

# TOWN OF LLOYD TOWN BOARD

## WORKSHOP MEETING

October 2, 2013

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

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

**Absent:** Councilmember Herbert Litts

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

Supervisor expressed condolences to the family of Joseph Ladue who recently passed away and who had been an employee of the Town of Lloyd Building Department for many years.

**Presentation** on the STAR program by John Petrino, Real Property Analyst, Office of Real Property Tax Services.

Supervisor said that Jennifer Mund, Assessor, arranged this presentation in response to questions about the STAR program and the need to respond to questionnaire from NYS Real Property Tax Services.

John Petrino thanked the Town Board for the opportunity to speak. This does not apply to someone who is getting the Enhanced STAR (the Senior STAR); those who now get the Enhanced STAR Exemption will continue to apply to the Assessor each year or enroll in the income verification program. This presentation is in regard to the Basic STAR Exemption only.

New legislation requires all homeowners that received the Basic STAR in 2013 to register with the NYS Department of Tax and Finance in order to receive the exemption in 2014 and beyond; so if you received the Basic STAR exemption on your property for 2013 taxes, this applies to you. Approximately 2.6-million people had Basic STAR exemption in NYS in 2013; senior citizens receiving Enhanced STAR are not required to register and are not impacted by this legislation.

the NYS Tax and Finance Department (518.457.2036) call center in Albany has about 150 trained personnel whose only purpose is to answer questions on the STAR program, no problem too small. Call if there is a problem about registering online.

This is being done to insure that the benefits provided by the STAR program go to qualified homeowners and to eliminate intentional fraud and unintentional duplicate exemptions. NYS reimburses the municipalities and school districts for the exemption. If there are people who are receiving this intentionally or unintentionally and are not entitled to it, the taxpayers of New York are paying. Intentionally or unintentionally these are situations that we see quite a bit: (1) People tell the officials in Florida that is their primary State of residence; and they come back to New York State and tell the assessor here that this is their primary residence. By law, these people are not entitled to the exemption. (2) If you have two homes in New York State and claim both as primary exemption. The Basic STAR exemption is intended for only one property which is the primary residence.

**\*4:10 PM** – Paladino arrived at the meeting.

The 2013 Assessment Rolls were collected from all New York State Assessors, which is something that is done every year. Beginning in August, letters were mailed to property owners who had Basic STAR. On the mailing is an alpha-numeric code called 'the STAR code' and that is the number that is needed when you go online to register and a summary of how to register. If you did not get a letter and feel that you should have, if you received a letter but lost it or if you get lost in the registration process on the website call 518.457.2036. For online registration, go to the NYS Department of Tax and Finance website [www.tax.ny.gov](http://www.tax.ny.gov); at the top of the screen to the right, is a button to go right to the page which takes you to the STAR program. The STAR overview home page has a description of what you will need to complete the registration primary property owners and some basic income information. The property owner enters the STAR code and the property address is displayed. One of the things you will see is a link to the STAR Code lookup, enter your Social Security number and it will get you to the screen to register. They are doing their best to communicate with STAR recipients and more materials will be forthcoming. Questions can be emailed [orpts.star@tax.ny.gov](mailto:orpts.star@tax.ny.gov)

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All of the owners of the property are entered along with their Social Security numbers. He assures that NYSDT&F is secure and guards those numbers; they have never been a source of people getting the SSN fraudulently. The site asks: is the property your primary residence; does the individual own any other property receiving a residency based benefit in any other state (if the answer is yes, it will ask for information on that property).

Brennie asked about living in a property for six months and then moving so that it is no longer the primary residence and asked if not living there for half the year would eliminate that exemption.

Petrino answered that it was his understanding that 'primary residence' means that six or more months are spent there; not if it is your primary residence for six months.

He continued that the user is going to be asked to confirm the total combined 2012 Federal adjusted gross income, less the taxable amount of IRA distributions of all resident owners and their spouses is not more than \$500,000. The Basic STAR is generally not thought of as an income-based exemption but in 2009 NYS passed a law that income would be capped at \$500,000. They did not want it to be perceived that the people who did not need it would be getting the exemption. The STAR program was always intended to be a tax break for middle-class homeowners. The user provides contact information so that the DTF (Department of Taxation and Finance) can contact you if they have any questions. You will then be asked to certify that the information entered is accurate and you will get a confirmation number. They ask that you write down the confirmation number because there is no paper receipt. If you have to call the help number if something goes wrong, you will want to have that number handy.

Notices are being sent out by region starting August 19 through the first week in October, to everyone who is known to have the Basic STAR exemption for 2013; December 1, 2013 there will be a second mailing to everyone who got the first mailing and has not registered just to make sure everyone has the opportunity. The assessors in the State want everyone who is entitled to be able to take advantage of exemptions. Basic STAR exemption exempts the first \$30,000 of full taxable value of the property. The deadline is December 31. March 1 is when DTF contacts the local assessors and gives the properties that need to be removed from the STAR exemption for 2014 because they did not register. Property owners that are denied an exemption by DTF will receive a notice to appeal directly to DTF; this STAR registration program for Basic STAR 2014 and beyond is administered by NYS Department of Finance so don't call the local assessor. If you are not satisfied with the DTF decision or resolution, then there will be an opportunity to appeal to the State Board of Real Property Tax and this will be something that is to be straightened out with DTF.

He offered to register anyone who wants to do so on his internet enabled I-Pad after the meeting; there will be people at sites around the State to help people register. He said that the second most common question is 'what if I just acquired the property and 2014 is the first year I am getting exemption on that property?' The answer is if 2014 is the first year that you are getting the exemption at that property, the application goes to the assessor and the application is available on the website too. Those people are going to get on our data base in July 2014 and they will notify them that you are a new STAR recipient for this year but you still have to register for the program like anybody else.

Erin Quinn, reporter, asked if the STAR was meant for the middle class why it was capped at \$500,000.

Petrino said that was the number decided on and suggested calling the lawmakers to ask for their reasoning.

Ray Costantino asked how much money they think they will save.

Petrino said that the number estimated were one in five properties that were fraudulent but he feels that number was driven by people who did not understand the residency requirements; he does not have a dollar figure but he can get one. He offered 518.45PRESS for media people to contact his agency, which is the Office for Public Information.

Supervisor thanked John Petrino and Jennifer Mund for the information and presentation.

## **1. REPORTS**

**A. Finance** – Karen McPeck, Bookkeeper to Supervisor, reported that there are a lot of budget amendments on the agenda for the October 16 meeting, at this time of the year funds are re-allocated some because of the CSEA contract was settled earlier in the year. Highway is moving some money around to pave Van Orden Road. Money has been received from Highland Central School District for the SRO and the bill has been

paid in full. There is a resolution on the agenda for the EFC payment, the resolution was on the September agenda but it got lost in the shuffle so it is on the agenda for this meeting to re-allocate money to make a payment for the EFC borrowing for the Sewer Plant expansion. The Supervisor's report will be emailed tomorrow morning. There is also a resolution on the agenda to post NYS Retirement System that needs to be posted for 30 days before it can be passed. This is just paperwork for the Retirement System.

Supervisor asked why it is needed now and if it is every six months.

McPeck replied that Andrew McKee just submitted his calendar and Mike Guerriero updated his calendar. She asked if there were any questions regarding her report; there were none.

Supervisor thanked Karen McPeck for her assistance in putting together the 2014 budget.

**B. Assessor – Jennifer Mund**

**C. Building & Zoning Department** – David Barton noted that he has given copies of department report to the Board members. He also gave them copies of the new Gateway compact that the County is working on and he felt that they should look at it on the municipal level. It is a voluntary program and is an overarching comprehensive plan for the counties who are involved, Ulster, Dutchess and Orange. There is a parcel in the Gateway District on Bell Drive and the only way to get to it is from Bell Drive. As there is no access to it, there isn't any reason to be in the Gateway District. He will ask for a public hearing to take the parcel out of the district and change the map.

Paladino asked if that would be the proper time to talk about the allowed uses in the Gateway zone.

Barton felt that might be the appropriate time to do it and reopen the discussion on "no residential" and there have been some people who have talked about doing something on the top of the hill. Teresa Bakner, attorney, is going to attend the ZBA meeting this month to talk about process with them so that they can do decisions on the fly. The ZBA has had some issues with that in the past. The Winery has submitted their Draft Environmental Impact Statement and the Board has received their copies. If someone would like to review it, he has copies in his office and there is a copy in the Town Clerk's Office. It is not on the website as he did not receive a disc. There are about 2700 pages in the DEIS. There is not a legal obligation to put it on the website but it is something the Town does like to do for ease of discussion. Comments have been coming in on the Comprehensive Plan and on October 11, they will have a meeting of the Committee to address those and hopefully, have some recommendations for the Town Board meeting on October 16. Mountainside Woods will start this month; they still owe some money to the Town.

Sean Murphy, attorney, said that he will meet with Barton. The bond and insurance will be needed from Mountainside Woods.

Supervisor suggested that once the Comprehensive Plan meeting is confirmed to post it on the Town website in case anyone else may be interested in attending. His thoughts are to keep the public hearing open.

Barton said that the same comments are now coming in over and over.

**D. Dog Control** – Andrew McKee said that it was slow in the beginning of the summer but it has picked up the last couple of weeks; there have been less stray dogs this year. There are a few areas in the Town with stray cat colonies that are getting out of control to the point that they are affecting residences. He thought that it was illegal for him to handle a cat but it is not. He does need approval of the Board to allow him to selectively get involved with the cats and contact the not-for-profits, trap and transport the cats.

Supervisor would like the responsibility clarified.

McKee said that it would be with the consent of the owner; they are mostly strays but it started because the cats were being fed. He would like to get the not-for-profits to take the cats or spay them and release them it would stop the population from growing. There were 12 cats in the colony right here in the Hamlet and now there are 30; it is spot where natural predators will not thin the population. He would like the Board to consider this.

Supervisor would like Murphy to review his proposal and to insure that the homeowner is responsible for the expenses.

Paladino thanked McKee for answering a call of concerned individuals on the Rail Trail about a cat who was ill.

- E. Highway** – Richard Klotz reported that the Department was going to pave Van Orden Road which will make a total of six roads that have been paved this year. Catch basins are being cleaned as per MS4 regulations; brush and grass are being cut. The proposal by Lime Energy to install LED lights reads ‘Sewer Department’ but it is for outside lighting at the Highway Garage. Central Hudson will pick up quite a bit of the bill. Paladino asked how many outside lights were actually at the Town Garage. Klotz estimated 20 lights; there is money left in the building budget that can be used. Supervisor noted that Kate Jonietz said that the Clintondale Firehouse went with this plan and they are saving quite a bit of money. Klotz said that they also went through the building but that was done a couple of years ago and it is fine. Supervisor suggested that they should look at the Water Plant and put together a resolution for the LED lighting for the Garage. Klotz said that the second truck is being painted; one of the sanders modified to go to straight salt has been returned and he invited the Board to come out to the Garage to see it. There should be a big savings due to the rise in the price of salt and sand, along with the time out on the road. He will send the new truck for modification when the second truck comes back; he would like to put the equipment which controls the sanding in the four other trucks. He is enthused about switching to this system. Supervisor explained that the money from the original BAN the money is being used. Klotz said the he felt that it could be put back into the equipment. Erin Quinn, reporter, asked the amount of the proposal to change to the LED lighting and the amount of Central Hudson’s contribution. Paladino said that the proposal is \$6,878 and the incentive from Central Hudson \$4,395, so the net cost to the Town is \$2,483. Klotz suggested that the Recreation Department may want to look into the LED lights for the field. Quinn asked for clarification as to what Klotz is going to do this year to save money. Klotz said that the not buying the sand will offset the cost of the salt. Supervisor added that equipment has been bought for the trucks that are going to measure out the salt for the roads. Klotz explained that the units use 250# of salt per mile; that is not much compared to the three or four yards of sand had been used in the past per mile. It costs between \$14,000 and \$17,000 per year to sweep the roads in the spring and there is no build up of dirt on the roads. NYS puts brine on the roads which are the wet lines you see on the State roads. This system will mix the brine with the salt and the consistency will be a little pastier. Supervisor stressed that it will not be brine from fracking. Klotz said that he intends to work out an agreement with the Marlborough Highway Superintendent to buy a machine and share it to make the brine instead of buying it. Mark Reynolds, reporter, asked the price of sand, salt and if there is a surplus from last year. Klotz answered that salt is \$72 per ton and sand is about \$12.50 a ton; with this system, less salt will be used overall; the total overall cost will be less. He said that the salt barn is now full but that has to carry him through the rest of this year, until January 1, 2014.
- F. Hudson Valley Rail Trail** – Raphael Diaz reported that the newsletter has been printed; it is in its tenth year and it goes to 300 members. This is the last hard copy as it will now be online. The format looks like a page and it is in color. This issue covers bike safety and the new Town Code. There are four fund-raising events over the Columbus Day weekend. They learned that the Rail Trail did not have insurance for events so they needed to purchase insurance at a cost of \$450 per year. The Moon Walk starts at 7 on October 11, \$5, refreshments and the Ghost Walk with Highland High School students. The Gala is at the Would on Saturday night; HudsonFest will be held on the Rail Trail near the caboose at 75 Haviland Road. Move Your Caboose Run Walk/Race will be held Monday morning; the trail will be closed that day. This will result in additional bike traffic on the Town roads and he feels that the Police should be aware of this. The Highland High School Interact Club, a Rotary organization, is sponsoring a Turkey Trot on November 9 on the Rail Trail as a fundraiser. The Rail Trail will be closed from the pavilion to Route 9W for safety’s sake.
- G. Justice** – Terry Elia/Eugene Rizzo

**H. Police** – Chief Daniel Waage suggested that since the department reports are in alphabetical order, he would like to be listed as “Cops”. He said that the Town of Lloyd Police handled 547 calls for service during the month of September, other than public service 291, accidents 38, total tickets 176, 52 arrests; the Officers and Sergeants logged about 150 hours of foot patrol in the village; 48 hours at the schools; 39 hours were logged by the Chief and Lieutenant in the village and approximately 10 hours in the schools.

Paladino asked for an explanation of ‘calls for service’ and ‘other than public service’.

Chief said that ‘calls for service’ is a like a medical call. During the month of September, the Lloyd Police conducted a step program which is a selective traffic enforcement program which was funded by a grant of the NYS Governor’s Traffic Safety Committee. The goal was to reduce aggressive driving and speeding; the Lloyd Police issued 98 tickets and made two arrests for aggravated operation, unlawful possession of marijuana, tickets for speeding, aggressive driving, cell phone and other traffic violations. On September 4, there was the horrific criminal mischief incident at the Highland Cemetery, approximately 130 headstones pushed over or damaged; damage is estimated at \$30,000; Police are investigating several leads.

On September 5 they concluded ‘Operation Back to School’ and delivered the school supplies to the Middle School. The Department took part in the September 11 Memorial Service at the Firehouse. He and Lieutenant Janso spoke at the Mount Academy in Esopus on September 12 about illegal drugs and gangs; they were joined by Ulster County Sheriffs and URGENT members. The Town of Lloyd Police played in a ‘Guns and Hoses’ baseball game at Dutchess County Stadium in a multi-county scholarship fundraiser for families of the victims of the September 11 attacks; Police (Guns) won the game. On September 17, there was a meeting with Walkway over the Hudson concerning the Gala Event; September 18, Officers spoke at Highland High School regarding traffic safety; September 26, Town of Lloyd Police met with the Highland School officials and emergency services about the school district safety plan. On September 29, members took part in the anti-bullying event in Highland Elementary School. Court Officer Plass confiscated four knives, one box cutter at the Court; these numbers are starting to come down.

Supervisor said that he recently had a conversation with Judge Rizzo about their disagreement on putting an armed officer in the Court. The Judge feels that it has been worth it and has seen the numbers on what Officer Plass is doing and he is doing a good job; it is a good thing the numbers are going down.

Quinn asked what the penalty would be to the people who have desecrated the graves.

Chief replied that these are felonies and the value would determine the penalty and the charge would be Criminal Mischief.

Reynolds asked if repairs have begun.

Supervisor said that the State went out to bid with Weidner Memorial and they have been up there on a daily basis putting the stones back up; he does not know how many have been repaired but in one day they replaced 11 stones. They are moving at a good pace. The State has assured the Town that they will be picking up the cost for that.

**I. Recreation/Buildings & Grounds** – Frank Alfonso reported that the winter basketball program will start in December; the adult basketball league will start in November on Tuesdays and Thursdays; wrestling clinic will start for students in November or December. He is trying to confirm the dates with the Highland School District. The fall wiffle ball league is still playing at the Village Field on weekend mornings. Tony Williams Park is used by two travel softball teams once a week; a baseball clinic twice a week and the Pop Warner Football practices and games. The pavilion, the concession stand and the two sheds by the batting cage have been painted at Tony Williams Park. If the weather stays nice, they will work on the pavilion and buildings at Berean Park. Renovations were made on the infield of baseball field and the hill at the batting practice area at Tony Williams Park. He thanked the Highway Department for restructuring the guard rail in the parking lot as it was never moved when the blacktop was put down; it is now completed all the way around and no one can just walk down the hill, they have to walk through the driveway. He would like to move the shed near the driveway but it is not in good shape and may have to be destroyed. That hill will then be cleaned up. The new John Deere Gator has been received. The roof of the bathhouse at Berean Park needs to be re-shingled on a back corner, it looks to be rotted

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and will need to be repaired; he will get quotes on that so the work can be done this fall. The pavilion also has some issues that need to be addressed; he, Keith Garbounoff and Stephen Delmar will do that work. Regarding lawn care, he had a meeting with the three people who put in bids last year to try to figure out different ways of doing the work either all of the properties, or separate pieces of the properties and ideas of what it would cost to do everything. Lawn care is the mowing, the work that was done at Tony Williams Park infield and other areas and the fertilization treatments amounts to \$18,034.00. There is another month left to mow and this is the first week that he noticed that the grass is not growing at Tony Williams hopefully they will be able to skip this week and mow once or twice more.

Guerrero noted that the letter from Absolute Lawn Care said that the lack of written specifications for each location makes it impossible to estimate and detail every possible alternative.

Alfonso said that the three people received a 'cheat sheet' and it was discussed at Tony Williams Park during the meeting; any questions were answered. One company had a laptop, another company had a pad and the other company had nothing. He provided a cheat sheet of what needed to be done and it was verbally discussed with all three companies present. All three contractors stressed the possibility of a contract for more than one year. It is up to the Town Board. Presently Tony Williams Park and the Village Field are being subbed-out. Everything else is being done by one worker and once in awhile, he or Stephen Delmar helps. There are parcels that need to be done including the Veterans' Park and Johnson, Iorio, Dilorenzo Park. He feels that the prices are not high; adding them together, it is probably less than \$36,000 or \$37,000, which includes the three main parks plus the little pieces of land.

Guerrero recalled that NYS Bridge Authority was supposed to help with the maintenance of Johnson Iorio.

Alfonso replied that up until three or four years ago NYSBA mowed that piece of property and then the Town started mowing it a year or two ago; Garbounoff mows and picks up the garbage. The Town was picking up the garbage and they were mowing but that changed somehow along the way. He feels that it is a Town park and ultimately the responsibility of the Town.

Guerrero had understood that there was an agreement for maintenance with the Town because the NYSBA could use the Park as an emergency route to the Mid-Hudson Bridge.

Ray Costantino felt that the agreement with NYSBA has expired and as the fares decreased and they were losing money each month, they did not want to renew the agreement. He did speak with NYSBA about the agreement as he was under the impression that as the Town gave them permission, they had lifetime maintenance duty but it was for a certain time period and it has expired. They actually maintained the property for a couple of years after it expired but they realized that they were spending money needlessly.

Brennie asked the length of time for the proposal.

Alfonso answered that the quotes from two of the companies agreed that they would hold those prices for all three years.

Brennie suggested calling Absolute Lawn Care and give him one more week to submit his quote; that is fair to give him the opportunity if he missed the deadline.

Paladino said that it is an open bid that had a deadline.

Alfonso concurred that it was to be handed in by a certain date for the purpose of obtaining information to go into 2014 and beyond for budget reasons and also he was hoping that someone could come on board by December or January so that we do not need to be in the position of not knowing what we were doing in April or May.

Paladino said since this was an open bid, the third company knows what everyone else has bid.

Murphy asked if Alfonso went out for formal bids.

Alfonso answered that he sent letters to the three companies who have put in bids over the last seven or eight years, the one company changed hands in that time, and informed them of the meeting. He asked them for information as to the best way to take care of not just Tony Williams Park, Berean and the Village Field but also the other parcels of property for which the Town is responsible.

Murphy recommended that a formal request for bids is made because of the amount of money involved.

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Alfonso explained that they talked about all the work that has to be done in addition to the mowing; in the past that work would have been done by whoever had the contract as extra work if it could not be done in-house.

Murphy said that there would have to be a formal bid as to exactly what work needs to be done.

Hansut added that because it is over \$20,000, it will have to go out for bid.

Alfonso said that at the meeting what was discussed entailed more than anything that was ever on a piece of paper asking for a quote. He would like to make the parks as nice as possible and does not want that one week something is done and the next week it is not done.

Brennie feels that Alfonso is trying to make this as fair as he can make it.

Alfonso agreed that he is trying to be fair and is looking for information so that the Town Board can make a decision as to the way that it wants to maintain these properties.

Guerrero asked if this was advertised in the newspaper and if people were aware that bids were being accepted.

Alfonso said no that he went to the three people who consistently put in bids for mowing.

Murphy said if it is a job that would be under \$5,000, three phone calls would suffice.

Guerrero feels that it is an open bid and it should be opened up so more people are aware of it and not just a small circle.

Alfonso said that a few years ago, the bid was advertised and there were people from out of state putting in bids; he is trying to get local people. He offered that the Town Board may want to go in a different direction but he is trying to get a number so that it is known what it is going to cost if someone would take care of all of the properties.

Guerrero maintained that he would like to keep it fair and he does not want someone to come in and complain that he did not have a chance to bid.

Murphy said that they have to follow the process and to be specific in the bid.

Alfonso would like it clarified as to what the bid is for and what Buildings & Grounds is responsible to do. Additional lawnmowers may be needed if it done in-house and at what cost.

Brennie offered that is the problem if it goes to formal bid, is advertised, and awarded to someone from Long Island. If work needs to be done on short notice, those people may not be able to fulfill their end of the contract.

Alfonso said that was the case with fertilization this year; the business of the successful bidder transferred from Milton to Albany and the issue was that they could not fulfill their contract.

Murphy said that because of the 'best value law' the bid can be awarded to the lowest responsible bidder, which gives some leeway but it has to be documented as to why it is a better value.

Brennie posed that the decision will ultimately be made by the Town Board and the bid should go out formally through the Supervisor's office.

Supervisor said that the Association of Towns said that (a) best value was the way to go and (b) that if it was going to be over \$20,000, it has to go out for NYS bid. We may need the help of legal counsel to find out the way to do this.

Alfonso said that if the work to be done is the same as this year, it is approximately \$10,000. It is over \$30,000 because every parcel piece was added together; the lawn mowing part would be about \$23,000 or \$24,000. The extra is everything that needs to be done and cleaning it up.

Brennie feels that the NYS bid would not be the best way to go and asked if it could be divided into lawn care and the clean up.

Murphy felt that could be done since they are different jobs but if you at Tony Williams Park, you can't separate the lawn mowing from the trimming, etc.; it would not be worth it to do that.

Alfonso explained that in the past whoever did the lawn care, would do something else if it needed to be done, some years it was more and some less.

Brennie added that the fertilizing was separate from the lawn care.

Paladino said that certification was needed for that and two of the three bidders were not qualified.

Murphy said that he understands that the \$38,000 includes in-house work which is what the Town spends on maintaining property.

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Alfonso confirmed that the \$38,000 takes care of all the work including what Buildings & Grounds is now doing which would be done by a sub-contractor. The option may be a bigger staff, more mowers, and Buildings & Grounds do the work.

Paladino asked Rich Klotz asked if there was an option that his Department could do the work such as the Veterans' Park, Johnson-Iorio because they wouldn't have the scheduling constraints that the athletic fields might have. He asked if that is something that could be discussed cooperatively between Highway and Building & Grounds.

Klotz said that work would have to come out of the Building & Grounds budget.

Brennie felt that on paper that looks like good practice but someone might call in sick and there may be Union issues; with a contractor, he shows up and gets the job done.

Alfonso said that the priority is Tony Williams Park and the Village Field. Berean Park was done in-house and worked out well this year. Sometimes on weekends because of scheduling it is difficult to mow.

Paladino said that he is of the opinion that the two fields are done by a contractor and that the remainder in-house.

Brennie thought that might keep it under the threshold and it could be kept local.

Supervisor asked what Murphy thought about Buildings & Grounds put under the auspices of Highway.

Murphy replied that whatever Buildings & Grounds work is done by Highway would come out of the Buildings & Grounds budget line; there may be a concern if it can be done in a timely fashion. Bookkeeping would have to be done so that funds are not taken from Highway.

Paladino asked Klotz if Denise Rhoades, Highway Secretary, codes for work done by Highway now.

Klotz said that she does and Paladino feels that it would not be a lot to add Buildings & Grounds.

Brennie stressed that the parks are in really good shape and it shouldn't be changed at this point.

Supervisor said that it was just a thought to become more efficient as everything has grown. Moving Buildings & Grounds under Highway is just an option. He said that there are days that Highway has men who could be free to mow.

Alfonso asked that the Board tells him what they want to do and he will put together a list of jobs for which Buildings & Grounds are now responsible.

Mark Reynolds, reporter, asked with whom Alfonso met to discuss the lawn care.

Alfonso replied that it was Absolute Lawncare, Top Seed and Baker & Son; they have consistently submitted bids over the last three or four years. Some others might submit a bid one year and not the next but these three have been consistent.

Erin Quinn, reporter, asked Alfonso the date when Absolute Lawn Care was hired and the length of the contract. She then asked if he is happy with the job that they are doing.

Alfonso answered that it was April and the contract expires December 31; the job could be done better. He explained that there are a lot of little pieces of land at Tony Williams Park that he does not want to be missed and they are being missed.

Supervisor said that in the last two or three meetings it was said that everything is going great with the new lawn care and if it is not, the Town Board knows what he expects.

Alfonso said that what he had in the past and what he expects are two different things; when Ron Stanton was doing the work before he sold the business was what he wanted; it was a little simpler because there was not as much to be done. Now there is a lot to be done and when only one or two people show up to do the work, it is difficult. Stanton was also responsible for Berean Park.

Paladino added that when Top Seed had the job they came with a crew of five or six workers.

Alfonso said that if someone is doing the job and doing the best that they can that is fine but he told all three companies when he met with them, when people visit the park, he wants them to say, "This place is nice." This is a result of people taking pride in their work. He would like to take it to the next level.

Quinn asked Alfonso in what direction he wanted to go.

Alfonso said that this has to go out to bid next year; he would like to have another worker and lawnmower and Buildings & Grounds could take care of it but that is not an option right now. The question is should we continue what we are doing with the little pieces of the property not being done. The reason that he wanted the meeting



and the quotes from the lawn care companies was that he wanted information on how much it would cost to get the job done.

Supervisor would like input from the Town Board.

**J. Safety Committee –**

**K. Town Clerk –** Rosaria Peplow reported that the Budget Officer presented her with the Tentative 2014 Town Budget, which she distributed to the Town Board members.

*Tax Collection*

- Ulster County Information Services has given the Tax Collectors a list of the changes to the Tax Collection program in response to requests made by the Town Clerk/Tax Collection Association.
- The bill will have the full size receipt again which fits into a standard window envelope.

*Town Clerk*

- Deer Management (doe) permits were issued until October 1, the last day they were available. If the NYSDEC has an excess in any Deer Management Unit we will be notified and allowed to issue in those DMU's.
- NYSDEC has asked that the computers and monitors that had been issued to us for sale of sporting license be recycled. The agent must get a letter from the recycling station and send it to DEC.
- Training sessions on the new Sportsman issuing program will commence in November. One person is allowed to attend the session and must then train the additional people that will be using the program.
- NYS Department of Health has advised the Registrars that a law was adopted that amends Article 41 of the NYS Public Health Law. The law authorizes the Department of Health to design, implement and maintain a system for collecting, storing, recording and correcting information relating to deaths in NYS. The Registrar must give the Funeral Director a form when they submit a request for a burial permit. The form instructs the Funeral Director to submit a payment of \$20 to the NYS Department of Health. These funds will establish and support the new electronic system.
- 767 Transfer Station permits have been issued to date.
- Fall Baseball Clinic took in \$260.00
- Tennis lessons took in \$340.00

**L. Water & Sewer –** Adam Litman reported that during the months of August and September, the Water Department has alternated between reservoir water, a blend of water and full Hudson River water; the Water Department is on a blend of water and by the end of the week will be back to full River water. Salt shifts began as of September 23. Water is being made during low tides to reduce salt content in the water that is being filtered and produced. This will continue until further notice when the weather patterns change. Matt Smith from Riverside Marine was on site the first week of September for the yearly screen cleaning; he goes in the River and looks for any debris that might be lodged in the intake due to storms and cleans up any zebra mussels that might be on the screen. The Water Department has started to make the repairs on the second sludge pump at the Water Plant; he is hopeful that it will be finished in the next month or so. He reiterated that on July 11, the NYSDEC performed a safety inspection on the earthen dams and spillways. They have been working on the issues in response to the inspection and have worked extensively on the concrete spillway on #3 and removed the spillway boards. The spillway was pressure washed which removed debris, concrete chips and mosses; it was finished with waterproof epoxy and the cracks have been addressed. This work should be completed sometime this week. They have been working on the condition of the road and the jobsite around the spillway to make a nice work area. The overgrowth and vegetation has been addressed on earthen dam on #5, which is the roadway which goes to the Mountain. The Water Department was advised that trees under 4-inches could be removed. They have backed up the earth side of the dam that faces the Water Plant and there is a deep trench which they have filled with rock donated from Bob Shepard Highland Landing Park, which will build a work and inspection area on the backside of that dam. The Road Crew had to address another float control failure at the Bridgeview Pump Station but no sewer backed up into the Clubhouse on Sterling Place. They repaired a water main break on Maple Avenue and addressed another water service. They have been doing a lot of mark-outs during the month of September as sub-contractors and Central Hudson are doing a lot of gas service lines; sometimes there are two or three dozen per day.

Sewer Department, Calgon Carbon, the supplier of the UV system, was on site in September and did an extensive upgrade to some of the plugs that runs the UV bulbs; with the exception of a couple of minor things, the system has been working very well. He finished the 2014 hauling permit for water and sewer which allows them to haul sludge to Ulster County Resource Recovery. Yearly maintenance is being done at the Sewer Plant. They have been cutting back the hill along Maple Avenue that is along the inside of the Sewer Plant fence; the area is hard to maintain. There have been some emergency repairs and replacements to equipment of both Water and Sewer. Due to the age of the truck, there was a brake failure on the 1991 International dump truck which resides at the Sewer Plant and used to haul sludge. They had materials on hand and Erichsen's repaired the truck. The U-bolts in the truck had rotted and they have been fixed. At the Sewer Department there is an analytical balance scale that weighs and calculates the solids generated in the filtering process that ultimately becomes the sludge that gets trucked out. The balance of the scale stopped working and it is about 10 years old. The company that we use checked the balance and found that it was the combination of the computer board and a strand of wire that makes the measurements. The estimated cost to repair that was \$2,300. The company sent a sales representative who brought in two scales, one of which was comparable to what was being used and the cost for a new scale is about \$4,300; he negotiated to purchase the model that he brought which was 2013 and had been displayed at three other sewer plants. It has a two-year warranty and the purchase price is \$2,700, including two-year maintenance. He spoke with Bill Van Kleeck of the Water Department about meters at Woodside and Bridgeview; however, he has been on a salt shift at night. He asked Van Kleeck for a plan of action for those meters and he has to speak with Ray Jurkowski. He is looking for a reimbursement for these meters which would be a payment program added to the water bills. Meters of this size, inch and a half or two inches, become very costly. There are four to six that have to be upgraded or replaced due to locations, age and some are not working. He would like to work with the meter companies and pay for these larger meters over time because of the higher cost.

Supervisor asked how the new part-time employee is working out.

Litman said that he would like the opportunity to comment on him; he is a great employee: optimistic, willing to work and is a great choice.

Supervisor added that as long as the 2014 Budget is adopted, there are funds to make him a full-time employee.

Litman said that he would like to do that as soon as possible.

**M. Supervisor** – noted, as Rosaria Peplow said, the 2014 Tentative Budget has been distributed; there is still work to be done on it. The State has reduced the property tax cap from 2% down to 1.66%. He spoke with other Supervisors at the Association meetings and each Supervisor is in the same boat. This Tentative Budget is an increase of 2.934%, which is over the 2% property tax cap; outside the Water and Sewer District it is 1.71% and inside the Water and Sewer District it is 5.69%, inside the Water District it is minus 2.7%. The biggest increase is the 5.69%, which is due to paying the EFC money back for the Sewer Plant. The Town settled the PBA and CSEA contracts both were a unanimous vote of the Town Board. The PBA contract had been expired for three years and just in Personal Services there is an increase of \$100,000 because of that. The contract was settled with the Building Department Supervisor, by unanimous Town Board vote. This budget increases two employees from part-time to full-time, one of which is the Assessor's clerk to 35 hours per week. The Assessor is going to do the re-evaluation work in-house which will be a cost savings to the Town. The other part-time position to a full-time position is in the Water/Sewer Departments.

Through the County Executive's office, it is anticipated that Ulster County will pick up the two-thirds, they promised to pick up 1/3, 1/3 and 1/3, over three years of the Safety Net budget. The Supervisor's Contingency Budget has been reduced by \$50,000. The Water District Budget has decreased due to surplus funds to offset the Operations and Maintenance; a debt of \$65,000 has been paid off in 2013. The biggest increase is in the Sewer District Debt Services, the Sewer Plant upgrade through EFC funding went to long-term financing until the completion of the project and payments will begin to be paid in the amount of \$400,000-plus each year. The budget for the Sewer Debt should decrease in 2015, as the \$90,000 debt for the Route 9W Sewer Project bond will be finished. If the EFC payment of \$393,000 was deducted from the budget there would be a decrease in the levy of 3.8%.

Paladino asked if there was not 1% less sales tax due to the County.

Supervisor replied that was not certain; 7% was budgeted rather than 8%. If the NYS Assembly and County Executive can come together on that issue, some of that money will offset the Safety Net.

He said that Elaine Rivera put a lot of time into this budget and there have been a lot of hours spent on trying to get below the 2%. The first order of business at the October 16 meeting will be the Public Hearing on the Tentative Budget. He would like the public hearing to be prior to the elections on November 5 so that if people have thoughts, concerns, questions, they can be brought out and this budget can be understood before people vote on November 5.

Brennie asked if the amount of the unexpended fund balance was known.

Supervisor estimated that it was \$575,000.

Brennie suggested that there was a little room if some of that money was used to get it down to 2%.

Supervisor said that he would not advise doing that as the credit rating was reduced when it got down to \$450,000 but that is something to discuss. He is looking for input from the Town Board and would like them to go through the budget to see if there is some place where money can be saved. The biggest expense now is the personal services which are jobs. The whole of the Board supported the PBA, CSEA contracts so now they have to be paid. If anyone has concerns or questions, reach out and he will try to address them.

Paladino noted that there will be a Special School Board meeting on October 9 at 5:00 PM regarding the proposed capital project, \$15-million to \$20-million upgrade. The date is December 10 to vote on the proposal and there is a 45-period prior to that so they have to have something to present to the public by the end of October.

Supervisor asked Paladino to reach out to Fire Chief Miller about the Emergency Plan as it has been finalized reflecting the changes that they wanted. Kate Jonietz has sent emails and no response has been received from them. The plan is ready for adoption but feedback is needed.

David Barton said that he has spoken to the Chief and they are awaiting building plans from the School District.

Paladino agreed to contact someone who could help.

## **2. OLD BUSINESS**

- A.** Request from Hudson Valley Rail Trail Association to authorize Brooks & Brooks, P.C. to survey a parcel, which has been partially improved and used as Hudson Valley Rail Trail, for purposes of determining whether the subject premises is a buildable lot, which information is necessary to determine the value of the parcel.

Ray Costantino clarified where the property is located and showed the Board a map of the area. The old railroad meandered back and forth when it came through in the 1920's; Weeds' Mill was taken down and this piece could have been part of the mill property. This piece of property is a potential buildable lot and something that could be sold by the Town. He said that he does not know the price of a buildable lot but the Rail Trail is always looking to add to their local share. The lot could also be sold to the abutting property owners. Railroad property has always been used as public property. The property is one to two acres in size. He spoke with Brooks & Brooks and they agreed to flag the lot, find out where the property lines are and ascertain if it could be a buildable lot i.e. if there is room for a septic. This will be free from Brooks & Brooks. If it can be a buildable lot we will go ahead with the survey for \$1,750. We will also have to determine if that driveway that comes across is a legal driveway. He has looked up and down the Rail Trail for other pieces of property that could be sold. Before the railroad stopped railroading on that piece, they had sold off a lot of property. The railroad owned a lot of pieces and he believes that a piece of the Mountainside Woods property might have come from the railroad as they subdivided a lot of pieces off. Where the railroad property goes thought residential areas, people are using to dump their leaves or part of their backyard and they are mowing it. Public property cannot be adverse possession because the resident is maintaining it as a private piece as railroads, towns and cities are exempt from adverse possession.

Supervisor said that this will be a resolution on the agenda of the Regular meeting and asked that the Board review the resolution.

## **3. NEW BUSINESS**

- A. Request Water, Sewer, Drainage Committee to review extension of Highland Water District to 505 North Riverside Road.

Supervisor noted that a letters were received from Bob Bouyea and Karen and Mark McPeck asking for a review of the extension of the Water District to 505 and 500 North Riverside Road. The applicants are going to the Water/Sewer/Drainage Committee tomorrow night and they will get back to the Town Board on their recommendation. This would be at the cost of the homeowner.

**4. PRIVILEGE OF THE FLOOR**

Supervisor noted that Judge Terry Elia was in the room.

Judge Elia said that he had just finished Traffic Court and thought he would stop in the meeting.

**5. MOTIONS AND RESOLUTIONS**

- A. **MOTION** made by Brennie, seconded by Paladino, to authorize the use of the Hudson Valley Rail Trail Parking Area at 101 New Paltz Road and the portion of the Hudson Valley Rail Trail which will be closed from the Highland Rotary Pavilion to Route 9W and back on Saturday November 9, 2013 from 8 AM to 1:00 PM for the Highland High School Interact Club’s First Annual Turkey Trot.

**Four ayes carried.**

- B. **MOTION** made by Brennie, seconded by Paladino, to close Vineyard Avenue from Milton Avenue to Main Street for the event to be known as OctoberFest on Saturday October 19, 2013 from 3 PM to 10 PM.

**Four ayes carried.**

- C. **MOTION** made by Brennie, seconded by Paladino, to close Main street in an easterly direction to the intersection with Vineyard Avenue to Milton Avenue on Saturday October 26, 2013 from 3pm to 10pm for the celebration of Halloween in the Hamlet; and to close that portion of Church Street, from Main Street in a southerly direction to the intersection with and including that portion of Vineyard Avenue to Milton Avenue from 4:45pm to 6:30pm for the Lil’ Goblins Parade and re-open Church Street and said portion of Vineyard Avenue from Milton Avenue to Church Street upon the parade’s completion.

**Four ayes carried.**

- D. **MOTION** made by Brennie, seconded by Guerriero, to approve the use of the HVRT 75 Haviland Road for the Citizen Action of NY Solidarity Crossing Press Gathering on Saturday October 5, 2013 from 11:30am to 12noon.

**Four ayes carried.**

- E. **MOTION** made by Brennie, seconded by Paladino to post the following proposed resolution as per NYS Retirement requirements for 30 days before adopting

<b>BE IT RESOLVED</b> , that the Town of Lloyd hereby establishes the following as standard workdays for elected and appointed officials and will report the following days worked to the New York State and Local Employees' Retirement System based on the record of activities maintained or time sheets submitted by these officials to the clerk of this body:								
Title	Name	ss # last 4 digits	registration #	standard work day hours/day	Term begins/ends	participation in er's time keeping sys	days/ month based on ROA	not submtd
Dog Control Officer	Andrew McKee	****	****7105	8	1/1/2013-12/31/13	N	14.22	
Councilmember	Michael Guerriero	****	****0093	6	1/1/2012-12/31/15	N	11.08	

**Four ayes carried.**

- F. **RESOLUTION** made by Brennie, seconded by Guerriero, to waive the building fire safety inspection fee of \$75.00 for all churches and houses of worship in the Town of Lloyd at the recommendation of the Supervisor.

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

**Four ayes carried.**

**G. RESOLUTION** made by Brennie, seconded by Paladino, to transfer annually any unexpended funds from the General Recreation Capital Improvement Fund (7110.50) to the Recreation Reserve to be utilized for Recreation Capital Improvement Projects.

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

**Four ayes carried.**

**H. RESOLUTION** made by Guerriero, seconded by Brennie, to establish a General Data Processing Equipment Reserve with annual unexpended funds from General Fund Central Data Processing (1680.20) for computer and related equipment replacement.

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

**Four ayes carried.**

**I. RESOLUTION** made by Paladino, seconded by Brennie,

**WHEREAS** the Town of Lloyd has sought bids on the sale of various items; and

**WHEREAS** the following bids were opened and read at the Town Hall on September 26, 2013 at 11:00 AM:

- 2002 Dodge Durango (4 total bids received)
  - \$2,290.00 - Village Truck Sales, Lanesboro, MA
  - \$868.00 – Yousef Dabbagh, Saland Lake, IL
  - \$765.00 - Joe DiBlanca, Highland, NY
  - \$518.99 – Liberty Motors Inc., Jersey City, NJ;
- 2006 Ford Expedition(5 total bids received)
  - \$2,790.00 – Village Truck Sales, Lanesboro, MA
  - \$2,369.00 - Yusaf Dabbagh, Saland Lake, IL
  - \$1,613.99 – Liberty Motors, Jersey City, NJ
  - \$688.88 – John Litts, Highland, NY;
- 1996 Int'l Dump w/plow(4 total bids received)
  - \$3,790.00 – Village Truck of Lanesboro, MA
  - \$3,250.00 – Sal Cusa Construction, Highland, NY
  - \$2,888.88 – John Litts, Highland, NY
  - \$888.89 - Liberty Motors Inc., Jersey City, NJ;
- 2005 Chevy Impala (5 total bids received)
  - \$1,190.00 – Village Truck, Lanesboro, MA
  - \$1,000.00 - Paul Frasch, Ulster Park, NY
  - \$777.99 - Liberty Motors, Jersey City, NJ
  - \$755.00 - Joe DiBlanca, Highland, NY
  - \$689.00 – Yusaf Dabbagh, Saland Lake, IL;
- 10 Tires (2 total bids received)
  - \$690.00 – Village Truck Sales, Lanesboro, MA
  - \$50.00 – John Litts of Highland, NY;
- Air Compressor (1 total bid received)
  - \$50.00 – John Litts, Highland, NY;
- Water Tank(1 total bid received)
  - \$25.00 – John Litts, Highland, NY;

**NOW THEREFORE, BE IT RESOLVED**, that the Town of Lloyd Town Board awards the bid for 2002 Dodge Durango to Village Truck Sales of Lanesboro, MA for \$2,290.00; and

**BE IT FURTHER RESOLVED**, that the Town of Lloyd Town Board awards the bid for the 2006 Ford Expedition to Village Truck Sales of Lanesboro, MA for \$2,790.00; and

**BE IT FURTHER RESOLVED**, that the Town of Lloyd Town Board awards the bid for 1996 Int'l Dump w/plow to Village Truck Sales of Lanesboro, MA for \$3,790.00; and

**BE IT FURTHER RESOLVED**, that the Town of Lloyd Town Board awards the bid for the 2005 Chevy Impala to Village Truck Sales of Lanesboro, MA for \$1,190.00; and

**BE IT FURTHER RESOLVED**, that the Town of Lloyd Town Bard awards the bid for 10 Tires to Village Truck Sales of Lanesboro, MA for \$690.00; and

**BE IT FURTHER RESOLVED**, the Town of Lloyd Town Board awards the bid for Air Compressor to John Litts of Highland, NY for \$50.00; and

**BE IT FURTHER RESOLVED** the Town of Lloyd Town Board awards the bid for Water Tank to John Litts of Highland, NY for \$25.00; and

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

**Four ayes carried.**

**J. RESOLUTION** made by Brennie, seconded by Paladino,

**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

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

**Four ayes carried.**

**K. Resolution for October 16** to approve the following budget amendments for the 2013 budget:

**GENERAL**

1220.10	Supervisor’s PS	+ \$ 1,433.00
3510.10	Dog Control PS	+ \$ 280.00
8010.10	Building Dept PS	+ \$10,336.00
1990.40	Contingency	- \$12,049.00

(Adjustments to budget for CSEA contract settled)

1630.40	Building & Grounds CE	+ \$5,000.00
1620.40	Town Hall CE	- \$2,750.00
1990.40	Contingency	- \$2,250.00

1650.40	Central Communications	- \$3,000.00
1990.40	Contingency	- \$3,000.00

7020.10	Recreation Admin PS	+ \$808.00
7310.10	Recreation Clerical PS	+ \$ 10.00
7310.13	Rec Summer Fun PS	- \$818.00

7110.10	Parks PS (Delmar)	+ \$3,500.00
7310.12	Rec Berean Park PS	- \$3,500.00

7510.10	Historian PS	+ \$60.00
7510.40	Historian CE	- \$60.00

9060.10	Medical Ins Buy Out	+ \$272.00
9040.80	Worker’s Comp	- \$272.00

**HIGHWAY**

5110.10	General Repairs PS	+ \$30,000.00
5142.10	Snow Removal PS	- \$30,000.00

5112.52	Cap Improve – VanOrdern	+ \$32,949.96
5112.47	Cap Improve – Grand St	- \$16,783.36
5112.48	Cap Improve – Maple Ave	- \$ 5,243.52
5112.49	Cap Improve – Brinkeroff	- \$10,012.14
5112.50	Cap Improve – Christopher	- \$ 910.94

9060.10	Medical Ins Buy Out	+\$5,688.00
01-2683	Self Ins Recoveries	-\$5,688.00
<b>WATER</b>		
8310.40	Administration CE	+\$500.00
8310.10	Administration PS	-\$500.00
<b>SEWER</b>		
8120.10	Sewage Collection PS	+\$18,412.00
8130.10	Sewage Trmt PS	-\$18,412.00
8366.60	Sewer Plant Principal EFC	+\$4,384.26
9731.70	Sewer Plant Damages BAN	-\$4,384.26

**L. Resolution for October 16, 2013**

**WHEREAS**, the Town of Lloyd is in title to a certain parcel of property containing approximately 1-2 acres, more or less, being a portion of tax map number 87.2-8-8.211, said parcel being a portion of the old New York, New Haven and Hartford right of way which was obtained by the Town from the County of Ulster and which parcel has been partially improved and used as the Hudson Valley Rail Trail, and it being the Town's intention to improve and extend the use thereof for Rail Trail purposes; and,

**WHEREAS**, the subject parcel is surrounded on the east by parcel set forth on the assessment rolls of the Town of Lloyd as 87.11-3-26 in the name of Garry Pardee; on the north by parcel 87.11-3-31 in the names of Lawrence and Mildred Sokol; on the west by parcel 87.11-3-32.100 in the name of Doris Valk, and on the south by other portions of parcel 87.2-8-8.211 in the name of the Town of Lloyd, being generally a part of the Hudson Valley Rail Trail; and,

**WHEREAS**, said parcel containing approximately 1-2 acres, more or less, has no value to be used part of the Hudson Valley Rail Trail or other public purposes because of its physical proximity to the Hudson Valley Rail Trail corridor and the surrounding parcels; and,

**WHEREAS**, the Town is seeking ways to raise revenues for the purpose of ensuring the continued use, maintenance and possible expansion of the Hudson Valley Rail Trail located on the old New York, New Haven and Hartford right of way; and,

**WHEREAS**, the Town is interested in exploring the possibility of selling the subject premises to raise funds to be used toward the continued use, maintenance and possible expansion of the Hudson Valley Rail Trail; and

**WHEREAS**, the Hudson Valley Rail Trail Association has obtained a quote from Brooks & Brooks, P.C. to survey the subject parcel for purposes of determining whether the subject premises is a buildable lot, which information is necessary to determine the value thereof; and,

**WHEREAS**, there are sufficient funds in the Town's Rail Trail reserve fund to fund the survey work to be done by Brooks & Brooks in the amount of \$1,750.00; and,

**WHEREAS**, the Town wishes to authorize the Supervisor to enter into an agreement with Brooks & Brooks to undertake the work as set forth in the agreement attached hereto and made a part hereof; and,

**WHEREAS**, it is the Town's intention that, upon the possible sale of the subject premises, any net revenues received therefrom would be deposited in the Town's Rail Trail reserve fund.

**NOW, THEREFORE, IT IS RESOLVED AS FOLLOWS:**

1. The agreement attached hereto as Exhibit A be, and the same hereby is, approved and the Supervisor is authorized to sign the agreement on behalf of the Town.
2. Payment of all expenses related to said agreement is to be paid from the Town's Rail Trail reserve fund.
3. All net revenues from the potential sale of the subject premises are to be deposited in the Town's Rail Trail reserve fund.

**M. MOTION** made by Hansut, seconded by Brennie, to set the Public Hearing on the proposed 2014 Town of Lloyd Town Budget for October 16, 2013 at 7 PM.

**Four ayes carried.**

10.02.2013

Paladino commented on the Gateway Zone and there has already been a question on the allowable use as to what would be allowed in a GM District and a GC District. Rose Hill Manor Daycare has interest in building another daycare on the property and when they heard about the Gateway Zone, they were under the impression that they were in it. They would have liked to put daycare on the first floor and residential on the second. The allowable use in the GC District does not allow residential. At a meeting a couple of weeks ago, a couple of individuals talked about 'pigeonholing' the Town into certain allowable uses in certain areas. This is a perfect example of what was thought to be a good thing in the Gateway Zone. The man who owns property right on the edge of GM District would not be allowed to put in a business that would enhance the value of his property, enhance taxable rate-ables in the Town and provide jobs, while offsetting his costs of putting up a capital investment. GC does not allow for a residential component. It allows for retail and professional offices. It is the corner of Haviland Road on the south side. The north side of the corner, the gas station, is GM. It is a stone's throw difference in zoning; the project would need special use and/or changing the allowable uses in that GC district.

Brennie agreed with Paladino as when the comprehensive plans are written the desire is to make it tight but you don't know what is out there five years from now. Locking in the comprehensive plan might discourage businesses. This man wants to build a half million dollar project, provide services in this Town plus offset the fear of maintaining the building with residential on the second floor. We should not lock him out because of a line on a piece of paper.

Paladino said that he wanted to bring up the subject tonight and believes that the discussion should continue.

Peplow asked if this was a subject discussed at a Planning Board meeting

Paladino replied that he had personally spoken to the individual investor. The people who were against the comprehensive plan and talking about being very specific in the comprehensive plan, he feels that this would counteract that point of view.

Brennie said that the comments that it was a living document received backlash to mean that the document had no teeth. We don't know the future so making it a living document is almost necessary to look at it every year.

**MOTION** made by Brennie, seconded by Guerriero, to adjourn the meeting at 6:18 PM.

**Four ayes carried.**

Respectfully submitted,

Rosaria Schiavone Peplow  
Town Clerk