

TOWN OF LLOYD TOWN BOARD

WORK SHOP MEETING

JULY 6, 2011

Present: Supervisor Raymond Costantino
Councilmember Kevin Brennie
Councilmember Nancy Hammond
Councilmember Herbert Litts, III
Councilmember Jeffrey Paladino

Also present: Lew DiStasi, Jr., Attorney
Rosaria Peplow, Town Clerk
Wendy Rosinski, Secretary

Absent: None

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

1. REPORTS

A. Assessor – Elaine Rivera reported that the Board of Assessment Review has finished deliberations and the notices have been sent; she filed the assessment role on July 1; they are waiting for final challenges.

Brennie asked about Vineyard Commons and Rivera answered that they did not get changed, they were asking for a 90% reduction.

Rivera said that there were a lot of commercial grievances this year and none were lowered by the Board of Assessment Review, one withdrew their application. The assessment roll has been changed over and she is now working on next year. If she receives anything, she will let everyone know.

B. Building & Zoning Department – David Barton reported that the bids were going out to three local companies for mowing for the three properties that have been neglected and the lowest bidder will be chosen. Notices were sent to the property owners, certified return receipt, and only one came back signed. He will now post a notice on the doors of the houses which will remain for a week and after the week, the lawn will be mowed by the Town. He will invoice the owner for the cost of the mowing by certified return receipt; typically, it will come back uncollected.

There have been meetings on development recently; specifically, clustering at Altamont Farms property. He has circulated for lead agency on the Sixteen Acres project which is the property across from the Bridgeview Plaza; there has been no comment from the NYSDOT, there will be a work permit required. At the Regular Town Board meeting on July 20, the Board will declare lead agency and positive declaration, along with setting a scoping meeting. He announced that the next meeting for the Town Board, Planning Board and Zoning Board of Appeals will be held on July 28 at 5 PM. Recirculation needs to be done for the zoning map changes upon requests from the residents of Chapel Hill to zone R1/4. He said that Mountainside Woods has met twice with the Planning Board in an informal review and they are still working on the DEIS; there will be a change in that application. Rezoning to R1/4 has been discussed and will go through the Planning Board process to acquire a cluster subdivision, which will allow more acreage on Illinois Mountain and a conservation easement. They have been in contact with Scenic Hudson to have trails across the back of their property which will tie into the Town of Lloyd trails and the Gaffney property/Scenic Hudson trails.

07.06.2011

Supervisor added that the change to the zoning map has to be re-advertised because there was no response to the previous advertisement. A letter was sent out to people affected by the zoning changes and responses were received.

Peplow asked how many letters were sent out and Barton replied that approximately 130 letters were mailed.

C. Highway – Frank Lombardi

D. Police – Chief David Ackert

E. Recreation – Frank Alfonso

Hammond asked Brennie, liaison to Recreation, about the letter the Board received regarding the pickleball court.

Brennie felt that the letter was disappointing and the complaint was due to the result of slow-moving government and the impatience of the players. He referred to the issue of chalk that was left on the court and stressed that the pickleball players have to understand that the SummerFun program at the Park is for arts and crafts activities. However the issues have been addressed; the pickleball players will attend the next Recreation Commission meeting on July 11.

He added that residents do not understand that Frank Alfonso is a part-time employee and gets as much done as he can within the time allotted.

F. Town Clerk – Rosalie Peplow reported that she settled the tax warrant with the Ulster County Commissioner of Finance on June 17 and the final payment of taxes was \$270,317.73. She also gave the County their share of the interest earned which was \$103.43. A committee of tax collectors, of which she is a member, has been formed to streamline the tax collecting procedure. Trish Gallo, from the Commissioner's Office, suggested that the second copy of the tax warrant books is eliminated. The tax collector marks the first set with the payments and the information is on computers. The marked books are brought to the Commissioner of finance when the County takes over the warrant. There is no need for the second set of books.

The Ulster County Board of Elections sent her a questionnaire with regard to the Town Hall polling site. Bob Post, Election Custodian, gave her his contact numbers and a contact number for Anthony Puccio, Election Custodian. The Town Hall has to be opened from 11:00 AM to 10 PM on Primary Day, and for General; on November 8, Election Day, polling places must be open from 5:00 AM to 10:00 PM.

G. Water – Andy Paccione reported that a representative of Central Hudson stopped by the Water Plant and determined where the gas meter would be located.

Supervisor said that converting the Water Plant to natural gas has been discussed because due to the lower price of gas money could be saved.

Paccione agreed that approximately \$17,000 would be saved if the plant is converted to natural gas; he did get three prices on new boilers, which ranged from \$6,000 to \$8,000 per boiler, this did not include the plumbing, gas lines or the valves that may have to be replaced. He asked Central Hudson if it would be possible to keep the pressure higher so that a smaller gas line could be installed; however, a 3-inch gas line will be required to accommodate the generator if it is installed in the future.

Supervisor added that Paccione is a plumber and understands how to install a boiler; he suggested getting the gas line in before winter.

Paccione would like to buy a cast iron boiler which would last longer than a steel burner. Efficiency of various boilers was discussed.

07.06.2011

Supervisor suggested installing the gas main and making it large enough so that the generator can be run off of it.

Hammond asked if Paccione has contacted other municipalities to see what kind of gas boilers they use.

Paccione replied that he had not.

Paladino suggested asking Central Hudson if there were any incentive offers.

Paccione said that he will ask. He has spoken with Ray Jurkowski of Morris Associates, engineers about a pilot study on the organics that are left in the water after processing; this process will be mandated after 2013 as a running average will no longer be valid.

Supervisor explained there was a discussion to test at the water plant or at the Poughkeepsie water plant as they are doing the test now. Trident, the company that made the filter units, has a mobile unit at a cost of \$30,000 or \$40,000. They will come for a month and determine what method works the best for Highland water; it is needed when the plant is on Hudson River water but the plant has been on mountain water all year. The concern is that when the switch is made to River water that Trident will be working at another town; it has to be determined when the River water is used and when the test is wanted.

He said that the Board is in agreement that the testing must be done, to determine if the plant can be in compliance and how, the equipment needed for compliance, where it will be placed and if an addition is needed. A project can be made to include a gen-set and a new perforated tank.

Paccione is sure that the water plant will be on River water by August.

Supervisor said that this expense is not in the budget; however, there is money in the unexpended funds to support the test.

Paccione would like to treat the recyclable water in the future and would like to discuss putting in a wetland, which may be a cost effective way to treat the water. The late John Jankiewicz, former Water/Wastewater Administrator was planning to do that. Ray Jurkowski of Morris Associates will find out from Ulster County Department of Health if the wetland would work.

Supervisor added that there is an experienced wetland engineering company that the Town can now contact, North American Wetland Engineering Company and he feels that it is a worthwhile project to capture and process the water.

Paccione related that the new meters are back ordered but the heads and receivers have come in.

Supervisor said that these units will be installed in residences on Reservoir Road, Brescia Boulevard and Tillson Avenue and a plan has to be devised as to when install them, keeping the overtime hours for the Water Department to a minimum, resulting in adjustments to the work day.

Paccione said that he has spoken to the Marlborough water department who gave him advice but he understands that appointments were made and most of the work was done during working hours. The three streets will be the pilot program and he would like to commit to installing meters in the remainder of the district.

Paccione said that the gas detector, which is 12 years old, needs to be repaired at a cost of \$450.00 to \$500.00; a new one could be purchased for \$750.00. It is used by both the Water and Sewer Departments.

07.06.2011

He said that the alarm system for the North Road pump station has been installed and is on line; the first phone number listed is the water plant and the second is his personal phone number.

Paccione said that copper sulfate has been added to the reservoir. He notified the Board that the company contracted by American Towers applied herbicide in the watershed area in error; he did get the Material Safety Data Sheets (MSDS) on the chemical used and read that it is very inert and breaks down readily. David Groh, owner of the tower, apologized for what had happened and said that he had no control over it. Herbicide was not applied to the water but it was applied to the ground, it breaks down in a few days and he did not feel it was necessary to draw water from the River. He did take water samples and it will take three to four weeks to get the results. Supervisor agreed that it was not a matter of great concern.

Hammond asked why David Groh had no control over the application of herbicide.

Brennie felt that Groh was ultimately responsible as he hired the contractor.

Supervisor stated that the new lease for American Towers will have an item on herbicides.

Hammond thought that was a good approach as the situation could have been much worse, SummerFun and Berean Park would have had to be closed along with the problems it may have caused the watershed. Groh must be informed that the Board is not happy.

Brennie acknowledged that Groh said that it will never happen again,

Supervisor added that Groh now has a problem with all of the dead foliage, which is a fire hazard and he will have to deal with that.

Paccione is concerned about potential tampering of the two well heads, pumps, transformers and electrical panels which are installed on the watershed and could be accessed from the Scenic Hudson trails; he recommended fencing in the equipment.

The Board concurred with him.

H. Sewer – Adam Litman reported the following:

The contractors on site during the month of June were Alpha Concrete, Rondout Electric, Kingsley Arms and Morris Associates.

Construction of the new primary tank is still underway. The north side upper decking has been completed; south side floor, walls, influent chamber has been completed, which is approximately 200 yards of concrete. The influent control valves and the last section of the suction header on that tank have been installed.

The coating of the steel on the inside of the Rotating Biological Contactors (RBC's) tanks was finished earlier in the month. Installation of air lines and diffusers has been completed. The electrical hook up has been completed, some are temporary and some are permanent. Five new RBC's were installed including covers and end-caps. The new RBC's were put into service. The plant is now running on eight RBC's; the three old RBC's are due to be removed in July.

Supervisor asked if the gas line was the same service.

Litman replied that he has been in contact with Central Hudson; Central Hudson wants to upgrade the service meter and he is concerned about that work.

Hammond asked when the work will be completed.

Litman said that completion was scheduled for the middle of August but there may be a delay due to the retirement of the Morris Associates' employee.

07.06.2011

The new generator was installed on the slab and they are working on a transfer switch; service panels and equipment.

Sewer plant operations continue as normal.

The May BMW/ DMR for the sewer plant and Staff Lighting/Zumtobel has been completed. Noncompliance letters for each facility were issued and contact was made with NYSDEC.

Litman asked if there was any information on the sewer discharge signs.

Supervisor answered that the signs have been ordered. Regarding the backflow preventer and using the money that would be left over from the project, he asked if Morris Associates should be contacted.

Supervisor asked if Kingsley or Morris would be doing the work.

Hammond asked if the work could be done in-house and after a short discussion, it was decided that it could be done in-house.

Litts asked the percentage of the completed project; he is curious about percentage and time versus dollars paid.

Litman answered that 95% of the concrete work has been completed and about 75% margin.

Supervisor added that the big-ticket items are coming in now.

Litman agreed that these items take quite a bit of time to install.

Paladino asked if the project is still ahead of the original schedule and Litman concurred.

2. OLD BUSINESS

A. Public Hearing for Chapters 55, 89 and 90

David Barton, Building Department, said this is in regard to the amendment to prevent a situation such as Pleasant View Development from happening again. When the Planning Board approves and signs the plat, a note will be placed on it stating that, all improvements must have been made two years from this time and if not within the two years, the bond will be pulled. This amendment will be noted in the three different chapters as one is roads, one is stormwater and one is subdivision.

He said that the goal is not to get to the end of a bond, the road is not built and the developer will not renew it. The 150% multiplier performance bond has been added into the language. There will be a 150% buffer to get the work done if the Town takes the bond.

B. PRD Language START

David Barton said that PRD was eliminated and made a TND zone at; however, it is to be changed back to a PRD as it is difficult to manage. He said the PRD has been discussed at length at the recent tri-board meeting. A draft copy of the local law has been prepared by Lewis DiStasi, attorney.

DiStasi said that there is a final version that can be circulated; a public hearing will not be set as there is no feedback as yet on those two proposed local laws. The public hearing will be set when the feedback is received.

Peplow clarified that it will be circulated to the Town of Lloyd Planning Board and to the Ulster County Planning Board again and the referral form is not needed now.

DiStasi replied that the Ulster County Planning Board as well as the Town of Lloyd Planning Board has said that they want to see things in the early stages. These local laws were drafted within the last three weeks and they are to be circulated to see if

07.06.2011

anyone would like any changes made and then there will be a formal resolution setting the public hearing. Comments may be received before the next meeting on July 20.

Supervisor said that the Board wants the Planning Board to be involved in discussions early in the planning.

DiStasi added that legal problems may arise if public hearings are set before the final form for the public to study.

Peplow posed that responses are needed from those two departments which will not be received until the end of August.

DiStasi said that even if responses are not received, a public hearing notice will be sent out when the public hearing is set. If Ulster County Planning Board does not have a formal meeting, there is no feedback and it has to be put back a month.

Barton remarked that in the past public hearing was circulated and comments back, so there was a public hearing and changes were to be made and it was circulated again, this will forestall that. People can come in to study it or look at the website, look over comments from the Planning Board or UCPB.

Peplow asked if there would be modifications on the law that she would then circulate

Barton confirmed that she will have a corrected law to circulate.

C. Public Hearing on 120 Grand Street Sewer hookup on July 20th.

Supervisor explained this was under \$6,000.00, it will be put on his taxes and it is broken down into seven (7) payments; the legal fees are being paid for by the Sewer District.

D. Sixteen Acres Town Board Lead Agency and Pos Dec on July 20th.

Barton said that this language is ready for a positive declaration, lead agency and set the scoping session; he has contacted Rich Olsen, the applicant. He will do the environmental notice bulletin and will put it on the website. There are separate sections under the planning department for these projects, Sixteen Acres, the winery if it comes in and Mountainside Woods.

Paladino asked if it makes sense to bring the GB zone further down Route 9W and asked why that is not happening.

Barton said that he did not know what the developers of the Winery property will propose.

Litts offered that he felt what Paladino was alluding to is that it is not just that parcel, Route 9W is one of our commercial corridors and the zone could go to the Town line.

Barton replied that decision is to be made by the Town Board.

Paladino feels that water to the south on Route 9W may be 10 years to the future and connection with Marlborough is still possible.

Barton added that if the Winery property is developed, they may have to supply their own water as he is not sure of the capacity of the Highland Water District. At this time, the sewer would have to be pumped up hill to connect with the pipe at Rite Aid.

Paladino recused himself from the meeting as the Board began a discussion which included the Sixteen Acres project.

07.06.2011

Hammond feels that it would make sense to continue the GB zone along Route 9W to the Town line and this is the time to change it and not come back next month and change it again.

Litts agreed with her as it is the major business corridor of the Town; both he and Hammond agree that they would rather see business on the Route 9W corridor instead of houses.

Brennie asked if the zoning was being changed because of demand.

Litts replied that it would be prudent because the map is being changed.

Supervisor asked if it would include the Winery property and he named the parcels to the Town line that would be changed, some of which are residential properties. He suggested that the Winery project could be coming in within a month with a proposal.

Brennie questioned the Zoning on the Winery property.

Barton answered that it is R1 and R2 and it is his understanding they are ready to present and they will not be asking for GB. He feels that this will be a whole new concept; they have a 20-year build out. Conventional agreements would expire before parts could be built. Most developers build in stages now, starting with the most lucrative uses. He felt that the Winery property is perfect for a conference center and small retail shops.

Supervisor added that they could use the 'water world overlay' for that property. He recalled the water park proposed for Rocking Horse Ranch at 5 miles from the Thruway exit and other NYS roads of so many acres, that is one of them. Hammond was thinking about that property when she made the motion as that property could be used as a resort at 535 acres. He asked if the Board was going to approve 500-feet.

Barton said that it makes more sense to do property lines.

6:50 PM – Paladino returned to the meeting.

E. Zoning Map Amendments

Barton provided hand-outs to the Town Board and said that the modification, for which recirculation is needed, is that Mayer Drive came straight down and across properties. Developer does not want it. Everything else on that map that has been seen for the last three months.

Peplow asked if the zoning on North Elting Corners was changing.

Barton said that it is being changed from LB to DB on the south side and R1/2 on the north; this is consistent with the map that has been proposed for three months. There is no change to the proposed map except for the section on Chapel Hill.

F. Change order #3 and Final Payment for Walkable Hamlet Project

Supervisor said that he has the information from Brinnier & Larios, if anyone would like to look at it; this is the final change order to clean up the pieces, at a cost of \$7,800.00; the final payment is \$40,000.00. This is the grant from Sen. William Larkin.

Litts asked who was Camoin Associates and asked if they were tied to this.

Supervisor answered Camoin Associates did the Walkable Hamlet analysis and they are not tied to this. This is for the sidewalks, part of this were the Woodside Place sidewalks, as Roehrs did the work as he was working on the sidewalks adding it to Change Order #2. Assemblyman Tom Kirwan gave the Town a member item of

07.06.2011

\$15,000 in 2006 and the Town is now applying to be reimbursed for the \$15,000. As it stands, this project is \$217,000, less the \$15,000 leaving \$202,000 remaining. This will be on the agenda for July 20 Regular meeting for approval; it completes Roehrs' part of the contract.

G. Ethics

Supervisor stated that he sent the draft of the Ethics law to Bill Wallens, attorney, Roemer, Wallens & Mineaux, and Wallens returned a red-lined copy. Supervisor sent a red-lined copy as well as a clean copy to Sean Murphy, Town attorney.

Litts asked if it would be on the agenda for approval and the Supervisor replied that it will be on the agenda as soon as the Town Board deems it to be complete.

Hammond understood that the Ethics Committee did see the draft and now they want the Town Board to review it.

Peplow felt that the only issue was the length of the terms of office and that was the issue that Murphy had to review.

Supervisor said that was discussed in the red-line copy and he asked the Board to let him know if they would be ready to vote on it if they feel that it is complete on July 20.

Brennie asked the status of the graffiti damage incurred on the Rail Trail. He said that in removing the graffiti, the signs were damaged.

Supervisor answered the Baker Brothers tried to power-wash the graffiti off the signs. The signs are super expensive; the three small plastic signs explaining the use of the exercise equipment would cost over \$1,000.

Brennie asked if the insurance would cover the damage and Supervisor answered that there is a deductible of \$1,000; he spoke with the Rotary (the original sponsors of the site) and asked if they would be willing to pay the deductible and they agreed to do that. The insurance company has received the claim.

Hammond asked if surveillance cameras would be feasible.

Brennie felt that would be a good idea, along with security cameras on sewer and water.

Supervisor said that was discussed in the past but there was opposition because of invasion of privacy.

Peplow felt that cameras were more commonplace now.

3. NEW BUSINESS

A. Town of Lloyd Historic Preservation Society – Walking Tour

Vivian Wadlin and Charles Glasner, President of the Town of Lloyd Historical Preservation Society.

Vivian Wadlin explained to the Board that the Town of Lloyd Historical Preservation Society is putting together a self-guided history tour of the Hamlet and 16 businesses signed up to allow the Society to use part of their store windows. There will be 11"x17" historical photographs in the windows and next to the photo will be a 8½"x11" sheet with an explanation; each will be placed as close to its original site as possible. Some of the photos will have to do with agriculture.

She showed a photo of what she called, "the building formally owned by Lewis DiStasi is now Brennie's Pizza". The building is now owned by Kevin Brennie.

Wadlin said that there were 14 different subjects to be covered and will include people. The theme is, "Follow the Trolley", and they are requesting permission to allow

07.06.2011

stencils on the cement of some of the sidewalks so that the route of the Trolley can be followed. This route will bring people down off the Rail Trail into the Hamlet.

Hammond thought that it would be a great idea.

Wadlin said that this will be at no cost to the Town; three banners have been made and they may ask that they are hung on Town property if they cannot be hung on the Rail Trail. They are asking each business owner to pay for the frame and she is doing the blow up of the photo herself. This Historical Society is paying for the banners. The Board was interested in seeing the various photos that she had with her which included some outside the Hamlet. The tour will be through the summer into September and the businesses may keep the photos.

Charles Glasner said that create press hype will be created for newspapers and local magazines; the restaurants will be asked to donate some food. They are trying to get the entire Town involved in the tour project.

Glasner asked if there would be an issue with the DOT.

Supervisor answered that he felt that there would be no problem as the Town has maintained the sidewalks.

Peplow asked where the tour would start; she feels that this idea is phenomenal.

Glasner answered that it will begin on Route 9W near Coppola's Restaurant and the Rail Trail; he said that the next phase will be the waterfront, making a loop that goes from the Hamlet down to the Oakes and back up to the Hamlet. He feels that there are a million people visiting here and they should have a reason to come to the Hamlet.

Wadlin said that the tour is self-guided but they will ask if they can put information in the Rail Trail kiosk.

DiStasi feels that Lloyd is the most interesting town in Ulster County.

Supervisor said that the tour will be put on the Town of Lloyd website under, "What's New?"

Supervisor explained to Mark Reynolds, *Southern Ulster Times*, that the Board received some bad advice regarding the attorney/client meeting after the last Town Board meeting and the Board should not have met with the attorneys and a third party. The subject of the meeting was a discussion regarding Highland Square being entitled to a pilot program under the pilot rules of Ulster County.

Reynolds asked him to elaborate on the pilot program.

Supervisor answered that they are eligible for the 'worst' pilot there is for the Town: they qualify for a 15-year pilot which provides that no tax is paid for the first five years and 25% of the taxes for the next three years, decreasing over the 15-year period. This is for both Town and school taxes.

Paladino clarified that this would not be for the entire project but it is strictly for the proposed medical facility.

Supervisor spoke with Lance Madison of Ulster County and asked him to come to talk about this with the Board; however, he is not available until late August. He shared an email he received from Madison with the Board. He can't encourage negotiation but he can encourage discussion about a pilot program and what the Board wants. There are three standard pilot programs: the 15-year program; a 10-year with no tax for the first three years, ratcheting up over a 10-year period; and a 10-year pilot with 50% abatement the first year, mimicking the 485B effective all over NYS and the Town of Lloyd. If someone puts

07.06.2011

up a commercial building, they can apply for a 50% tax abatement which reduces 5% per year for 10 years. This last pilot is the least generous to the applicant. There has been discussion about the fees that are owed to the Town, i.e. the Recreation fees and the sewer fees and the discussions will continue.

Both he and Barton impressed upon them that they could not appear before the Planning Board without paying their escrow account fees and the Town has received a check for \$50,000.

Supervisor said that upon taking over the escrow accounts, he met with consultants and asked them not to forge ahead; his office is always trying to keep ahead of the escrow accounts. Highland Square is the only account in the red, reason being the \$48,000 in legal fees and once the lawsuit started, everything stopped and there was no money to cover the bills. The \$48,000 in legal fees cannot be demanded from the Highland Square, it would be nice if they paid it, but it is the responsibility of the Town. They have been asked and Highland Square has alluded to paying the legal bill; however, the taxpayers paid the bill.

Ralph Diaz asked if there has been a lesson gleaned from this situation.

Supervisor said that he had a conversation with Sean Murphy, attorney, who spoke with Lew DiStasi, attorney, and in retrospect, it was agreed that the Town Board should not have held the meeting in the presence of a third party.

Paladino added that the applications now state that if there are any legal fees incurred that the applicant understands that they are responsible.

Litts explained that whenever an Article 78 is brought against the Town, the Town has to defend itself. It is not an option.

Brennie stresses that the residents have the right to file a suit but \$48,000 is a lot of money for the Town to pay to defend itself.

Supervisor related that Teresa Bakner, attorney, has told him that normally the applicant has all to lose not the Town; the Town is sued in conjunction with the developer and the developer's attorney fights the lawsuit and the Town signs off. It did not happen that way because the applicant did not have an attorney who was proficient.

Reynolds asked if there a schedule to pay off the fees.

Supervisor replied that the fees are due upon the signing of the map, as with Vineyard Commons, at the closing, the Town gets the money it is due and everything falls in place. The question is if the developer wants the entire project in the Sewer District even if all that is being built at first is the Alzheimer care center and if the commercial piece has to be paid. The Town is not going to put the whole project in the Sewer District if only half of the contribution is made by the developer. The position of the Town is that the Town wants it all.

Brennie added that reduction of fees is not being negotiated; the discussion is when the fees are going to be paid. Highland Square will pay whatever the law says must be paid.

Supervisor replied to Reynolds question as to the amount that is owed that the sewer fee is \$700,000 approximately; he has approval for 224 units, at \$2500 each. The developer is saying that he is only going to build 128 and may never build the others, he wants to start with one building. The developer would like to pay recreation fees on 128, not 224. The developer has been told that in 10 years when he wants to expand the Town Board may not remember that recreation fees were not received for the second building. Supervisor suggested it could be by deed restrictions or by a note on the maps; however, at this time, the Town wants the full amount.

4. MOTIONS AND RESOLUTIONS

A. MOTION made by Litts, seconded by Brennie, to accept, with regrets, the resignation of Tom Ryan from the Town of Lloyd Planning Board, whose term was to expire December 31, 2014, effective, June 23, 2011.

Five ayes carried.

B. NO ACTION TAKEN Motion to appoint _____ to Town of Lloyd Planning Board to fill the term to expire 12/31/14.

C. NO ACTION TAKEN Motion to accept the resignation of _____ from the Town of Lloyd Zoning Board of Appeals whose term was to expire _____, effective, _____ 2011.

D. NO ACTION TAKEN Motion to appoint _____ to Town of Lloyd Zoning Board of Appeals to fill the term to expire _____.

E. RESOLUTION made by Hammond, seconded by Brennie,
WHEREAS, proposed local law E to amend Chapters 55, 89 and 90 of the Town Code in respect of construction of improvements and of performance bonds and other security has been prepared by the Building Department Director and the Town Board and Planning Board's attorneys; and

WHEREAS, the local law needs to be circulated to the Town of Lloyd Planning Board and Ulster County Planning Board.

NOW, THEREFORE, IT IS RESOLVED AS FOLLOWS:

1. The Town Clerk and Town Board shall circulate the proposed local law E to amend Chapters 55, 89 and 90 of the Town Code to the Town of Lloyd Planning Board and Ulster County Planning Board. The Town Board as the only involved agency appoints itself Lead Agency under SEQRA.

2. Upon reports from the Planning Boards, this Town Board will pass a resolution to set a public hearing and circulate generally the local law, pursuant to Town Law and Environmental Conservation Law.

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

Five ayes carried.

F. RESOLUTION made by Brennie, seconded by Paladino,
WHEREAS, proposed local law F to amend the Town Zoning Code to add a Planned Residential Development section has been prepared by the Building Department Director and the Town Board and Planning Board's attorneys; and

WHEREAS, the local law needs to be circulated to the Town of Lloyd Planning Board and Ulster County Planning Board.

1. The Town Clerk and Town Board shall circulate the proposed local law to establish sections of Chapter 100 of the Town Code for regulations for a Planned Residential Development to the Town of Lloyd Planning Board and Ulster County Planning Board. The Town Board as the only involved agency appoints itself Lead Agency under SEQRA.

2. Upon reports from the Planning Boards, this Town Board will pass a resolution to set up a public hearing and circulate generally the local law, pursuant to Town Law and Environmental Conservation Law.

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

Five ayes carried.

G. RESOLUTION made by Brennie, seconded by Paladino, 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 for \$30,000.00 and 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

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

Five ayes carried.

H. RESOLUTION made by Brennie, seconded by Litts,

WHEREAS, the Developer intends to build and dedicate a certain roadway known as "Amanda Circle" off Martin Avenue, as shown on a certain map of a subdivision entitled "Williams/Tirrito, SBL #79.002-1-9.35, encompassing 1,200 lineal feet of roadway, as bounded and described as set forth in its subdivision map and the agreement with the Town of Lloyd dated August 7, 2006; and

WHEREAS, the road is still not completed, and the Highway Superintendent and Highway Engineer have furnished a list to the Developer of items which need to be completed before the road can be accepted, and the Developer has asked that the Road Improvement Agreement be amended to provide a one-year extension to October 31, 2012.

NOW, THEREFORE, IT IS RESOLVED AS FOLLOWS:

1. The amendment to the Road Improvement Agreement, annexed hereto as Exhibit "A" be, and the same hereby is, approved.
2. Raymond J. Costantino, Supervisor, is authorized to sign the Agreement.
3. DiStasi Moriello & Murphy Law PLLC shall circulate the Agreement to the Developer, the Town Clerk and the Planning Board. (See Attached)

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

Five ayes carried.

I. RESOLUTION made by Brennie, seconded by Paladino,

WHEREAS, the Supervisor, as Fiscal Officer, shall adopt the prevailing wages for work in the Town of Lloyd, as set forth in Labor Law Section 220.

NOW, THEREFORE, IT IS RESOLVED AS FOLLOWS:

The prevailing wages to be paid in the Town of Lloyd for contracts that require payment of prevailing wage shall be as set forth in the regulations of the New York State Department of Labor, as regulated by Labor Law Section 220.

The Supervisor shall review public works projects of the Town of Lloyd, and the Town of Lloyd and any contractors bidding on projects in the Town shall submit lists naming each sub-contractor and the amount paid to each, so that it can be determined if prevailing wage is being paid, in compliance with Section 220 of the New York State Labor Law. In no case shall a wage be paid that is less than the New York State minimum wage.

07.06.2011

The Town Board and Town Supervisor adopt the prevailing wage schedule for Article 8 Public Work Project for the scheduled year 2011-2012 for projects to be entered into during that year. The Town Board hereby refers to the annual determination for NYS DOL at the website www.labor.state.ny.us for specific prevailing wages for contracts to be entered into during the scheduled year 2011-2012.

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

Five ayes carried.

J. RESOLUTION made by Brennie, seconded by Hammond, to approve the following budget amendments:

Water Fund Equipment	20-07-8330-20	+\$1,300.00
Sale of materials	20-2650	-\$1,300.00
(sale of 1979 dump truck to help pay for new lawn mower)		

Highway

General Repairs CE	01-04-5110.40	+\$87,000.00
Perm Rd - N. Elting Rd	01-04-5112-29	-\$42,000.00
Perm Rd – Dogwood Knoll	01-04-5112-39	-\$25,000.00
Unexpended Balance	01-770	-\$20,000.00
(for Mile Hill Road emergency repairs)		

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

Five ayes carried.

Brennie noted that the correct MVP health insurance cards are being received by employees.

Reynolds asked why the Mile Hill project cost so much.

Litts replied that the over-steep slope was not going to be stable with ground water coming out of the base. He met with Lombardi on the site to look at it and saw it needed a wall system to be built on the lower piece to stabilize the road. This was not in the original plan.

7:20 PM – Councilmember Litts left the meeting room at 7:20 PM

MOTION made by Hammond, seconded by Paladino, to go into executive session to conduct interview with John Litts at 7:21 PM and discuss personnel.

Four ayes carried.

8:00 PM – Litts returned to the meeting room.

MOTION made by Paladino, seconded by Hammond, to come out of executive session at 8:24 PM.

Five ayes carried.

MOTION made by Litts, seconded by Hammond, to adjourn the meeting at 8:25 PM.

Five ayes carried.

Respectfully submitted,

Rosaria Schiavone Peplow
Town Clerk