

TOWN OF LLOYD TOWN BOARD

WORKSHOP MEETING

JULY 11, 2012

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

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

3:10 PM – Supervisor opened the meeting and asked Lt. Wade Sargent to lead the Pledge of Allegiance.

Supervisor Hansut explained that this is a Town Board Workshop meeting in which the department heads will give reports. He asked those in attendance to, jot questions down and ask at the end after the reports are given. He feels that the Workshop meetings at 3 PM works better for the department heads since they do not have to return from home. Resolutions involving anything financial will be done at the Regular Town Board meeting. There are some resolutions on this agenda; however, most of them are housekeeping items.

1. REPORTS

- A.** Finance – Karen McPeck, Bookkeeper to Supervisor, reported that there are budget amendments on the agenda that can be held until next week; some are allocating money because departments are under budget and there is a little left in the budget, Rich Klotz, Highway Superintendent, is allocating money from the CHIPS funds to the projects he wants to get done. The Supervisor’s report and the Account Summary went to all of the Town Board members and the department heads got their copies today. As it is June and halfway through the year it is a good time to look at the status of the budget. There is a note that the water and sewer billing for the Supervisor’s report was not done by the end of the month due to a glitch in the billing software; however, the water billing was \$34,490.84 and the sewer billing was \$25,888.92. July started the new plan year for the HRA Choice Care card and MVP. There are 2.5 months to put in claims for the prior year after the plan year ends. As of right now 43.5% of the total exposure has been spent; the premiums for July 1, 2012 went up, therefore, the savings may not be as great. She has a new printer in her office at no cost to the taxpayers as it was obtained through points earned with Hewlett-Packard. The old bookkeeper printer is now in Frank Alfonso’s office and will be used for the Recreation Department.
- B.** Assessor – Elaine Rivera reported that the final assessment roll was filed on July 1, 2012, and the total change in assessed value for 2011 to 2012 was a minus of \$33,263,962 due to trending. Residential properties were lowered 4% and commercial properties 3% across the board. Of that \$33-million, \$1,505,000 was due to Board of Assessment Review changes; hearings were held on Grievance Day and there were 46 grievances filed and of them, 30 received a reduction. There are still two outstanding tax certioraris, Vineyard Commons and Rite Aid; Guardian Storage is a third but she feels that may still be settled; the other certioraris have been withdrawn. NYS has made some changes to the limits allowed for Alternative and Cold War Veterans exemptions; she would like the Town Board to adopt a local law to allow Lloyd veterans to have more of an exemption on their property taxes. If the Board approves, she will ask Sean Murphy, attorney, to work on what needs to be done to adopt the local law. Paladino asked if they were new limits. Rivera answered that the limits on the exemption is being increased; they raise them every three or four years; the last change for veteran exemption was in 1999. Supervisor added that Ulster County is just starting the exemption. Rivera said that the County has always been at the low end even for senior citizen exemption and they have now come up to the Town level. The Town is at the maximum for seniors. She concluded that it is not a lot tax-wise compared to what the veterans have given so she would like to see this passed. Supervisor agrees that they deserve it and asked Murphy to work on the local law. Erin Quinn, reporter, asked the meaning of ‘Alternative’ veterans. Rivera answered that a veteran’s exemption was allowed based on money received by the veteran from the Veterans’ Administration; then they came up with a new law which was the Veterans’ Alternative Exemption. If the service was in wartime, there

was a 15% exemption up to a certain limit and if it was in a combat zone it was 10%, so if you served in wartime in a combat zone, the exemption could be 25% up to a limit. A couple of years ago, they allowed 'Cold War Vets', as long as there was service and an honorably discharged veteran; the veteran was allowed a 15% exemption as there was no combat zone.

C. Building & Zoning Department – David Barton reported that the Comprehensive Plan review committee met on June 27, Brad Scott is the Chairman. Everyone was assigned a chapter to review and the next meeting is Tuesday, July 17 at 7:30 AM. The public is welcome to attend but there will be public meetings on the Comprehensive Plan in the future. The review of Mountainside Woods continues; landscaping and road design is being discussed. He met with Andy Learn from Morris Associates and Rich Klotz, Highway Superintendent, about the road width and radii of the cul-de-sacs, which will be an ongoing discussion. He is hoping to see better detailed maps next Thursday for the Planning Board workshop. This has been a busy three weeks. His office is catching up as there are many complaints that were not put into the computer system. Vineyard Commons will be in court tomorrow at 2 PM. Hudson Valley Extended Care and Rehabilitation Center is asking for site expansion and they are coming in with a site plan; it is two floors of out-patient rehabilitation in the back of the present building, which will be almost completely obscured from the road in the shadow footprint of the building; it will be good for them and the Town. There were three fire calls in the last three weeks. There were two fires which he is handling and one was a tree that fell on a house, during the latest bad storm with wind and rain. He called the Supervisor and he went out to the scene with him and they helped the homeowner move his furniture out of the damaged space. He thanked the Supervisor. There was a property maintenance problem and hoarding which included an animal control issue. He then gave props to Andy McKee who coordinated the entire animal emergency response. There were six dogs, eight cats, two birds, a rabbit in the residence with zero maintenance; Andy was very impressive. He and McKee went back to the scene the following day to coordinate the Building Code and the Animal Code and added that McKee is very professional. He stressed that above-ground pools are an ongoing issue. NYS considers it a pool if it is capable of holding 24-inches of water; it then requires a full 4-foot barrier and a 52-inch gate, latch release and a pool alarm. He said that he is the 'Grinch that stole summertime' as he is the guy who has to send letters of violations. He feels that the Board will receive complaints and that he recommends that the kids go swimming at Berean Park. Every five days in New York State a child dies in a pool. He has a handout that explains the requirements for pools.

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

E. Highway – Richard Klotz reported that his department has done some paving and the estimated cost was \$116,000 but the bill was \$95,000. He now has an air conditioner in his office. They are continuing to hot patch and clean the shoulders of the roads. He is looking into the drainage at Christopher Avenue and Brinkerhoff. He asked Sean Murphy to investigate if there are easements behind Ron Perkins' house on Christopher Avenue, where the main drainage line runs. The original drainage work was done awhile ago during the term of former Highway Superintendent Peter Anella. Next week he will borrow equipment from the Town of Esopus to do work on the drainage problem at the Highland Elementary School at Lockhart Lane. He explained that the drainage that was done dumps the water on the school's playground and he is going to correct that. He has issues with the design of the roads at Mountainside Woods; he has no road details and the cul de sacs are too small.

Litts said that they have to adhere to the new requirements that were just enacted.

Klotz agreed but said that they do not even adhere to the old requirements and there is no place to put the snow. He said that he is going to start working on budgets for new trucks and equipment. He is hopeful that the money saved on paving can be used for vehicles and additional drainage work. Faye Sisson has retired and he would, therefore, like to increase the salary of Denise Rhodes, his secretary, to the level of Sisson's salary. They have found bills that have not been paid and are going through various files.

Supervisor complimented him on the paving job on Pine Terrace.

Paladino noted that he saw the Letter to the Editor from Klotz in which he thanked New Paltz Highway Department for their help.

Supervisor asked when the damaged sidewalk on Milton Avenue would be fixed by NYS as he had understood the work would start at the end of the school year.

Klotz responded that he noticed that someone was marking it out today.

Supervisor said that he saw Klotz and Litts looking at the Vineyard Avenue sidewalks.

Litts said that the pavement is undermined and Klotz agreed that it is undermined from the Rail Trail crossing past Vintage Village to Tillson Avenue.

Supervisor said that he showed the area to a man from NYSDOT and there are actually holes in the road; DOT has been made aware so it is now their responsibility.

F. Hudson Valley Rail Trail –

Paladino was asked by a resident about the downed trees and drainage on the Rail Trail, which had been briefly discussed. He asked if there is something that could be done.

Klotz said that he has spoken with Ray Costantino, HV Rail Trail Association; he said that he has one or two roads that he would like to finish and then he can use the Grade All to clean the ditches along the rail trail. His crew cut the grass alongside the Rail Trail today.

Paladino explained that Frank Alfonso met with Top Seed to do some work at Tony Williams Park. Top Seed has been asked for a quote to put in a planting around the sign and the main entrance to the parking lot off Haviland Road. He felt that the overgrowth of weeds looked terrible.

Rafael Diaz said that has been discussed at the Rail Trail Association meetings and the quote should be given to Claire Costantino, President.

Supervisor noted that an eight-year old fell while roller-blading due to some debris on the pavement of the Rail Trail and broke his arm. There is some question if it was on the Walkway over the Hudson or the Rail Trail and the information was sent to his office by Claire Costantino. The report was done by NYS Parks on July 5.

G. Justice – Terry Elia/Eugene Rizzo

H. Police – Lt. Wade Sargent acknowledged that the 4th of July Celebration went very well and thanked the men and supervisors that worked for him that night. He commended the NYS Police who provided two vehicles and two men and the Ulster Sheriff's Department provided one vehicle and one man, their participation was a great help with logistics and making things happen in a safe manner. There was a lot of positive feedback on the event except for the people trying to get to the Park that night. He also thanked Highway Superintendent, Rick Klotz and his secretary, Denise Rhodes, for their help and the NYS Bridge Authority who always helps with the large events.

He noted that he was standing in for Chief Ackert and that it is not likely that the Chief will be in for anymore meetings. He reminded the Town Board that the Police Department is down a full-time employee and the schedule is hard to make. He will need to increase part-time help if a full-time person is not hired; he is also losing some of the availability of the part-time officers.

Supervisor asked if there has been a complaint about cars parking on Chodikee Lake Road by the Camp.

Lieutenant said Mr. Pilchek has reached out to him and he tried to speak with him before the complaints got to this point; the Camp usually works well with the Police but he realizes that the people living beyond the Camp have constant issues they deal with in the summertime. He will ask the patrols to be aware and mention to the Camp organizers to move the vehicles. The Police address problems as soon as they can and do the best they can to make everyone happy. The Camp has a phone system that requires dialing '9' for an outside line so there are quite a few hang up 911 calls.

Supervisor said that Dawn Mahoney who is building a house on Oakes Road has experienced vandalism and trespassing so Officer Vasta was down there today and he is going to try to address those issues.

Lieutenant advised that the primary issue there is the people who are hanging out on the riverfront and it is a concern to all of the residents. It is an area that is frequented by many people. Most of the people are sitting there and enjoying the River but there is an element that is there for the wrong reasons. CSX would support a trespass complaint or support the Lloyd Police in enforcing that. This goes on 24 hours a day.

Paladino asked if signs could be posted.

Supervisor answered that it is CSX property not Town of Lloyd property.

Lieutenant said that Dawn Mahoney is going to give the Police a no-trespass letter which they are going to keep on file. The letter gives the Police the authority to pursue charges if they do catch someone.

Supervisor said that the Lieutenant gave him a breakdown of the cost of the Police services for the July 4 Celebration and it was approximately \$2,100.

Lieutenant clarified that was detail only; contractually some of the full timers made quite a bit of money by working on the holiday as it was over the 8 hours that they normally work. He sent out a memo in advance of the 4th of July event that all requests for time off would be denied as he had to be sure that he had enough man power and sometimes working has to be mandated. It sometimes gets to be costly. He had to have all of the full timers available so they all worked their normal shift and they did not take the holiday off.

Paladino said that people told him that they were pleasantly surprised and complimented the Police Department for the logistics and the traffic control; he understands that there are good suggestions for next year.

Supervisor felt that using River Road and Mile Hill the Police services were easier to manage than when the fireworks were on the Village Field.

Lieutenant said that it is much easier from the perspective of the Police to coordinate with the riverfront and a lot of people took advantage of the buses and walk paths. The Town event worked much better when the busing for the Walkway was taken out of the formula; he was pleasantly surprised at how well it went and does have ideas for next year.

Supervisor added that he hoped to have a recap meeting next week to talk about making the event better next year.

- I. Recreation/Buildings & Grounds – Frank Alfonso reported that SummerFun is in the third week of the program with three more weeks to go. This week there are 140-plus campers; the camps are going well and there are no major issues. Three school buses have been used for the Friday trips. It has been very busy at Berean Park. There are over 205 kids taking swim lessons this year; this number is up from the recent past. He attributes the activity to the improvements to the Park. In the future he would like to upgrade the grills and painting will be done in the fall. The activity at Tony Williams Park is slowing down a little but there are three baseball leagues at the Park and softball. Pop Warner will start their daily practices August 1 and the use will continue into October. The wooden bleachers have been repaired and painted at TW Park; Stephen Delmar and Joey Pugliese painted the office in the new building. He and Rich Klotz looked at the parking lot at TW Park and the water which drains to the shed and over the bank to the baseball field. That had been a berm but the hard rain last year ran through it and eroded the rocks. Rich Klotz said that it has to be shimmed up to get the water out of the corner of the parking lot and into the catch basin; he will do that work in a week or so.

Alfonso added that during big storm events the water has nowhere to go but down into the fields. The phone is hooked up at Berean Park now and there is plug in internet service; he still waiting to have TW Park hooked up but issues have to be worked out by Cablevision. The phone number is on the website: 845.834.3488. He feels that the staffing for SummerFun and Berean Park is accountable for their work. The goal of the Recreation Commission is to extend the swimming season next year with lifeguards on duty.

Supervisor remarked that there are many families using Berean Park this year and the lifeguards are doing a very good job and working hard. That was a concern that was discussed in January that the lifeguards would not just sit between breaks but mingle with the people and pick up the garbage; he thanked Alfonso and Carl Relyea, Waterfront Director.

He announced that August is to be declared Senior Citizens' Month and on August 20 there will be a breakfast for seniors at Tony Williams Park to help fulfill his promise to have more activities for senior citizens. Alfonso's staff will help with that.

Quinn asked when Berean Park closes swimming for the season.

Alfonso answered that it closes on August 5, however, the season started earlier this year.

Supervisor added that the lifeguards are getting ready to go back to college at that time.

The plan is to finish the secondary beach next year with more sand.

Alfonso said that he spoke with Dave Campala, Water and Sewer Department, about pulling all of the sand on the left side of the beach out of the water this fall.

Supervisor asked if Alfonso ever looked at aeration of the water.

Paladino asked Andy Paccione, Water Department, if there was not something in the main reservoir for aeration.

Paccione responded that they use Solar Bees but they are expensive at about \$52,000 each.

Alfonso commented that Sharon Morris, Recreation Commissioner, asks every year when the aerator is going to be installed. If one or two aerators are placed out beyond where there is swimming, it moves the water and looks nice. The Commission has talked about many improvements, including paddleboats, but he believes that the first steps in moving forward were the improvements made this year. Tony Williams told him that it is not getting things done and that is it, there is always something to do. He would like the aerator in the budget for next year or the following year.

J. Safety Committee – Supervisor reported that there was a meeting last week and minor issues were discussed; most of the conversation was about the safety training that has been held in the Town. The Union has done a nice job in getting the men updated with the training.

K. Town Clerk – Rosaria Peplow reported that she settled taxes with the Ulster County Commissioner of Finance on June 20 and the last payment was \$241,805.13; the unpaid amounts averaged what is normal and nothing extra this year. The Annual Permits issued to date are 633. She attended a workshop on managing electronic records given by Linda Bull of NYS Archives who she will meet with next week to do a survey on record management in the Town of Lloyd.

L. Water & Sewer – Andrew Paccione and Adam Litman

Adam Litman, Senior Operator, Town of Lloyd Sewer Department, reported that this may be the last construction update as the project is about finished. The contractors that were on site during the month of June were Rondout Electric, Kingsley Arms and GTI. The electrical upgrades are nearly complete, masonry is complete. The primary and secondary digesters are 98% complete. On April 16, GTI was on site and set up the new methane flare units for the primary digester and the start up was completed April 18; GTI installed the cover on the secondary digester and the installation was complete May 18. GTI returned the first week of June to make repairs and adjustments to the methane system and flare; they uploaded updates to the control center system. Walker Process Equipment was also on site at the time to coordinate the startup of the methane side of the digester boiler, which has the capability of running on methane which is a bio gas of the digester. It was successful and 100% operational for both of the digesters; there were some problems with the methane system by the second week of June and it is now out of service. Ackerman Plumbing will be back on site to do some reconfigurations. That boiler is back to natural gas. All the primary and secondary tanks are in service and running well. The installation of the UV system has been completed and startup was March 14; they were back on site in June to make repairs and adjustments. Kingsley Arms made repairs to the racks and sealed the connections and will return sometime this week. Kingsley Arms installed some of the parts on the self-cleaning screen in June. This is one of the components he had concerns about and that particular unit is working. He has spoken with Ray Jurkowski, Morris Associates regarding the longevity of this piece of equipment; Morris Associates will hold back on final payment of the unit until it has exceeded the actual warranty. Reuse of the abandoned chlorine contact chamber was completed and it is working well; it is absorbing the solids so that they are no longer going through the UV system and the plant looks a lot cleaner. Kingsley Arms completed the storm damage repair at the point and will be back to complete the repair of the storm damage to the grid chamber. They continue to do the general maintenance of the Sewer Plant.

Paladino asked if he felt that the construction would be 100% completed in August as anticipated.

Litman feels that is possible.

Andrew Paccione reported that the centrifuge has been repaired and it is running, processing sludge. Monthly maintenance of the plant and pump stations has been done. The turbidity meters have been calibrated. He received excellent results from the copper residence samples report; which proves that the poly-phosphate that they put on line four or five years ago is working. They never had such good results; at first it was dirty and 80% efficiency is needed. These results were 100%. Scenic Hudson asked him if to remove ‘no hiking’ from the sign on the fence going up to the Mountain. It is conflicting as people want to hike the trails. He would like to paint over the ‘no hiking’ line on the sign.

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Supervisor questioned if people should be hiking up there.

Paccione explained that they are going up the trails behind Berean Park and they get off those trails.

Litts asked if that would be an insurance problem.

Paccione said that he brought it up because there are wells up there and there is concern; there although there is no vandalism it is always a possibility.

Supervisor asked if hikers could not go through by the Boy Scouts Camp.

Paccione replied that they could but they don't and he is relating the complaint he got.

Sean Murphy asked if there were not marked trails coming up from the Gaffney property and if the hikers walk past the plant to get to the trails.

Rafael Diaz explained that the trails come from Berean Park and there is a section that in order to connect the two parts of the trail, you go on the road toward the Tower; he has not been on the trails but he did look at a map.

Paccione and the Supervisor answered that they go around the gate and go up that way.

Murphy asked if there were other accesses to the trails as he had understood that Scenic Hudson was going to use the Gaffney farm.

Paccione replied that they can use the old Gaffney farm or Berean Park.

Paladino said that there is no parking at the Gaffney farm so they go to Berean Park.

Litts recommended that Scenic Hudson builds a parking lot.

Murphy added that he has not read the agreement recently but recalled that there are specific marked trails and they are off the trails when they walk through the Water Plant property.

Paccione commented that the marked trails are going through the watershed.

Supervisor said to leave everything as it is for now and he will contact Scenic Hudson.

Litts feels that it is a watershed and people should not be walking on it.

Paccione said that it was a concern in the beginning but there has been no vandalism and, in fact, anybody can get in there any time if they want to.

Paladino recommended contacting the Town's insurance company.

Murphy said that he would review the agreement.

Supervisor pointed out that there is a locked gate and fence at the driveway so they are actually going around a locked gate to walk up the hill.

Paladino noted that the gate keeps out vehicles.

Murphy recollected that the access was up through the Gaffney farm, through the watershed and the plan was to bring it back down to Mountainside Woods to the Rail Trail.

Paccione is concerned about a number of commercial properties that have not tested their backflow.

Supervisor has talked with the Department of Health and he has to do the inspection; the Town Code says that the water can be shut off only by a Superintendent or the Department of Health. The property owner said that the Town does not have a Superintendent.

Paccione said that the Department of Health gave the Water Department the okay.

Supervisor asked for something in writing from the DOH.

Paccione said that they are installing between 10 or 12 meters a month and there are approximately 300 meters installed.

Litts explained there is an old six-inch line from the well system and he would like Dave Campala to be asked to pressure test that line.

Ray Jurkowski, Morris Associates, said that one of the things that the Water & Sewer Committee has discussed is the tying into the vertical wells to offset some of the water that is taken out of the Hudson River and the reservoirs. Hopefully, the six inch line could be connected to the storage tank, the water chlorinated and put directly into the distribution system. It would not require filtration as a ground water source and money would be saved for chemicals and water filtration. The long term benefit is that water does not contain the organics that the surface waters do and the disinfection byproduct will not be created. His office put together a study for the Water & Sewer Committee and one of the requests is to pressure test the existing 6-inch line which has been abandoned. Dave Campala is willing to test the line but he has been tied up based on the workload. The Water & Sewer Committee asked if the Supervisor and the Town Board would recommend this testing for higher priority. Initially the line needs to be tested for its integrity and if it will hold it may be utilized. He estimates that it would save \$150,000.

M. Supervisor commented that he felt that July 4th went very well. He thanked Kate Jonietz, Matt Smith and the LDA and all of the folks that volunteered; noting that three bus drivers from the Highland Central School District volunteered their time and the School District provided the buses. UCAT gave the use of their buses at no cost; but there will be a cost next year. The music series has started at the Village Field and will be held each Thursday evening from 6:30 PM to 8:30 PM until the end of August. He felt it is enjoyable and the entertainment is good. He invited everyone to bring a lawn chair and come out for the evening. Families came to the field, put out blankets and went into town to buy food which he felt is a good thing.

Kate Jonietz interjected that the group tomorrow night is 'Five Creations'.

Supervisor said that he spoke with the Supervisor of Plattekill, Bruce Loertscher, about sharing services; perhaps, the Building Inspector, either on a per diem or part-time basis. Plattekill is also interested in hiring Andrew McKee, Dog Control Officer, on a part-time basis.

A cooling station was opened at the Highland Firehouse during the high heat two weeks ago but he does not think anyone took advantage of it. It is a place for the elderly and for those who have no air conditioning to get out of the heat. There was a press release and he is going to the meeting of the Mid-Hudson Seniors to let them know it is available. There will probably be a cooling station at the Town Hall and there would be someone to man it.

2. OLD BUSINESS

A. The Town's Water, Sewer and Drainage Study Committee recommendation that the Town Board consider adopting the local law to update Chapter 62 of the Town Code entitled "Freshwater Wetlands" updated Chapter 62 Section 62-7(E), which provides that, "Whenever it is in the interest of the public health and safety, and to protect public and private property from damages caused by floods and other natural disasters, the Town Board, upon resolution, may authorize the Town Highway Department and/or their assignees to enter upon private lands to inspect damages, to clear and remove debris from watercourses and to construct flood control facilities and to conduct such other activities as are allowed by law within the Town jurisdictional boundaries."

Sean Murphy, Attorney, said that the entire law is going to be replaced. One of the big issues is getting on private property to repair damage to streams after major storms. It is best to get easements but sometimes it is hard to get in touch with the people. This law allows the Town Board, pursuant to a resolution, to authorize Town forces to go onto private property and to make repairs for drainage and streams. This is in response to emergencies to protect property or persons within the Town.

Murphy felt that the Town has tried to rely on getting easements or permission to go on the property; generally speaking, the law does allow that the Town will make reasonable effort to obtain those but the hurricanes and flooding last year brought this to the forefront.

Paladino asked if that is not a right automatically if a state of emergency is declared.

Murphy answered that it did not and following the flooding last year it was hard to get permission from everybody. If the Town does go on private property without authority to go on the property, reimbursement won't be made from FEMA. A lot of work was done on private property last year that won't be reimbursed by FEMA. The Town can follow the procedure that the Ulster County Superintendent can direct with the resolution and even pursuant to this law. The problem is getting the County Superintendent to direct the Town Highway Superintendent to go on private property as they do not want the liability. This law authorizes the Town Board to authorize the work.

Supervisor asked Jurkowski if it would impact getting grant money if the Town does not have this law.

Jurkowski replied that this law is for emergency purposes to clean up debris from major and minor streams. The Water, Sewer & Drainage Committee and the Highway Superintendent, feel that the Town needs to pursue obtaining formal easements along the waterways as well. The easements are what is required to get the funding. There are two items: this particular local law in obtaining permission to do repairs, whether emergency or maintenance; and secondly long term the Town should pursue formal easements. FEMA will not fund a repair unless there is a formal agreement that is in place prior to the event that occurred. Because of that, the Town lost some of the funding to repairs that were done after the hurricane. This is the first step. the

memory of the hurricane event is still vivid, the Town should start at the mouth of the Twaafskill and ask each property for a formal written and signed easement. This should be done to properties along all of the water courses in the Town.

Litts said that the advantage of doing it now is the maintenance gets done and there won't be an issue; get the easements and do preventative maintenance in the streams and there will not be issues at every storm. The water flows when there is a storm, and the water will stay in the streambed and not run down Main Street.

Jurkowski said that the WS&D Committee reviewed the law and they would like it to move forward, they want the Town Board to understand that the easements are critical from a funding standpoint.

Litts added that the easements can be done without the law.

Jurkowski said that FEMA wants a formal maintenance agreement or a formal easement.

Supervisor advised that the line for Code updates is at zero balance so anything that any local law that is adopted the funds for the update will come out of contingency.

Murphy added that there is already a local law for veterans that will need to be funded.

Supervisor asked the cost of the process of changing this local law.

Peplow explained that she has showed him a copy of the bills from General Code Publishers and averages \$1100 but it does vary; if it was an extensive law, it would be a lot more.

Murphy said that this law has been drafted by Bill Rohde, engineer, Rohde, Soyka & Andrew so some of the expense has already occurred and Murphy has done some revisions. A public hearing will have to be scheduled, a notice of public hearing published.

Supervisor clarified that the cost is between \$1100 and \$2000 and Peplow agreed but it is usually not \$2000 unless it is as large as Chapter 100. He does not feel the Town can afford to proceed.

Murphy believes that the veterans' law is short and will be fairly inexpensive.

Jurkowski suggested inviting the property owners to the Town Hall to a meeting regarding the easements and let them know the Town's concerns and issues; at a follow up meeting have the documents and a notary ready to sign. He has done this in another matter and it worked quite well.

- B. Discussed last month -RFP's were sent out for carpets, three came back; the lowest RFP was \$5,500 from Empire Carpet, \$7,600 from Hudson Valley Carpet and \$8,000 from Lowe's. There will be a resolution next week.

3. NEW BUSINESS

- A. Letter from Mr. DiBella offering to purchase Town property adjacent to his property at 43 Maple Avenue; the Town owns Section 88.17 Block 4 Lot 9 and he owns lot 10.

Rivera answered Litts' questions that the property is assessed at \$1300 and the property size is .85 acres.

Murphy asked if the property was unbuildable.

Rivera replied that everything is buildable until a cost is put into it and as it sets right now, it is unbuildable. She explained to the gentlemen when he came to her office that the property was at 100% of market value and that he should at least offer the amount it is assessed. She also told him that the Town would like him to assume all legal fees. He offered \$900. The property currently has an improved, paved, parking space. It is her opinion that it is worth \$1500.

Murphy agreed that it is excess Town property and it is not needed; the Town must get fair market value, otherwise it would be a gift to an individual. He will respond to DiBella.

- B. Review storm drainage/water discharge issues at 93 Grand Avenue, property owner Rich Valentine. This was discussed with Valentine earlier in the meeting.
- C. Effective January 1, 2013 Ulster County STOP DWI will discontinue the reimbursement program for court reporting of DWI related offenses adjudicated in courts.
- D. UCAT will be installing bus stop signs and schedules on bus routes, review any required approvals or permits – locations are as follows:
 - Rte 9W & Haviland Rd.; Vineyard Ave (Rte 44/55) & Milton Ave.; New Paltz Rd. & Upper Grand St.; New Paltz Rd, Riverside Rd. & Pancake Hollow Rd.; Rte 299 & Park Lane; Rte 299 & South St. (towards Highland); Rte 299 & South St. (towards New Paltz); Highland Park and Ride; Rte 9W & Grand Street

E. Change order requests from Morris Associates.

Ray Jurkowski said his office has not received the signed change orders back from the contractors and he does not want formal Town Board action until that is done in case there are any slight modifications in the numbers. The effect on the overall budget, with these potential change orders based on the original construction contracts, the net change would be a deduct in all four contracts of a total net change of \$37,000, below the total contract amount for the \$6.5-million project. No further change orders are anticipated. He asked that the action on this be held until next month when he will give a presentation as well as an overall construction budget review indicating the net change of each contractor.

Litts asked if the punch list was nearly completed.

Jurkowski answered that the General Contractor is the one that is the furthest along some of the others are waiting for equipment. They feel that they will be done by the end of July.

- WWTF Contract #07-002 – decrease of \$46,263.25 for modifications to existing chlorine contact tank and installation of piping;
- WWTF Contract #07-003 – increase of \$4,570.20 for relocation of existing biogas meter and new meter to measure biogas volume to heat exchanger and add insulation and heat tape to biogas flare and vent piping per manufacturer's direction;
- WWTF Contract #07-004 – decrease of \$13,500.00 for elimination of rock allowance, additional excavation allowance, testing allowance and miscellaneous extra work allowance;
- WWTF Contract #07-005 – increase of \$5,035.92 to provide for installation of remaining conduit and outlet for biogas heat tape at flare, seal off conduits, replace VFD for blower, replace green lamps in RBC disconnects, fix panel door latches, remove exhaust pipe for old generator.

Peplow asked Jurkowski if he would provide the resolutions for next month's Regular Town Board meeting and discussion will be at the Workshop meeting.

Jurkowski concurred.

F. Town Code – Restoration Charges Section 98-17 - Discussion of fee amendment

Supervisor said this was in reference to turning off the water service to a property and then turning it back on.

Rivera said that it was her understanding that the Water Department had been charging \$50 and the Code says the charge is \$5 so the Code has to be updated to the \$50. She asked if that would require a public hearing and change in the local law. She suggested that this change is held until the Code Review Committee makes their recommendations for revisions so they are all done at the same time and the fee continues as is.

Peplow said that she is going to call General Code to see if it is more cost effective if more than one law is done at a time. She had sent a copy of the critiques of the Town Code prepared by General Code to David Barton, Code Enforcement Officer. He reviewed the critiques and she has to research that but she has a individual with legal experience who is willing to volunteer to review the Code critiques. Since there is no money in this year's budget for updates to the Code this would have to be worked on this year and done next year.

Consensus of the Board is to wait.

Murphy offered that it could be written that the fee will be set as determined by the Town Board and do it by schedule; the Code does not have to be changed every time.

Peplow commented that in the past resolutions to update items in the code are lost or forgotten.

Peplow said that the Town is fortunate that David Barton has cooperated and when Building Department fees are changed he sends an updated fee schedule to be kept on file in the Town Clerk's office. She prepares a new cover sheet with the date the fees were updated and a copy of the resolution that authorized it. They work together to make sure that there is a copy on file with the most current fees.

Barton agreed that fees should not be put in the Code book; for relevant fees he updates a table of which Peplow is the keeper and the Code references that schedule.

Murphy feels that General Code Publishers would put a schedule at the end and referred to in the Code, 'as set forth in Table A'. Then the public hearing and publication would be avoided and it would be at some expense from General Code but it would not be changing the whole local law, just the table or the schedule at the end.

Peplow posed that she should ask about updating tables and see how much it would cost.

PRESENTATION from Uta Pape of LitGreen

Uta Pape stated that LitGreen is a local company who designs and has a patent on LED lighting systems; they did the lighting for the Walkway over the Hudson. The company was approached by Ray Costantino, former Lloyd Supervisor, about replacing the current historic street lamps with the Veterans Park-style street lights. Vito Dispensa, electrician, installed one of the first lights at the Veterans' Memorial Park. She has put together a return-on-investment proposal. Supervisor Hansut has told her that the Town coffers are empty right now so the financing option is important. She approached Allied Energy about financing and he would be able to finance the job for the Town.

There would be electricity savings: there are twenty 100 Watt halide and twenty 150 Watt high-pressure sodium lamps, including the light ballasts, the Town will probably spend \$4,174 per year in electricity for those street lamps alone. That is based on 11.5 hours of operation per day over the year and 17-cents per kilowatt hour delivery charge and taxes. Those lamps would be replaced with the 50 Watt retrofit unit and save about 62% in electricity costs per year.

There is also a maintenance cost savings. Metal halide lamps and high-pressure sodium lamps have a short life expectancy, shorter than any LED product. She is assuming that the Town can save over \$22,000 over ten years in operating and maintenance costs; there is no need to replace broken light bulbs or ballasts. Their LED lights have a life expectancy of 50,000 hours and with their patented technology, they are confident that they will last longer, at least 12 years without any problems.

The cost to buy and install the system is a big factor. Vito Dispensa told her that the existing street lights were replaced about 5 years ago and were due to be replaced as their life expectancy is up. The cost factor would be a constant in staying with the same system, nothing would be changed; the lamps would be purchased, installed and would continue to cost money every year. The LitGreen's system would have a payback including the financing and a 4.5 year payback; after 10 years with the savings on electricity, operating, maintenance, the Town has actually made about \$41,000. If the Town replaces the street lamps with the existing system with the same lights in 10 years the Town would have actually spent \$57,000.

Paladino asked if they offered a guaranteed percentage of savings in writing.

Pape answered that they would as LitGreen would confidently base the guarantee on their assumptions.

Brennie confirmed with Pape that the cost including 100% financing was \$32,000; the financing cost is \$4,800.

Pape said that the \$4,800 could be fine-tuned once there were serious discussions but that is the figure she received.

Paladino asked the term and Pape replied that the financing is for three years and the total payback for the lighting system is 4.5 years. The Town earns money after 4.5 years as money is saved immediately because the Town will spend less than is spent now.

Brennie posed that the Town is going to spend \$19,000 anyway.

Supervisor guessed that there is no money budgeted for the repair of the street lights.

Rivera said that the budget is exactly at 50% spending right now, which is where the spending should be in June.

Supervisor and the Board concurred that this is something that the Board would like to pursue.

Reynolds asked if three quotes would be needed for this project.

Supervisor asked if there were other companies who offer this type of light.

Pape answered that there are other companies that offer street lighting.

4. PRIVILEGE OF THE FLOOR

Rafael Diaz feels that there is a big issue of bike safety on a mixed use trail; people are walking and bikes ride by at 30 MPH. He has spoken to the Supervisor and feels that rules or an ordinance can be established.

Murphy clarified that pedestrians have the right of way.

Diaz agreed and said that there are three things that the bikes have to do when approaching a pedestrian: (1) alert the pedestrian before passing; (2) pass slowly; (3) pass in single file; all of which are violated all of the time. There are two bad spots on the Rail Trail. One is at Tony Williams Park, coming down the driveway hill from Riverside; the bikes

zoom through the Park's parking lot. He worries for people in the lot or kids who might step into the parking lot away from a car. The other spot is the area under Route 9W on the Rail Trail. He was on Haviland Road behind a bicyclist who was traveling at 35 MPH.

Supervisor asked if there were signs.

Diaz said that he has put out signs, 'Alert, Pedestrians, Pass Slowly', but it does not help. He has called out to a bicyclist to slow down and the return comment was an obscenity and he did not slow down.

Brennie asked how it could be enforced and suggested that the repairs that need to be done to the Rail Trail are a hazard to the bicyclists.

Diaz replied that it needs to be on the books because of the liability. Right now it is a mixed use trail and there has been a discussion to paint a line up the middle and the bicyclists would ride only in that lane, in both directions. The danger in that is if the bicyclists think that is their dedicated zone, they will go as fast as they can.

Supervisor asked how many people belong to the Rail Trail Association.

Diaz answered that membership was around 250.

Supervisor suggested that 10 or 15 members could volunteer to pass out flyers asking them to slow down.

Diaz is planning to put up sawhorses in August or September and ask bicyclists to stop and pass out information.

Reynolds asked the status of airing the Town Board meetings on TV and the work that is being done on the tower.

Supervisor said that Cablevision continues to work on the transmitters on the tower.

Jonietz added that Cablevision tells her that they have to get the issues with signals straightened out but they have not recently heard back.

Rich Valentine, 93 Grand Street, asked the status of the drainage issue.

Supervisor clarified that this is the house on the left on Grand Street, just off Route 9W and asked Klotz if he was aware of this.

Klotz replied that he had to talk with the NYS DOT.

Jurkowski added that this issue was discussed at the Water, Sewer & Drainage Committee meeting. They are trying to schedule a meeting with NYSDOT, representatives of the WS&D Committee and the Highway Superintendent, to look at the problem.

Valentine said that DOT redid the catch basin at the corner of Route 9W and Grand Street; all that did was gather more water that goes under Lanzerone's driveway, the water then fires out of there and hits the open ditch. There is 60 to 70 feet between Lanzerone's culvert and what runs under his property. The water comes out so fast on the open ditch that the front end of his culvert blocks up, runs over his yard and washes out his driveway or it goes into the culvert, takes the stuff in the catch basin and clogs the catch basin and everything backs up. He feels that the solution would be to connect the two culvert pipes; the open ditch is the problem. He said that NYSDOT and DEC have looked at it and both have said that it is properly diverted; it is a Town issue.

Jurkowski said it is a concern is if a closed system is created from catch basin to catch basin, it may back up to the DOT catch basin and overflow and go down the Town road and redirect the problem somewhere else so the input from DOT is needed.

Kit Cowan asked the status of the sidewalk on Milton Avenue.

Supervisor replied that he has not heard from NYSDOT recently; the plan was that they would be working on the sidewalk as soon as school was out. He is going to make a call tomorrow to check on the status.

Cowan thanked him for the PDF that was on the front page of the Town website about the July 4th activities; she feels that sometimes it is hard to find information that is needed on the website.

Charles Meuser spoke regarding continuing problems with the camp on North Chodikee Lake Road: speeding cars and the bicyclists who ride on the roads, six to eight abreast.

He said that this is an issue every year and he feels that it is a very dangerous situation for both the kids on the bicycles and vehicles trying to avoid them.

Supervisor asked if he spoke to the Lieutenant

Meuser answered that he did about the speeders but not the bicyclists.

Supervisor said that he would talk to them about the bikes.

Paladino said that he received a request from Henrietta Cronin for a street light on North Chodikee; he does not know what the process is to go forward with this.

Litts added that there are two existing street lights but the light bulbs are out.

5. MOTIONS AND RESOLUTIONS

A. RESOLUTION made by Brennie, seconded by Paladino to approve Anna Bellis as a substitute lifeguard at the rate of \$7.35 per hour on the recommendation of the Recreation Commission and Frank Alfonso, Recreation Director.

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

Four ayes carried.

B. MOTION for 7/18/2012 to authorize the use of the Hudson Valley Rail Trail Parking Area at 75 Haviland Road and the portion of the Hudson Valley Rail Trail in the vicinity of the caboose by the Hudson Valley Rail Trail Association from 9 AM on Friday, October 5, 2012 and continuing until Saturday, October 6, 2012 at 12 Midnight for the Hudson Valley Rail Trail Gala "An Evening under the Stars!" as requested by the Hudson Valley Rail Trail Association. All vendors will provide certificates of insurance as per Town of Lloyd Insurance Requirements including Liquor Liability of \$1,000,000, where applicable.

C. MOTION for 7/18/2012 to authorize the use of the Hudson Valley Rail Trail Parking Area at 75 Haviland Road and the portion of the Hudson Valley Rail Trail from Walkway Over the Hudson to Mile Hill Bridge by the Hudson Valley Rail Trail Association on Sunday October 7, 2012 from 6 AM to 9 PM for the Highland Hudson Fest, as requested by the Hudson Valley Rail Trail Association. All vendors will provide certificates of insurance as per Town of Lloyd Insurance Requirements including Liquor Liability of \$1,000,000 where applicable.

D. MOTION for 7/18/2012 to suspend the No Parking Ordinance along the south side of Haviland Road to allow vehicles to park along the south side of Haviland Road on Sunday October 7, 2012 from 7AM to 9 PM during Highland HudsonFest as requested by the Hudson Valley Rail Trail Association.

E. MOTION for 7/18/2012 to authorize the use of the Hudson Valley Rail Trail Parking Area at 75 Haviland Road and the portion of the Hudson Valley Rail Trail from Walkway Over the Hudson to the Hudson Valley Rail Trail Depot at 101 New Paltz Road by the Hudson Valley Rail Trail Association on Monday October 8, 2012 from 6 AM to 12 Noon for the Highland Hudson Fest 5K Race and Walk as requested by the Hudson Valley Rail Trail Association. All vendors will provide certificates of insurance as per Town of Lloyd Insurance Requirements.

F. MOTION for 7/18/2012 to authorize the use of the Hudson Valley Rail Trail Parking Area and Hudson Valley Rail Trail Depot at 101 New Paltz Road and the portion of the Hudson Valley Rail Trail in the vicinity of the Hudson Valley Rail Trail Depot to Tony Williams Park by the Hudson Valley Rail Trail Association from 4 PM to 10 PM on Friday, September 28, 2012 for the Hudson Valley Rail Trail Harvest Moon Walk.

G. RESOLUTION for 7/18/2012 – To approve the following Budget Amendments:

GENERAL

Legal Notice/Code	1315.40	+\$1247.00
Contingency	1990.40	- \$1247.00

BOAR	1354.40	+\$62.23
Contingency	1990.40	- \$62.63

Assessor CE	1355.40	+\$700.00
Contingency	1990.40	- \$700.00

HIGHWAY

Pine Terrace	5112.43	+ \$35,000.00
Dogwood Knolls	5112.44	+ \$70,000.00
Crest Lane	5112.45	+ \$35,000.00
General Repairs	5110.40	- \$35,250.00
CHIPS	01-3501	-\$104,750.00

(To allocate CHIPS funds to roads agreed to in 284 Agreement)

H. RESOLUTION for 7/18/2012

07.11.2012

WHEREAS, the Town Board has previously awarded a Contract to Arold Construction, Inc. for Contract 11-008, titled Hillside and Woodside Area Inflow and Infiltration Remediation, for repairs of the collection system along Roberto Avenue, Hillside Avenue, Woodside Place, and the North Road/New Paltz Road area; AND,

WHEREAS, Morris Associates, P.L.L.C., Engineering Consultants, is overseeing construction of the project and as such performs inspections and contract administration; AND,

WHEREAS, Morris Associates, P.L.L.C., Engineering Consultants, has been made aware by the Contractor that an additional items both under and beyond that estimated in the contract, were performed per Contract 11-008, and they negotiated a price resulting in an increase in the contract price by \$6,621.00; AND,

WHEREAS, the execution of this Change Order will result in a total and final contract price of \$101,360.68, AND,

WHEREAS, the Town has sufficient funds remaining from the BAN taken after Hurricane Irene to pay for these costs;

1. The Town Board authorizes the Town Supervisor to sign Change Order #3 for an increase in the Contract Price of \$6,621.00.
2. The funds for this change order are to be paid out of the funds supplied by the Hurricane Irene BAN.

MOTION made by Brennie, seconded by Litts to go into executive session to discuss two personnel matters with Elaine Rivera, Assessor, and Sean Murphy, Attorney, at 5:05 PM.

Four ayes carried.

MOTION made by Litts, seconded by Brennie to come out of executive session at 5:32 PM.

Four ayes carried.

MOTION made by Litts, seconded by Brennie to adjourn the meeting at 5:32 PM.

Four ayes carried.

Respectfully submitted

Rosaria Schiavone Peplow
Town Clerk