

TOWN OF LLOYD TOWN BOARD

REGULAR MEETING

NOVEMBER 19, 2014

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

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

Absent: None

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

Presentation – Environmental Conservation Council Stewardship Awards

Jack Maguire, ECC Chairman, said that every year for the past 19 years the Environmental Conservation Council has presented an Environmental Stewardship Award to an individual or group that has made an outstanding contribution toward the well-being of the Town's natural assets. This year's honoree is Steve Bianco. He helped us a great deal on a volunteer basis with planning and constructing the Black Creek Canoe and Kayak Launch. The Town is building this launch at the Route 299 overpass with a matching grant from the Greenway Communities Council. Among other things, Steve has helped design the layout of the launch site, donated his excavating services, built a retaining wall with concrete slabs that he also donated, contoured the creek bank and spread soil for the grass seed. Steve is a Town of Marlborough resident, who also did volunteer work for the rehabilitation of the Milton Train Station and the Milton Landing Park. We're especially happy to honor someone from another community who cared enough about Lloyd's natural resources to help us out with his own hard labor and expertise. It's a real affirmation that our two towns share a common natural heritage and that individual citizens appreciate this. The award certificate for Steve Bianco reads, "for leadership and helping to preserve our natural resources" and Maguire presented him with an environmentally friendly ECC tote bag. He thanked Steve Bianco for all of his work.

Steve Bianco accepted the awards and said that he really appreciated it.

Maguire invited those present to enjoy coffee and doughnuts.

Supervisor asked if everyone was agreeable to continue the meeting and to feel free to have refreshments.

7:00 PM - Open Local Law H – 2014, a local law to amend Chapter 96, Article 3, "Parking, Stopping, Standing and Truck Traffic", on Sterling Place and River Road.

Supervisor explained that the main road that runs through Bridgeview is Sterling Place; Argent Drive in Bridgeview is currently designated as No Parking on both sides. Two years ago there was a fire on Sterling Place involving two townhouses, one burned down and the other was damaged; the fire department had difficulty getting through to the houses because of the vehicles parked on the road. The Highway Department has difficulty when they plow snow because of the cars parked on the road. There is available parking but the parking lot is used very little. It is hoped that the residents will use the parking lot which will make it easier for the Police, Highway and Fire Departments to use the roadway. There is a small portion of Sterling Drive that was not included in this local law so later on in this agenda there is a resolution to set another public hearing for that small piece of roadway.

Sean Murphy, Attorney, concurred and said that the people on Sterling Drive were not notified that their road was going to be designated as No Parking on both sides of the road.

Supervisor said that River Road is down by Bob Shepard Highland Landing Park and those signs will be going up to help with the traffic flow and the boat launch area.

Erin Quinn, reporter, asked the location of the parking lot in Bridgeview.

Supervisor answered that there is a parking lot by the Bridgeview clubhouse which is open to residents and guests; he has spoken to the homeowners' association and they are in favor of having this law passed because of issues through the years.

Rafael Diaz asked the penalty of parking on the street.

Supervisor and Murphy replied that they did not have that information and would have to look at the Code for the answer; however, it is a set fee for the Town.

1. REPORTS – Town Board Liaisons

Audit – January 1 to June 30, 2014: Councilmember Horodyski, Councilmember Brennie

July 1 to December 31, 2014: Councilmember Paladino, Councilmember Guerriero

ECC /Zoning Board – Councilmember Mike Guerriero reported that the ECC would like to thank Jeff Paladino for the donation of grass seed and straw for the Black Creek Park project and Lenny Auchmoody who donated all of the topsoil. The grass is growing. The driveway will be finished in the spring.

HCSO – Councilmember Kevin Brennie said that the vote in October on the \$17.5-million Capital Project passed. The next phase is to send the design to the Department of State for approval which could take up to a year but HCSO is going to try to fast-track some of it so that they can work on it over the summer. It is hard to do the work when school is in session.

Planning Board – Councilmember Mike Horodyski said that the Planning Board has their last Workshop meeting for the year on Thursday, November 20. It is a light agenda with public hearings scheduled. Under New Business, Silver Fox proposes to create a new lot on the 27-acre parcel fronting on Cross Creek Run and Route 9W. Dave Barton, Building Department Supervisor, will present a number of proposals tonight; one of them is the Highway Corridor. The Planning Board has been busy shoring up the planning and zoning codes.

Police/Fire/Town Justice – Supervisor Paul Hansut reported that the Police Department is holding a Thanksgiving food drive and he read the flyer aloud. He thanked Chief Miller and members of the Fire Department for their help in fixing the flagpole in the front of the Town Hall; two bolts had broken and they feared that the pole would fall down in the wind. Anthony Giangrosso, Dave Barton, the firemen and a gentleman from Hilti, who donated the parts that were needed, helped as the flagpole was taken down. The Fire Department came back, lifted up the pole and secured it. That same weekend the flag in front of the Methodist Church ripped off in the wind and landed in the wires. The Fire Department was able to save that flag and put it back up the same day. He thanked everyone for their help. The Police Department arrested a man from Poughkeepsie in front of Dunkin Donuts on Route 9W who was bringing heroin to meet someone in the parking lot. Along with the URGENT team they were able to apprehend him and he was arrested on three felonies. He noted that from November 1 to April 1, the snow emergency parking regulations are in effect, information is on the Town website and Channel 22.

Water/Sewer/Drainage Committee – Councilmember Jeff Paladino reported that the next meeting is December 4; as there was no November meeting, he does not have anything to report.

REPORT – Claire Costantino, President, Hudson Valley Rail Trail, was not present and Rafael Diaz reported that the WinterFest will be held January 10; last Saturday 17 people graduated from the Learn-to-Run program. The former Treetops-to-Rooftops run is going to become a half-marathon, a marathon and a 10K race; they will be coming on the Rail Trail for about a half mile. It will be held June 13, 2015.

Supervisor attended the press conference, representing Ulster County, and said that the original Treetops-to-Rooftops event was held in 2009 when the Walkway first opened. The full marathon will start at Marist College. This will be a big event and there is a lot of support from the Dutchess Chamber of Commerce, Dutchess County and the City of Poughkeepsie. He assured them that whatever they need from this side of the River, we would be more than happy to help.

Diaz added that when the connection of the Rail Trail is made to New Paltz that they will probably want to run it further on the Rail Trail. He said that the Rail Trail is plowed of snow throughout the winter. The Supervisor told him that this will not be done on an overtime basis anymore; it will be plowed Monday through Friday during regular working hours. The Highway Department has been very good about plowing. This is the only trail in the area that is cleared of snow.

REPORT – Matthew Smith, Manager, Bob Shepard Highland Landing Park, was not at this meeting to give his report on progress at the Park.

2. OLD BUSINESS

A. Transfer Station

Supervisor met with two council members from the Town of Esopus on Thursday and they talked about Transfer Station options. Combining Esopus and Lloyd transfer stations is being considered. The Town Board is able to keep the Lloyd Transfer Station open for next year but there will be some increases in fees and charges for permits; the hours that it is open will be decreased. The Town does not have to sign a 10-year commitment with Ulster County Resource Recovery; there will be no

charge for recycling containers and the pull charge will remain at \$43 and not be increased. The Esopus Transfer Station is open Monday, Friday, Saturday and Sunday; Lloyd is open Wednesday, Saturday and Sunday. Permit prices for both Lloyd and Esopus would be the same so that the residents of Esopus and Lloyd could use either transfer station. The permit prices have not been firmed up but perhaps the residents' fee would be \$35 and the seniors' fee \$20; each town would kick in \$5 per resident permit. Esopus can take construction and demolition (C&D) materials; Lloyd does not. This is something for the future and it would keep both transfer stations open.

3. NEW BUSINESS

A. Tree removal on Rail Trail

Supervisor stated that Barton and Loguidice have done studies on the western expansion of the Rail Trail and have advised that certain trees along the embankment of South Riverside Road have to be removed between November 1 and March 31. These trees are home to the Northern Long-Eared Bat. He has diagrams of what trees have to be removed if anyone is interested in seeing them.

Erin Quinn asked what the problem would be with these bats.

Paladino replied that the bats are not in the trees during that time period so they want to remove the trees before they return to the trees after March.

Murphy offered that the bats will not be harmed if the trees are taken down when the bats are not in their habitat.

Diaz asked if it had to do with the extension.

Paladino replied that the trees have to come down for the extension.

B. David Barton – changes to the Zoning Code

1. Affordable Housing code

He said that this is a terrible part of the Town's Zoning code and should be stricken from the Code. The onus falls on the Town to administer and calls for a housing administrator. The Code reads that Affordable Housing can be in any part of the Town, which is not appropriate. The zones have been changed to R1, R ½, R ¼, Walkway/Gateway, Mixed Use, PUD and PRD. The thing that triggered changing the affordable Housing Code was the adoption of the Comprehensive Plan and the recommendation of the Ulster County Planning Board. The recommendation is that the household aggregate annual income be set to 120% of the Kingston, Ulster County metropolitan statistical area median family income for ownership and that it is set to 100% to rent. This change brings the Code into compliance with the Comprehensive Plan.

2. Bed and Breakfast code

The changes are numerous and completely change the present Bed and Breakfast law; at least four bedrooms are required in the residence and at least two but not more than five can be used for paying guests. At least one bathroom is to be dedicated for the use of the guests. The guests cannot stay for more than fourteen days to avoid the boarding house law. An annual operating license is going to be required which gives more authority. Presently, the Planning Board gives a Special Use Permit for B&B's. The Special Use Permit will continue and once that is issued, the Building Department will issue a permit for renovation to the B&B, inspections will be done for smoke detectors, carbon monoxide detectors, boilers; annually the license will be renewed by another fire safety inspection, making sure that the people that are staying there are protected as much as possible. This is still a single family dwelling and normally he would not make those inspections, this gives the authority to get in the B&B for the inspections.

Paladino asked about the maximum of five units and if there was a NYS mandate on B&B's or a local law.

Barton said that is the number that was determined by the Planning Board in their review of a couple of B&B's that came before the Planning Board. A commercial septic system is required if it is over five bedrooms. If the B&B is not in the Water/Sewer District, there is more consideration and opens up a larger EAF/SEQR window.

Paladino suggested that someone might be able to add units.

Barton replied that the building itself has to be owner-occupied.

Paladino knows of someone in the Town who would have cottages, individual buildings, not owner occupied.

Barton said that it could be looked at but if it was more than five, it would constitute a hotel. Two of the five bedrooms in the primary owner-occupied house can be used for guests; three more cottages could be rented but once it gets to six, it trips out of this code and the only thing to be found in the Zoning Use Table would be Hotel.

Supervisor asked how it would affect the existing bed and breakfasts.

Barton answered that it doesn't; if it is in existence before the Town adopts the Code, it becomes a non-conforming use.

Horodyski asked if it would be subject to transfer. It would be sold without a license.

The bed and breakfast would be sold as a business component but it will be priced as a single-family residence.

Barton replied that if they are already in existence, he has no way to get back. He asked the Board to email their comments to him and he will pass them on to the Planning Board.

Horodyski asked if there was a boarding house regulation.

Barton replied that there is and that two boarders are allowed.

3. Sign code

Barton explained that one of the considerations is putting billboards back into the Code; the caveat being that they can be no closer than 1000-feet to the nearest adjacent billboard. The current Code the billboards were meant to demise 10 years after the adoption of the Code in 2010; there is a whole section in the Code now that would require notice to the owners. He feels the billboard owners will sue the Town under the present law. Off-premises signage is currently not allowed in the Town; business signs have to be on the property of the business. This does not always make sense if Lloyd is going to be a highway-focused community. Route 9W and Route 299 are the Town's primary corridors and Route 44/55 less so but it is developing a bit. A remote sign could be put on the corner of Haviland Road and Route 9W and area businesses charged for space on the sign. Fees would be set by the Town Board. The Town has not had anything like this before. He said what he allows, is a sign that has an arrow which he calls it a directional sign such as the Mariner's sign at the corner of Haviland Road and Ransom Road. If a sign on the corner of Haviland Road says ice cream, the question asked is if they are advertising a service or a product. He first discussed this with Brennie who pointed out that businesses thrive on signs. Frozen Caboose and Highland Walkway Café are not visible from Route 9W and unless traveling toward the Walkway on Haviland Road, they are not seen. It has been discussed to have a monument sign on the corner and something similar for the Hamlet at Route 9W and Milton Avenue. This Code allows the sign to be on private property. On a Roll Deli, in the strip mall at the intersection of Route 9W and Van Wagner Avenue could have a monument sign on their property.

Horodyski asked how many businesses would be listed on a monument sign.

Barton said that is one of the problems as how it can be restricted to a certain number when there could be more businesses in the area who might want to be on the sign.

Paladino felt that if it is on private property it is at the discretion of the owner as long as it meets the criteria set by the Town.

Barton asked that comments should be submitted to him via email and he will give them to the Planning Board.

4. Introduction of the Highway Business Zone and related map changes

Barton said that this is the local law to create a Highway Business District which the Town has lacked in the past. He handed out copies of the design standards last month and the Board might want to go through this at the Workshop meeting. He has more copies if anyone else is interested along with the EAF to be reviewed for environmental considerations. The zoning map includes the area talked about previously and incorporates the LB Zone at the corner of Macks Lane and Route 9W. There is also a use table in the packet and a dimensional table. The Board might want to table moving on setting a public hearing tonight.

Supervisor agreed that it should be tabled and cautioned the press that the document is a working document and at the Workshop there will be time for comments.

4. PRIVILEGE OF THE FLOOR

Pam Krimsky, resident, attended a forum on the proposed Pilgrim Pipeline which will contain crude oil; the pipeline will go through the Town of Lloyd, starting at the Port of Albany running down to Linden, NJ, where it will be refined and shipped out. The pipeline is not going to replace rail or river shipments of oil but will be used to expand

the region's capacity to move oil. The crude oil is volatile and is the same kind as is shipped aboard the 'bomb trains' that have exploded. It is actually more volatile as the pipeline traps natural gasses. There are two pipes in the pipeline and the oil can be moved in either direction, depending on the operator. There will be pump stations located in 50-mile intervals along the pipeline, which will contribute to pollution. The idea of Pilgrim Pipeline was introduced in July 2014. She stressed that people have the legal right to deny the pipeline access through their property, they have no legal easement. If there is a leak in the pipeline it would destroy the surrounding property. This will be advertised as a safer transport of the oil than the barges or trains; this is not true, there has been 44-million gallons of oil spilled in the past ten years. It is not known when pipelines leak for a long time. Riverkeeper, a clean-water advocate, says that a pipeline running parallel to the Hudson River presents a huge ecological risk as the oil spills run off and into the water. In 2013 over a million gallons of oil were spilled. A 7-million gallon oil tanker goes down the Hudson every week and this will not be alleviated by this pipeline. There have been many spills across the country. The Pilgrim Pipeline needs permits from the Department of Environmental Conservation, the Army Corps of Engineers, and other agencies. The full review assessment will look into climate change due to the spills. She said that this pipeline will be of no monetary advantage locally only an adverse effect on our communities. She asked that people contact their government officials.

Supervisor asked if this is the pipeline that would run along the Thruway.

Pam Krimsky answered that it was said at this forum that the Thruway Authority was going to charge them too much money so it was decided to try to run it over private property.

Donna Deeprise asked what the distance would be between the pipeline and the Hudson.

Pam Krimsky answered that she did not know as the map was difficult to read but she will find out and contact Donna Deeprise.

Supervisor offered that there is website for more information, search for Pilgrim Pipeline, and he said that he appreciated Pam Krimsky's enthusiasm, although they may not always agree.

Franco Zani, resident, commended the Supervisor for presenting a budget under the tax cap without cutting services.

Mark Reynolds, reporter, asked if there were any changes in the budget, from the Preliminary and Supervisor replied it would be exactly the same.

Bud Hossenlopp, resident, explained that due to the white-nose fungus 90% of the bats once in New York State no longer exist. One theory for their demise is that people use pesticides that kill the bugs which the bats eat and another theory is that during warm winters the bats are active and do not have enough food to eat because there are no insects. Bats eat between 800 and 1200 mosquitoes per hour; now there are more mosquitoes, more spraying and more bats dying.

Supervisor welcomed Ulster County Legislator Mary Beth Maio.

5. MOTIONS AND RESOLUTIONS

A. MOTION made by Horodyski, seconded by Brennie, to approve the minutes of the Workshop Meeting of October 1, 2014, Special Meeting October 6, 2014, Special Meeting October 7, 2014 and Regular Meeting of October 15, 2014.

Five ayes carried.

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

General	G855 to G938	\$ 90,766.51
Highway	H445 to H483	\$128,136.54
Miscellaneous	M162 to M178	\$ 54,000.46
Prepay	P388 to P437	\$ 40,705.44
Sewer	S292 to S332	\$ 11,808.78
Water	W307 to W338	\$ 16,400.01

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

Five ayes carried.

C. MOTION made by Horodyski, seconded by Guerriero, to appoint Peter Brooks to the Board of Assessment Review for a term commencing October 1, 2014 through September 30, 2019.

Five ayes carried.

D. MOTION made by Paladino, seconded by Horodyski, to close Main Street and a portion of Vineyard Avenue from Milton Avenue to Woodside Place from 5 PM to 10 PM on Friday, December 12, 2014, for the event known as Light Up the Hamlet.

Five ayes carried.

E. RESOLUTION made by Brennie, seconded by Paladino, accepting the resignation, due to a promotion, of Frank W. Palmateer, III from the position of Laborer effective November 24, 2014.

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

Five ayes carried.

F. RESOLUTION made by Horodyski, seconded by Paladino, to hire Frank W. Palmateer, III, as Motor Equipment Operator (MEO) at the base rate of \$18.73 effective November 24, 2014, at the recommendation of Richard Klotz, Highway Superintendent.

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

Five ayes carried.

G. RESOLUTION made by Brennie, seconded by Guerriero, to authorize the Town Highway Department to remove designated trees along the embankment on South Riverside Road near the proposed Rail Trail West extension, between November 1, 2014 and March 31, 2015, to be reimbursed from Rail Trail West Capital Project 50-04-5680-32.

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

Five ayes carried.

H. RESOLUTION made by Paladino, seconded by Horodyski,

WHEREAS, the Town Board, having on November 5, 2014 commencing at 7:00 p.m., held a duly noticed public hearing on the preliminary budget approved by this Board and filed with the Town Clerk for the fiscal year beginning January 1, 2015, and having heard all persons desiring to be heard in the matter, and the matter of the budget for the Town of Lloyd for such fiscal year having been fully discussed and considered,

IT IS RESOLVED, that said preliminary budget approved and filed as aforesaid, including the Highland Water District budget, the Highland Sewer District, the Highland Lighting District budget, and the Highland Ambulance District budget, is hereby adopted and established as the annual budget for this town for the fiscal year beginning January 1, 2015, and that such annual budget, as so adopted, is detailed in the minutes of the proceedings of this Town Board, and

IT IS FURTHER RESOLVED, that the Town Clerk of this town shall prepare and certify, as provided by law, duplicate copies of the said annual budget hereby adopted, and within five (5) days deliver two (2) copies of such budget to the Supervisor of the town, and that he shall present said copies of the annual budget to the Ulster County Real Property Tax Service Agency within ten (10) days after his receipt thereof from the Clerk, as required by law.

Horodyski complimented Kate Jonietz, Karen McPeck and the Supervisor, for their work on the 2015 budget.

Supervisor thanked Kate Jonietz and Karen McPeck for their diligence. He was asked about percentages and has spoken to a representative at the NYS Comptroller's office: the cap for the Town of Lloyd this year was 2.99%, adding in what was saved from last year on top of the cap; the actual percentage for next year is 2.45%, the Town is under the cap by .05%. The Town is under the cap by \$33,000. Outside the Water and Sewer District, taxes will decrease. Inside the Water and Sewer District, due to the fact that we have a new sewer plant that has been constructed and updated, the taxes will go up 50-cents per thousand or \$150.00 more on the tax bill. He said that this budget would not be possible without the cooperation of the Town employees and the labor unions. No services will be cut; some departments have been asked to do a little more with a little less. The Comptroller's office said that capital improvements, such as an addition to Town Hall, are not exempt from the cap. He noted that Rich Klotz and the Highway Department have a tough job to stay within their budget for 2015 but he is confident because of what they have done for the last two years that they will do a good job for the taxpayers. He appreciated the support he received from the Town Board and felt that they kept the taxpayers in mind.

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

Five ayes carried.

- I. RESOLUTION** made by Brennie, seconded by Horodyski, to approve and authorize the Supervisor to sign the CSEA Contract effective January 1, 2015 through December 31, 2016.

Supervisor explained that is an increase of 2% for 2015 and 2% for 2016; one personal day was added. Each employee in the Highway Department who reports to work for at least 90% of the call-ins for snow removal will receive a bonus of \$500; previously, it was 80% and \$400. They come out to make sure that the streets are safe. There were two meetings with the CSEA and they were willing to work with the Town and the taxpayers. CSEA represents not only the Highway but also Water, Sewer and Town Hall employees and we should be proud of those who work for the Town.

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

Five ayes carried.

- J. RESOLUTION** made by Horodyski, seconded by Paladino,

WHEREAS, various town and village police departments in the County of Ulster together with the Ulster County Sheriff's Office and the Ulster County District Attorney's Office, as Member Agencies, seek to operate and act collectively as a task force team pursuant to Federal policies and guidelines, such task force known as the Ulster Regional Gang Enforcement Narcotics Team (hereinafter referred to as "URGENT"), and

WHEREAS, the mission of URGENT is to achieve maximum coordination and cooperation, through utilizing the combined resources of Member Agencies, to primarily investigate gang members and affiliates involved in criminal enterprises, as well as investigate narcotic related offenses and the possession and sale of illegal firearms in Ulster County, and

WHEREAS, membership in the URGENT task force will benefit the Town of Lloyd in that it will provide a specialized unit to combat gang violence and narcotic trafficking within the Town and the County of Ulster, and

WHEREAS, the Town Board has reviewed the inter-municipal Cooperative Agreement (Ulster Regional Gang Enforcement Narcotics Team) proposed by the Ulster County District Attorney and the Ulster County Sheriff, a copy of which is annexed hereto and made a part of this resolution, and

WHEREAS, the Police Chief of the Town of Lloyd has also reviewed the annexed inter-municipal Cooperative Agreement and has recommended that the Town Board approve the agreement,

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Lloyd hereby approves the annexed agreement and membership in the task force, and authorizes the supervisor to sign said agreement effective January 1, 2015 through December 31, 2015.

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

Five ayes carried.

- K. RESOLUTION** made by Paladino, seconded by Horodyski, to approve the terms and objectives of engagement with Kimball and O'Brien, Certified Public Accountants for the calendar year of 2015 and to authorize the Supervisor to sign.

Supervisor said that there was no increase in the fee.

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

Five ayes carried.

- L. RESOLUTION** made by Brennie, seconded Paladino, by to authorize the renewal of the agreement with The Work Place at Mid-Hudson Regional Hospital for the Employee Assistance Program for the term starting 10/1/2014 through 09/30/2015 in the amount of \$800.00 and to authorize the Supervisor to sign the agreement.

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

Five ayes carried.

- M. TABLED Resolution**

WHEREAS, a local law being proposed as Local Law I of 2014 was introduced at this meeting as follows:

WHEREAS, Local Law I of 2014, a local law to revise Chapter 100 of the Town Code to create a new district, the "Highway Business District" (HBD), and to make related changes to the Town Zoning Code as part of a plan for the orderly, efficient, economic and environmentally sound development of the Town, particularly the Route 9-W corridor south of the Town to the Town line and to bring the Town zoning ordinance more in compliance with the Town's Comprehensive Plan. The Town Board has prepared a proposed local law known as the "Amendment to Chapter 100, entitled "Zoning" of the Code of the Town of Lloyd to create the Highway Business District", a copy of which is attached hereto and made a part hereof as Exhibit "A"; and

WHEREAS, this is a Type I action under SEQRA, and Part I of a Full Environmental Assessment Form has been prepared on behalf of the Town Board, with the Town Board assuming lead agency to do all necessary reviews in this matter; and

WHEREAS, the Town Board desires to hold a public hearing with respect to the adoption of said local law.

NOW, THEREFORE, BE IT RESOLVED that a public hearing will be held by the Town Board with respect to the adoption of the aforesaid local law at the Town Hall on the 17th day of December, 2014 at 7:00 p.m., and it is further

RESOLVED, that the Town Board is designated as lead agency to conduct all necessary reviews in this matter, and it is further

RESOLVED, that the Town Clerk is directed to publish and post a notice of said public hearing in accordance with law and circulate, pursuant to the Town of Lloyd Code and the New York State General Municipal Law, to the Town of Lloyd Planning Board, the Ulster County Planning Board, and any other interested agencies for response prior to the public hearing.

N. RESOLUTION made by Guerriero, seconded by Paladino,

WHEREAS, SCC Holding Corp. (hereinafter "SCC") is owner of a certain premises located within the Town at 86-88 New Paltz Road (S-B-L 87.4-3-21.200); and

WHEREAS, said parcel is currently being serviced with water from the Highland Water District pursuant to an out-of-district user agreement; and

WHEREAS, SCC would like to make application to the Highland Water District to extend the District to include the subject premises; and

WHEREAS, SCC has presented an "Agreement for Map, Plan and Report and Legal Fees" to the Town to pay the expense of preparing the Map, Plan and Report and necessary paperwork to extend the District to include the subject parcel; and

WHEREAS, SCC has submitted escrow in the amount of \$1,000 to pay the expenses thereof; and

WHEREAS, the Town Board, as Commissioners of the Highland Water District, wishes to approve said Agreement;

NOW, THEREFORE, IT IS RESOLVED AS FOLLOWS:

1. The "Agreement for Map, Plan and Report and Legal Fees", a copy of which is attached hereto and made a part hereof as Exhibit "A" is hereby approved by the Town Board of the Town of Lloyd, as Commissioners of the Highland Water District, and the Supervisor is authorized to execute same on behalf of the Town and the District.

Sean Murphy, Attorney, said that this property is owned by the Cusa family who built a duplex house on New Paltz Road; they applied for service to the Water District over a year ago. A permit was issued and the property was hooked up to the waterline; it was later determined that they were not in the Water District. They signed an agreement as an out-of-district user but it would be beneficial for everyone if they were in the District so they have made an escrow deposit with the Town. Morris Associates just sent a map, plan and report to him to petition the Town to include this parcel in the Water District. This resolution approves the escrow agreement to pay the expenses.

Paladino asked if the waterline ends there and were there other properties that should also be included.

Murphy answered that a former employee of the Water Department assumed that this property was included in the Water District as the water line goes past the property; to the about the Giangrasso properties. There are some other parcels in Town that are served as out-of-district users. There are no others on New Paltz Road; however, anyone could make application to extend it.

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

Five ayes carried.

- O. MOTION** made by Paladino, seconded by Brennie, to close the Public Hearing on Local Law H – 2014, a local law to amend Chapter 96, Article 3, “Parking, Stopping, Standing and Truck Traffic”, on Sterling Place and River Road at 8:05PM.

Five ayes carried.

- P. RESOLUTION** made by Brennie, seconded by Paladino,

WHEREAS, proposed Local Law “H” of 2014, a local law to amend the Code of the Town of Lloyd, Chapter 96, Article 3, “Parking, Stopping, Standing and Truck Traffic”, on Sterling Place and River Road, was introduced at a meeting of the Town Board held on the 15th day of October, 2014, at 7:00 p.m.; and,

WHEREAS, the Town Board of the Town of Lloyd has determined that this is a Type II action pursuant to the State Environmental Quality Review Act (SEQRA) and is exempt from further proceedings under such act; and

WHEREAS, a public hearing has been held thereon on the 19th day of November, 2014, at 7:00 p.m., at which time all interested persons were given an opportunity to be heard thereon.

NOW, THEREFORE, it is resolved that Local Law “H” of 2014 be enacted as in the form attached hereto as Schedule “A” as fully as if set forth herein, being a local law to amend the Code of the Town of Lloyd, Chapter 96, Article 3, “Parking, Stopping, Standing and Truck Traffic”, on Sterling Place and River Road.

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

Five ayes carried.

- Q. RESOLUTION** made by Brennie, seconded by Paladino,

WHEREAS, a local law, being proposed as Local Law J – 2014, was introduced at this meeting as follows: Local Law J – 2014, a local law to amend Chapter 96, Article 3, “Parking, Stopping, Standing and Truck Traffic”, to prohibit parking on Sterling Drive.

Section 1.

Section 96-5 of the Town of Lloyd Code is amended to add the following:

<u>“Name of Street</u>	<u>Side</u>	<u>Location</u>
Sterling Drive	Both	Entire length”

Section 2.

This local law shall take effect when filed with the Secretary of State of the State of New York under the Municipal Home Rule Law.

WHEREAS, this Board desires to hold a Public Hearing with respect to the adoption of the said local law;

NOW, THEREFORE, BE IT RESOLVED that a Public Hearing will be held by the Town Board with respect to the adoption of the aforesaid local law at the Town Hall on the 17th day of December, 2014 at 7:00 p.m.; and it is further

RESOLVED, that the Town Board of the Town of Lloyd has determined that within the local law is a Type II action pursuant to the State Environmental Quality Review Act (SEQRA) and is exempt from further proceedings under such act; and it is further

RESOLVED, that the Town Clerk is hereby directed and authorized to cause public notice of said hearing to be given as provided by law.

Supervisor said that the issues regarding the parking lot behind Town Hall have been discussed; Superintendent Klotz is getting signs; this is already in the Town ordinance.

Murphy confirmed that parking lot is supposed to be used for Town Hall business only, no overnight parking. The way law reads is that lot is for Town Hall, Court, Town business, no overnight.

Superintendent said that he is having trouble on how to word the signs.

Supervisor said that could get together and work it out; the basic idea is that no one should be parking there overnight so there is no problem when it needs to be plowed,

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

Five ayes carried.

R. RESOLUTION made by Brennie, seconded by Horodyski,

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, 2014, 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).

Supervisor said that he has spoken to Adam Litman, Water and Sewer Administrator, and asked him to date the final day to pay the bill on the 31st; Election Day was November 4 and the day indicated to pay the bill. With the cooperation of the Town Clerk and the Water Department, it worked out.

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

Five ayes carried.

S. RESOLUTION made by Brennie, seconded by Paladino to approve the following budget amendments to the 2014 budget:

General

Signs	3310.40	+\$42.00
Contingency	1990.40	- \$42.00
Recreation CE	7310.40	+\$2,000.00
Contingency	1990.40	- \$2,000.00

Highway

General Repairs PS	5110.10	+\$24,000.00
Snow Removal PS	5142.10	- \$24,000.00

Water

Transmission PS	8340.10	+\$17,000.00
Power PS	8320.10	- \$17,000.00
Med Ins Buy Out	9060.10	+\$811.35
Medical Ins	9060.80	- \$811.35

Sewer

Collection PS	8120.10	+\$22,000.00
Disposal PS	8130.10	- \$22,000.00

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

Five ayes carried.

Alex Cacchio, MEO, Highway, expressed his thanks to the Town Board for working with the CSEA and for approving the contract in a unanimous decision.

11.19.2014

MOTION made by Horodyski, seconded by Paladino, to discuss the personnel issue regarding the duties of a particular employee at 8:15 PM.

Five eyes carried.

MOTION made by Horodyski, seconded by Paladino, to come out of executive session at 8:24 PM.

Five eyes carried.

MOTION made by Horodyski, seconded by Paladino, to adjourn the meeting at 8:24 PM.

Five eyes carried.

Respectfully submitted,

Rosaria Schiavone Peplow
Town Clerk