

TOWN OF LLOYD TOWN BOARD

SPECIAL MEETING

NOVEMBER 16, 2011

Present: Supervisor Raymond Costantino
Councilmember Kevin Brennie
Councilmember Nancy Hammond
Councilmember Herbert Litts, III
Councilmember Jeffrey Paladino

Also present: Teresa Bakner, Attorney
Rosaria Peplow, Town Clerk

Absent: None

9:00AM – Supervisor opened the meeting and led the Pledge of Allegiance.

1. OLD BUSINESS

A. Discussion of the 2012 Tentative Budget

Jeff Paladino felt that the contingency budget should be increased from \$150,000 to \$200,000.

Elaine Rivera stated that the Police contract might be settled in June and money will be needed for that.

Supervisor said that money was added to the Safety Net and the budget is now over \$92,000/\$93,000 over the 2% cap.

Frank Alfonso, Recreation Director, had a concern about the 2012 Summer Fun Income, Budget Code 2003. The actual amount in the 2011 Final Budget was \$31,340.00. The 2012 Preliminary Budget shows an income of \$50,000 from SummerFun and he did not know how that amount could be attained.

RESOLUTION made by Paladino seconded by Litts, to reduce the SummerFun Income Code 2003 in the 2012 Preliminary Budget from \$50,000 to \$38,000.

Roll call: Costantino, aye; Hammond, aye; Paladino, aye; Litts, aye; Brennie, aye.

Five ayes carried.

RESOLUTION made by Paladino seconded by Hammond, to increase the contingency 1990.40 in the Preliminary 2012 Budget from \$150,000 to \$200,000.

Roll call: Costantino, nay; Hammond, aye; Paladino, aye; Litts, nay; Brennie, aye.

Three ayes carried.

B. Mountainside Woods

Teresa Bakner, attorney, confirmed that all of the items have been addressed in the Mountainside Woods DEIS including two inundation studies done by Morris Associates showing the hazard classification has not changed. Other changes included in the DEIS were mostly wording, some additional traffic information was provided and some information developed by the Town's traffic consultants regarding the Tillson/Toc intersection. The next step in the process is the public hearing on the DEIS at the Town Board meeting on December 14.

Paladino asked her to explain the next steps.

Bakner said that there will be a public hearing with a transcriber arranged by Mountainside Woods and comments will be accepted until the end of December. The comments will be recorded verbatim and they become part of the Final Environmental Impact Statement (FEIS) along with any written comment received by the Town. The applicant is given these comments and creates a Responsiveness Summary answering the comments. In the FEIS they can provide additional information in the event that there is further clarification that is requested by the public. The DEIS will need to be posted on the Town website. The FEIS is prepared by the applicant will be reviewed and approved by the Town Board. In the FEIS, particular attention will be made to mitigation measures that need to be implemented. The last step is the SEQRA Statement of Findings from the Town Board, which shows the environmental impacts, the mitigation measures and the conditions on the approval.

A public hearing on the rezoning will need to be scheduled. This is a rezoning from one residential category to another, R1 to R1/4. The benefit of this development is the density has been decreased from what was originally proposed, the applicant went before the Planning Board and is meeting all of the requirements for a conservation subdivision. The title of the mountain will be transferred to the Town if the Town

Board still wants to accept it, otherwise it will be covered by a conservation easement.

Litts questioned the need for a rezoning. He felt that the Town Code allows for clustering and the Planning Board would review each project.

Discussion ensued as to clustering in the zone.

Bakner stated that she would write a memo for the Town Board to clarify if a zone change is necessary and she will give her opinion.

Litts felt that this should be discussed at the Tri-Board meeting because if every piece of property has to be rezoned to allow clustering, that is not clustering and not the intent of the Master Plan.

Paladino said that the first Thursday in December would be the Tri-Board meeting.

2. NEW BUSINESS

3. RESOLUTIONS

A. RESOLUTION made by Paladino, seconded by Hammond,

WHEREAS, proposed Local Law No. I – 2011, a local law to override the Tax Levy Limit Established in General Municipal Law Section 3-c was introduced at a meeting of the Town Board held on the 12th day of October, 2011, at 7:00 p.m.; and,

WHEREAS, a public hearing has been held thereon on the 9th day of November, 2011, at 7:00 p.m., at which time all interested persons were given an opportunity to be heard thereon; and,

NOW, THEREFORE, be it resolved by the Town Board of the Town of Lloyd, that Local Law No. I – 2011 be enacted being a Local Law to Override the Tax Levy Limit Established in General Municipal Law Section 3-c. (See Attached)

Roll call: Costantino, nay; Hammond, aye; Paladino, aye; Litts, nay; Brennie, aye.

Three ayes carried.

B. RESOLUTION made by Brennie, seconded by Hammond, to adopt the amended Preliminary Budget as the Annual Budget for the Town of Lloyd for the fiscal year ending December 31, 2012. (See Attached)

Roll call: Costantino, nay; Hammond, aye; Paladino, aye; Litts, nay; Brennie, aye.

Three ayes carried.

C. RESOLUTION made by Brennie, seconded by Paladino,

WHEREAS, a petition for rezoning has been made to the Town Board of the Town of Lloyd for a project to be known as Mountainside Woods on the parcels previously known as Westport, Ledgewood and Trailside by Falls at Lloyd, LLC (Falls at Lloyd), Sycamore Creek LLC (Sycamore), and Ash Creek LLC (Ash Creek), (the applicants) for the project described as the "Combined Westport Zoning Petition" for the Mountainside Woods residential project (the Proposed Action); and

WHEREAS, the concept plan and the zoning petition, propose to incorporate the adjoining Ledgewood and Trailside properties into the existing Westport application for a coordinated development across all three properties; and

WHEREAS, the revised concept plan takes the density proposed for the Westport property (324 units) and substantially reduces that density and further distributes that density across all three properties, resulting in a less dense development; and

WHEREAS, the subject site consists of 84, 37.4 and 33.2 acres of land, respectively, and is comprised of three tax map parcels in the Town of Lloyd identified on the tax map as section 87.004, block 5, and lot 1.2 (Westport; SBL 87.004-5-1.2), section 87.004, block 3, and lot 14 (Ledgewood; SBL 87.004-3-14), and section 87.004, block 5, and lot 2 (Trailside; SBL 87.004-5-2); and

WHEREAS, the Proposed Action is subject to the State Environmental Quality Review Act (SEQRA), and is classified as a Type I Action; and

WHEREAS, the prior proposal for the Westport site was the subject of a Draft Environmental Impact Statement (DEIS) as well as a Draft Supplemental Environmental Impact Statement (DSEIS) that were accepted as complete and the subject of public hearings before the Planning Board, which at that time served as SEQRA lead agency, but no FEIS was ever submitted by the applicant; and

WHEREAS, the Town Board previously initiated coordinated review of the Proposed Action and established itself as lead agency without objection from involved agencies; and

WHEREAS, the Town Board issued a positive declaration requiring the applicant to prepare a Draft Environmental Impact Statement (DEIS); and

WHEREAS, the Town Board determined to conduct public scoping on the DEIS, accepted the Draft Scope prepared by the applicant, held a public scoping session, and accepted written comments and thereafter approved the scope; and

WHEREAS, the applicant has submitted a Draft EIS for review by the Town which was previously found to be incomplete; and

WHEREAS, the applicant has revised and resubmitted a Draft EIS for review by the Town;

NOW, THEREFORE, BE IT RESOLVED as follows:

1. That the Town Board hereby determines that the Draft EIS is complete and sufficient for public review pursuant to the requirements of SEQRA;
2. The Town Board has determined to hold a SEQRA public hearing on the Draft EIS at its regular Town Board meeting at 7:00 p.m. on December 14 at the Town Offices at 12 Church Street, Highland, New York; and public comments will be accepted in writing by the Town Clerk up until December 31, 2011; and
3. The Town Clerk is directed to publish the attached combined notice of completion of the DEIS and of the public hearing and comment period in the official Town newspaper at least 14 calendar days in advance of the public hearing and the NYSDEC Environmental Notice Bulletin and to circulate the combined notice as required by SEQRA.

Roll call: Costantino, aye; Hammond, aye; Paladino, aye; Litts, aye; Brennie, aye.

Five ayes carried.

D. RESOLUTION made by Hammond, seconded by Litts,

WHEREAS, Andrew Paccione did an RFP for Town owned equipment, a new Gas Boiler, to be installed at the Highland Water Department, and;

WHEREAS Highland Water District received three (3) proposals for demolition and removal of existing oil boiler and necessary piping and installation of new high-efficiency gas boiler provided by the Owner (Town of Lloyd) from: Solomon Plumbing for \$5,000.00, Jim Taylor for \$5,695.00 and Community Plumbing for \$8,825.00, and

WHEREAS money will be charged to 8330.40,

NOW THEREFORE be it resolved the Highland Water Department awards the proposal to Solomon Plumbing for \$5,000.00 and directs the Attorney to the Town, Sean Murphy to prepare contract for Solomon Plumbing and authorize Supervisor to sign it. (See Attached)

Supervisor asked for references on Solomon Plumbing and the company is very highly recommended and has the necessary insurance.

Roll call: Costantino, aye; Hammond, aye; Litts, aye; Brennie, aye; Paladino, aye.

Five ayes carried.

E. MOTION made by Brennie, seconded by Litts, to appoint Anthony Prizzia to the Board of Assessment Review effective October 1, 2011 for a term of five years at the recommendation of Assessor Elaine Rivera.

Five ayes carried.

F. RESOLUTION made by Brennie, seconded by Paladino, to approve the following Budget amendment(s):

Grants	1440.5	+\$1,000.00
Contingency	1990.40	-\$1,000.00

(Southern Ulster Alliance project)

Roll call: Costantino, aye; Hammond, aye; Paladino, aye; Litts, aye; Brennie, aye.

Five ayes carried.

G. MOTION made by Brennie, seconded by Hammond, to approve the minutes from Regular Meeting of October 12, 2011.

Five ayes carried.

MOTION made by Litts, seconded by Brennie, to adjourn the meeting at 10:24 AM.

Five ayes carried.

Respectfully submitted,

Rosaria Schiavone Peplow
Town Clerk