

# TOWN OF LLOYD TOWN BOARD

## SPECIAL MEETING AGENDA

JUNE 22, 2011

**Present:** Supervisor Raymond Costantino  
Councilmember Kevin Brennie  
Councilmember Nancy Hammond  
Councilmember Jeffrey Paladino

**Also present:** Sean Murphy, Attorney  
Terresa Bakner, Attorney  
Wendy Rosinski, Secretary  
Rosalie Peplow, Town Clerk

**Absent:** Councilmember Herbert Litts, III\*

**9:00 AM** – Open meeting and Pledge of Allegiance

### 1. OLD BUSINESS

#### A. Tower Lease Water District

Supervisor explained that he reviewed the lease with Kevin Ronk and Tony Prizzia; they contacted a company that scrutinizes leases and he has spoken to Lewis DiStasi, Attorney, about engaging an attorney to look at the lease.

The lease is for \$11,000 per year that will expire in 2013.

More information will be forthcoming.

### 2. RESOLUTIONS

**A. MOTION** made by Hammond, seconded by Paladino, to accept the resignation of Daniel Regg as part-time dispatcher from the Town of Lloyd Police Department, effective June 25, 2011.

**Four ayes carried.**

**B. MOTION** made by Paladino, seconded by Hammond, to accept, with regrets, the resignation of Ben Bragg from the Town of Lloyd Planning Board, whose term was to expire 12/31/17, effective immediately.

*Supervisor will prepare a letter to thank Bragg for his years of service to the Town.*

**Four ayes carried.**

**C. MOTION** made by Brennie, seconded by Paladino,

**WHEREAS** John Fraino, Alternate Member 1, for the Town of Lloyd Planning Board has declined the appointment to complete the term of Ben Bragg as full-time member, and

**WHEREAS** David Plavchak is Alternate Member 2,

**NOW, THEREFORE**, be it resolved that the Town Board appoints David Plavchak to the Town of Lloyd Planning Board, effective immediately, to fill the unexpired term of Ben Bragg which will expire on 12/31/17.

**Roll call:** Hammond, aye; Costantino, aye; Paladino, aye; Brennie, aye.

**Four ayes carried.**

**D. RESOLUTION** made by Hammond, seconded by Paladino, to hire Donald J. Dibble for the position of part-time police officer at \$19.50 per hour, upon successful completion of pre employment physical and satisfactory background check, effective June 22, 2011.

**Roll call:** Costantino, aye; Paladino, aye; Hammond, aye; Brennie, abstain.

**Three ayes carried.**

**E. RESOLUTION** made by Hammond, seconded by Paladino, to approve lease agreement between New York Communication Company and Town of Lloyd Police in the amount of \$1,562.00 per month, an annual rate of \$18,744.00) for 72 months for portable mobile radio package which includes radios, maintenance, repairs, antennas, batteries, removal and reinstallation of the 4 existing computers at no charge and authorize Chief Ackert to sign the agreement.

**Roll call:** Paladino, aye; Costantino, aye; Hammond, aye; Brennie, abstain.

**Three ayes carried.**

**F. RESOLUTION** made by Brennie, seconded by Paladino, to approve the following Summer Fun staff for the 2011 season: Lou Ann Judge, Arts and Crafts Director, at the budgeted salary of \$3270.00; Alyssa Morano, Sports Director, at the budgeted salary of \$3120.00; Brandi Ose, Counselor, \$7.25 per hour, as budgeted, on the recommendation of Frank Alfonso, Recreation Director.

**Roll call:** Brennie, aye; Hammond, aye; Paladino, aye; Costantino, aye.

**Four ayes carried.**

**\*9:10 AM** – Litts arrived at the meeting.

**G. TABLED Resolution** to authorize Supervisor Raymond J. Costantino to sign to Supplemental Agreement No. 4 between the Town of Lloyd and Barton & Loguidice, P.C. PIN 8759.14. This contract is changed as follows: cost and fees associated with amplified Construction Administration, Construction Inspection and Construction Close-out services.

Previous Contract Total: \$614,130.00

New Contract Total: \$644,130.00

*Supervisor explained that due to the ARRA funding, there is more administration that was not anticipated when first engaging Barton & Loguidice and the extra money is being applied for under the TIP and some money was changed around, moved from Incidental Right-of-Way to Preliminary Design; he was able to move monies in the TIP line-up. The Town is getting 80% of \$40,000 in the new revised TIP; it is going out today and the vote will be on the 25<sup>th</sup>. He has applied for approximately \$95,000 more to be added to the TIP.*

*There are many projects on the TIP and when towns do not move forward with their project, money is lost so NYS has projects on the shelf and the money is transferred to NYS for their projects. There are very few TIP projects moving at this time; however, Lloyd has three viable projects.*

*Paladino asked the difference in fees and to what is it attributed.*

*Supervisor replied that it was due to increased administration because of the ARRA funding and closed out services, all part of that ARRA funding.*

*Brennie asked if the Town would be able to cover 80% of the \$30,000.*

*Supervisor said the Town would be able to cover it and said that it is not covered under ARRA because once it was out for contract, it was \$3.5-million budget estimate and the contract came in at \$2.5-million. That is when ARRA funding was allowed at \$2.5-million but no more than that. Instead of getting 100% on this, we could only get 80/20.*

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*Paladino would like more detail and asked the time frame in which it has to be submitted.*

*Supervisor answered that they are trying to close out the project and it needs to be approved by the DOT, it has been in front of them already and it was approved but the contracts need to be completed.*

*Litts asked for a confirmation that the work has already been done, which the Supervisor confirmed. He then asked the original cost for the contract.*

*Supervisor reviewed the amounts: original contract was \$167,000; Supplement 1 was \$97,000; when ARRA funding came in it was \$304,000.*

*Litts clarified that was for the consultants, Barton & Loguidice, who oversaw construction; he then asked for the amount of the original Merritt contract.*

*Supervisor gave a 'round' number of \$2.5-million and added that the preliminary design right-of-way was done under the 80/20; once it was shovel ready with all of the design, only the construction phase was ARRA.*

*Litts feels that the consultant cost is a high percentage of the construction cost.*

*Town Board would like more time to review and this resolution was tabled.*

Supervisor asked the Town Board and David Barton, Building Department Supervisor, to meet in attorney/client privilege with Sean Murphy, attorney, and Teresa Baker, attorney.

**MOTION** made by Brennie, seconded by Paladino, to adjourn the meeting at 9:15 AM.

Respectfully submitted,

Rosaria Schiavone Peplow  
Town Clerk