

TOWN OF LLOYD TOWN BOARD

WORKSHOP MEETING

June 4, 2014

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

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

Absent: Councilmember Kevin Brennie

4:00 PM – Supervisor opened the meeting and led the Pledge of Allegiance.

He asked that all cell phones are turned off or put on vibrate and reminded those present that the meeting is live streamed.

1. REPORTS

A. Finance – Karen McPeck, Bookkeeper to Supervisor, did not attend the meeting.

B. Assessor – Jennifer Mund reported that Grievance Day was May 27 from 4 to 8 PM; the Board of Assessment Review will meet tomorrow night to begin to deliberate on the grievances. After that is completed, her office will process the decisions and send the determinations to the property owners; the final tax roll will be filed July 1. They will start with the data collection and verification project throughout the summer and into the fall. They have the first phase maps of Mountainside Woods and they will have to create the PS records and data file for each of those. This is an ambitious summer agenda. She received an email from NYS that they have issued a tentative equalization rate of 100%. There were no questions from the Town Board.

C. Building & Zoning Department – David Barton said that he did not have a report.

D. Dog Control – Andrew McKee did not attend the meeting.

E. Highway Superintendent – Richard Klotz reported that the drainage work has been completed on North Road; North Road will be paved all the way to Route 9W after it is cleaned up.

Superintendent asked if the Supervisor got the letter from Ulster County Resource Recovery and the Supervisor replied that the entire Board did get the letter. There will be a meeting on June 16; he feels that it has finally gotten straightened out and now it is being changed. He and the Supervisor will attend the meeting.

Horodyski asked if the Superintendent understood what that actually does for the Town on a pro forma basis.

Superintendent answered that UCRRA is going to charge the Town more for the tip fees, \$10 per ton; the tonnage from the Town per year varies. There is another dumpster at the transfer station now to segregate the wood from the garbage as the weight is in the wood.

Paladino asked if an analysis was not done a year or so ago and he recalled 50+/- tons, it wasn't a huge amount.

Superintendent felt that it was approximately 150 tons, the fees add up quickly; there are no problems with the recyclables and there is no charge for TV's, computers or electronics now but that will have to be bumped up. The pipe came in for Oakes Road and they will begin to fix the problem there. He would like to meet with the Town Board regarding a personnel matter in executive session.

Guerriero asked the status of the pedestrian crosswalk signs in front of the library as it is dangerous for school children and everyone else crossing the street.

Raphael Diaz remarked that the crosswalk in front of St. Augustine's Church has disappeared.

Superintendent said that road will be repaved from the Post Office down into the Hamlet and then the crosswalks will be painted. He asked Sean Murphy, Attorney, if he has had any word on Amanda Circle.

Murphy responded that he sent a letter to the address in the agreement but he has not heard anything. In his letter he indicated the deadline was July 1 for them to start the work to finish the road, otherwise the Town was contemplating exercising the cash escrow deposit. There was someone doing maintenance at Amanda Circle. He asked if that was enough money.

Superintendent replied that the paving won't be much but it has to be re-engineered and a contractor will be needed, that is where the bulk of the money will go but there should be enough.

F. Hudson Valley Rail Trail – Raphael Diaz reported that the annual meeting will be held on Saturday June 7 at the Pavilion at 9 AM and breakfast will be catered by Walkway Café; everyone is invited, you do not have to be a member. They will be speaking about the developments that are planned for the Trail, the plan for the western extension and about the history and the plans for the cabooses.

G. Justice – Terry Elia/Eugene Rizzo did not attend the meeting.

H. Police – Chief Daniel Waage reported on the activity statistics of the Police Department; May 7 the Town of Lloyd Police with other emergency personnel paid their respects to Army Sgt. Shawn F. Farrell who died in Afghanistan; May 7 the 2014 Annual Police Chiefs Awards Dinner and awards were given to Sgt. Philip Roloson for Community Service and to Police Officer Anthony Ventura a Life Saving Award; May 8, Waldimir Maldonado, age 33, of Poughkeepsie was indicted by the Ulster County Grand Jury for grand larceny for the November 2013 robbery of over \$6,000 worth of jewelry from Rizzi's jewelry store; May 12, Lloyd Police assisted the Highland Rotary Club at the Elementary School to greet elementary students; May 13, met with Highland Elementary School first graders at the Sawyer Savings Bank for their annual field trip to the Hamlet to visit businesses, Police gave them safety ID kits; May 17 assisted at SpringFest; May 18, Police assisted with the Warrior Run/Walk at the Rail Trail; May 21, Officer Manley was given the Community Pride Award at the Town of Lloyd Town Board Meeting; May 22, Sgt. Phil Roloson received two Team awards from the Ulster County Sheriff's Department for two cases that he was involved in with URGENT; May 27, Town of Lloyd Police assisted in the Memorial Day Parade; May 28, ten Lloyd Police members ran in the NYS Special Olympics Torch Run, which is a two-mile run through the Town of Lloyd; on May 28, the T/L Police assisted the Rotary Club at the Highland Elementary School; May 28, Lloyd Police and URGENT arrested Justin Nash, age 33, Highland, for the sale of narcotics; Officer Jim Plass reported eight knives and a box cutter were confiscated at the Town of Lloyd Court. There is a charitable event coming up on June 23, Cops and Pizza, to be held at Vigneto's Café. He said that he, the Lieutenant and some of the Officers will be making pizza and serving it, to benefit the veterans of the American Legion.

I. Recreation/Buildings & Grounds – Frank Alfonso reported that the Modified season is over and the School District is finished using the field; Little League has a couple more weeks of using the facility and the fence repairs have all been completed. Tony Williams Park is in great shape and is used every day; parties and groups use it as well as sports leagues. The fields are in good condition. Baker & Sons have been doing the mowing, fertilizing and weed killing. Trees have been planted at the entrance to the lower parking lot. Fields are being used by Legion, Little League, Junior League, Over-35 Men's (which is sponsored by the Town), as well as the regular Men's League for softball, Hudson Valley Wood Bat League. Basketball summer league for boys will start June 16, with other towns and school districts; the courts are in full use.

Horodyski asked how you join the basketball league.

Alfonso replied that the kids who want to play go through the school basketball coach.

The issue that he has at the basketball court is the trash and bottles that are left there every night; when he is there he asks the players to pick up the garbage. There is a sign and an accessible garbage can at the spot where the player walks in and out of the court. It is easy and simple to dispose of the trash and in his opinion it is disrespectful. There are planned projects for the next year or two to complete: bocce courts or steps from the top of the hill down to the area to sit and watch the games. The buildings have been painted on the outside and the staff also completed painting the fence along the parking lot, the railings going down to the Reservoir, bars of the swing sets have been painted and new swings installed; new basketball rims and grills installed. He hopes to get the flag pole painted by Friday. In the fall, he would like to paint the interior of the bathrooms, redo the floors with the rubber coat paint and update the toilets, urinals and sinks. Berean Park, he feels, looks the best that it has in fifteen or sixteen years. Berean Park has been open the last two weekends for swimming and the days he was there it was busy. SummerFun staff is set and there is a meeting on June 17 with the counselors. SummerFun also starts June 30 and will run for six weeks. All of the field trips are booked. Swim lessons start June 30.

Regarding Buildings and Grounds, maintenance and mowing of Johnson-Iorio Park, the Veterans' Memorial Park and all of the small parcels that B&G is responsible for continues. He has the information for the trailer and mower that was discussed at the

last meeting if anyone would like to look at it or discuss it. A 12-foot enclosed trailer: two quotes \$3,110 and \$2,655, from two different companies but basically the same trailer. A 54-inch John Deere mower, the NYS bid price through Adams is \$7,700 and their price to the public is \$9,349; quotes for three other kinds of mowers range from \$6,200 to \$8,600. He recommends the John Deere 54-inch mower.

Guerriero commented that was a lot of money to cut six lawns when there are so many lawn care companies around.

Horodyski felt that it was not just for the Town properties but also the foreclosures.

Paladino said that the cost was \$250 per cut for the foreclosed houses and it is becoming an issue to the neighborhood as their houses are devalued.

Guerriero said that the \$250 is charged to the tax roll and is eventually paid to the Town and then there is compensation to the Town employees.

Paladino agreed that the work done would also be put on the taxes.

Horodyski felt that the payment would be the same but the issue is response timing and how quickly you can get to the lawns. The plan was to use the present staff.

Alfonso said that he did not know the number of lawns that need to be done; he was asked by the Board to get equipment quotes. The Board has to discuss the direction it wants to take. They go to the Police Department to borrow a trailer in the morning and at the end of the day take it back to the Police Department. Having the trailer and the mower would eliminate the time wasted in going back and forth because Buildings and Grounds does not have a trailer. Keith Garbounoff mowed today; he had to pick up the trailer and return it; tomorrow he is mowing again so he will have to pick it up and return it.

Horodyski posed that just having a trailer fixes that.

Alfonso agreed and said that all of the equipment can be stored in the trailer which can be left at Tony Williams Park or in the back of Town Hall. If this isn't purchased now, it could be budgeted for 2015.

Supervisor asked about the geese situation.

Alfonso said that we have a permit to remove the geese with the approval of the Town Board; right now there are three families of geese at Berean Park.

Guerriero asked if they were making a mess.

Alfonso replied that there is an issue with swimming in the water and the droppings on the raft that has to be cleaned. DEC did issue a permit in August but we did not use it as the season was over.

Paladino asked if the signposts for the Welcome to Highland and Johnson-Iorio Park were treated wood or if they can be painted.

Alfonso said that they were put in three or four years ago and he does not know. He has the green stain that has been used so if the posts have not yet been painted, the green stain could be used.

J. Safety Committee –

K. Town Clerk – Rosaria Peplow

Tax Collection

~\$265,694.27 was sent to the Ulster County Commissioner of Finance

~Tax payments have been accepted post marked June 1, as directed by the Commissioner of Finance

~Preparing the documentation to settle the tax warrant with the Commissioner of Finance in June; approximately 225 remain unpaid of the 4400 total parcels

Town Clerk

~590 Transfer Station permits have been issued to date

~32 fishing licenses have been sold for a total of \$510.18, \$29.82 in commission

~National Incident Management System (NIMS) 100 training on Thursday, July 10, Town of Esopus Town Hall, 10 AM to 2 PM, lunch will be served. Training is open to everyone; head count is needed by Tuesday, July 8, 12 Noon. For those who have not taken the Introduction (ICS 700) training, which is required, the course is offered online. Any department personnel that would act in the instance of emergency must be trained. If the Town is not in complete compliance, FEMA and grant money can be withheld. She sent the training notice to the Board members, Police and Fire Department.

Records Management

Policies and Procedures Essentials meeting on June 19, 10:00 AM to 1:00 PM, Town of Shawangunk Town Hall, which she will attend.

Supervisor asked what number training is required.

David Barton thought that it was 400.

Peplow sent the information to the Fire Department and to the Supervisor.

L. Water & Sewer – Adam Litman, Administrator, noted that he was not at the May meeting and reported that during April and May, the water production has been 100% from the reservoirs and continues. He recalled the loss of the automated process at the Water Plant due to the failure of the PCU which is the central processing unit and the remote program that was installed in the mid-1970's, early 1980's; staff had taken a lot of steps to evaluate in house to try to save money to determine the problem but they were not able to come up with a solution. They received a quote from Aqua Logics and their cost of \$16,500 was approved. Aqua Logics came last month and spent about a week to do an upgrade on the actual process control. It was successful. Solar Bee was on site last month to perform maintenance on the solar bees on Reservoir #5; the solar bees assist with algae control. Solar Bee issued a new contract which he will review and submit to the Town Board for approval. SPEDES permit has been issued to use copper sulfate on the reservoirs which is also used to reduce algae and makes a better water process. Hydrant flushing has been completed. The Water Department Road Crew offered their assistance to level the beach at Berean Park and addressed the old fence on Hilltop. They have been picking up a lot of garbage in the morning that people have dumped and are keeping an eye on the activity up there. Neighbors of the Water Plant have brought to his attention that there has been after-hour activity, which is something he would like to discuss with the Town Board and the Recreation Director. There is a sign that states that the Park is closed from dusk to dawn; he would like to consider locking the gate again to curtail the activity; however, he is not sure what is going on but it is a concern to some of the neighbors. A neighbor has been pulling the gate shut and he would like a gate key. That would be issued by the Tower Company so that it can be properly locked but accessed if there is a need. .

Horodyski asked who else would get the key.

Litman answered that it would actually be another lock and a key given to all of the departments that need to have access. Sewer Plant has been doing some spring maintenance, cutting back brush, cleaning up the hill on Maple Avenue side. The first samples for toxicity has started; this will be reflected in the invoicing for about \$2,000 per quarter but it is mandated. He has had a verbal confirmation from the laboratory that the samples look good.

Paladino asked if the issues at Bridgeview have been resolved.

Litman replied that the issues are never fully resolved; about two months ago there was a problem with McDonald's grease trap. They pumped it down and did not find any rags in that tank but they determined that the company that was servicing their tank was probably skimming the top and charging for a full cleaning. McDonald's is going to have the service company do a complete cleaning. Dave Campala and Kevin Klotz were at Bridgeview today and checked the pump station and all of the grease pits. They are trying to figure out where the rags are coming from but it is a combination and he doesn't feel that they are coming from any one particular place.

M. Supervisor – reminded everyone that the Farmers' Market is now open each Wednesday from 2:00 PM to 6:00 PM until October 8, located on Route 299, across from the NYS Troopers' Barracks. There are 14 or 15 vendors which is the most in several years.

Kate Jonietz, Events Coordinator, offered that there is a great selection of product: meat, eggs, mushrooms, etc.

Supervisor said Bob Mentasano, 9 Sara Lane, requested a street light at the end of Sara Lane; Central Hudson will be contacted.

Klotz said that he believed that the electric wiring was underground and a pole would have to be set.

Supervisor added that the four lights on Milton Avenue that have been disconnected when DOT put in the sidewalk and wall has been discussed before. The Town will have to go out for a proposal to reconnect the lights; according to DOT, the conduits are there but the wires have to be attached. Herb Litts was working on this with DOT when he was on the Town Board and he was told that it was the problem of the Town.

Murphy felt that the Town should try to make NYSDOT responsible as they did the work; however, it would have to be weighed how much it would cost to try to get DOT to assume the responsibility.

Horodyski posed that it might be worth it using a reasonably priced litigator, such as Murphy.

Murphy said that the first thing he would do is write a letter.

Supervisor thought it might not be worth pursuing as it has been a year and a half; although, he does not understand how it could be the fault of the Town. He said that he will get a name for Murphy and he can send a letter; if not, it is a problem that needs to be addressed.

2. OLD BUSINESS

A. No Old Business was discussed.

3. NEW BUSINESS

A. Paul Costello from Lime Energy – exterior lights

Costello said that Paladino asked him to come to the meeting to give the status of the audit for the Town of Lloyd properties. Central Hudson recently introduced an upgrade program of LED lighting replacing anything that is inefficient. It is subsidized approximately 50%, depending on the circumstances. He has looked at most of the Town properties and would like an accurate inventory of the bulb wattages.

Supervisor asked if he was the one who audited the Town Garage.

Costello answered that he did not do that audit but it was the same company; this is a different program and he will have to redo the audit. He is going to the Highway Garage tomorrow. He looked at the Water and Sewer facilities and he feels that there are opportunities to upgrade. He did look at Tony Williams Park and there is an issue there if the bulb is 400 Watts or less if the LED's work, the ballpark lighting could be replaced. The intent of Central Hudson is questioned because it doesn't get that many kilowatt hours. Looking at the 23/24 electric meters two of them are going to jump out that lighting doesn't impact that much, it is all motors primarily at Water and Sewer. There are some specialty bulbs at the River Road Pump Station that are ultra-violet and run 24/7 at very high wattage. That would be an interesting challenge and may not be covered under this program; however, if it were covered, it would make a very big impact. Over the next couple of days, he will give a proposal and hard numbers to see what it would cost to upgrade.

B. Discussion of health insurance plans

Supervisor said that he asked Dave Lavoie, Reiss Group, to come to the meeting and talk about health insurance; the Town renewal date is July 1. He also invited representatives from CSEA and the PBA but they are not at the meeting.

Lavoie reiterated that the renewal date for the health insurance is July 1 so a decision has to be made as all the paperwork has to be to the insurance company by July 15. One of the unique parts of the plan is that there is access to the claims utilization. He met with the Supervisor and reviewed it and the claims to the date of that meeting were running at about 40% utilization, which is very good. He received the next quarterly information today and he will send that to Supervisor tomorrow. He anticipates that the trend of the utilization is going to stay the same so the Town is a wonderful good candidate for continuing with the high-dollar deductible program. If the Town is saving money, how much more money can be saved at the next level of deductibles. The current renewal is at 11.6% increase if the plan is kept exactly the way it is. The next level of deductibles goes from a \$5,000 individual deductible to \$6,350, a \$1,350 increase, family goes from \$10,000 to \$12,700, a \$2,700 increase; this would reduce the overall cost to the Town -6.5%. That will save the employees who are contributing because the premium is lower but it does put the burden of responsibility back on the Town because the exposure went from \$5,000 single, \$10,000 family, to \$6,350 and \$12,700.

Paladino asked what the equivalent in dollars versus the exposure deductible.

Lavoie answered that the decrease going up is almost 75% of what the exposure is in premium savings. Increasing \$1,350, about three-quarters of that is saved in a higher program. The overall premium right now is \$419,000.

Horodyski said the Town would have to have about \$45,000; the exposure is only a net 25% difference so of the \$1,350 the Town is only on the hook for \$400/\$450. If there is more utilization, the Town will pay more.

Lavoie feels there is a strong case to go to the higher deductible.

Supervisor said that the data was emailed to the Town Board members. The coverage does not change; the employees remain exactly as is. He spoke to Anthony Sulfaro and he will contact Bill Wallens, labor attorney, regarding the employee contracts. Lavoie would like a decision relatively quickly because new cards need to be printed. Supervisor suggested that a Special meeting may be needed next week to discuss this. Lavoie assured the Board that he looked at the competitors in this area and none can compare to the current program. Murphy clarified that the Town's premium will go up about \$45,000 under the current plan; under 100% utilization it would be about \$65,000.

4. PRIVILEGE OF THE FLOOR

Ruth Dapp, Commercial Avenue Extension, asked the Board to look into the availability of a new site plan for Trail View and get back to her. The walking path was supposed to be removed and it was partially but part of it remains. The path stops and then there is grass but it is a given that once the apartments are built that people will walk through there. In the back of her property there is a fence that does not go all the way back so it is a worry to her that the residents of the apartments will go through her woods to get to the Rail Trail. There was never discussion about a buffer zone and their property, as is, affords a great deal of privacy. She would appreciate a buffer zone between her property and the apartment development.

Supervisor asked David Barton if any of these questions are easily answered.

Barton replied that the site plan is already approved.

Supervisor and Paladino asked if there would be buffering or landscaping.

Barton said that the applicant agreed to put in a 100-foot buffer at the Planning Board meeting that night.

Ruth Dapp asked where that would be and Barton replied that it was along the property line. Ruth Dapp said that it is not shown on the map.

Guerriero commented that a buffer zone is usually one of the first things the Planning Board considers. They are very strict on that and asked if it was not on the plan.

Horodyski said that it is not required in the PRD; there are no setbacks when the PRD is approved, it is approved to the property line.

Paladino asked about the walking path to the Rail Trail.

Barton said that the newest map has not come in yet as they are waiting for water and sewer connections and when the map comes, he will give it to her.

Ruth Dapp said that she has a map that Pat Rober sent her but it does show the walking path and asked Barton to check into it for her. She attended this meeting because she wanted to understand as she feels that no one gets back to her with answers to her concerns.

Barton remarked that the walking path was now off the map.

Guerriero stated that Ruth Dapp has a right to protect her property and to continue to attend the meetings to express her concerns.

Horodyski offered his help and asked Barton to give him a call when the maps were available and for Ruth Dapp's phone number so that he can let her know when she can pick up a copy.

Tim Marion said that he received a letter from the Building Department that informational flags were banned by the Town of Lloyd but he relies on them for his business. He asked if the law could be changed that they could be used during business hours.

Horodyski responded that he talked with David Barton today and he seemed to think an amendment based on property frontage would dictate the amount of flags.

Barton agreed number of signs could be based on the linear amount of frontage.

Horodyski recommended the allowable number of signs based on the road frontage and specify that the signs come down at the end of business hours. Councilman Brennie is a big sign proponent and feels that they are important to businesses.

Barton said that the Planning Board put together a sign ordinance some time ago.

Paladino feels that the proposed sign ordinance has to be tweaked a bit.

Marion said that it was a good idea to take flags down each night.

Guerriero commented that they should not be blocking sightline of the traffic.

Barton asked how many signs he had and Marion replied that he had three flags and 735-foot frontage.

Rafael Diaz has been observing a safety issue at Tony Williams Park parking lot in that the entrance is a steep hill and cyclists are zooming down from the entrance through the parking lot, trying to keep up the momentum to get to the Rail Trail and not pedal.

There are a lot of cars parked there; they may back up and kids may pop out from between cars. The cyclists are going at least 25 MPH down the hill and are hitting the Rail Trail at that speed. He feels that the best thing to do would be to talk with Frank Alfonso and Rich Klotz for their ideas. A speed bump is not the solution because the cyclist would go flying when they hit it. This is a very accident-prone situation. Paladino suggested striping the main corridor coming off Riverside and he asked if there was any signage.

Diaz said that there is no signage; the cars slow down because they are looking for parking spaces but the bike riders keep on going. He is afraid someone is going to get hit by a cyclist. He will see if he can come up with a possible solution.

Ruth Dapp added that she has been nearly hit by cyclists at the Commercial Avenue crossing but the cars do slow down at the crossing.

Supervisor asked what other townships do that have rail trails.

Diaz is aware that in Dutchess County there is a STOP sign for cyclists and a sign that says DISMOUNT.

Paladino felt that two well-spaced speed bumps would be visible and slow down the cyclists.

Supervisor said at least if there are signs liability would be covered.

Murphy advised that there could be all kinds of signs but the enforcement is going to be difficult; perhaps, there is some other kind of calming that could be used.

Barton said that he has been in Adirondack parks where bikes entering an area also used by pedestrians, there is a rope barrier and a passage through it wide enough for a wheel chair but a bike at 25 MPH would be risky.

Diaz worries about people in the Tony Williams Park parking lot but also the bikers enter the Rail Trail at a narrow spot. He talked with Ray Costantino and they thought of using barriers that they would have to go around so they won't be able to speed. The Walkway puts out cones at times and the cyclists have to go around them.

Franco Zani said regarding Paul Costello, Lime Energy, and the Sewer Plant UV lights, suggesting that the Town Board look at the outfall of the chlorine tanks where it may be beneficial to install turbines for free energy. As the water passes through the flume it turns the turbines and generates electric which can be sold to the grid or offset the power costs of the Sewer Plant. Although Frank Alfonso is no longer at the meeting, he wanted to ask him about RESOLUTION B., concessionaire for Berean Park, and if Allison Jonietz would be hired as an employee or contractor.

Supervisor said that the person who runs the concession stand gets a 1099 at the end of the season.

Zani said that if she is hired as a contractor, she has to supply the Town with an insurance certificate.

Supervisor responded that has never happened in the past; she has been up there two years.

Murphy said that she does not need Workers' Compensation if she works for herself.

Zani added that if she were hired as an employee, she would be covered under the Town insurance.

Horodyski felt that the compensation structure would not lend itself to a regular hourly employee as there is a piece of the gate that goes to the concessionaire.

Supervisor said that they get the concession stand and a percentage of the overall ticket sales.

Guerriero asked if there was liability insurance in the event that someone gets hurt and the Town could be sued.

Supervisor said that he did not know but Carl Relyea did the concession stand for many years and lost money every year and no one questioned about losing money. It was taken over two years ago and it became profitable. If it was a Town employee job, he would question who would do it for \$8 an hour. It was discussed and decided that no one was going to sit in an oven for six weeks out of the year. The only way that money is made is by making sure that everyone pays to get into the Park. He understands the question of insurance but questioned how much it would cost. This is something that has been done for years and is just like the lawn mowing.

5. MOTIONS AND RESOLUTIONS

A. MOTION made by Horodyski, seconded by Paladino, to approve the use and closing of the Hudson Valley Rail Trail from its connection with Walkway over the Hudson to Tony Williams Park for the Bike New York, Discover Hudson Valley Ride, on Sunday June 29 from 7:30 AM to 12:00 PM. The riders will travel to and return from Tony

Williams Park to Walkway over the Hudson. They are required to provide monitors along the trail before, during and after the event and they are required to abide by all conditions discussed and agreed upon during the meeting held in March, at the recommendation of the Hudson Valley Rail Trail Association.

Four ayes carried.

- B. RESOLUTION** made by Paladino, seconded by Horodyski, to approve Allison Jonietz as concessionaire for the 2014 season at Berean Park on the recommendation of the Recreation Committee and Frank Alfonso, Recreation Director.

Paladino asked if this was not a situation similar to the Little League concession.

Guerriero replied that the difference is that the Little League owns their field; this is on Town property, the liability is if someone gets sick, they can come back to the Town if the concessionaire does not have the liability insurance.

Supervisor said that there is an Ulster County Department of Health inspection prior to opening and one or two during the season. This is the same thing that has been done year after year; the kid at the concession stand makes some money. The season ticket sales were very low, which hurts the Town. Two years ago, they got someone in there who chased people down, the ticket sales went up and the Town made money on it.

Peplow added that the concession is needed at Berean Park; her grandchildren consider it a treat. It is an asset to the Park.

Zani asked if she could be hired as an employee of the Park, give her a stipend and add the ticket sales.

Murphy agreed that could probably be done but he does agree with Supervisor that a 1099 is the way to go.

Horodyski asked if the Town could not give a 1099 and assume the liability for the time that it is open; if he was an insurance person, he would write the deal as it has a pretty good loss rate. The Town has assuming the liability for the last 35 years.

Murphy said that is a policy decision. If the concessionaire has liability insurance or not the Town is going to be named in the suit.

Horodyski asked who has the deepest pocket and it would not be the concessionaire.

Murphy agreed and said if that is what the Town has been doing, the risk does not appear to be that great; when Carl Relyea was doing it the Town accepted the risk.

Horodyski explained that that it is open every weekend in June and then after school closes until August. No one wants to do it unless a young person wants to run it and make a little more than minimum wage. He feels that the Town could put the policy in for this particular situation, get insurance, accept the risk and move on; this is has been done for 35 years.

Supervisor asked if that needed to be added to the resolution.

Murphy replied that the Board is not requiring whoever is operating the concession stand to supply insurance.

Supervisor said that they have never been required to give insurance.

Paladino and Horodyski feel that the Park is covered under the umbrella.

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

Four ayes carried.

MOTION made by Horodyski, seconded by Paladino, to go into executive session regarding personnel at 5:20 PM.

Four ayes carried.

MOTION made by Horodyski, seconded by Guerriero, to come out of executive session at 5:40 PM.

Four ayes carried.

- C. RESOLUTION** made by Horodyski, seconded by Paladino, to approve an unpaid leave of absence under FMLA for Donald Parker, Jr. due to a serious health condition starting approximately June 23, 2014 and lasting approximately 12 weeks.

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

Four ayes carried.

06.04.2014

D. RESOLUTION made by Horodyski, seconded by Guerriero, to hire Scott Scribner as a part-time Groundskeeper I at the hourly rate of \$18.07 so that he can be reinstated into Tier 2 of the NYS Retirement System effective as of June 5, 2014.

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

Three ayes carried.

MOTION made by Horodyski, seconded by Guerriero, to adjourn the meeting at 5:42 PM.

Four ayes carried.

Respectfully submitted,

Rosaria Schiavone Peplow
Town Clerk