

# TOWN OF LLOYD TOWN BOARD

## REGULAR MEETING

NOVEMBER 15, 2017

*Present: Supervisor Paul Hansut*

Councilmember Kevin Brennie  
Councilmember Michael Guerriero  
Councilmember Jeffrey Paladino

*Also present: Sean Murphy, Attorney*

Wendy Rosinski,  
Deputy Town Clerk  
Kate Jonietz, Secretary

**Absent:** Councilmember Joseph Mazzetti

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

Presentation of award to Jack Maguire, former Chairperson of the Environmental Conservation Council by Neil Curri, Chairperson ECC.

Neil Curri stated that in determining who would receive this year's award they thought of who worked on behalf of the Town and worked on behalf of the Environment and Jack Maguire was the obvious choice. Jack served on the Environmental Conservation Council for twenty-five years and for many years as chairperson. He added that Jack has done so much for the Town, for the Black Creek and has taught him so much. They presented Jack with a plaque and an engraved wooden paddle.

*Maguire accepted his award and said that this is his favorite award. Sue Frampton, former ECC Chairperson, John Jankiewicz, former Water and Sewer Administrator, and himself created this award twenty-five years ago. The first recipient was John Jankiewicz who had gone to Shushufindi, Ecuador in South America and researched wetlands and reedbeds as a natural water filtration process. It is an established method to treat water and sewage safely with minimal energy requirements. He brought that technology back and constructed wetland beds using reeds which are native to this area. They made national news. He said John and Sue were his mentors and heroes. He met so many interesting and inspiring people through ECC over the twenty-five years and misses it. He is grateful that the Town has the ECC to safeguard our land, our air and our water. He is thankful that we have a Town Board that cares and gives ECC a voice. Jack shared the sentiment that everyone should be good Stewards of the good things we have.*

Supervisor commented that coincidentally the Town has received a Certificate of Recognition from Senator Sue Serino in celebration of being nominated for the Greenway Conservation Trail Grant and gratitude for the Town's commitment to the Environment.

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

**Audit** –January 1 to June 30, 2017: Councilmember Brennie, Councilmember Mazzetti

July 1 to December 31, 2017: Councilmember Guerriero, Councilmember Paladino

**ECC /Zoning Board** – Councilmember Guerriero

No report

**Highland Central School District** – Councilmember Mazzetti

Absent

**Planning Board** – Councilmember Paladino

Councilmember Paladino stated that the Planning Board will meet tomorrow night.

Dollar General is back on the agenda and moving forward. The project includes an apartment complex and Dollar General Store on Route 9W.

The Public Hearing is still open on the Solar Farm on Perkinsville Road. Windgate, the Solar Company, will be presenting their site plan to the Planning Board.

**Police/Fire/Town Justice** – Supervisor Paul Hansut

**Water/Sewer/Drainage Committee** –Councilmember Brennie

Councilmember Brennie stated that there wasn't a meeting but things are moving forward on the water and sewer extension to the Bob Shepard Highland Landing Park. There will be more about that in the future.

Supervisor thanked the voters of the Town for their continued support and confidence. He congratulated Leonard Auchmoody and Claire Winslow, Councilmembers-elect. They met last week and he is looking forward to working together as a team. He congratulated "Ro" Rosaria Peplow on her re-election as Town Clerk and Richard Klotz on his re-election as Highway Superintendent. He felt it was good that close to 3,000 people voted as the more people that are involved the better things are.

Cell phones for Soldiers, help our troops call home. Cell Phones for Soldiers accepts donations of smartphones and tablets. There is a drop box in the Town Hall and phones can be dropped off at the Town Clerk’s or the Supervisor’s Office.

The Snow Ordinance is in effect; there is No Parking on Town Roads between October 15<sup>th</sup> and April 15<sup>th</sup> during snow or ice storms. Vehicles will be ticketed or towed. Questions or concerns should be directed to the Highway Department office at 845-691-7631.

**REPORT – Peter Bellizzi, President, Hudson Valley Rail Trail**

Peter Bellizzi said he spoke with Chris White, Ulster County Planning Board Deputy Director, concerning Phase IV of the Hudson Valley Rail Trail. They are waiting for NYSDOT to get back to them. They hope to go out to bid in December and start construction in the Spring. The Rail Trail will be completed to Lowes on Route 299 and Elting Corners Road by Spring of 2019.

Guerriero asked if with all the tragic events happening throughout the country the Rail Trail is considering putting up some barricades.

Bellizzi responded that he is working on it with the Town of Lloyd Police Department.

They park trucks to keep people from driving down the rail trail during events.

**REPORT – Leonard Auchmoody, Project Manager, Bob Shepard Highland Landing Park**

Leonard Auchmoody said that there has not been much activity in the last month. He sealed the concrete floor of the outdoor classroom. He will get prices on gutters and leaf covers for the outdoor classroom. Tim Baker of Baker and Son Landscaping will move the large Sycamore tree late this week or next week. Weather permitting, he will get soil up against the floor of the Outdoor Classroom but won’t be able to plant grass until Spring. He is cleaning up, putting things away and getting ready for winter.

Supervisor said the question was asked if Auchmoody was going to be able to maintain his position as Project Manager of the Bob Shepard Highland Landing park now that he was elected as a Councilman. He has contacted the legal counsel at the Association of Towns and is waiting for an answer.

Supervisor said that he contacted Barton & Loguidice concerning the Tillson Ave./Toc Drive intersection project and asked them to come to the January, 2018 Regular Town Board Meeting to discuss the status of the project.

**2. OLD BUSINESS**

A.

**3. NEW BUSINESS**

A.

**4. PRIVILEGE OF THE FLOOR**

No questions

**5. MOTIONS AND RESOLUTIONS**

**A. MOTION** made by Brennie, seconded by Paladino to approve the minutes of the Workshop Meeting October 4<sup>th</sup>, 2017 and Regular Meeting October 18<sup>th</sup>, 2017

**Four ayes carried.**

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

|               |                    |               |
|---------------|--------------------|---------------|
| General       | G - 894 to G - 964 | \$ 87,569.92  |
| Highway       | H - 442 to H - 483 | \$ 22,261.59  |
| Miscellaneous | M -222 to M - 239  | \$ 324,624.03 |
| Prepays       | P - 576 to P - 640 | \$ 93,262.08  |
| Sewer         | S - 261 to S - 283 | \$ 14,078.03  |
| Water         | W - 316 to W- 338  | \$ 25,803.16  |

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

**Four ayes carried**

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

**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 3, 2017 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:** Brennie, aye; Paladino, aye; Hansut, aye; Guerriero, aye.

**Four ayes carried**

Supervisor made a correction to the 2018 Budget saying that the Supervisor's salary will be \$29,995.00 not \$30,000.00. It was put in the Public Hearing notice as \$29,995.00 and that is what it will be.

All salaries are the same for elected officials.

The increase outside the W/S District will be 0.10, inside the W/S District will be 0.10, inside just the Water District will be 0.02. The cap is 1.8%. The New York State Comptroller gives a dollar amount. A home assessed at \$300,000.00 would have a tax increase of \$30.00 outside the Water and Sewer District, \$30.00 inside the Water and Sewer District and \$6.00 inside the Water District. The calculation used starts at the amount given by the comptroller's office which is \$6,185,365.00 X 1.0057 = \$6,220,621.58 X the levy growth factor allowed which is 1.0184 = tax cap limit of \$6,335,081.02. The Town of Lloyd budget is \$6,301,630.57 which is \$34,000.00 under the tax cap.

He thanked Kate Jonietz and Karen McPeck for their diligent work on the budget.

**D. RESOLUTION** made by Brennie, seconded by Paladino to adopt the Preliminary 2018 Town of Lloyd Budget as the Final 2018 Town of Lloyd Budget.

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

**Four ayes carried**

**E. MOTION** made by Paladino, seconded by Guerriero to close the Hudson Valley Rail Trail from the caboose at 75 Haviland Road to the Walkway Over the Hudson on Monday, November 20, 2017 from dawn to 12:00 noon for the installation of the Gateway Towers to the Hudson Valley Rail Trail at the recommendation of Peter Bellizzi, President of the Hudson Valley Rail Trail Association.

**Four ayes carried.**

Supervisor said this next resolution is to award the Hudson Valley Rail Trail Phase III Project to the lowest bidder. The bid price is \$240,000.00 to \$250,000.00 over the grant amount. He spoke with Chris White, Ulster County Planning Board Deputy Director about pursuing more grant money. There is \$100,000.00 coming from

Scenic Hudson and \$100,000.00 to \$150,000.00 from Assemblyman Frank Skartados. They will discuss with Karen McPeck, the Bookkeeper the amount of money available and determine where the Town is with moving forward on this project.

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

**WHEREAS**, the Town of Lloyd (the "Town") is proposing to construct approximately a 0.70 mile extension to the Hudson Valley Rail Trail (HVRT). The new facility will be constructed along the former Penn Central Railroad corridor from New Paltz Road, across a proposed structure over the Black Creek, through the existing underpass at New Paltz Road, and through the proposed underpass at S. Riverside Road to Tony Williams Town Park where it will tie into the existing HVRT.

**WHEREAS**, the Town authorized bidding on the project and received five (5) qualified bids for the project's construction which were publicly opened and read aloud on October 11, 2017; and

**WHEREAS**, A. Colarusso & Sons, Inc. is the lowest qualified bidder with an adjusted bid in the amount of One Million, Five Hundred Eighty-Seven Thousand, Six Hundred Fifty-Four Dollars and Zero Cents (\$1,584,654.00); and

**WHEREAS**, A. Colarusso & Sons, Inc. submitted all required bidding materials as directed by the contract documents, including Bid Prices, Disclosure of Lobbying Activities, Iranian Energy Sector Divestment Certification, Non-Collusive Bidding Certifications, Statement of Surety's Intent, Disadvantaged Business Enterprise Utilization Goals, Equal Employment Opportunity Utilization Requirements, and Bid Security; and

**NOW, THEREFORE, BE IT RESOLVED** that the Town Board hereby authorizes the Town Supervisor to enter into a contract with A. Colarusso & Sons, Inc. for construction of the project, contingent upon the receipt of NYS Department of Transportation approval of the Award of the Construction Contract.

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

**Four ayes carried**

**G. RESOLUTION** made by Brennie, seconded by Paladino to authorize the Supervisor to sign the addendum to the agreement between the Town Board of the Town of Lloyd and Jennifer Mund, Assessor dated August 21, 2013 which represents a salary increase in 2018 of \$2500 over the Assessor's 2017 base plus an increase of 2.25% negotiated with the Town and the CSEA. The 2019 salary shall be the increased by the percentage increase negotiated with CSEA. All other provisions of the August, 2013 contract remain unchanged. (See Attached)

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

**Four ayes carried**

**H. RESOLUTION** made by Guerriero, seconded by Brennie to hire Michael A. DePaola as a part-time, seasonal employee, on an as needed basis effective at the first "call-out" at the Laborer rate of \$19.22 per hour which is budget supported at the recommendation of Richard Klotz, Highway Superintendent.

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

**Four ayes carried**

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

**WHEREAS** the Town of Lloyd received a grant from Greenway #2007-U-2 for the Bob Shepard Highland Landing Park and

**WHEREAS** a payment request was submitted to Greenway for expenses against this grant specifically for the kayak launch site at the Bob Shepard Highland Landing Park, and

**WHEREAS** the Town of Lloyd has received a check from Greenway for \$2,403.97 and

**WHEREAS** the Town of Lloyd check #1665 for \$102.69 paid for one of the expenses listed and

**WHEREAS** the Highland Landing Park Association paid expenses to be charged against this grant in the amount of \$2,301.28

**NOW, THEREFORE**, be it resolved as follows:

the Town of Lloyd bookkeeper is authorized to reimburse the Highland Landing Park Association in the amount of \$2,301.28 the difference between the amount of the check received from Greenway and the amount the Town paid for expenses.

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

**Four ayes carried**

Adam Litman, Administrator Water and Sewer, said they order water meters as they are needed about twice a year for the meter upgrade program and for new construction. The cost has risen since the order that was placed earlier this year. The price charged is what the meters cost the Water Department. The last time the Water District requested a price increase was when the cost of copper and brass went up significantly. He is requesting the Town Board approve a rate increase.

Paladino said he discussed with Sean Murphy, Town Attorney, and Litman if the Water District could charge a fee in addition to the cost.

Murphy said that the water department charges the amount it pays for the meters. There are other expenses involved in these meters and a reasonable fee to cover the district's cost could be added. The Water District cannot make a profit and any money that is charged must stay in the District.

Paladino said he would consider adding 10% to 20% as a carrying cost. The installation is covered by the revenues. The fee should be district wide and feels a flat fee would confuse things. A percentage would more consistent.

Murphy asked what other items would be charged.

Paladino said he did not know what those items would be but if it became pertinent it would be in place.

Litman said he does a Time and Material estimate for water or sewer installations that is based on cost and there is no profit. He asked the Board to consider whether they wanted to add on a percentage. They order 3/4" water meters in bulk for the Meter Upgrade Program. They send a letter to the customer advising them that the Water District needs to upgrade their meter and they do not charge the resident \$250.00 for that meter.

Paladino said there is a process to the meter; you have to do an inspection, notification, etc. there are other costs associated with the meter.

Litman said the budget is \$50,000.00 a year for the Meter Upgrade Program. They won't need to budget that money when that program is complete and Paladino thinks adding a percentage would protect against fluctuation in the cost of meters.

Supervisor asked if they should add 10% to these rates.

Murphy said they should change the amounts.

Paladino disagreed and said it should be a 10% administrative fee and not just a change on cost of the meters which would tie it to just the meters.

Murphy said this resolution would only add the administrative fee to the meters. This resolution needs to be amended to add 10% administrative fee and add that 10% to the rate to provide a final number.

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

**WHEREAS**, the Town Code provides that all users serviced by the Highland Water District install a water meter and appurtenances as supplied by the District; and

**WHEREAS**, the Town of Lloyd Town Code Section 98-5(E) provides that there shall be a charge for meter delivery, paid by the property owner to the District in an amount set by the Town Board and amended from time to time, to be paid prior to the delivery of a meter to the premises; and

**WHEREAS**, the Town Board is desirous of changing the current amounts charged for meter delivery to bring them more in line with the current costs of said meters and appurtenances thereto.

**NOW, THEREFORE**, be it resolved as follows:

The Town Board of the Town of Lloyd hereby adopts the schedule of charges for meter delivery, as provided for in the Code of the Town of Lloyd, Section 98-5(E), as follows:

|                     |            |
|---------------------|------------|
| 3/4" meter          | \$ 280.50  |
| 3/4" meter for pits | \$ 280.50  |
| 1" meter            | \$ 434.50  |
| 1 1/2" meter        | \$ 808.50  |
| 2" meter            | \$ 1050.50 |

Other when price requested  
**Roll call:** Brennie, aye; Paladino, aye; Hansut, aye; Guerriero, aye.  
**Four ayes carried**

Mark Reynolds asked how many meters are bought, the cost and if they are digital. Litman said that Bill VanKleeck determines how many meters they need and they spend \$50,000.00 per year for meters. The meters have transmitters and they can read from a distance.

**K. RESOLUTION** made by Paladino, seconded by Brennie to approve the following budget amendments to the 2017 budget:

**GENERAL**

|                           |         |              |
|---------------------------|---------|--------------|
| Tow Law                   | 1420.43 | +\$ 2,633.00 |
| Town Hall Cap Improvement | 1620.50 | +\$ 9,819.00 |
| Parks CE                  | 7110.40 | +\$ 4,856.00 |
| Building CE               | 8010.4  | +\$ 750.00   |
| Contingency               | 1990.40 | -\$18,058.00 |

**HIGHWAY**

|                  |         |             |
|------------------|---------|-------------|
| Brush & Weeds PS | 5140.10 | +\$1,662.00 |
| Snow Removal PS  | 5142.10 | -\$1,662.00 |

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

Jon Decker asked what the Town Hall Capital Improvement was. Supervisor responded that it included staining the woodwork, new blinds and painting the cement wall in back of the Town Hall.

**MOTION** made by Paladino, seconded by Guerriero to adjourn the meeting at 7:40PM.

**Four ayes carried.**

Respectfully submitted

Wendy Rosinski,  
Deputy Town Clerk