

# TOWN OF LLOYD TOWN BOARD

## REGULAR MEETING

SEPTEMBER 18, 2013

**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

**7:00 PM** – Supervisor opened the meeting and led the Pledge of Allegiance.

Supervisor asked for a moment of silence in memory of the twelve victims of the recent Navy Yard shooting in Washington, DC.

**7:00 PM** – Supervisor opened the Public Hearing on Local Law No. I – 2013, a local law entitled “Amendments to Section 74-3 of Chapter 74 of the Town of Lloyd Code: Multi-Use Trails” regarding the activity and behavior requirements of cyclists.

Raphael Diaz, Hudson Valley Rail Trail, read “(i) persons riding bicycles on any multiuse trail must yield to pedestrians using multi-use trail (ii) no person shall operate a bicycle on any multiuse trail unless is it equipped with a bell or other device capable of giving a signal audible for a distance at least 100-feet except that a bicycle shall not be equipped with nor shall any person use on a bicycle any siren or whistle”. That is actually in NYS traffic law. “(iii) When overtaking pedestrians on any multi-use trail, cyclists must give ample and reasonable warning and must past said pedestrian in a single file at a prudent and responsible speed; when coming from the opposite direction, the cyclist must past pedestrian in single file at a prudent and responsible speed.”

Supervisor thanked Raphael Diaz who has worked very hard on this as it is something that is very near and dear to his heart.

Alan Van De Bogart stated that he has used the trail quite a bit and he believes that there are safety issues because bicyclists tend to view the trail as a roadway and overlook the fact that it is also being used by pedestrians, kids, and animals.

David Gordon, 5 Tina Drive, related that he is a cyclist and bikes on the Rail Trail and on the roads; he also believes that there is a safety issue. Bicycling on the Rail Trail is different, speed has to come down and the other people using it have to be considered. His first reaction is that he has two bicycles: one is a mountain bike with a bell and the other is a road bike which does not have a bell; he often uses his road bike on the Rail Trail as it is a great way to get from Tina Drive, to the downtown and on to Poughkeepsie. If the bicyclist chooses to go faster, the streets and roads can be used to cover approximately the same area.

Mary Phillips, Sunnybrook, said that she uses the Rail Trail every day and she feels that during the week it is fine; she reminds bike riders by saying ‘hey, you forgot to say passing on the left’. Most people are very nice about that; however, mostly on the weekends there are some who are not and yell very nasty things to them. There is also a problem with bike racing and the Bike New York organization where there were so many cyclists using the Rail Trail. She felt they are normal people until they get into those cute little Lycra outfits and then they become demons.

Supervisor said that he and Raphael Diaz have spoken to the woman from Bike New York and voiced their concerns. This is the third year that Bike New York used the Rail Trail. The first two years they brought porta potties to Tony Williams Park; they did not this year and it became a problem. The next time they do an event here there will be better coordination with the Town.

Phillips said that other local groups who use the Rail Trail and they are great.

Donna Deeprise asked if there was evidence of these people boost our economy and income to the Town.

Supervisor replied that on the day of their visit Dunkin Donuts, the deli and Hess out on Route 299 were very busy but that does not justify bad behavior.

Gordon referred to Phillips’ comments and suggested a speed limit for bicyclists would make the point that this is not a road, no racing or speeding.

Brennie said that was considered but the hard part is enforcing it.

Supervisor does not believe that a sign would make any difference to these people because they don’t have respect.

Van De Bogart stressed that if a speed limit can be enforced if it is encoded.

Supervisor illustrated that Church Street is now One Way and NYSDOT has said that they have never put up that many signs for a One Way and there are still people who drive the wrong way. He feels that the educational component is important.

Diaz said that Fred Schaefer, a cyclist, maintains that at 10 MPH speed limit that he could apply brakes in time if he hit someone and he would do the least damage. He read an account of a woman who was killed when hit by a bicycle on a trail that ran between a senior center and a library. There was a 15 MPH speed limit; it was then reduced to 10 MPH. The area is now striped as a bicycle dismount zone to protect the seniors.

Erin Quinn, reporter, asked what is going to be done to spread the word.

Diaz said that there will be signage. If this law is passed, he will visit the local bicycling clubs and bike shops. He will alert them about the bells as he feels that many don't know about the law.

Supervisor referred to Resolution G. on this agenda to close the Public Hearing. He would like to extend the public hearing until the next Regular meeting of October 16 as comments are still being submitted and this would give the public more opportunity. He asked for any comments on the updated Comprehensive Plan.

Jeff Anzevino, Scenic Hudson, thanked the Town Board and the Supervisor for keeping the public hearing open longer and encouraging comments. He submitted comments and said that if anyone would like a copy of the letter to see him. These comments expand on the statement of August 28. He would like to meet with the Comprehensive Plan Committee, Supervisor and the Town Board, to clean up some of the inconsistencies in the Plan that call for Smart Growth, a strong Hamlet and Town Center on one hand and on the other open up development everywhere in Town. There is only so much capacity. If development is really wanted in the Hamlet and Town Center, there can't be cultural districts and PRD's floating all over the Town along with new zoning all up and down Route 9W which opens up the corridor to commercial development. He hopes that the comments are taken seriously as they are offered in the spirit of cooperation. He feels that there are a lot of great things happening in the Town. There is another shift in gear with the Comprehensive Plan and that direction is really not necessary with the new zoning that is on Route 9W. There is another increase in capacity now for residential, commercial and light industry in the Town Center and he feels that should be given a chance to absorb some of the capacity otherwise those buildings are going to go up and down Route 9W instead of in the Town center.

Gordon submitted a letter of comment and said that he was a member of the 2005 Comprehensive Plan Committee; he agrees substantially with Anzevino's comments. He also appreciates the time provided for further comments. He agrees that this is an important document as the Town is at a crossroads and noted the Town of Lloyd recreational amenities are of statewide and national focus. He said that it is now time to think about how the Town's land use begins to reflect the new position of the Town; we are at a time period as opposed to 10 years ago when there was interest in Smart Growth and tried to discuss it in the Comprehensive Plan but did not have the tools to get there. There are now two EPA manuals that are available to help committees like this to determine how to do this. Since the last Comprehensive Plan the 'Northern Wallkill Bio-Diversity Study', an ecological study of the area, has been done by a respected regional consulting group and that is a benefit to determine the ecological basis of our rezoning. The Town now has tools and the opportunity to look at Smart Growth. The Comprehensive Plan update rhetorically reflects Smart Growth and says that is what should be done but it is really not there. He identified two sets of issues where it is not there. First, with respect to the Hamlet redevelopment, there are no details; the short comment is that there are a lot of resources available and to think harder on how the Hamlet can be revitalized. Secondly, Smart Growth boils down to more concentrated development in the centers and less development out in the rural areas, sprawl. This Comprehensive Plan has specific recommendations and these are the only specific recommendations in the zoning and land use that loosen up and create more development in the outlying areas. The clearest one is that it recommends rezoning the agricultural zone from two acres to one acre, doubling the density in the outlying areas when the goal of Smart Growth is to reduce that. There are also recommendations to loosen up the rules on Planned Unit Development. A Smart Growth plan would restrict it more. He suggests taking this document as a starting point, go back to the Committee and take some of these ideas to make a document that better represents a Smart Growth approach.

Christine Renus, Wagon Wheels Deli on Route 9W South, commented that she has heard that the Town may be running water down Route 9W; both she and her husband feel that would be a good thing and wanted the Town to know that they would support the plan.

Mark Reynolds, reporter, asked how the comments will be utilized once the comment period concludes and if there are new things if they would be inserted into the document.

Supervisor replied that one of the reasons for leaving the comment period open is that there is a lot of information that the Town Board has to digest. The Comprehensive Plan Review Committee will reconvene so that these concerns can be addressed. From that point, it would be the Town Board to move it forward.

Paladino cautioned that these are comments will be considered and it does not necessarily mean that the comments received will be put into the document.

Deeproose asked if the Town Board will give direction as to what it wants to see out of all the comments before reconvening the Committee.

Supervisor answered that each Town Board member has received a copy of each comment and they have been asked to review them; the Board will then go to the Committee and give them their thoughts.

Anzevino asked if that meeting would be open to the public and if so, he would like to be apprised of the date.

Supervisor said that all of the Comprehensive Plan review and revision meetings have been open meetings.

Erin Quinn, reporter, posed that if there are any significant changes that there would have to be another public hearing.

Sean Murphy advised that if there are substantial changes, there will have to be another public hearing.

Brennie stressed that the public will not be left out of the process and whatever legality is necessary, it will be done, either leave the public hearing open or open another public hearing.

Litts noted that Chapter 11 of the document calls for this plan to be reviewed by the Town Board on a yearly basis; it is a living document changes that are necessary should be made throughout that period. It is not a stagnant document. The Comprehensive Plan will continue to be updated.

Anzevino commented that he recalled at the public hearing that there was a statement to the effect 'the plan is a living document; if a developer comes to Town we need to make sure that we can change the Plan to make sure that it fits to what the developer wants'. This greatly disturbed him. Plans are usually updated every five to ten years. Enough thought should go into a plan that it has more than a year's shelf life. The plan as a living document does get amended on a regular basis, five, ten, twenty years; it is not an open relationship. Consensus is not made and then changed because someone comes to Town with an idea that is not in harmony with that plan. He cautioned the plan should last for more than a year.

Supervisor feels that the hope is that it will last for more than a year but if something should come up six to eight months from now, the group could be reconvened and it could be discussed.

Litts added that when the 2005 Plan came out the Walkway over the Hudson and the Gateway District were not part of it. He said the purpose of a Comprehensive or Master Plan is division of the Town. He does not feel that it should be specific to the point where each particular property has a designated use. He does not feel that the document should be extremely specific because it is a *vision* not the zoning ordinance, the code or the detailed tax map for the Town. It is a high-level document that looks at what the Town is to be in five, ten, fifteen, twenty, fifty years from now; however, he does not feel that it should preclude any changes to the document within a certain period of time. Chapter 11 says that the Town Board will convene at one of their meetings to review the document as to whether it needs anything. If it does not need anything, look at it again next year.

Anzevino agreed and said that the document should not make specific recommendations for any particular parcel. He recommended checking the Plan to make sure that is not happening.

Diaz said although he has never been part of the review committee but his wife, Donna Deeproose has talked about this with him at their home. He feels that the Committee really worked hard to make the Plan fit together and urged caution before anything is pasted on that might cause inconsistencies.

Gordon said that the single provision of the plan of which he was most critical in his comments was the provision that changed the zoning in the Agricultural District from two

acres to one acre. This was quite specific and appears to be put in at the end without any consideration. This is a very specific provision and it doubles the density in this outlying area without an explanation. He said that the Plan is a plan and what has been seen in the areas that are suburbanizing, a comprehensive plan is done and then zoning; it does not really represent your vision for the community. He doubts that most people have a vision for this Town that includes developing 500+ acres in a zone that is currently agricultural on a one acre or two acre template. This represents a pattern of development which is not consistent with what people want to see.

Paladino asked if it is the public's purview to decide that someone's farm should be four acre zoning which infringes on their property rights.

Gordon said we do believe in planning or we don't; it is his opinion that what is called 'planning' really is not. He addressed Paladino and said that he felt that it was his responsibility or else we really do not want a plan, what we are doing is opening up our land resource. This document is saying not only we are letting you do what we don't like; we are really letting you do what we want by down-zoning to one acre and are throwing in PRD's so that the bottom line is our landscape is open for business.

Paladino said that PRD's and PUD's need to go in areas where there is water and sewer so that does not apply to the hinterland of Pancake Hollow Road.

Gordon would like the plan to consider where the growth is to be: downtown or sprawl. He feels that the decision has been made not to plan.

Paladino disagreed and feels that is Gordon's vision and assertion that he speaks for the masses. Farmers have asked at the meetings for one acre zoning.

Gordon said that he was on the Planning Board until 2003 and at the time there was a lot of interest in five-acre zoning and when he left, there was a general vision of four-acre zoning. Over the next two years there was a compromise of two-acre zoning. This document takes it back to one-acre zoning, which is where it was 20 years ago.

Paladino quoted Gordon's letter of comment, "As global warming proceeds species will need to migrate northward to adopt a new temperature regime and the resulting changes in habitat structure and composition. When sprawl blocks the migration, species are likely to face expiration. The transitions that occur within our landscape today are more permanent than the past changes as they do not accommodate our native bio-diversity". He is more concerned about the southern sprawl of people moving out of our area because they cannot afford to live here. He asked Gordon where he thought was the balance.

Gordon said that the quote that was read was written by the consultant who wrote the Northern Wallkill Bio-Diversity Plan and he feels that it is derelict for the Town to consider the new master plan without considering this ecological document. Six or seven years ago with our consent and assistance, along with the Town of New Paltz, people came in and created an ecological vision for this Town. He thinks that it is a terrible mistake to have a Comprehensive Plan that completely ignores the best ecological consulting that we could possibly get which is the Metropolitan Conservation Alliance, a leader in land use for ecology.

Supervisor said that his comments were well taken but the meeting has to move on.

Deeproose said that she had participated actively on the Committee and they looked at what they wanted this Town to be, the vision for the Town. They looked at choices: was it going to remain, would it continue to be what it is not anymore, a lovely agricultural area and a pretty little downtown or was it going to become a bedroom community for the larger urban areas. She said that sounded pretty scary to her and that whether or not it is going to be a one acre or five acre, what you will have is a bedroom community. Dennis Doyle, Chief Planner for Ulster County, suggested a regional center and she asked what that would be based on if it was going to become a regional center. She reiterated that the two choices are: becoming a bedroom community or a regional center.

Litts stated that the dichotomy is everyone wants open space but the reality is that the majority if not almost all open space is maintained primarily by private owners of large parcels of property in our Town. The Town puts the burden on those people as to how they utilize their land or regulate their land so that everyone else in the Town is able to view it as open property. From his personal experience and experience of those he knows in the agricultural community, the reason they have the land is because it is necessary to maintain an agricultural operation i.e. you don't have a farm on an half acre of property as it is not economically feasible. In order to become economically viable, there needs to be acres of land, if not several hundred acres of land. That is dwindling In the Hudson Valley In the Hudson Valley because agriculture in the Hudson Valley is very difficult to sustain. One of the biggest reasons is the same reason that the younger folks and the older folks are

moving out, they are being taxed out of New York State. In order to counteract that, as a farm, the farmer subdivides off an acre or two of land and that money will be used to sustain the agricultural operation. That is a downward spiral but it will allow the farmer to maintain. If there is five-acre zoning, now the farmer has to subdivide off five-acre parcels so that large land that is needed to be economically viable shrinks by five acres at a time. The issue is that in order to have open land, someone owns it and pays the taxes on it; that burden is shifting to the people who own the land.

Supervisor closed the discussion and offered if anyone would like to continue offline with the Board may do so after the meeting.

**1. REPORTS – Town Board Liaisons**

**Assessor** – Councilmember Paladino reported that Jennifer Mund, the new Assessor, started work on Monday, September 16 and Elaine Rivera is helping with the transition for the next two weeks. At the School Board meeting last night, Elaine Rivera and Jennifer Mund offered to meet with the school board to discuss tax certioraris, exemptions and some other questions that the school board members have. An increase in the income level for senior citizens is being considered so that they can get a higher school rate tax exemption. Some of the information that the Assessor received from the County will be beneficial for the school board members to hear as they make their decision. He thanked Elaine Rivera for helping with this.

**Audit** – January 1 to June 30, 2013: Councilmember Litts Councilmember Brennie

July 1 to December 31, 2013: Councilmember Paladino, Councilmember Guerriero

**Building Department** – Supervisor Hansut said that the department has been very active and a report is available if anyone would like to review it and a copy of the Town Clerk's report which is also available for review.

**Dog Control** – Councilmember Brennie

**Environmental** – Councilmember Guerriero said that Bud Hossenlopp, member ECC, invited him to take a canoe trip on Black Creek, which he did and it took two and a half hours. He enjoyed it very much and said the area is beautiful. He feels that when the boat launch is done it will be a big plus for our community; being on the water takes you back to another time.

**Grants** – Supervisor Hansut reported that the Town has applied for a TEP grant for approximately \$500,000, which is an 80/20 split. If the Town is awarded the grant, it will be used to fix some of the areas of the Rail Trail that need to be repaved and deal with some drainage issues. Two or three years ago, the Town finished third and he hopes to come out on top this time.

**Highland Fire District** – Councilmember Paladino reported that the public hearing for their budget will be held on October 15 in the Community Room of Highland Hose; the preliminary budget is .78 of 1% above last year, which is just over a million dollars in total.

**Highland Central School District** – Councilmember Paladino reported that the District is proposing a capital project and they have looked at the financial implications of the project and what it would cost the taxpayer but the proposals do not state what they are actually going to do; one project is \$15-million and the other is a \$20-million project.

**Highway/Transfer Station** – Councilmember Guerriero reported that he received a phone call regarding the dangerous situation at the corner of Church and Main Streets where there are three crosswalks and the concern that people are not stopping for pedestrians in the crosswalks. Rich Klotz just painted the cross walks and they look great but he would like to be able to do more and perhaps put out caution signs. He has been told that the Transfer Station has increased revenues this year and believes that the expenses may be down.

**Historian** – Councilmember Guerriero

**Justice** – Councilmember Litts reported that although they are very busy, the Court is slightly down on their numbers. Out of the 3,000 justice courts in NYS they are ranked at approximately 70.

**Lights** – Councilmember Brennie

**Planning Board** – Councilmember Guerriero

**Police** – Supervisor Hansut said that the Police are still actively investigating the vandalism at Highland Cemetery; there have been no arrests. He had a conversation with Roger Gardner, Director of the Highland Cemetery, and he has spoken with New York State and they are going to hire Weidner Memorials to put the stones back into place, secure them, fix the ones that were damaged at a cost of approximately \$27,000.

He hopes that the Cemetery gets the money from NYS. Donations are still being taken and may be sent to Highland Cemetery, 199 Vineyard Avenue; he was contacted by a member of the community who would like to organize a fundraiser for that project.

Reynolds asked if Highland Cemetery was able to tap into the \$5/per burial fund.

Supervisor said that Roger Gardner did call Albany and the money was available and it was indicated that the cost of the repair work would be covered. The community has been very generous and he has received numerous phone calls about donations or help. The work should start the end of this week or the beginning of next week.

**Recreation** – Councilmember Brennie reported that he has spoken to Frank Alfonso, Recreation Director, who informed him that there has been record revenue this year of well over \$50,000. He noted that the Recreation Department is a very tiny portion of the overall budget and one of the few departments that create revenue; the budget line is around \$140,000 and it brings in \$50,000, the net is \$90,000. Look around this Town and see what is provided on a yearly basis for \$90,000, he feels that the Town is served very well in that area. When people move into a town they look at two of the most important things: the schools and the recreation facilities. Lloyd is very strong in both. He has been on the Town Board since 2005 and he feels that the improvements that have been made in the Recreation Department in the last eight years for a tiny amount of money are very impressive. People should look and see what is provided for tax money. He related that he and Jeff Paladino grew up in Highland at the same time. They did not have any of these facilities in the 1980's, so what is being provided for the community now is night and day better than what it has ever been and at a reasonable price. Improvements and renovations are constantly being done at all the parks; however, once the improvements are made, they have to be maintained. In setting up Recreation with Building and Grounds, they go hand-in-hand so that they are able to maintain the quality of the facilities.

Supervisor added that during the day he rides around the Town and quite often he will see someone sitting under the pavilion at Tony Williams Park and he will stop to ask where they are from; it is surprising to him how many of these people are not from Highland but from New Paltz or across the River. At Vigneto's he spoke to some folks there and they had ridden their bikes – they had bells – a woman with her four grandkids who had come from Poughkeepsie to have lunch. He agrees that it is very important to keep the amount of quality recreation that is here in Highland. The last recreation fees that were received were from Vineyard Commons. He feels that Recreation is doing a lot with a lot less. Work has just been done on the softball and baseball fields at Tony Williams Park. During the summer it is amazing that it is busy every night with people using the basketball courts, tennis courts, and the ball fields.

Brennie noted that everyone wants their homes to increase in value; in looking at the value, one looks at the school district and recreational resources. These amenities create wealth for property owners, the more people who want to come here, creates a demand and drives up the prices.

**Water, Sewer and Drainage** – Councilmember Litts said that there was no meeting this month, it will be every other month and the next meeting will be October 3, the first Thursday, at 4 PM.

**Zoning Board of Appeals** – Councilmember Litts reported that at the meeting this month there were two applications, both for sheds; one for a side-yard setback variance and the other for a variance to put the shed in the front yard. This parcel of property is on a corner and in the site plan the area is designated as the front yard but as you look at the house, it faces the other direction so that needs to be straightened out.

Guerriero said that he has spoken to Dean Matus about the solar project and was told that Matus has applied for a grant with NYSERDA, should the Board decide to move forward.

Supervisor noted that Esopus is going solar and Gardiner is contemplating it; he asked if Guerriero has contacted either town to see if they had any recommendations.

Guerriero replied that he has not; however, he has been reading information on it and he feels that if the project proceeds, this is the best plan as the Town does not have to put out any money and will not be responsible for equipment.

**REPORT** – Claire Costantino, President, Hudson Valley Rail Trail; in her absence, Raphael Diaz read the following report:

We are anxiously awaiting the Columbus Day Weekend featuring four Hudson Valley Rail Trail Association Events.

09.18.2013

Our ever popular Annual MoonWalk returns on Friday, October 11 from 7 PM to 9PM at the Hudson Valley Rail Trail Pavilion at 101 New Paltz Road. The evening will feature an after dark walk on the trail, cider and donuts with our ghostly storyteller and a roaring bonfire. A special addition to the event is A Living Ghost Tour – featuring A walk through Lloyd’s History sponsored by the Highland High School Theatre Club under the direction of Highland High School Teacher Krista Petrofoss. Entrance fee is \$5.00. Children 6 and under are free. There may be some traffic congestion during the event due to additional parking in the area. The Town of Lloyd Police Department will be notified in advance of this event.

Our premier event, “An Evening Under the Stars!” Gala will be held on Saturday evening October 12 from 6 to 10 PM on the lawns and in the pavilion at The Would Restaurant. The evening will feature gourmet hors d’oeuvres and regional and nationally famous wines along with beer and spirits inclusive in the ticket price. There will be dancing under the stars to the awesome sounds of CloudNYne. Silent and Live auctions will feature such fantastic items as NYC lodging, fine dining, rounds of golf and artwork. You can register for the event at [www.hudsonvalleyrailtrail.net](http://www.hudsonvalleyrailtrail.net) or by calling me at 691.2066.

Our signature event, HudsonFest ’13 will be held on Sunday from 10 AM to 5 PM on the Hudson Valley Rail Trail at 75 Haviland Road. We expect 6 thousands of leaf peepers to crowd our trail during the day to visit the many local and Hudson vendors who will feature specialty items from local farms, vineyards, restaurants, artists and everything else that make our community and our neighbors so special. A perfect day to enjoy the splendid fall colors of the Hudson Valley.

New this year to the weekend is “Move Your Caboose” Fun Race/Walk on Monday morning from 9AM to 11 AM with registration at the Hudson Valley Rail Trail depot at 101 New Paltz Road. Pre-registration by September 30 gets the first 100 registrants a free Move Your Caboose T-shirts and reduced entrance fees. To pre-register, visit [www.active.com](http://www.active.com) or [www.hudsonvalleyrailtrail.net](http://www.hudsonvalleyrailtrail.net). Susan Van De Bogart is the organizer of the event.

All proceeds from this event will help refurbish the two cabooses currently located on the trail at 75 Haviland Road and 1-1 New Paltz Road. The portion of the trail from Mae Lane to Tony Williams Park will be closed for this event. Signage will be put in place in advance of the event to let the general public know that the trail will be closed from 7 AM to 11 AM. This may result in some bike traffic spill over onto New Paltz Road during those hours as well as some traffic congestion due to additional parking in the area. The Town of Lloyd Police Department will be notified of the event.

On a more serious note, tonight we have asked the Town Board to adopt new language in the Town Code to assist the Hudson Valley Rail Trail Association with the management of trail users. Our concern is the safety of all who use the trail whether for their leisurely walks or cycling. It is important that all users of the trail respect each other and the space that they occupy while on the trail. We encourage the Town Board to adopt the resolution on their agenda tonight. We also request the continued cooperation of the town of Lloyd Police Department in insuring the safety of all who are on the trail at any given time. We appreciate the understanding and support that the Town Board has afforded Rafael Diaz as he has prepared the newly implemented Train Courtesy and Safety Program and look forward to continued cooperation to insure trail safety.

Our Fall Learn to Run Program began on Saturday, September 14, and will continue for ten weeks under the direction of Rafael Diaz. This program continues to attract more users to the trail who are interested in improving their overall health.

We would like to express our sincere appreciation to Highway Superintendent Rich Klotz and his crew for the outstanding cooperation they have shown in assisting the association with the maintenance of the trail this year.

The new logo sign and message boards have been installed at 101 New Paltz Road. They along with the newly installed planting beds greatly improve the appearance of the entrance at this location. All of the improvements that have been accomplished this year are as a result of our fund-raising events such as WinterFest and the Columbus Day events. So it is important that everyone participate in our events to help us continue to make enhancements and bring additional amenities to our trail at no expense to the local taxpayer.

With that said, I hope to see all of you at some, if not all of our October events.

Diaz noted that Ed Hopper is now an association board member and Ray Costantino has returned to the board as a member.

**REPORT** – Matthew Smith, Manager, Bob Shepard Highland Landing Park, noted that the report is short this month and said that rocks and concrete continue to be taken out of the Park for to be crushed and once that it is done it will be returned to the site for use as a sub-base. Screening of the huge pile of donated fill has been completed. Lenny Auchmoody will screen the donated topsoil; 150 yards of top soil has been donated by Custom Compost in Milton and a matching 150 yards by Ricky Auchmoody in Clintondale; the balance from the material that the Highway Department digs out of the drains, offered by Rich Klotz. All of the material has to be screened and blended together so that the grass grows at the same rate. He will begin hauling the topsoil this week using a truck donated by Dave Magliato and Jim Anzelone’s tri-axle dump

truck. Both trucks will be driven by Lenny Auchmoody. The plan is to spread the topsoil and plant grass this fall, which is the optimum time to plant grass. All the windows, except for two, have been replaced in the building by Steve Schmidt of Timberline Construction who donated his time and expertise. There is work scheduled for two or three days a week during the coming month. He once again thanked Bob and Kevin Zammiello, Lenny Auchmoody, Steve Schmidt, Dave Magliato and Jim Anzalone for their donated materials, equipment and time. Regarding the gondola project, he gave a talk to the people at Vineyard Commons and thanked Bob Hebel for the invitation. Vivian Wadlin is donating her time to put together some informational brochures so that he has something to give out. He was invited to give a talk on the project at NYS Tourism in November.

Guerrero interjected that there is quite a buzz about the gondola project at Vassar College and he is often asked about the progress.

Smith said that a grant will pay for a study on the financial aspects of the project. He met with Bill Marone, engineer with the NYS Bridge Authority and C. B. Slutsky, owner of Hunter Mountain and a bridge building company. Slutsky was extremely excited about the gondolas; he would like to bid on building it and would also like to run it. Steve Turk is also interested in running it. He is gratified that businessmen of that caliber think that it is a great idea.

Paladino commented that he has heard from people using the boat ramp that the moorings are too far away from the dock.

Smith replied that there are two ways to build a boat launch. The dock can be built right alongside the cement so that when the boat is backed in it goes right along the dock or build the dock away a little bit, as this one is built. The reason for building it this way and not right alongside the ramp is it is difficult with the tide rising and falling and people are not always good at backing in and run up on top of the dock. It was decided for the safety of the dock and people on the dock. To resolve the problem instead of having two 15-foot dock lines, get longer dock lines, back the boat down to the water, take out the lines and tie to the dock (if you are by yourself or have someone on the dock help with the lines), the boat is in the water it floats off the trailer and the boat can be pulled to the dock by the lines.

Supervisor said that he has received calls on the parking issues regarding people out on the River and could not get their car down the ramp to get their boat out of the water.

Smith said that he is aware of that problem and it was discussed at the last Highland Landing Park Association meeting. What is happening is people are coming to dinner at Mariners and if the Mariners lot is full, they pull into the boat launch ramp. One individual trying to pull out his boat took photos of the license plates and went to Mariners to ask them to remove the vehicles. Signs will be put up which always was the intention but he finds it incredulous that the signs are necessary.

## **2. OLD BUSINESS**

- A. Supervisor said that on April 26, 2012, in keeping with transparency, he sent a letter to Jill Indelicato, Chair of the Board of Ethics, and asked the Board to review and provide an opinion "regarding operation of the concession stand and ticket collection by Gina Hansut at Berean Park for 2012". He received a response from the Ethics Board on April 17, 2012, which he read: "Per your request for an opinion from the Town of Lloyd Board of Ethics with regard to your spouse working at Berean Park concession stand and collecting tickets for admission, the Ethics Board does not see this as a conflict of interest provided you abstain from voting on any resolution pertaining to her hiring or pay rate. In reviewing, we feel that Mrs. Hansut was hired to the position for the prior year which was prior to you holding office as the Town of Lloyd Supervisor. The Recreation Commission is responsible for recommending the hiring of the employees for Berean Park as well as the individual's pay rate. Part of the Recreation Commission's process is to offer positions to incumbents in good standing and to only review new applications if an incumbent does not wish to come back for the season. Mrs. Hansut does not directly report to you. We do suggest that the Recreation commission formalize in writing their process in hiring insuring and documenting that the members of the Commission are people who decide who is to be recommended for hiring and pay rates. These decisions are not decided by the Recreation Director or the Town of Lloyd Town Board however they are brought forward to the Town Board by the Recreation Director and voted on by the Town Board. If we can be of further assistance, please to not hesitate to contact Jill Indelicato, Town of Lloyd Board of Ethics Chairperson."

## **3. NEW BUSINESS**



- A. Receipt of DEIS (Draft Environment Impact Statement) from Hudson Valley Wine Village  
 Supervisor said that copies are available for review in the Town Clerk’s Office and available on the Town of Lloyd website. He also understands that copies of the discs are being made for ease of review and may be requested.

**4. PRIVILEGE OF THE FLOOR**

Raphael Diaz commented regarding the Ethics Board that there is a concept in which a person who sees that there may be a conflict of interest they can come to the Ethics Board and that is what the Supervisor did; the Board met and looked it over and felt that it was general procedure. Any employee can do this and it is confidential; however, the party is free to reveal it if they wish.

Supervisor added that in 2013, at the recommendation of the Recreation Commission, Gina Hansut was again hired for the position at the concession stand and at that time he indicated that he had written the Ethics Board and inquired if there was a conflict. He also said that he will have no further comment on that and it will be part of the record.

**5. MOTIONS AND RESOLUTIONS**

- A. **MOTION** made by Brennie, seconded by Paladino, to approve the minutes of the Special Meeting of July 5, 2013, Workshop Meeting of August 7, 2013, Regular Meeting of August 21, 2013.

**Five ayes carried.**

- B. **RESOLUTION** made by Brennie, seconded by Litts, to authorize the payment of vouchers as audited by the Audit Committee:

General	G810 to G882	\$59,371.40
Highway	H324 to H359	\$60,554.61
Miscellaneous	M137 to M150	\$22,302.63
Prepays	P307 to P340	\$69,224.53
Sewer	S198 to S225	\$21,882.41
Water	W204 to W236	\$30,584.78

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

**Five ayes carried.**

- C. **RESOLUTION** made by Brennie, seconded by Paladino, to approve the following budget amendments for the 2013 budget:

<b>GENERAL</b>		
Parks Equipment	7110.20	+\$7,479.00
Contingency (New gator)	1990.40	- \$7,479.00

<b>HIGHWAY</b>		
General Repair CE	5110.40	+\$2,240.19
Insurance Recoveries	01-2685	- \$2,240.19

(As requested by Rich Klotz, Highway Superintendent)

*Supervisor noted that the new gator was purchased for Park Equipment from Adams’ under NYS bid; the old gator was 15 years old and is going to be purchased by the Highland Cemetery as their tractor is no longer usable. That purchase will be discussed at next month’s meeting.*

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

**Five ayes carried.**

- D. **MOTION** made by Brennie, seconded by Paladino, aye to close the Public Hearing on Local Law I – 2013 A local law to amend Section 74-3 of Chapter 74 of the Town of Lloyd Code: Multi-Use Trails at 8:21 PM.

**Five ayes carried.**

- E. **RESOLUTION** made by Brennie, seconded by Paladino,  
**WHEREAS**, proposed Local Law I–2013, a local law entitled “Amendments to Section 74-3 of Chapter 74 of the Town of Lloyd Code: Multi-Use Trails” regarding the activity and behavior requirements of cyclists, was introduced at a meeting of the Town Board held on the 21st day of August, 2013, at 7:00 p.m.; and,

09.18.2013

**WHEREAS**, a public hearing has been held thereon on the 18<sup>th</sup> day of September, 2013, at 7:00 p.m., at which time all interested persons were given an opportunity to be heard thereon;

**WHEREAS**, 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, and the Town Board having examined the short form EAF and considered the environmental effects of this local law, finds, as lead agency, that there is no environmental impact, hereby issuing its Declaration of Non-Significance.

**NOW, THEREFORE**, be it resolved by the Town Board of the Town of Lloyd, that Local Law I- 2013 be enacted as in the form attached hereto as Schedule "A" as fully as if set forth herein, being a local law entitled "Amendments to Section 74-3 of Chapter 74 of the Town of Lloyd Code: Multi-Use Trails." (See Attached)

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

**Five ayes carried.**

**F. MOTION** made by Brennie, seconded by Paladino, to appoint Peter S. Brooks to fill the unexpired term of the late John Schlosser on the Board of Assessment Review, which term expires September 30, 2014 at the recommendation of Elaine Rivera, Assessor.

**Five ayes carried.**

**G. TABLED Motion** to close the Public Hearing on the Town of Lloyd Comprehensive Plan.

**H. RESOLUTION** made by Litts, seconded by Brennie, to accept the resignation of Dispatcher Eric Kline as of September 29, 2013, with the Town Board's best wishes for retirement.

*Supervisor noted that Eric Kline has been employed by the Town of Lloyd for 19 years.*

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

**Five ayes, carried.**

**MOTION** made by Litts, seconded by Brennie, to adjourn the meeting at 8:24 PM.

**Five ayes carried.**

Respectfully submitted,

Rosaria Schiavone Peplow  
Town Clerk