy Lopez | 3319 | 50573930 | | 1/1/2014-12/31/2017 | Y | | |
| Secretary to the Supervisor | 7.5 | Kathleen Jonietz | 9821 | 50573914 | | 1/1/2014-12/31/2015 | Y | | |
| Secretary to the Highway Superintendent | 8 | Denise Rhodes | 9941 | 50580471 | | 1/1/2014-12/31/2015 | Y | | |

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

Five ayes carried.

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

Five ayes carried.

Respectfully submitted,

Rosaria Schiavone Peplow
Town Clerk