

# TOWN OF LLOYD TOWN BOARD

## REGULAR MEETING

NOVEMBER 14, 2012

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

Also present: Sean Murphy, Town Attorney  
Rosaria Peplow, Town Clerk  
Elaine Rivera, Deputy Supervisor

**Absent:** None

**7:00 PM** – Supervisor opened the meeting and asked Ulster County Legislator Mary Beth Maio to lead the Pledge of Allegiance.

**7:00 PM** – Supervisor stated that the Public Hearing on the 2013 Town of Lloyd Preliminary Budget continues to remain open.

### **1. REPORTS** – Town Board Liaisons

Assessor – Councilmember Paladino

Audit – January 1 to June 30, 2012: Councilmember Litts Councilmember Brennie

July 1 to December 31, 2012: Councilmember Paladino, Councilmember Guerriero

Building Department – Supervisor Hansut

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

Environmental – Councilmember Guerriero

Grants – Supervisor Hansut said that at the last meeting it was stated that the application for Safe Route Home has been submitted and was completed by Liz Axelson, Morris Associates, along with a lot of work from the Highway Department, Denise Rhoades and Rich Klotz. Ulster County Transportation Corporation is also offering a grant for Safe Routes Home; therefore, Liz Axelson also submitted the information to UCTC for that grant opportunity. Axelson did not charge the Town for this submission and that is appreciated.

Highland Fire District – Councilmember Paladino said that he was not able to attend the meeting; however, he wanted to acknowledge and thank the Fire Department for their service during Hurricane Sandy.

Highland Central School District – Councilmember Paladino reported that he attended a special meeting at the Marlboro School District which is in dire financial situation because the major contributor to their school taxes, Danskammer/Dynergy, is claiming bankruptcy. Marlboro is faced with the possibility of losing 30% of their budget overnight. There is a possibility in the near future of shared services between Marlboro and Highland school districts; along with similar communications between the towns. Starting in February, Marlboro may not have funding to finish the school year.

Highway/Transfer Station – Councilmember Guerriero

Historian – Councilmember Guerriero – the report is available if anyone would like to read it.

Justice – Councilmember Litts said that there was nothing new to report concerning the Justice Department.

Lights – Councilmember Brennie reported that there was nothing to report other than the proposal to update the street lights.

Planning Board – Councilmember Guerriero and the Supervisor met with two engineers from Morris Associates and John Indelicato. They walked Mr. Indelicato's property to help understand his water problem with regard to the development of Mountainside Woods. There is a report coming out that the dam cannot hold the water; the water sits on Indelicato's property and it exits under the Rail Trail. The culvert is about 24-inches wide and the water cannot go through fast enough. The culvert runs into Pratt's Pond, across New Paltz Road down to St. Augustine school and is part of the creek that runs toward the River. There will be more water in that creek.

Police – Supervisor Hansut reported that Sgt. James Janso has been promoted to lieutenant; Officers Philip Roloson and Anthony Kalimeras have been promoted to sergeants and Brian Scott, born and raised in Highland and who has worked for another police department, has been hired as a full time Lloyd Police Officer. He said that he is happy with the direction of the Police Department; they understand the philosophy of community policing and talking with the public. The Police participated in the

Halloween celebration; the Chief is meeting with the senior citizens and the downtown business owners. Contract negotiations continue and he is hoping that will be resolved in the next couple of weeks.

Recreation – Councilmember Brennie reiterated the report of Frank Alfonso that was given at the Workshop meeting.

Supervisor said he felt that the new messaging program would also be very helpful for Recreation.

Litts added that he hoped that it may save money on the legal notifications.

Water, Sewer and Drainage – Councilmember Litts reported that the committee talked about the water meters, proposed extensions of the districts and future contracts for I&I so that amount of groundwater that is being processed at the sewer plant can be reduced. The Committee also discussed meeting every other month as the agenda gets shorter and shorter.

Zoning Board of Appeals – Councilmember Litts reported that there was a meeting this month and there was one applicant on Grand Street who would like to replace a garage.

**REPORT** – Claire Costantino, President, Hudson Valley Rail Trail, noted that the report encompassed two months as she was unable to attend last month's meeting.

The Harvest MoonWalk was held on Friday, September 28 at the Hudson Valley Rail Trail Depot.

In spite of the rainy weather approximately 85 people participated in the evening's festivities which included the Ghost Walk performed by the Highland High School Theater Club under the direction of HHS English Teacher Krista Petrofesa. The Ghost Walk took place along the trail from the Depot to Tony Williams Park. They also enjoyed the bonfire and storyteller Jonathan Heiles who once again mesmerized the attendees with his great stories. Members of the Interact Club volunteered to assist with the evening's activities and were extremely helpful. Susan Van De Bogart once again did an outstanding job chairing this event.

Highland HudsonFest Weekend featured the "An Evening Under the Stars!" gala on Saturday October 6 under a festively decorated tent at 75 Haviland Road. It was a very enjoyable evening featuring an outstanding Silent Auction.

The Annual Highland HudsonFest on Sunday featured Highland and Hudson Valley merchants, farms, vineyards, restaurant, artists as well as local non-profit organizations.

The weather was on the cool side, but it did not deter hundreds of people from attending the day-long event. Our chairman, Eric Norberg and his team did a fabulous job in hosting these two events during the weekend.

The Highland Rotary Club has re-located the plantings around the flagpole at the Hudson Valley Rail Trail Depot to the area between the pavilion and the rail trail just south of the caboose. The Highland Rotary Club will begin the installation of a new planting area at that location that will include a monument stone containing the Rotary Wheel and the Four Way Test which will be dedicated in honor of Fellow Rotarians.

Volunteers are currently caring for the planting areas at 101 New Paltz Road, Commercial Avenue Extension, the Route 9W kiosk and the perimeter along the parking area at 75 Haviland Road.

The Hudson Valley Rail Trail Association has replaced a ballast in one of the lighting fixtures located under the pavilion at no cost to the Town. New shelving has been installed in the prep room at Hudson Valley Rail Trail depot to accommodate the roasters used for the Best of Fest Chili Contest.

The design process for the Gateway Arch at 75 Haviland Road has begun. Meetings have been held with Central Hudson. The easement agreement between the Town of Lloyd and Central Hudson allows the installation of amenities on the easement. The Hudson Valley Rail Trail Association has requested that the Town of Lloyd send a letter to Central Hudson requesting permission to install the archway on the easement.

A 2013 Enhancements List is being developed to include the items the Hudson Valley Rail Trail Association would like to accomplish next year. Items under discussion include new signage and entrance enhancements at 101 New Paltz Road, the installation of additional benches and/or picnic tables at 75 Haviland Road, the refurbishing of the cabooses at 101 New Paltz Road and 75 Haviland Road and the painting of the railroad signal at Commercial Avenue Extension.

The Association is expanding the Highland HudsonFest Weekend to include a evening walk on the rail trail on Friday night, a gala on Saturday night, HudsonFest on Sunday and a 5K Race/Walk on Monday all taking place on Columbus Day Week - October 11 to October 14, 2013.

Our next event is WinterFest which will be held on Saturday January 12 at the Hudson Valley Rail Trail Depot at 101 New Paltz Road from 11 am to 2 pm. The main event features chili from area restaurants vying for the "Best of Fest" Award, tractor drawn wagon rides on the trail, roasted chestnuts and toasted marshmallows, a Children's Tent featuring activities for the

children and a Lowe's of Highland Children's "Build a Project" tent. Laurianne Marion will again chair this event.

The meeting in December has been rescheduled to December 4<sup>th</sup> and the January meeting has been rescheduled to January 8 to accommodate the holidays and WinterFest preparation.

We do not hold meetings in February and March, but that does not mean that we are idle. We will be busy making preparations to accomplish our 2013 projects as well as our events beginning with the Annual Meeting on National Trails Day which is Saturday June 1, 2013.

Raphael Diaz interjected that that 13 runners recently graduated in the Learn-to-Run program; totaling 125 participants in all.

Supervisor noted that a collection for the people in need due to Hurricane Sandy was made and 10 bags of clothes came out of the St. Pauley collection box at the Haviland Road parking lot.

Raphael Diaz said that he had rummaged in the collection box for warm clothes that could be donated.

### **REPORT – Matthew Smith, Manager, Bob Shepard Highland Landing Park**

The prolonged higher-than-normal tides after the storms have continued to slow down the project. The bulkhead crew expects to be gone by Thanksgiving.

We are still waiting for the pre-cast concrete boat ramp. It should arrive the last week of November or the first week of December. The steel 'H' beams for the ramp will be here this week.

The NYSDEC has committed to giving us a couple of floating aluminum docks and a ramp for the launch area which is free to us and is worth approximately \$20,000 - \$25,000. Sal Cuciti is going to design a ramp and the docks that we need, which will be given to DEC to fabricate. This is a big change in attitude as five or six years ago they did not feel that we had enough parking and they would not give us a grant for the boat launch ramp.

Fundraising continues to pay for the launch ramp although we still need more money and money to pay for the heavy crushed stone that we needed.

The dock is finished and it looks great.

I want to emphasize again that all of the 800,000 pounds of steel sheet pile used for the seawall was 'Made in the USA' (Ohio). All of the steel used in the whaler system, approximately 60 tons, was made in NYS; all bolts, etc., were made in the USA so 99% of the job was made in the USA. The steel that would have been supplied from some of the higher bidders would have used steel from Luxembourg and China.

The week after next we will start working on the building again i.e. electrical then HVAC; the building has served as a job office for the contractor.

We have much work to do in the area behind the new bulkhead leveling it out so it can settle over the winter.

We can continue to move along now that the bulkhead work is out of the way.

Erin Quinn, reporter, asked when the park would be open to the public again.

Smith replied that it would be closed for the winter; topsoil and grass seed won't be applied until the spring and until the grass grows it will just be mud. People are waiting eagerly for the boat launch which will be ready in the spring.

Reynolds asked if Arold will be finished by Thanksgiving.

Smith answered Arold would not; the pile driver contractor, the company that is pouring the concrete and finishing the tiebacks for the wall will be gone by Thanksgiving.

Arold is waiting for the precast boat launch ramp which will be finished the last week of November or the first week of December, and that will be the last thing for them to do.

Diaz asked when the ramps will be installed that will be furnished by NYSDEC.

Smith said that Larry Wilson, DEC said that if he is given a drawing he will have it done for next year; he assumes that will be for Spring 2013. DEC has a contractor that makes docks for them. The kayak ramp is already roughed in and after the machinery is out of the way and the pile of dirt is moved, it will also be ready for use in the spring.

## **2. OLD BUSINESS**

A. No old business to discuss.

## **3. NEW BUSINESS**

A. City Notify – presentation regarding emergency notification system.

Supervisor explained that when the preparations were being made for Hurricane Sandy, he used Facebook which works well to get information out to the public. He considered the robo-calls that the school district utilizes to get messages out to families and requested that Paladino ask the school district about this service. The

School District uses City Notify and Maria Pena is here tonight to give a presentation on their services.

Maria Pena said that City Notify is a 10 years old nationwide company and a Micro Soft partner since 2008; any alert posted on the system can be published on both Twitter and Facebook with one click of the computer. The system provides a simple way to send out telephone, email, text-to-cell, Twitter and Facebook alerts to any targeted audience. The Highland School District utilizes the system and they can communicate on a district level, with a specific class, or a specific group of students. Email, newsletters, event notices, can be sent to a targeted group through different options using a resident portal to which members can sign up to receive notifications; there is also a staff portal. The map of the town can be downloaded and notifications can go out to specific neighborhoods or streets. She then showed the system to the Board and how it can be used.

Paladino asked if people have to sign up for notifications and if the Police and Fire Departments could be included; he asked about the safety/security of the system.

Pena answered that they can import information from white pages and there is the mapping technology about anyone living in a specific area; it can be by zip code, by street, they also have the option of signing up. There is already a resident portal on the Town website. Fire and Police can be added, along with as many contacts as needed. There are unlimited users of the system and every single person has their own pin number. The system can be set up so that when they log in with their pin they will see only what they have access to, not the entire database. There is a support staff available and they were up 100% of the time throughout Hurricane Sandy.

The fee is 29-cents per resident, \$3,190 for the full year, waiving the installation cost.

Paladino asked as the school district is already a customer if the Town could participate in a shared service discount.

Pena said that is something that would have to be discussed.

Litts asked if that would meet the legal requirements of notification of public hearings in lieu of the registered/certified letters to residents.

Murphy said he would have to do some research but it would still have to be posted; there is still the old statutory language.

Pena did not know the answer to the notification question but noted that any time that a message is sent through the system, there will be a full report and you will see that there is confirmation that the information was delivered to each one.

Supervisor asked if anyone else provided this service as it is Town policy to ask for bids.

Pena said that they do have competitors; however, City Notify has patents on the entire technology, which makes City Notify sole source as no one else has the patent on the technology. They will come and train the staff and there are unlimited Webinars.

Supervisor thanked her for the presentation and said that he felt that it was a great program and he will make copies of the proposal for the Board.

Erin Quinn, reporter, asked if the Town would have to go out for bid on this.

Elaine Rivera, Deputy Supervisor, answered that the amount is within the procurement limits and City Notify may be a sole-source provider.

Mark Reynolds, reporter, what would happen in the event that the power is out throughout the Town.

Pena pointed out cell phones or email would receive the message as most people have Smart Phones; during Hurricane Sandy text, email and voice was used, along with social media such as Facebook.

Supervisor thanked Todd Tangredi and Franco Zani of the Town of Poughkeepsie; the Water and Sewer Departments were unable to find a water pump during the storm; a request was made to the Town of Poughkeepsie and within 45 minutes it was in Highland, hooked up and running.

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

Supervisor asked if there were any questions on the 2013 Preliminary budget.

There were none.

Raphael Diaz asked if a porta potty would be ordered for Tony Williams Park and Supervisor answered that Frank Alfonso did order one and hopefully it will be installed by next week.

Donna Deepröse felt that the description of what the City Notify could be used for would be more than ‘alerts’ and asked if the Town would use it only for alerts. Supervisor said that it will be used to its fullest potential. Deepröse posed that a newsletter could be posted from the Highland Landing Park Association or the Hudson Valley Rail Trail Association. Supervisor agreed and said that groups could be targeted; he had realized how useful it could be when he asked Paladino to inquire about it. Supervisor explained that the HLP A would become a ‘user’ and the message would come from the HLP A or the ECC to the targeted group. Tim Marion commented that he has heard a lot of positive feedback on the Police presence in the downtown. Supervisor added that they have their own Facebook page and Rivera said that it is ‘Lloyd Police’ and if you ‘like’ them you will get information from them.

## 5. MOTIONS AND RESOLUTIONS

**A. MOTION** made by Brennie, seconded by Paladino, to approve the minutes of the Regular meeting October 17, 2012; Special meeting October 26, 2012; Special meeting October 30, 2012; Special meeting November 5, 2012.

**Five ayes carried.**

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

General	G989 to G1057	\$ 47,977.66
Highway	H504 to H542	\$ 56,591.76
Miscellaneous	M362 to M366	\$101,557.58
Prepays	P289 to P334	\$ 59,336.84
Sewer	S274 to S290	\$ 5,553.43
Water	W406 to W425	\$ 17,209.32

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

**Five ayes carried.**

**C. RESOLUTION** made by Litts, seconded by Brennie,

**WHEREAS**, the Town Board, previously received from its Town Engineer information indicating that the existing culvert structure, spanning the Twaalfskill Creek, and servicing North Road, just north of the New Paltz Road intersection is in very poor condition, has outlived its useful life, no longer enable the structure to adequately handle heavy vehicle loads, and warrants the immediate replacement in its entirety; and,

**WHEREAS**, the Town Board had received preliminary information from the Town Engineer that the anticipated total project budget for the replacement of the structure with a bond anticipation note (BAN); and,

**WHEREAS**, the Town Board at its July 18<sup>th</sup>, 2012 regular Town Board meeting passed a resolution establishing the project known as North Road Culvert Replacement, including financing of the project through a bond anticipation note (BAN); and

**WHEREAS**, after reviewing the scope of the project and coordinating work with the Town Highway Superintendent, and the Water and Sewer Department, the Town departments have determined that much of the work can be completed with Town employees and equipment, resulting in a significant reduction in the anticipated project cost.

**WHEREAS**, after reviewing the Town’s budget it has come to the attention of the Town Board that financing the project from highway budget funds is feasible.

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

**A.** The cost of this project shall be paid from Highway budget funds using expenditure line 01-04-5112-40, North Road Bridge Culvert, with a total project cost not to exceed \$250,000;

**B.** This is a repair project and it is exempt from further SEQRA action, being a Type II action consisting of a repair on the same site which did not exceed the thresholds of Section 617.12 of 6NYCRR Part 617, and no further environmental proceedings are necessary.

*Supervisor explained that due to the work that was done in-house by the Highway Department and the Water and Sewer Departments which saved the Town money a BAN was not necessary.*

*Paladino asked for a quick update and Klotz said that the delivery of the box culvert was a week or more behind schedule and he is hoping that it will be here next week; he spoke with Ray Jurkowski who is putting pressure on the manufacturer and that they will reduce payment if it is not here.*

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

**Five ayes carried.**

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

**WHEREAS**, the Town Board has previously entered into a Contract Agreements with Kingsley Arms, Incorporated, Ackerman Plumbing, DJ Heating and Air Conditioning, Incorporated, and Rondout Electric, Incorporated to conduct construction activities at the Highland Sewage Treatment Plant Site under Contracts 07-002 through 07-005; and

**WHEREAS**, Morris Associates, P.S., L.L.C., Engineering Consultants, Ray Jurkowski, P.E., have delineated the project labeled as Highland STP Upgrade, and is authorized to inspect and administer the work of the Contractor as described in the Contract dated June 6, 2006; and

**WHEREAS**, there were problems with the operation of the originally installed comminutor.

**WHEREAS**, the plant operators wished to pursue a front cleaning, front return, mechanically cleaned, bar screen in lieu of the originally installed comminutor.

**WHEREAS**, Morris Associates deemed that the technology would improve the operation of the plant, provided specifications for a front return, mechanically cleaned bar screen, provided these specifications to Kingsley Arms, who determined the cost for furnishing and installing a front cleaning, front return, mechanically cleaned bar screen and reviewed the costs and determined them to be reasonable

**WHEREAS**, The sums of the savings in construction costs with respect to EFC Loan 5383-030-00, and the available sums left in the Storm Damage Repair BAN are sufficient to cover the costs of the proposed comminutor;

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

**A.** The Town Board agrees to authorize Contract 07-002: Change Order #2 for an increase of \$117,797.00;

**B.** The Town Board authorizes the Supervisor to sign Contract 07-002: Change Order Number 2 as described herein. (See Attached)

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

**Five ayes carried.**

**E. RESOLUTION** made by Brennie, seconded by Litts, to authorize an adjustment for

Account #2362: Vineyard Commons Holdings at 6 Merlot Drive for their July 1, 2012 bill, the amount of which was \$6,997.40, based on an estimated 902,876 consumption. The actual consumption was 1,665,500 gallons. Therefore, there should be a \$3,241.15 increase adjustment on water, and a \$2,669.17 increase adjustment on sewer, for a total increase adjustment of \$5,910.32, making the July 1, 2012 bill total \$12,907.72. This adjustment is to satisfy their previously underestimated bill for the 4/1/12 to 6/30/12 billing cycle, and

**BE IT FURTHER RESOLVED** to authorize an adjustment for Account #2362: Vineyard Commons Holdings at 6 Merlot Drive for their Oct. 1, 2012 bill, the amount of which was \$70,878.14, based on a miscalculation in the computer software of a 9,144,603 gallon consumption. A recalculation of the actual usage of 3,157,500 gallons results in a \$25,445.18 decrease adjustment on water, and a \$20,954.86 decrease adjustment on sewer, for a total decrease adjustment of \$46,400.04. This adjustment is to satisfy a computer miscalculated error resulting in an overbilled cycle for the period of 7/1/12 to 10/1/12. The total amounts above are added to a previous past due amount of \$6,158.44 and the total shall be applied for re-levy. The total amount of re-levy for account #2362 shall be a decrease of \$22,204.03 for water (WA) and a decrease of \$18,286.69 (SE) for sewer. The Town's amount of the re-levy totals shall be \$120,989.77 for water (WA) and \$95,080.32 for sewer (SE). No changes in the re-levy for the (W2) account.

*Supervisor commented that David Barton diligently worked on this problem.*

*Barton explained that in June an estimate for usage at Vineyard Commons was 902,876 gallons and the real amount was 1,665,500 gallons; no one seems to understand*

*what the reading was on the portable so an estimate was done. The bill should be increased by \$3,241.15, resulting in a new bill of \$12,907.72. In the last billing cycle either the meter misrepresented or the computer software miscalculated and said that Vineyard Commons used 9,000,000 gallons of water and the real usage was 3.1 million gallons. The bill is going to be decreased by \$46,000 total. This is being done at this meeting because the resolution to re-levy the unpaid bills is being adopted tonight and this would go on the tax bill as a re-levy. This is what the Town Board did to correct the action. Robert Wilder, the new Vineyard Commons owner repeatedly called on this situation. He feels that there is a problem with the whole billing process. The wrong estimate was put in the software because they did not understand what the meter said. He noted that that he is not the Water and Sewer Administrator but he tried to fix the problem.*

*Litts asked if this is the new meter.*

*Barton replied that this is a 1,000 gallon pump and it clicks over 1,000 so when they read the meter they read 16,000 units and he feels that they did not understand what 16,000 units mean. It is actually 1.6-million gallons not 16,000 gallons and they guesstimated thinking that it was a problem with the meter; the 16,000 was in the system and the new meter read it as a huge increase of 9-million gallons. He feels this situation will become a regular occurrence. All accounts have now been set back to zero; this was a combination of software and human error. The Town Board now has to decide what the processes should be for water and sewer billing. He worked on this problem from 8 AM to 6:15 PM today; both the Supervisor and Elaine Rivera were involved in working through this.*

*Rivera said that she is assuming that the new meter is giving a more accurate reading.*

*Barton agreed that the meters are reading accurately.*

*Supervisor said that he spoke with Ray Jurkowski, Morris Associates, and a meeting will be scheduled with Adam Litman, Water and Sewer Administrator and Christine Giangrasso, secretary. There is one person who knows how to use the new machine; he has tried to have the manufacturer come to do more training and he is having a difficult time doing that. He and Rivera thanked David Barton.*

*Reynolds asked when this might happen again.*

*Barton replied that he did not want to say that this happened just to get the bills out but it is part of it; the 900,000 gallon estimate is a good estimate and he feels that currently their usage is close to 1,000,000 gallons in a three-month cycle. That is the number that was put in because they did not understand what the reading was. Bill Vankleeck was out on the day that he, Pat Rober and the Supervisor went to the Water Plant to work on the billing so he and the Supervisor went out to read the meter. He is hopeful that the process is reinvented so that these guesstimates do not happen.*

*Litts said that the transmitter should be telling how many gallons are used.*

*Barton said that it does. The 1,000 gallon meter went in and the software has a multiplier that should multiply the reading by whatever it is. That was never done. There are real remote readings that were never multiplied although money was collected on them.*

*Rivera added in this case more was billed and now it has to be taken off the anticipated revenue so the Town is losing \$46,000; that is a concern because at budget time billing is estimated from previous quarters. She would like to see a procedure in place whereby if an account is estimated once it is resolved before the next quarter.*

*Litts said that the new meters and readers were supposed to come with training.*

*Supervisor said that did happen and Bill Vankleeck is the only person trained; he said that he has learned a lot over the last few days and suggested that the Town Board visit the Water Plant to see how it is functioning.*

*Barton and Rivera suggested that this is something that the Water, Sewer and Drainage Committee could investigate.*

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

**Five ayes carried.**

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

**WHEREAS**, the Town Clerk is required by Town Law Sections 198(3)(d) and 198(1)(k) to report annually the unpaid water and sewer charges in the Highland Water and Highland Sewer Districts, which have not appeared on any such statement previously filed; and,

**WHEREAS**, the Town Clerk has filed a statement dated November 5, 2012, annexed hereto, and has requested that the Town Board, pursuant to Town Law Sections 198(3)(d) and 198(1)(k), the rules and regulations of the Highland Water District and the sewer use chapters of the Town Code, and General Municipal Law Section 452, levy a lien upon the real property benefited.

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

1. That the water and sewer charges, both for unpaid meter bills and for any benefit assessment, labor and materials in the Highland Sewer District, or other charges, set forth in the annexed statement of the Town Clerk, along with any others added thereto prior to the date the same are forwarded to the County Legislature and County Executive, to be levied, be and they hereby are, declared delinquent, and approval is hereby given to the Supervisor to transmit statements in compliance with Sections 198(3)(d) and 198(1)(k) to the County Legislature and/or County Executive for a levy in the sums as set forth in the annexed statement, against the properties liable, as set forth in the statement and in the amounts set forth therein, to be levied as a tax in a separate column on the annual tax roll of the Town of Lloyd, under the name of the “water and sewer rents”, and/or “benefit assessments”; and,
2. That the Supervisor sign such necessary forms and documents to levy the lien for water and sewer charges, as set forth in the annexed statement of the Town Clerk, and when such charges are collected, that they be applied toward the maintenance, operation, enlargement and improvement of the water and sewer systems and for payment of the principal and interest on bonds issued for the purposes of each District, all as set forth in Town Law Sections 198(3)(d) and 198(1)(k). (See Attached)

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

**Five ayes carried.**

**G. RESOLUTION** made by Paladino, seconded by Brennie, to hire William J. Short as MEO seasonal at the rate of pay of \$18.00/hour on an as-needed basis at the recommendation of Highway Superintendent Richard Klotz.

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

**Five ayes carried.**

**H. RESOLUTION** made by Brennie, seconded by Paladino, to hire Howard J. Geffner as a seasonal part-time employee at a laborer rate of \$17.37 per hour at the recommendation of Richard Klotz, Highway Superintendent, upon successful completion of the pre-employment physical.

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

**Five ayes carried.**

**I. MOTION** made by Paladino, seconded by Litts, to close the Public Hearing on the 2013 Town of Lloyd Preliminary Budget at 8:10 PM.

**Five ayes carried.**

Supervisor thanked Elaine Rivera for all her work to prepare the budget which started with a “0” base budget; the 2013 Budget is under the 2% cap.

**J. RESOLUTION** made by Paladino, seconded by Litts, to adopt 2013 budget with the following changes

General Fund	
1010.10 Town Board Personal Services	-\$8,600
1355.10 Assessor Personal Services	+\$3,600

*Supervisor explained this is the result of eliminating the position of Town Board Clerk.*

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

**Five ayes carried.**

**K. RESOLUTION** made by Brennie, seconded by Paladino, to approve the proposal from Lit Green in the amount of \$59,383.28 for the installation of LED retrofit-kit for 88 lamp posts within the Town of Lloyd and authorize the Supervisor to sign the agreement. (See Attached)

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

**Five ayes carried.**



**L. RESOLUTION** made by Brennie, seconded by Paladino, as follows:

**WHEREAS**, a petition by Mountainside Woods, LLC and Sycamore Creek, LLC for the extension of the Highland Sewer District in the Town of Lloyd, Ulster County, New York, the said petition being dated September 19, 2012, has been filed with the Town Clerk and duly presented to the Town Board; and,

**WHEREAS**, Morris Associates, having prepared and filed a Map, Plan and Report with the Town Clerk; and,

**WHEREAS**, the Town Board must adopt an Order reciting the following: the filing of said petition, reciting the improvements proposed, the boundaries of the proposed district and the estimated expenses thereof, and specifying the date and time when the Town Board will hold a public hearing to consider the petition and hear all persons interested in the subject thereof for the extension of the Highland Sewer District in said Town to be bounded and described as set forth in Exhibit "A" annexed hereto; and,

**WHEREAS**, all capital improvements for the proposed Sewer District extension shall be completed and paid for by the Developer, and will be hooked up to the Highland Sewer District without cost or expense to the Sewer District taxpayers; and,

**WHEREAS**, the improvements consist of approximately 6,500 lineal feet of gravity feed 8" PVC pipe, as well as 50 new sewer manholes and individual service laterals; and,

**WHEREAS**, the yearly anticipated average cost of the District extension to the typical property is estimated to be \$566.60 per parcel, and no application to the State Comptroller is necessary as, additionally, this is a no-cost extension of the Highland Sewer District; and,

**WHEREAS**, this extension proceeding is a Type II action and exempt from SEQRA pursuant to 6NYCRR Part 617, Section 617.5(11) of said regulations.

**NOW, THEREFORE**, it is hereby Resolved and Ordered that a meeting of the Town Board of the Town of Lloyd shall be held at the Town Hall, Thomas Shay Square, 12 Church Street, Highland, New York at 7:00 p.m. on December 19, 2012 to consider the said petition and to hear all persons interested in the subject thereof concerning the same, and for such other action on the vote of the Town Board with relation to the said petition as may be required by law or proper in the circumstances.

\_\_\_\_\_  
Paul J. Hansut

\_\_\_\_\_  
Kevin Brennie

\_\_\_\_\_  
Michael Guerriero

\_\_\_\_\_  
Jeffrey Paladino

\_\_\_\_\_  
Herbert Litts III

**EXHIBIT A**  
**HIGHLAND SEWER DISTRICT**  
**EXTENSION DESCRIPTION**

All those certain lots, pieces or parcels of land, situate, lying and being in the Town of Lloyd, County of Ulster, State of New York and being known and designated as Tax Lot 2, a portion of Tax Lot 1.1, of block 5 and a portion of Tax Lot 14 of block 3, Section 87.004 of the Ulster County Real Property Tax Service Agency Tax Map for the Town of Lloyd (tax year 2011) on file at the Office of the Ulster County Clerk in Kingston, New York and being more particularly described as follows:

**(Parcel 1 - Tax Lot ID# 87.004-5-2)**

Beginning at a point in the end of the northwesterly sideline of Vista Drive as terminated by the northeasterly side of Tax Map Lot ID# 87.004-5-2 (the lands now or formerly of Ledgewood Properties, Inc.);

**THENCE**, from said point of beginning, partially along the southwesterly end of said Vista Drive and partially along the southwesterly side of Tax Map Lot ID# 87.291-1-46.1 and 46.2 (the lands now or formerly of Sunny Brook Association, Inc.), abutting the existing Highland Sewer District, in a southeasterly direction, to a point at the

northeastern most corner of Tax Map Lot ID# 87.291-2-13 (the lands now or formerly of Cwik);

**THENCE**, partially along the northwesterly side of Tax Map Lots ID# 87.291-2-13 (the lands now or formerly of Cwik), ID# 87.291-2-12 (the lands now or formerly of Stock), ID# 87.291-2-11 (the lands now or formerly of Birchall), ID# 87.291-2-10 (the lands now or formerly of Bonelli), ID# 87.291-2-9 (the lands now or formerly of Ramtulla), ID# 87.291-2-8 (the lands now or formerly of Cosentino), ID# 87.291-2-7.1 (the lands now or formerly of Interrante), ID# 87.291-2-6.1 (the lands now or formerly of Mackey), ID# 87.291-2-5.1 (the lands now or formerly of Consavage), ID# 87.291-2-4.1 (the lands now or formerly of Opezio), ID# 87.291-2-3 (the lands now or formerly of Caferro), and ID# 87.291-2-2 (the lands now or formerly of Golkonda), abutting the said existing Highland Sewer District, in a westerly then southwesterly direction to a point in the northeasterly side of Tax Map Lot ID# 87.20-1-10 (the lands now or formerly of Puig);

**THENCE**, partially along the said northeasterly side of Tax Map Lot ID# 87.20-1-10 (the lands now or formerly of Puig), the northeasterly end of Hilltop Lane and northeasterly side of Tax Map Lot ID# 87.20-1-8 (the lands now or formerly of Sammartano), abutting the said existing Highland Sewer District, in a northwesterly direction, to the northern most corner of said Tax Map Lot ID# 87.20-1-8;

**THENCE**, partially along the northwesterly side of said Tax Map Lots ID# 87.20-1-8 (the said lands now or formerly of Sammartano), ID# 87.20-1-7 (the lands now or formerly of Pugliese), ID# 87.20-1-6 (the lands now or formerly of Gescheidle), ID# 87.20-1-5 (the lands now or formerly of Adoma), ID# 87.20-1-4 (the lands now or formerly of Kiss), ID# 87.20-1-3 (the lands now or formerly of Nedumthakady), and ID# 87.20-1-2 (the lands now or formerly of Murtaugh), abutting the said existing Highland Sewer District, in a southwesterly direction to a point in the northeasterly side of Tax Map Lot ID# 87.20-1-1.3 (the lands now or formerly of Farkas);

**THENCE**, partially along the northeasterly side of said Tax Map Lot ID# 87.20-1-1.3 (the lands now or formerly of Farkas), abutting the said existing Highland Sewer District and partially along the northeasterly side of Tax Map Lot ID# 87.004-5-3 (the lands now or formerly of the Town of Lloyd), in a northwesterly direction to a point;

**THENCE**, along the said easterly side of Tax Map Lot ID# 87.004-5-3 (the lands now or formerly of the Town of Lloyd), in a northeasterly, then northwesterly, then northeasterly direction to the corner of Tax Map Lot ID# 87.004-5-1.1 (the lands now or formerly of the Town of Lloyd);

**THENCE**, along the southerly side of said Tax Map Lot ID# 87.004-5-1.1 (the lands now or formerly of the Town of Lloyd), in a northeasterly, then southeasterly direction to the point or place of beginning.

**(Parcel 2 - Portion of Tax Lot ID# 87.004-5-1.1)**

Beginning at a point in the northwesterly sideline of Vista Drive as intersected by the dividing line between Tax Map Lot ID# 87.004-5-1.2 (the lands now or formerly of Falls @ Lloyd, LLC, to the northeast) and Tax Map Lot ID# 87.004-5-1.1 (the lands now or formerly of the Town of Lloyd, to the southwest);

**THENCE**, from said point of beginning and along the said northwesterly sideline of Vista Drive, abutting the existing Highland Sewer District, in a southwesterly direction, to the end of Vista Drive as terminated by the northeasterly side of Tax Map Lot ID# 87.004-5-2 (the lands now or formerly of Ledgewood Properties, Inc.);

**THENCE**, along the northeasterly side of and abutting said Tax Map Lot ID# 87.004-5-2 (the lands now or formerly of Ledgewood Properties, Inc.), in a northwesterly direction to a point and being northwesterly most corner lands to be conveyed from the Town of Lloyd to Mountainside Woods, LLC;

**THENCE**, through aforementioned Tax Map Lot ID# 87.004-5-1.1 (the lands now or formerly of the Town of Lloyd), in a northerly direction and along the westerly side of the lands to be conveyed from the Town of Lloyd to Mountainside Woods, LLC, to a point in the southwesterly side of the aforementioned Tax Map Lot ID# 87.004-5-1.2 (the lands now or formerly of Falls @ Lloyd, LLC);

**THENCE**, along the said southwesterly side of Tax Map Lot ID# 87.004-5-1.2 (the lands now or formerly of Falls @ Lloyd, LLC), and abutting the previously added Highland Sewer District (extended per the May 23, 1996 Town Board Agreement), in a southeasterly direction to the point or place of beginning.

**(Parcel 3 – Portion of Tax Lot ID# 87.004-3-14)**

Beginning at a point in the end of the southeasterly sideline of Vista Drive as terminated by the southwesterly side of Tax Map Lot ID# 87.004-3-14 (the lands now or formerly of Sycamore Creek, LLC);

**THENCE**, from said point of beginning and partially along the northeasterly end of Vista Drive, abutting the existing Highland Sewer District and partially along the northeasterly side of Tax Map Lot ID# 87.004-5-1.2 (the lands now or formerly of Falls @ Lloyd, LLC), abutting the previously added Highland Sewer District (extended per the May 23, 1996 Town Board Agreement), in a northwesterly direction to a point at the southerly most corner of Tax Map Lot ID# 87.004-3-16 (the lands now or formerly of Indelicato);

**THENCE**, along the southeasterly side of said Tax Map Lot ID# 87.004-3-16 (the lands now or formerly of Indelicato), in a northeasterly direction to a point at the westerly most corner of Tax Map Lot ID# 87.004-3-15 (the lands now or formerly of Indelicato);

**THENCE**, along the southerly side of said Tax Map Lot ID# 87.004-3-15 (the lands now or formerly of Indelicato) in a southeasterly, then northeasterly direction to the southwesterly most corner of Tax Map Lot ID# 87.004-3-13 (the lands now or formerly of Sycamore Creek, LLC);

**THENCE**, along the southwesterly side of said Tax Map Lot ID# 87.004-3-13 (the lands now or formerly of Sycamore Creek), in a southeasterly direction to a point in the westerly side of the Tax Map Lot ID# 87.004-3-12.2, (the lands now or formerly of the Hudson Valley Rail Trail);

**THENCE**, through Tax Map Lot ID# 87.004-3-14 (the lands now or formerly of Sycamore Creek, LLC), abutting the existing Highland Sewer District in a southwesterly direction to the point or place of beginning.

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

**Five ayes carried.**

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

**WHEREAS**, the Town of Lloyd has a long standing commitment to providing support and services for its senior residents, and

**WHEREAS**, the Town Board has reviewed the preliminary plans for the proposed 57 unit senior citizen development to be located on the property known as Section 96.029, Block 3, Lot 3.11 in the Town of Lloyd, and

**WHEREAS**, the Town Board is familiar with the site and has found those preliminary plans to be consistent with its overall planning and development goals for the area, and

**WHEREAS**, in order to continue its ongoing efforts to provide for its senior citizens, the Town Board desires to facilitate and support the proposed Silver Gardens Development, and

**WHEREAS**, any final approval for the Silver Gardens Development can only be made upon the submission and review of full plans as part of the normal local planning and zoning review and approval process, and

**WHEREAS**, the Town Board understands that Golden View II, LLC will be submitting an application for funding to the New York State Division of Housing and Community Renewal, for the Silver Gardens Development,

**THEREFORE, BE IT RESOLVED AS FOLLOWS:**

- 1) The Town Board hereby provides its conceptual support of the Silver Gardens project.
- 2) The Town Board hereby directs the Town Supervisor to submit a letter of support to the New York State Homes and Community Renewal, indicating the Board's support of the project, and that it will support an expedited review process.
- 3) The Town Board hereby directs the Town Supervisor to take any and all additional actions that he deems may be reasonable and necessary to support Golden View II LLC's application to the New York State Homes and Community Renewal.

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

**Five ayes carried.**

**N. RESOLUTION** made by Brennie, seconded by Paladino, to approve the following budget amendments to the 2012 budget:

GENERAL

Town Board PS	1010.10	+\$4,270.00
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11.14.2012

Supervisor PS	1220.10	-\$2,300.00
Contingency	1990.40	-\$1,970.00
Town Hall CE	1620.40	+\$2,000.00
Contingency	1990.40	-\$2,000.00
Building & Grounds PS	1630.10	+\$1,870.00
Contingency	1990.40	-\$1,870.00
Central Printing/Mailing	1670.40	+\$1,530.00
Attorney	1420.40	-\$1,530.00
Police PS FT	3120.10	+\$2,134.20
STEP Grant	00-3389	-\$2,134.20
(Selective Traffic Enforcement Program)		
Off Street Lighting	5182.40	+\$61,491.00
Town Hall Capital	1620.50	-\$22,000.00
Contingency	1990.40	-\$34,491.00
(LitGreen Project & move receptacles)		
Rail Trail CE	5680.40	+\$300.00
Contingency	1990.40	-\$300.00
Recreation CE	7310.40	+\$8,000.00
Contingency	1990.40	-\$8,000.00
Celebrations/Events	7550.40	+\$165.00
Gifts/Donations	00-2705	-\$165.00
(Halloween donations)		
Transfer Station CE	8260.40	+\$1,364.60
Recycling Scrap	00-2135	-\$ 916.60
Tires	00-2136	-\$ 448.00
(to rent excavator)		
Social Security	9030.80	+\$8,650.00
Building Dept PS	8010.10	-\$8,650.00
Unemployment	9050.80	+\$5,000.00
Building Sept PS	8010.10	-\$5,000.00
HIGHWAY		
Garage	5132.40	+\$1,000.00
Snow Removal	5142.40	-\$1,000.00
Brush & Weeds Equip	5140.20	+\$6,000.00
Snow Removal Equip	5142.20	-\$4,000.00
General Repairs Equip	5110.20	-\$2,000.00
(Leaf vacuum)		
Brush & Weeds CE	5140.40	+\$1,000.00
Snow Removal CE	5142.40	-\$1,000.00
WATER		
Administration PS	8310.10	+\$5,200.00
Insurance	1910.40	-\$3,193.00
Administration Prof Serv	8310.30	-\$2,007.00
SEWER		
Administration PS	8110.10	+\$2,500.00
Insurance	1910.40	-\$2,500.00
Sewage Collection PS	8120.10	+\$23,387.00
Sewage Trmt PS	8130.10	-\$23,387.00

## CAPITAL

Tony Williams Capital	7310.40	+\$264.15
Berean Park Capital	7320.40	-\$264.15
Bulkhead Project	7110.43	+\$19,330.00
HLBS Park	7110.40	-\$4,000.00
HL Site Improvement	7110.41	-\$8,000.00
Donations	50-2705	-\$7,330.00

(change order from Ray Jurkowski resolution 10/17/12)

*Supervisor noted that the condition of the downtown regarding leaves and debris has been discussed with Rich Klotz, Highway Superintendent. Klotz found a leaf vacuum at a cost of approximately \$6,000 to be installed on the back of one of the trucks which will pick up the leaves. This should help with drainage issues during heavy rains.*

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

**Five ayes carried.**

Matt Smith noted there is a street light out on Commercial Avenue and asked the procedure to get it repaired.

Brennie answered that Smith should get the pole number and go to Central Hudson.com and inform them of the problem.

Rivera added that Central Hudson can be notified by using the Town website.

Supervisor suggested that Smith calls Kate Jonietz and she will contact Central Hudson for him.

Legislator Mary Beth Maio commented that the Veterans breakfast on November 11 was very nice and complimented the people who volunteered.

Supervisor said that it was put on by the Events Committee and the Knights of Columbus and went very smoothly.

**MOTION** made by Litts, seconded by Paladino, to adjourn the meeting at 8:17 PM.

Respectfully submitted,

Rosaria Schiavone Peplow  
Town Clerk