

TOWN OF LLOYD TOWN BOARD

REGULAR MEETING

JULY 20, 2011

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

Also present: Sean Murphy, Attorney
Rosaria Peplow, Town Clerk
Wendy Rosinski, Secretary

Absent: None

7:05 PM – Supervisor opened the meeting and led the Pledge of Allegiance.

7:05 PM – Supervisor opened the Public Hearing, regarding the sewer hook up of the premises of Brian and Laurabeth Childs at 120 Grand Street, to consider the adoption of annual installments to pay the cost.

He explained that the property at the corner of Route 9W and Middle Grand Street was owned by one person; it has since been subdivided into three properties and there were sewer line problems in the street. Mr. Childs, the homeowner, needed to hook into the Town sewer as his house was connected to the sewer line of the apartment house. This bill was a hardship on Mr. Childs; the house has now been hooked up and the Water and Sewer Committee recommended time payments to pay for his pump station; the Sewer Department is paying the legal fees.

The carwash still has to hook on and work continues to get the motel and Bagel Café to hook up to the sewer line.

The resolution in this agenda recommends allowing Mr. and Mrs. Childs to pay for the pump station in seven payments due to the hardship experienced through no fault of theirs. The public hearing is open for any questions or clarifications.

Supervisor announced that Rafael Diaz has received the Ulster County Senior Citizen Award. He asked Diaz to come forward to accept a certificate of appreciation from the Town Board, which was provided by Nancy Hammond.

1. LIAISON REPORTS

Assessor – Councilmember Litts reported that the Assessor’s office has completed all of the re-assessments and re-evaluations.

Audit – July 1 to September 30 – Councilmember Litts had some questions on vouchers he would like to talk about.

Building Department – Supervisor Costantino

Building and Grounds – Supervisor Costantino

Dog Control – Councilmember Brennie said that there was nothing new to report.

Environmental – Councilmember Hammond introduced the Chairman of the ECC, Jack McGuire who said that the committee was still collecting information on an open space proposal. They have met with Jeff Anzevino, Scenic Hudson, regarding open space and when they feel that they have garnered enough information, they will present it to the Town Board.

Events – Wendy Rosinski reported that the Independence Day events went very well and there was a great turnout; she thanked the members of the press for the coverage. The

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next event is on September 10, which will be a block party for the fall and it will feature line dancing in the streets. The October event will be Hudson Fest.

Grants – Supervisor Costantino

Highland Fire Districts – Councilmember Paladino

Highland Central School – Councilmember Hammond reported that as the School District is closed for the summer, there have not been any meetings.

Highland Landing – Matt Smith, Project Manager, read the following report:

We received our Army Corps of Engineers (ACE) permit shortly after last month's Town Board meeting. It allows us to do pretty much everything we wanted to do for the bulkhead dock repairs and cement boat launch. We just received our Coastal Management permit from Department of State (DOS). We already had the NYSDEC permit for several years. Now we can do the work!

Ray Jurkowski of Morris Associates, Engineers has volunteered to put the necessary bid package together for the project. This is 10's of thousands of dollars worth of donated work. Thank you, Morris Associates and Ray Jurkowski. We are getting some additional information for Ray now. Patty Brooks of Brooks & Brooks, surveyors, has volunteered to do some survey work we need (baseline construction survey). Thank you to Brooks & Brooks and to Councilmember Herb Litts who is also helping with the bid package.

I met with Central Hudson Gas and Electric regarding a gas line for the building; it will be installed sometime in August. We will be installing the buried electric line to the building within the next two weeks. Kingsley Arms Corporation has volunteered to do the excavation and installation of the conduit for us. Thank you to Mike Bayley of Kingsley Arms.

Frank Lombardi, Highway Superintendent is giving us the sand to bury the conduit and the Item #4 to fill the trench. Thank you, Frank and the Highway Department. The Highland Landing Park Association is donating the Schedule 80 Conduit. Vito Dispensa, Marada Electric, is donating the labor to install the wire including the necessary permit from Central Hudson. Thank you, Vito.

The picnic tables are all out (and have been since early June) and the Park is being enjoyed by many. The Tai Chi classes are ongoing Tuesday nights with many participants.

Things are good!

Supervisor added that this is a tremendous milestone in this project and a turning point.

Paladino asked if the volunteerism goes to the matching funds for the Park grants.

Smith answered that the Parks needs a lot of matching funding for the bulkhead grant; approximately \$200,000 in matching funds has been accumulated already.

Supervisor explained that this grant is for \$900,000 and the project is \$1.8-million, so 50% has to come from a match. The purchase price of \$425,000 is already part of the match.

Donna Deeprose offered that she thought there was another \$60,000 in interest paid before the money came through.

Supervisor said that this is a reimbursable grant and the Board needs to fund this project as it progresses.

Highway

Historian – Liz Alfonso

Hudson Valley Rail Trail – Supervisor Costantino

Justice – Councilmember Hammond

Lights – Councilmember Brennie

Planning Board – Councilmember Paladino reported that there were three public hearings:

Lee family would like to renovate a house in the River Bluff Overlay District on Bellevue Road, there was no public comment; Highland Woods, applying for two more units, no comment from the public regarding the expansion; John Basciano is proposing a 2-lot subdivision near Bailey's Gap Road/Route 44-55, behind Half Moon Road. Old Business items were a special-use permit for Matt Smith and the Silver Fox subdivision near Cross Creek Run, off Route 9W North; a couple of the lots will be in the River Bluff Overlay. Tom Ryan has resigned from the Planning Board after many years of

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service. There is a resolution on the agenda to appoint Tom Rozzi to the position vacated by Ryan.

Police – Councilmember Hammond reported that there are resolutions on this agenda regarding the Police department.

Personnel – Councilmember Brennie

Recreation - Councilmember Brennie reported that the issues regarding pickleball have been resolved; SummerFun program is popular and running smoothly. He asked to meet with the Board in executive session.

Shared Services – Councilmember Paladino reported there is nothing new regarding the Fire District. Litts added that the Highway Department has been busy with Shared Services with Plattekill, New Paltz and Marlborough. These towns are helping each other and a lot more work is getting done than would be if it was done individually.

Water and Sewer – Councilmember Litts

Transfer Station/Recycling – Supervisor Costantino reported that there is now a NYS law requiring the Town to take computers, TV's and electronic gear at no charge; in turn, the Town has contracted with We Recycle, a company who removes these at no charge to the Town. They have supplied the Town with a 40-foot roll-off container. Anyone in the Town of Lloyd with or without a Transfer Station permit can bring their used electronics for disposal. The manufacturers are responsible for the recycling of their goods. Rosinski reported that 300 plus pounds in monitors and over 3000# in TV's in the first 22 days of the program. Supervisor noted that all of that weight will not be part of the \$70/ton that the Town pays to be hauled out of the Transfer Station.

Zoning Board of Appeals – Councilmember Litts reported that a public hearing will be on the next ZBA meeting agenda, which is a subdivision on South Street at the former Ben Franklin School.

2. OLD BUSINESS

A. Berean Park

Supervisor noted that under the leadership of Frank Alfonso, Recreation Director, improvements were made to Tony Williams Park using funds received through the Recreation Fees given by developers of residences paying \$2500.00 per unit, which is put aside for capital projects.

The next project proposed by the Recreation Commission is Berean Park and this agenda has a resolution authorizing the bid process to begin for that project.

Alfonso said that Jon Bodendorf, Hudson Land Design, attended the recent Recreation Commission meeting and reviewed the plans for the park. Both parking lots will be paved; trees will be removed and improvements will be made to the beach, addressing the drainage and erosion. Steps and a three-foot wall will be built between the grassy area and the beach. The wall continuing to a one-foot wall will divide the beach all the way around. When the water level is low, sand will be pulled back from the water to be used on the beach. Another improvement will be the walkway from the concession stand to the bathhouse. He has been Director for eleven years and repeatedly sand was purchased for the beach in the beginning of the summer and a storm would wash the sand into the water.

Alfonso said that the season is progressing well; the attendance is good; SummerFun is now six weeks long; due to the improvements to the tennis/pickleball court, they are also well-used. He stressed that the beach work has to be done in August/September.

Supervisor added now that Alfonso has the survey map, it is known what property is owned by the Town behind the pickleball court.

Brennie asked if there is anyway the Highway Department could help with the costs as there is actually a road through the parking lot to the Water Department.

Supervisor said that it is not a dedicated Town road and Highway funds cannot be used.

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Hammond asked if the parking lot would be striped.

Alfonso answered that it would if the numbers are favorable. He added that the problems with the pickleball court have been resolved for the time being but repairs have to be made when needed.

3. NEW BUSINESS

A. Highland Water District – Water Treatment Facility

Ray Jurkowski, of Morris Associates, engineers for the Town of Lloyd Water and Sewer Departments, said that the regulations of disinfection of the by-product are changing and as of October 2013, there will be new requirements for the entire distribution system. He has previously suggested that testing is performed to determine the best method to deal with that regulation. He requested that the Water Department go to the City of Poughkeepsie Water Department for jar testing at a cost of \$11,000. The study would show how successful that would be in order to treat the disinfection by-products and by-product precursors. That has not taken place.

He has since attended seminars and spoken to Seimens the vendor that has purchased Trident technology (the filtration system that is at the water treatment facility) and they have marketed a pilot study program that they can mobilize throughout the United States. He feels that pilot study would be more beneficial, taking it to the next level of evaluation. The jar testing would look at the treatment with chemicals to maximize the removal of the organic compounds. A pilot study would also have the ability to run additional treatment processes at the tail end of filtration. That will give us an idea of what will work, i.e. activated carbon or ozone, for the removal of the disinfection by-products.

Jurkowski recommended to the Water and Sewer Committee who then recommended to the Town Board to do the pilot study for a cost of \$37,000; Seimens is able to do it in October. The Village of New Paltz is also doing a pilot study within that time frame and some money may be saved. If the contract is signed with New Paltz, they will be able to move the equipment, a tractor trailer, to Highland, resulting in a savings of at least \$2500.00 in mobilization costs. This would be in lieu of the previously approved amount of \$11,000.00, as the jar testing would be included in this pilot program.

He noted that this pilot study is a small scale version of the Highland water plant and real world/real time data can be obtained from the pilot study.

Jurkowski answered Paladino's question and said the regulations require that the entire distribution system meets the requirements for disinfection byproducts by October 2013. We want to move forward with the study so that we may identify if using simple advanced coagulation by using chemicals will meet those thresholds and if it does not, that will still allow time to provide for capital improvements. A pre-application has been submitted to Environmental Facilities Corporation, outlining the potential of a capital project to provide an earmark on their list for potential funding opportunities.

The distribution is now meeting the requirements; by 2013, each individual location will be monitored, kept separate and averaged over the year at that particular location. That could be a potential issue due to the readings that have been taken.

Paladino asked if there is capital improvement that will have to be done.

Jurkowski answered that it will depend upon this study and he is hopeful that advanced coagulation would be sufficient; he is confident that the results can be improved but it is not conclusive that the results could be brought below the threshold. There are various methods of treatment that the pilot program will identify.

Supervisor stated that the further the distance the water travels in the line, is the impact.

Jurkowski agreed that the ends of the lines are the most susceptible.

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Supervisor said that a new blending tank is needed at the Water plant and a gen-set for backup electricity.

Jurkowski added that another capital project would be to re-circulate and reuse the backwash water over 16,000,000 gallons per year, which now goes to the waste water plant; this would be a savings for both water and sewer. This would allow the use of the reservoirs, which is cleaner water supply, for a longer period of time.

Supervisor said that BANS will be paid off in 2013 so more debt can be added to the Water Department at no addition to the tax bill.

B. Reservoirs #4 and #5 dams, Emergency Action Plan (EAP) and inundation study.

Ray Jurkowski of Morris Associates, engineers for the Water Department, distributed information to the Board on an inundation study for Reservoirs #4 and #5 and said that regulations have changed over the years and NYSDEC has put the full requirement and responsibility regarding ownership and maintenance of dams, as well as emergency action plans on the owners of the dams. Reservoir #4 and Reservoir #5 each have Class B dams which were inspected by the NYSDEC in the past.

The new regulations specify that by August of 2011, a maintenance plan and an emergency action plan needs to be submitted. This is a step-by-step flow chart from the owner of the dam as to the action that should be taken, including full contact information.

He has prepared the emergency action plan that has been reviewed with the Water Plant staff once the plan is completed and accepted by DEC, it will then be provided to the involved emergency management facilities.

Jurkowski explained that an inundation study was never required and never done; this study assumes a full-catastrophic failure of either of the two dams; Reservoir #5 was chosen for the study because of the recreation site connected hydraulically to that particular dam. The study has to be done with the assumption that the reservoir is at full capacity and there is a 100-year storm occurring at the same time; 50% additional water is added on top of that as well.

An inundation map has been prepared indicating all of the lands in the shaded blue are to be considered in the inundation area and would be affected if there was a catastrophic failure of Dam #5.

Paladino asked if this affected property owners in regarding flood insurance.

Jurkowski replied that it would not necessarily be flood insurance itself but anyone affected by the flood plain would also be affected by this.

Litts asked if this should be addressed in the DEIS for future projects.

Jurkowski concurred and said that within the scoping document with Mountainside Woods, it was identified that the development was downstream of a dam and an inundation study had to be performed. This information will be provided to the design engineers so that it may be incorporated into the EIS; it will also be provided to the Town to be placed on the GIS mapping system and available to Planning, Zoning and Town Board for making decisions. The inundation map will be revised for a small section of Reservoir #4, an interconnection between the outlet of Reservoir #4 and Reservoir #5.

Jurkowski asked for the name of a person that would be in charge to implement the emergency action plan, should it be required. Normally, it would be the administrator but at this point he is assuming that it would be the operators at the Water Plant.

Paladino asked if there would be any additional emergency response training.

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Jurkowski replied that there would not be additional training needed but reports and records on maintenance must be done. The person in charge would be responsible to keep the data and would be responsible to make the notification.

Litts felt that he should have at least a Level I incident command training if this person is responsible.

Jurkowski agreed that it would be useful along with drills with the emergency response teams within the Town so that everyone is prepared.

Supervisor would like to meet with the Fire and Police Departments to discuss this.

Jurkowski also said that there is a resolution on the agenda to go out to bid regarding Phase II of the I&I implementation to prepare plans and specification to put slip lining for the existing sewer system along Hillside Place, Woodside Place, Roberto Drive and a portion of the sewer line that runs between North Main Street and New Paltz Road; the project is still within the budget. Total for the slip lining of approximately 1100 linear feet of clay tile and making some repairs of existing manholes, will be approximately \$100,000.00.

Brennie clarified that this project will use the sewer fees that were paid by Vineyard Commons.

Jurkowski agreed that this was the funding source and there was approximately \$108,000.00 left in the fund; there will be no expense incurred by taxpayers.

C. IRS Mileage Rates

Supervisor stated that Councilmember Hammond had asked him to address the change in the Federal allowance for mileage reimbursement. Due to rising gas prices, the Federal government is allowing up to 55¢ per mile. He said that the Town is budgeted at 50¢ per mile and he is advocating that continues to be the reimbursement.

4. PRIVILEGE OF THE FLOOR

Mark Reynolds, *Southern Ulster Times*, asked about the change orders on the sidewalk project and if this is part of the grant from Sen. William Larkin.

Supervisor said that it was from Larkin through NYS allocated \$250,000; the original contract was \$144,000 (round numbers), Change Order #1 was \$33,000, Change Order #2 was \$31,000, Change Order #3 was \$7,800, for a total of \$217,000. Part of the \$217,000 is for Woodside Place sidewalks; Assemblyman Kirwan in 2006 gave \$15,000 as a member item for the Woodside Place project. The sidewalk from Hillside Place to Vineyard Avenue on Woodside Place was \$30,000; \$15,000 of this is going to be reimbursed. There was \$202,000 spent on Larkin's grant. Signage that is required and street lights will use the remainder of the funds. As project manager, he will take the lights from the Biancardi parking lot and replace them with Selux lights which he believes will be donated by Selux as a showcase for their light system.

He answered Reynolds question that Change Orders #1 and #2 were extra sidewalks; as Dave Roehrs price was very reasonable, the original project was expanded, still under the contract amount.

Reynolds asked what the Board is considering as to the rezoning for the Hudson Valley Winery project.

Supervisor answered that it came in late and Dave Barton, Building Supervisor, asked if it could be put on the agenda; a letter has been received from the attorney for Hudson Valley Winery asking for a zone change. It is his understanding that they would like to do an adaptive reuse on the old winery buildings and light industrial on the southern end of the property. The Board will know more about the project as it unfolds, the

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application has been received, the resolution is for the Town Board to declare lead agency.

Donna Deeprise asked if it was in the Bluff Overlay District.

Supervisor answered that everything along the Hudson River is in the Bluff Overlay District; it is his impression that they have taken into consideration what they know about the Bluff Overlay District. He and Barton have had meetings with them and they have been told that the Town is very concerned about the view shed and that there is a 100-foot buffer zone off the Bluff Overlay District. The Bluff Overlay District does not preclude building in the District; however, there are some special permits necessary. They have also talked about trails and connecting to Franny Reese Park. Through the years the plans have changed. He feels that there is a lot of good in this project and they will be good stewards of the property; the Feinberg family has owned the property for the last 30 years and plan on staying with the project.

Supervisor said that the project will be presented at the August 3 Workshop meeting, which will serve to answer questions. The Feinberg family is suggesting that it will be a 20-year project and as PRD's and PUD's expire after two years, it needs to be determined how to zone for 20-years to the future. This property also is included in the new zone for Resort Recreation.

Kit Cowan asked the status of Highland Square and the 'for sale' sign.

Supervisor replied that he has talked with the developer and met last month; they do not have site plan approval as yet because they have not paid their fees and he has no information on the 'for sale' sign.

Cowan also asked the status of the 16 Acres project across from Hannaford's.

Supervisor said that they have applied for zoning changes and they are doing an environmental impact statement; there will then be input from the Board and from the public. This is just the beginning of the process.

Cowan is concerned about changing zoning to suit the developers.

Supervisor answered that there will be public hearings for those zoning changes, and applications will be reviewed. There are zoning change in the works right now: Route 9W to the Town line, GB; Chapel Hill both side of the street near the Hosanna Church, it was Designed Business, the north side of the street would like to be Residential; Pancake Hollow and New Paltz Road was Local Business and the map will be changed to indicate that there is no "Local Business" any longer. The strips across from Hannaford's are being changed to General Business. Developers have the right to petition. There will be an open meeting of the three boards on July 28 to discuss Mountainside Woods and the General Business zones.

Elise Viola asked how residents are notified of zoning changes and about the public hearings.

Supervisor responded that it is advertised the paper, it is on the website and posted on the Town Clerk's board. The zone change was advertised and no one came to the public hearing and he recommended to Barton that a letter be sent to each property owner.

Viola said that she was notified by neighbors of the zone change.

Board members explained that perhaps she was not an abutting property owner as a resident of Perkinsville Road, as this change was for properties near Route 9W.

Jeff Anzevino asked the status of the Rail Trail Overlay District.

Supervisor said that he was anxious to see it but he had not heard anything about it recently.

Anzevino felt there could have been a better site plan for the property at the corner of Haviland Road and Mile Hill Road, if the Rail Trail Overlay District was in place. He feels that the bigger issue is the packaged store and former hardware store building across the street and what might be proposed for their use in the future.

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Supervisor explained that Anzevino is referring to gateway streets. This would include Ethan Jackman's buildings on Vineyard Avenue; the Rail Trail Overlay would tie the property uses together.

Brennie cautioned that the Walkway has become the economic engine for the Town of Lloyd and give resistance to businesses.

Supervisor disagreed and said that business is wanted but feels that there could have been design standards in place.

Anzevino posed that due to its proximity to the Rail Trail, there will be more people walking and bicycling and less parking spaces would be needed for vehicles and perhaps more room on the site for outdoor patios and dining.

Supervisor said that in trying to fit into the General Business zone, he needed to provide parking; however, if there were other restrictions, he would not have needed to do that.

Raphael Diaz offered that he felt that an email notification list was previously discussed and is concerned that he is aware of meetings because of looking at the bulletin boards in Town Hall but he does not see it on the website.

Rosinski feels that some meetings are posted at the last minute and there is not an opportunity to get it on the website. She added that each department is responsible to putting information on the website but not everyone is skilled to do that nor do they have the time.

Cowan said that Rosinski does post to the 'What's Good for Highland' Facebook page to keep everyone informed.

Rosinski agreed that page is simple to add information quickly. She added that the newest information posted today on the website was a Heat Advisory and that the Town Hall is offered as a cooling station. Emails addresses can be registered for updates on 'What's New' and as soon as it is posted, emails go out to those registered.

Supervisor asked that people look at the website and make suggestions to better it.

5. RESOLUTIONS

A. MOTION made by Brennie, seconded by Litts, to approve the minutes from the Workshop Meeting of June 1, 2011; Special Meeting of June 1, 2011; Regular Meeting of June 8, 2011; Special Meeting of June 10, 2011 and Special Meeting of June 22, 2011.

Five ayes carried.

B. MOTION made by Hammond, seconded by Brennie to close driveway at the First United Methodist Church on Sunday, July 31, 2011 between the hours of 6:00 pm and 8:00 pm from Main Street to the STOP sign at the garages for Summer Bible School and direct the Highway Department to barricade.

Five ayes carried.

C. MOTION made by Hammond, seconded by Brennie, to accept the resignation of Tom Rozzi from the Town of Lloyd Zoning Board of Appeals whose term was to expire 12/31/12, effective July 20, 2011.

Five ayes carried.

D. MOTION made by Brennie, seconded by Paladino, to appoint Tom Rozzi to Town of Lloyd Planning Board to fill the unexpired term to expire 12/31/14.

Five ayes carried.

E. MOTION made by Brennie, seconded by Paladino, to appoint John O. Litts to Town of Lloyd Zoning Board of Appeals to fill the unexpired term to expire 12/31/12.

Four ayes carried.

Litts abstained.

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F. RESOLUTION made by Paladino, seconded by Hammond, to accept the resignation of Alyssa Turcott as Dispatcher for the Town of Lloyd Police effective July 12, 2011.

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

Four ayes carried.

G. RESOLUTION made by Hammond, seconded by Litts, to approve sale of Police interceptor 2008 White Ford 4 DR VIN # 2FAHP71V68X103136, with 100,860 miles, as-is condition, by the sealed bid process bid opening August 10, 2011, 11AM at the request of Police Chief, David Ackert.

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

Four ayes carried.

H. RESOLUTION made by Hammond, seconded by Brennie, to approve sale of 2005 Ford, White, four-door, VIN # 2FAHP71W15126781, with 88,559 miles, in as-is condition, by the sealed bid process; bid opening will be August 10, 2011 at 11AM, at the request of Assessor, Elaine Rivera.

Roll Call: Costantino, aye; Paladino, aye; Hammond, aye; Brennie, aye; Litts, aye;

Five ayes carried.

I. RESOLUTION made by Paladino, seconded by Hammond,

WHEREAS the Town of Lloyd police received a grant to purchase new hand guns and has received and are utilizing them and;

WHEREAS the department is ready to sell the older hands guns which have been replaced by the newly purchased ones and;

WHEREAS Jerry's Sporting Goods of Marlboro, NY is a Federal firearms dealer and;

WHEREAS he has offered the department \$165.00 each for the hand guns;

THEREFORE be it resolved that the Town of Lloyd Town Board authorizes Chief David Ackert to sell 14 hand guns at \$165.00 each for a total of \$2,310.00 to Jerry's Sporting Goods.

Roll Call: Costantino, aye; Paladino, aye; Hammond, aye; Litts, aye; Brennie, abstain.

Four ayes carried.

J. RESOLUTION made by Hammond, seconded by Brennie, to accept and sign a 284 Agreement with Highway Superintendent Frank Lombardi for the following Streets and Roads: Argent Drive to Sterling Place and leading to South Roberts Road a distance of 0.94 miles, there shall be expended not over the sum of \$78,000. Nova Asphalt, 26 feet wide, 1" thick.

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

Five ayes carried.

K. RESOLUTION made by Brennie, seconded by Paladino, to approve Change Order #3 for Roehrs Construction for change in Scope of Services and Contract amount creating an increase in final quantities in the amount of \$7,805.36 for a revised Contract Amount of \$217,158.50 for the Walkable Hamlet Project.

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

Five ayes carried.

L. RESOLUTION made by Brennie, seconded by Paladino,

WHEREAS, the Town Board has previously authorized the funds necessary to complete the Walkable Hamlet Project; and

WHEREAS, the Contractor has submitted the Application for Final Payment #3 complete with Voucher; and is requesting payment for the entire project inclusive of the three change orders previously approved;

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WHEREAS, approval of all the submitted information will allow the project to be considered complete and the Contractor will be paid in full;

NOW, THEREFORE, IT IS RESOLVED AS FOLLOWS:

1. The Town Board shall authorize the Supervisor to sign the Certificate of Substantial Completion.
2. The Town Board shall authorize payment to the Contractor in the amount of \$40,246.78 as certified by the Engineer and as specified on the Voucher.

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

Five ayes carried.

M. RESOLUTION made by Brennie, seconded by Hammond,

WHEREAS, the Town Board, as Commissioners of the Highland Water District, received from its Town Water and Sewer Engineer information indicating that the Highland Water Treatment Facility may be in need of improvements to upgrade and increase its treatment capabilities to adequately treat for the removal of disinfection bi-products; and,

WHEREAS, the Town Water and Sewer Engineering, as well as the Highland Water and Sewer Committee, have made a recommendation to the Town Board to conduct a pilot study to determine the treatment capabilities of the existing facility, and to assist in developing a capital plan for adequately treating disinfection bi-products; and,

WHEREAS, the Highland Water District has an existing unexpended fund balance from the previous fiscal year, in the amount capable of offsetting the cost of conducting an onsite pilot study in the amount of \$37,000 for professional services; and,

WHEREAS, Morris Associates, P.S., L.L.C., Engineering Consultants, Ray Jurkowski, P.E., has obtains information from the manufacturer of the existing filtration system and provided a presentation to the Highland Water and Sewer Committee as well as the Town Board regarding a pilot study of the Water Treatment Facility, and have delineated the project identified as the Disinfection Bi-product Pilot Study for the Highland Water District.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. This Town Board establishes a project to be known as the Disinfection Bi-Product Pilot Study of the existing Highland Water Treatment Facility located in Highland New York;
2. The project is considered professional services project and the cost of this project shall be paid from an unexpected fund balance from the Water District 2010 Budget;
3. This is a project and it is exempt from further SEQRA action, being a Type II action consisting of a study which does not exceed the thresholds of Section 617.12 of 6NYCRR Part 617, and no further environmental proceedings are necessary;
4. Morris Associates, P.S., L.L.C., Engineering Consultants, be, and they hereby are, authorized to coordinate and oversee the pilot testing and prepare reports and finding for the project;
5. Such reports and findings shall be submitted to the Highland Water and Sewer committee and Town Board for further consideration;

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

Five ayes carried.

N. RESOLUTION made by Hammond, seconded by Paladino,

WHEREAS the Town of Lloyd Police Department provides a Sergeant on a part-time basis to the Ulster Regional Gang Enforcement Narcotics Team (URGENT) and;

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WHEREAS the City of Kingston Police Department, the Ulster County Sheriff's Office, the Ulster County Probation Department, the Town and Village police Departments in the County of Ulster, the ATF, the DEA, and the Ulster County District Attorney's Office in connection with the Ulster Regional Gang Enforcement Narcotics Team are executing the Memorandum of Understanding (MOU) and;

WHEREAS the above listed agencies jointly and separately agree to abide by the terms and provisions of this MOU throughout the duration of this joint operation and;

WHEREAS this agreement may be modified at any time by written consent of the agencies and any participating agency may terminate its participation in URGENT under this MOU by delivering a written notice of termination to the other participating agencies;

NOW THEREFORE BE IT RESOLVED that the town of Lloyd Town Board authorizes The Town of Lloyd Police Departments participation in URGENT and authorizes Chief David Ackert to sign the MOU for the agreement in effect 01/01/2011 – 12/31/2012.

Roll Call: Costantino, aye; Paladino, aye; Hammond, aye; Litts, aye; Brennie, abstain
Four ayes carried.

O. RESOLUTION made by Brennie, seconded by Paladino,

WHEREAS, the New York State DEC has required that the Upper Grand Street sewer main and the pump stations along Route 9-W be repaired after a break occurred two years ago; and,

WHEREAS, upon inspection, there were several properties that were not serviced directly from the main in the street on Upper Grand Street; and,

WHEREAS, the Town Law Section 198(1)(j) gives the Town Board authority to establish charges and fees for work performed for a special benefit of any individual parcel within the Sewer District, a benefit district; and,

WHEREAS, in December 2010 the property of Brian and Laurabeth Childs at 120 Grand Street had to be disconnected from the adjoining sewer for a parcel owned by Preferred Properties of Highland, Inc. and hooked directly into the main on Upper Grand Street; and,

WHEREAS, the work was done by the Highland Sewer District's work force for a cost of \$5,359.00, as set forth in the resolution calling a public hearing for this date; and,

WHEREAS, an agreement with the said owners to hook up to the Sewer District's main in the street was approved by both the owners and the Town Board in their regular December 2010 meeting, with a procedure that there would be annual installments on the tax bill of Mr. and Mrs. Childs to cover the cost of installation that the Sewer District had to perform; and,

WHEREAS, the Highland Sewer Department and the Town Supervisor have calculated that the total cost to the District which benefited the property was \$5,359.00; and,

WHEREAS, this Board has held a public hearing with respect to the adoption of the Benefit Assessment Charge to be placed annually on the tax bill for the property in question.

NOW, THEREFORE, IT IS RESOLVED AS FOLLOWS:

1. The total cost of \$5,359.00 shall be paid in seven (7) installments by declaring a special benefit assessment against the premises annually in the amount of \$766.00.
2. The amount to be transmitted by the Town Clerk as a special benefit assessment for the 2012 tax bill for 120 Grand Street, tax map no. 88.13-2-8, presently owned by Brian and Laurabeth Childs, shall be \$766.00.
3. The Town Board and Town Clerk shall annually prepare a benefit assessment for the tax bill for this property, regardless of who the owner may be, as future owners are

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on notice by the recording of the agreement between the Highland Sewer District and Mr. and Mrs. Childs.

4. This resolution shall authorize a levy to the County of Ulster, to be transmitted by the Town Clerk with the levy of other unpaid water and sewer charges in November of each year, on similar forms.
5. The Assessor is hereby authorized to place the amount of \$766.00 annually on the above property's tax bill as a special assessment of Highland Sewer District tax for the next seven (7) years.

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

Five ayes carried.

P. RESOLUTION made by Brennie, seconded by Paladino,

WHEREAS, a local law, being proposed as Local Law No. G- 2011, a local law to amend Chapter 74, Section 3 of the Town Code regarding the control of pets on multi-use trails. (copy of Local Law attached)

WHEREAS, this Board desires to hold a Public Hearing with respect to the adoption of the said local law.

NOW, THEREFORE, BE IT RESOLVED that a Public Hearing will be held by the Town Board with respect to the adoption of the aforesaid local law at the Town Hall on the 10th day of August, 2011 at 7:00 p.m.; and it is further

RESOLVED, that the Town Board of the Town of Lloyd has determined that the within local law is an unlisted action under the State Environmental Quality Review Act (SEQRA) and a short form EAF has been prepared on behalf of the Town Board, with the Board assuming lead agency to do all necessary reviews in the matter.

Town of Lloyd, Ulster County, New York
Local Law No. G of the Year 2011
A Local Law to amend Chapter 74 of the Town Code
entitled Multi-Use Trails

Section 1. Purpose

To amend Chapter 74, Section 3 of the Town Code regarding control of pets on multi-use trails.

Section 2.

Chapter 74 of the Town Code is amended to delete present Section 74-3 (E) and enact a new section as follows:

“Section 74-3

E. Control of pets.

Any dog or pet taken onto a multi-use trail shall be on a non-retractable leash which shall be no longer than six feet. The leash in use shall be of a length as to not interfere with the safety and enjoyment of other users of the trail. Pet owners shall curb their dogs off the trail and shall prevent their pets from littering the trail. Owners and keepers are responsible for cleanup in the event that a pet leaves any residue which could be harmful or dangerous to other users of the trail.”

Section 3. This local law will take effect when filed with the Secretary of State in accordance with the Municipal Home Rule Law.

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

Five ayes carried.

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Q. RESOLUTION made by Litts, seconded by Brennie,

WHEREAS, the Town Board, as Commissioners of the Highland Sewer District, received from its Town Engineer information indicating that the Highland Sewer District Collection System in the areas of Hillside, Woodside, North Road, and Roberto Drive are in poor condition and warrants the reconditioning of the piping to remove of extraneous groundwater inflow and infiltration into the system; and,

WHEREAS, the Town Board has previously received voluntary monetary contributions from development projects to extend the sewer district to fund necessary to complete repairs, modifications, expansions to the sewer district systems as the District sees fit; and,

WHEREAS, Morris Associates, P.S., L.L.C., Engineering Consultants, Ray Jurkowski, P.E., have prepared certain maps, reports and provided a presentation to the Highland Water and Sewer Committee as well as the Town Board for the improvements in these area, and have delineated the project identified as Hillside and Woodside area Inflow and Infiltration remediation of the Highland Sewer District.

NOW, THEREFORE, IT IS RESOLVED AS FOLLOWS:

1. This Town Board establishes a project to be known as Hillside and Woodside area I&I repairs, for repairs of the collection system along Hillside, Woodside, North Road, and Roberto Drive areas in Highland New York;
2. The cost of this project shall be paid from monies previously received by the Town of Lloyd from voluntary contribution agreements;
3. This is a repair project and it is exempt from further SEQRA action, being a Type II action consisting of a repair on the same site which did not exceed the thresholds of Section 617.12 of 6NYCRR Part 617, and no further environmental proceedings are necessary;
4. Morris Associates, P.S., L.L.C., Engineering Consultants, be, and they hereby are, authorized to prepare necessary specifications and request for proposal documents, in accordance with law, give notice to bidders, and all bids will be opened at the Town Hall at a date that shall be coordinated with the Town Clerk;
5. Such bid documents and proposed contract documents shall be available for public inspection for a deposit prior to the bid date;
6. Among other things, the bids must contain the non-collusion certificate required by General Municipal Law, Section 103-d, and the Town Board shall reserve the right in its discretion to waive technical non-compliance, or irregularities that are not material or substantial, to reject all bids and to re-bid the project.

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

Five ayes carried.

R. RESOLUTION made by Brennie, seconded by Paladino,

WHEREAS the Town Board authorized Hudson Land Design to prepare a Master Plan for the project known as Berean Park Improvements; and the Town of Lloyd Town Board has authorized preparation of Construction Plans and Specifications for Berean Park Improvements; and

The work shall generally include the execution of improvement work necessary to install a new retaining wall system and drainage improvements within the park, paving improvements surrounding the park, installation of new chain link and stockade fencing, installation of wood guide rail, and complete site restoration.

THEREFORE bid packages will be available from the Town of Lloyd Town Clerks office starting July 27, 2011 and sealed bids must be received by the Town Clerk at the Town Hall, 12 Church Street, Highland, NY 12528 on or before 2:00 p.m. Tuesday, August 9, 2011 at which time the bids will be publicly opened and read aloud.

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

Five ayes carried.

S. RESOLUTION made by Brennie, seconded by Paladino,

WHEREAS, an application has been made to the Town Board of the Town of Lloyd to rezone property comprising +/- 422 acres for the development of the Hudson Valley Wine Village, Inc. Project; and

WHEREAS, the HVWP will comprise, resort hotel, commercial office, light industrial and residential uses; and

WHEREAS, applications will be made to the Town Board regarding the sewer and water approvals for the project, including but not limited to, the extension of the sewer and water districts as necessary to service the proposed project; and

WHEREAS, the Proposed Action is subject to the State Environmental Quality Review Act (SEQRA), and is classified as a Type I Action; and

WHEREAS, given that the Town Board must determine whether and how to rezone the property, it would be most appropriate for the Town Board to assume SEQRA lead agency status; and

WHEREAS, the Town Board has before it a full Environmental Assessment Form;

NOW, THEREFORE, BE IT RESOLVED as follows:

1. That the Town Board does hereby declare its intent to be SEQRA Lead Agency for the review of the Proposed Action.
2. The Town Board hereby directs the Town Clerk to circulate a notice of the Town Board's intent to act as lead agency to all involved agencies.

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

Five ayes carried.

T. RESOLUTION made by Hammond, seconded by Brennie, to approve the following Budget Amendments:

General

Board of Assessment Review	00-01-1354.40	+\$109.22
Contingency (Part of Secretary for Grievance Day)	00-01-1990.40	- \$109.22

Unemployment Insurance	00-08-9050.80	+\$1,910.00
Contingency (Patmore Unemployment)	00-01-1990-40	- \$1,910.00

Transfer to Capital	00-08-9950-90	+\$1,656.14
Unexpended Balance (to transfer remaining part of Highland Landing Bob Shepard Park Grant to Capital fund)	00-762	- \$1,656.14

Capital

Highland Landing Grant	50-06-7110-40	+\$1,656.14
Hudson River Grant	50-2705	- \$1,656.14

Legal Notice/Code Updates	00-01-1315-40	+\$5,000.00
Engineering CE	00-01-1440-40	- \$5,000.00

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

Five ayes carried.

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U. RESOLUTION made by Brennie, seconded by Paladino,

WHEREAS the contract with Choice Care Cards was signed by the Supervisor on June 13, 2011 which sets up the Health Reimbursement Arrangement (HRA) for the plan year of July 1, 2011 – June 30, 2012, and

WHEREAS the plan will be funded by the Town of Lloyd 100% for the Participants of the MVP Preferred High Deductible Plan, and

WHEREAS 20% of the total exposure must be available for the use of this plan,

NOW IT BE RESOLVED, the Bookkeeper is authorized to transfer funds from the separate funds (General, Highway, Water and Sewer) within the Town of Lloyd to fund this plan initially and when the bookkeeper receives notification that the threshold has been reached for which the plan needs to be replenished.

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

Five ayes carried.

V. RESOLUTION made by Hammond, seconded by Paladino, to approve the vouchers as audited by the audit committee:

General	G733 - G909	\$ 182,106.08
Highway	H298 - H349	\$ 143,432.53
Miscellaneous	M171 - M235	\$ 689,570.87
Prepays	P150 - P178	\$ 7,390.15
Sewer	S 169-S208	\$ 18,045.13
Water	W208-W262	\$ 18,286.00

Roll call: Costantino, aye; Paladino, aye; Hammond, aye; Brennie, aye; Litts, abstain (Audit Committee)

Four ayes carried.

MOTION made by Brennie, seconded by Hammond, to go into executive session to discuss personnel at 9:00 PM.

Five ayes carried.

MOTION made by Brennie, seconded by Hammond, to come out of executive session at 9:58 PM.

Five ayes carried.

MOTION made by Litts, seconded by Hammond, to adjourn the meeting at 9:59 PM.

Five ayes carried.

Respectfully submitted

Rosaria Schiavone Peplow
Town Clerk