

# TOWN OF LLOYD TOWN BOARD

## WORKSHOP MEETING

September 4, 2013

**Present:** Supervisor Paul Hansut  
Councilmember Michael Guerriero  
Councilmember Herbert Litts, III  
Councilmember Jeffrey Paladino

**Also present:** Sean Murphy, Attorney  
Rosaria Peplow, Town Clerk

**Absent:** Councilmember Kevin Brennie\*

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

Supervisor reported that many grave markers were pushed over at the Highland Cemetery by unknown vandals. He has personally offered a reward of \$1,000 to anyone who comes forward with information that is useful for the prosecution. Several individuals in the community would like to add to the reward. He spoke with Peter Harris, Principal at Highland High School, and asked him to let the teachers know what has happened in case there is some conversation at the schools. He also asked for help from the media. He was at the Cemetery with Roger Gardner, Director, to survey the situation. The first time the Cemetery was damaged was in 2010 and Roger Gardner stated that there were 45 to 48 stones damaged at that time; those responsible were not caught. There is a \$5 fee for each burial at the Cemetery which goes to a NYS fund for cemetery vandalism and that money is not available. The Town of Lloyd Police Department is conducting the investigation. Chief Waage and Lt. Janso were at the Cemetery; members of the Police Department are collecting the broken flags which will be delivered to Judge Elia for proper disposal by the American Legion. There is a lot of damage and he encourages those who would like to see it to drive through the Cemetery. Perhaps next weekend heavy equipment will be brought in to right the head stones that have been knocked over; his father-in-law, Danny Alfonso's stone was knocked over.

### 1. REPORTS

**A. Finance** – Karen McPeck, Bookkeeper to Supervisor

**B. Assessor** – Elaine Rivera

**C. Building & Zoning Department** – David Barton reported that there was a Public Hearing on the Comprehensive Plan last month; there were six or seven comments, which he emailed to the Town Board members and he offered paper copies to anyone who might want one. There have been more positive than negatives comments. The comment period will continue until the September 18 Regular Town Board meeting.

Litts asked if the comments will be incorporated by September 18.

Barton did not know if that would be possible as Dennis Doyle, Director, Ulster County Planning, is having a meeting tonight. The Library Board should be included as they are considering building on Church Street where the current Library now stands and asked for his input. They will meet tomorrow night at 6 PM. He said that he is not sure if he will monitor the building process as NYS watches some of that work and an engineer might do that; it will be a matter of jurisdiction. Regarding the oil spill last month, clean up is still in progress and the basement continues to be dug up by VAZ; a few days after the digging started the building had to be shored up as so much dirt and fill had to be removed from the basement. There was a clay pipe trough that ran from that building behind Rizzi Jewelry store; he felt that it came out of the old juice/cider mill that was there and when the tank started to leak into the ground, it went down that chute. As far as he knows there is no NYS DEC violation as there was no act of malice and they chalked it up to 'things happen'. He has been invited and agreed to speak at the NYS Planning Federation training, in Hyde Park on November 4. The subject will be the Gateway District; he will be speaking along with Jeff Anzevino and Ted Fink on how the language was created that came out of the Tri-Board meetings and the process. Some of the Committee members and Planning Board members will also be there. Four years ago the Town put together the Hazard Mitigation it has to be renewed. He feels that Rich Klotz, Highway Superintendent and Adam Litman, Water and Sewer Administrator are the best contacts for that.

**D. Dog Control** – Andrew McKee

**E. Highway** – Richard Klotz

**F. Hudson Valley Rail Trail** –

**G. Justice** – Terry Elia/Eugene Rizzo

**H. Police** – Chief Daniel Waage reported that during the month of August, the Police Department handled 615 calls; other than public service 328; accidents 35; tickets, 148; a total of 51 arrests. The foot patrol in the Hamlet was 260 hours by the Officers and Sergeant; he and the Lieutenant had about 35 hours. In the end of July and the beginning of August, the Police Department had a fundraiser that they called, “Operation Back to School”, and collected school supplies to be donated to the School District. Last Thursday, he delivered 30 backpacks full of supplies for students in need. The residents of Vineyard Commons collected a lot of supplies for the drive. On August 15, members of the Lloyd Police attended the sentencing of Jorge Marrero in Ulster County Court; he was sentenced to 18 years in NYS prison for shooting his girlfriend in the face with an illegal handgun in an apartment on Pancake Hollow Road in October 2012. Police Officers attended the Senior Citizen Breakfast at Tony Williams Park on August 19 and they talked about Project Care with the seniors. He explained Project Care is a service of the Police Department whereby the Police Dispatcher makes daily calls to make sure that the Project Care member is okay; this is mainly for the elderly of the community or people who do not have anyone to check on them daily. Members of the Lloyd Police Department assisted URGENT task force on August 23 for “Operation Summer Sweep”, three months of investigation into drug sales in Ulster County and the Town of Lloyd; 17 individuals were arrested and 20 grams of cocaine, 1,000 decks of heroin and numerous pharmaceutical drugs were seized. The softball game fundraiser between the Lloyd Police and Highland Fire Department for “Operation Back to School” was on August 25. The Lloyd Police beat the Fire Department 24 to 6 after nine innings of play. Earlier in the year, the Police Department and the Highland School teachers played in a basketball game to raise funds for school emergency bags of essential supplies for each classroom. They are now ready for delivery to the schools; he and the Department wished everyone a safe and successful school year. On August 31, the Lloyd Police took part in a DWI checkpoint on Route 299 which resulted in five arrests. Court Officer Jim Plass report eight knives, one pair of large surgical scissors, one Leatherman tool and four surgical instruments were confiscated at Town Court.

Erin Quinn, reporter, asked what a deck of heroin was and the value. She also asked the street value of the cocaine.

Chief answered that there were ten bags of heroin to a deck and the street value of one deck, depending on the dealer and where purchased, would be between \$60 and \$100.

It may be cheaper in the City of Poughkeepsie due to supply and demand. An ounce of cocaine will go for \$1,000, depending on where you get it.

Quinn then asked about the four surgical instruments.

Chief said he asked Officer Plass about that and he said that they were ‘significant scissors’ that if used inside the Court they could do some damage.

Mark Reynolds, reporter, asked if the URGENT arrests were for Lloyd.

Chief replied that the arrests were throughout the County; he does not know the exact number for the Town of Lloyd.

**\*4:20 PM** – Brennie arrived at the meeting.

Quinn asked his thoughts on the number of people involved in the vandalism at the Cemetery.

Chief said that preliminarily he would guess that it was more than one person; it would not be prudent to talk about the investigation. The grave markers are granite and quite heavy but it is not believed that equipment was used.

Supervisor interjected that Roger Gardner said that one of the grave stones was close to a ton.

Chief added that the people of Town of Lloyd is very patriotic and one of the things that bothered him, as a former military person, was that a lot of flags were broken. They were not just thrown on the ground which is bad enough, but intentionally broken. That was another thing that they found to be very disrespectful.

Murphy asked if they were the flags that are put out by the Veterans.

Chief confirmed that they are those flags.

Supervisor said that the vandalism seemed to be random and once an arrest is made we will hopefully find out why this was done.

Quinn asked if there was a motive.

Chief said that he did not feel that they will find out the motive even when someone is arrested as it takes a different type of person to even think of doing something like

that. The people that have been harmed were defenseless as well as the families who grieve these people.

Supervisor explained that the area that was vandalized is a part of the Cemetery where there are still a lot of family members in Highland that visit the Cemetery. He arrived at the Cemetery at 9 AM and there were already a dozen family members there. This is an area of the Cemetery that is still cared for by family members with flowers and flags; it can be seen from the street. Roger Gardner, member Board of Directors gives his life to that Cemetery; Frank Palmateer goes up there with his family to pick up trash. There is a Board of Directors, of which he is a member and Frank Lombardi is the President. Cemeteries throughout NYS are struggling. NYS law provides that if that Cemetery would become financially insolvent, the Town would have to take it over; he is hopeful that volunteers will come forward when it is the time to reset the stones. There were 136 grave sites vandalized.

**I. Recreation/Buildings & Grounds** – Frank Alfonso

**J. Safety Committee** –

**K. Town Clerk** – Rosaria Peplow reported that her office has been receiving calls about the school tax bills; the confusion is due to the change in the mailing address and it has disturbed taxpayers. She said that her office is directing people to call the telephone number for the school tax collector; however, they can pay their bills at M&T Bank in person. Taxpayers have been assured that the new mailing address is valid. The check for the interest and penalties written to the Supervisor is \$40,485.00. There have been 746 Transfer Station permits issued to date. Sporting licenses have been on sale since August 12 and many hunters have come to the office for doe permits. Another \$705.00 was received in August for Berean passes; \$1,050.00 for SummerFun and \$100.00 for tennis lessons. She showed the Board an email she received from Denise Rhoades, Secretary to the Highway Superintendent, listing the surplus equipment, some of which she noted is not the property of Highway.

Supervisor explained that the 2002 Dodge Durango is a Police vehicle; the 2006 Ford Expedition was Frank Lombardi's vehicle; the dump truck and tires are Highway and the Chevy Impala is also going to be put up for auction that has been used as a Town Hall car. He will provide Peplow with the information on the Impala.

Peplow said that a bid opening date and time should be established and suggested the notice should instruct people the equipment will be on view at the Town Garage Monday through Friday during hours that there may be coverage.

Supervisor asked if there should be a minimum bid.

Peplow replied that the notices generally say that the Town Board reserves the right to reject any and all bids.

Supervisor would like to add that verbiage as some of the equipment may be worth more as scrap metal.

**L. Water & Sewer** – Adam Litman

**M. Supervisor** –

## **2. OLD BUSINESS**

## **3. NEW BUSINESS**

**A. Haviland Road signage**

David Barton said that this subject has been discussed for a long time and has been brought to his attention by Councilman Brennie. The Code currently does not allow remote signage and the Zoning Board of Appeals' definition is 'advertising sale of product or service' His department has not been aggressive in enforcing the signage on Haviland Road which is directional in nature; someone from out of town, without GPS, could not find Mariners Restaurant without the directional signs. On the corner of Route 9W and Haviland Road, where the Sunoco station is located and further on Haviland Road, there are signs advertising ice cream which the ice cream shop owner has been asked to remove; they are removed and then put back in place again. That person has offered, in part or in full, to construct a way-finding sign on Town property, which is the entire corner of Haviland and Route 9W. He does not know where this new sign would be placed but the Town Board's approval would be needed to use that land for a directional sign.

Supervisor asked if there were any NYSDOT standards.

Barton replied that DOT would have to be contacted for line of sight.

09.04.2013

Brennie said that there is a problem in the Haviland Road area because there are so many poles.

Guerriero said that the merchants chipped in for a directional sign that was placed on the south side of the Haviland Road corner, and NYSDOT cut it down.

Barton explained that is DOT property and said that DOT would complain when he put out the Farmers' Market signs.

Supervisor offered that Town Historian, Liz Alfonso, found photos showing signs for Rocking Horse Ranch and Pratt's Lumber; at Vineyard and Tillson Avenue Lumber. These were tasteful and good-looking signs.

Brennie interjected that if the intention is to help these businesses to do well signs are needed, and it is a smart idea if they are willing to pay for the signage. In promoting business, there is nothing better than signage.

Barton asked the Town Board to ask the Planning Board to authorize them to design the sign for that corner. He would suggest something similar to the new Jehovah Witnesses' sign which is the result of conversations with the Planning Board. It has a stone base, two colonnades and fascia;

Brennie and Supervisor would like to include directions to the Walkway.

Litts would like to amend the sign code to include directional signs; it may be on the Route 299 intersection or the other end of Town; he asked if there was not a plan for the Gateway District sign to be at Haviland and Route 9W also.

Barton said that it has to be on Town property because the DOT does not always allow a sign.

Supervisor asked about the design standards that the Planning Board put together.

Barton said that there were some other concerns as they may have been overly restrictive. He does not know where the large Gateway sign is going.

Supervisor added that there was thought of a gateway arch further down the road.

Litts feels that a standard should be made of the Gateway sign as that it going to go to various locations in the Town of Lloyd.

Guerriero feels that from this point on the Planning Board can come up with a theme so that the signage is similar throughout the Town.

Barton agreed and said that making them similar is key, which was the goal of branding. This could also be a rental situation with the Town charging businesses a fee for maintenance of the sign each year.

Supervisor asked who paid for the multi-business sign at 75 Haviland.

Brennie said sign costs were paid by the businesses.

Barton asked if he should go forward with this and the Board concurred.

#### **B. Budget appointments**

Supervisor asked that each Town Board member makes an appointment with both he and Elaine Rivera to go over the 2014 Budget on September 10, between 8 AM and 5 PM. The Tentative budget has to be submitted to the Town Clerk by September 20 and he would like the Board members to review it.

### **4. PRIVILEGE OF THE FLOOR**

### **5. MOTIONS AND RESOLUTIONS**

**A. RESOLUTION** made by Brennie, seconded by Paladino, to approve the sale of the following items by the sealed bid process to be published September 1, 2013 and bid opening September 26, 2013 at 11AM:

2002 Dodge Durango, 4 wheel drive, 77,132 mileage, air conditioning, power steering, power brakes, power windows, 4.7 liter engine, white in color, VIN #1B8HS38N32F210408, as-is condition;

2006 Ford Expedition XLT; Full power; 4 wheel drive; white; VIN #1FMPU16526LA59985, mileage 104,784, as is condition;

1996 International 4700 4 X 2 Dump truck; orange, VIN #1HTSCAAN1TH268533, mileage 75,430 including plow, as-is condition;

2005 Chevrolet Impala 4DSD, Grey, VIN#2G1WF52K759201047;

10 tires, 1100 X 20, on rims, very good tread;

5hp, 3 phase, Z-stage Air Compressor; 60 gallon tank;

400 gallon, steel, Water Tank Trailer, as-is condition.

These items may be viewed at the Highway Garage on New Paltz Road, Monday through Friday, from 8:00 AM to 3:00 PM.

09.04.2013

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

**Five ayes carried.**

**B. MOTION** made by Brennie, seconded by Litts, to participate in the multi-jurisdictional hazard mitigation plan and appoint Richard Klotz and Adam Litman to the Hazard Mitigation Planning Committee.

**Five ayes carried.**

**C. RESOLUTION** made by Paladino, seconded by Brennie, to authorize the Supervisor to sign the amended CSEA contract to include Appendix A – Sick Leave Donation Program Policy.

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

**Five ayes carried.**

**D. Resolution for September 18, 2013**

**WHEREAS** in 2009 the Town of Lloyd established a project to expand/update the Town of Lloyd Wastewater Treatment Plant with funds borrowed from the NYS Environmental Facilities Corp. (EFC) in the amount of \$8,418,726.00; and

**WHEREAS** in August 2013 the Town Board of the Town of Lloyd entered into long term financing on the NYS EFC Loan which financing requires a principal and interest payment due November 1, 2013 in the amount of \$317,620.21; and

**WHEREAS** it was unknown at the time of the preparation of the 2013 annual Town Budget that this payment would be required in 2013; and

**WHEREAS** budget amendments along with the transfer of monies from various Town of Lloyd Capital Improvement Sewer Funds is necessary to allow the NYS EFC Payment;

**NOW THEREFORE BE IT RESOLVED** that budget amendments/transfers are made as defined:

\$ 50,000.00 from Capital Project – Wastewater Treatment Plant (EFC) (50-102)

\$140,726.78 from Sewer Debt Reserve established 11/4/2009 (30-103)

\$ 4,384.26 from Balance in Wastewater Plant Damages BAN (SS9731.70)

\$ 15,072.65 from Balance in Vineyard Commons Gift Account (30-103)

\$ 36,074.04 from Highland Estates/Rite Aid Gift Account (30-103)

\$ 57,764.21 from Capital Sewer Unexpended Balance (30-102)

Total funds (\$304,021.94) to be transferred to:

SS8366.60 Wastewater Treatment Plant EFC Principal \$275,000.00

SS8366.70 Wastewater Treatment Plant EFC Interest \$29,021.94

*Litts noted that the Water/Sewer/Drainage Committee will discuss changes in rates so that the budget can withstand the BAN payments for the next 20 years.*

Supervisor announced that Highland Remembers, the 9/11 memorial ceremony, will be held at Highland Hose on Route 9W, 6:30 PM, Wednesday, September 11.

Reynolds asked if the \$8-million figure is part of the money for damages due to the storm.

Supervisor replied that was separate and covered by FEMA and insurance money.

Paladino recalled that some money may have been fronted from the Town funds until the FEMA money came in.

Supervisor said that Ray Jurkowski, Morris Associates, will be at the September 18 Regular meeting to answer any questions.

**MOTION** made by Litts, seconded by Brennie, to adjourn the meeting at 4:44 PM.

**Five ayes carried.**

Respectfully submitted,

Rosaria Schiavone Peplow  
Town Clerk