

# TOWN OF LLOYD TOWN BOARD

## REGULAR MEETING

DECEMBER 17, 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.

### **Proclamation and Resolution for Thomas Peter Rizzo**

**WHEREAS**, Thomas Peter Rizzo was born in Highland to Giuseppe and Maria Belvedere Rizzo on December 5, 1918 and taken from our midst December 2, 2014;

**WHEREAS**, Thomas Peter Rizzo joined the United States Army in 1942 and was honorably discharged in 1945;

**WHEREAS**, Thomas Peter Rizzo was a decorated World War II Army Veteran, a member of the 35<sup>th</sup> Transportation Corps Composite Group, was given the Army Commendation Medal by the Secretary of the Army for saving a tug boat while on duty during a storm in the Pacific;

**WHEREAS**, Thomas Peter Rizzo distinguished himself as a champion boxer in the United States Army;

**WHEREAS**, Thomas Peter Rizzo served as Commander of the American Legion Post 193 and was a member of the VFW Post 6534;

**WHEREAS**, Thomas Peter Rizzo served his community as a life member of Highland Hose Company #1;

**WHEREAS**, Thomas Peter Rizzo was a active member of the Italian Center in Poughkeepsie;

**WHEREAS**, Thomas Peter Rizzo was a communicant of Sacred Heart Roman Catholic Church in Esopus and a member of St. Augustine Roman Catholic Church in Highland;

**WHEREAS**, Thomas Peter Rizzo was asked by John Gaffney, former Town of Lloyd Supervisor, to be Superintendent of the Highland Water Department;

**WHEREAS**, Thomas Peter Rizzo during his tenure at the Highland Water Department lead the Town to build reservoirs, a water storage tank and a plan that is used to this day to provide adequate potable water to a growing Town;

**WHEREAS**, Thomas Peter Rizzo oversaw the growth of the Highland Sewer Plant from a primitive treatment facility to the forerunner of the state-of-the-art plant that it is today;

**WHEREAS**, Thomas Peter Rizzo was honored on October 14, 2009, by the Town of Lloyd in naming the road up Illinois Mountain as Thomas Rizzo Boulevard in recognition of his accomplishments and dedication;

**WHEREAS**, Thomas Peter Rizzo was an avid bowler, hunter, card and skibo player;

**WHEREAS**, Thomas Peter Rizzo was an American icon, patriot and family man, he was known for his love of cookies, his kindness, his sense of humor and his quiet wisdom;

**WHEREAS**, Thomas Peter Rizzo and Eleanor Casabura were married at St. Augustine Church on December 1, 1948, enjoyed 66 years together and reared their family in Highland;

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**THEREFORE, BE IT RESOLVED**, the Town of Lloyd Town Board recognizes Thomas Peter Rizzo and his contributions to the well-being of the Highland community;  
**THEREFORE, BE IT FURTHER RESOLVED**, that this Regular Meeting of the Town of Lloyd Town Board be opened in memory of and dedicated to Thomas Peter Rizzo;  
**IT IS RESOLVED** that a certified copy of these minutes is delivered to Eleanor Casabura Rizzo, his widow, with the deepest sympathy of this Town Board of the Town of Lloyd.

**7:00 PM-** Supervisor opened Public Hearing on 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.

Supervisor asked if the Town Board wanted to have no parking on one or both sides of Sterling Drive.

Sean Murphy, Attorney, said that the local law that was proposed last month was for no parking on both sides. This is opening the public hearing. There was a discussion with members of the Bridgeview community and the feeling was that there would be adequate parking if there were parking on one side. Based on conversations with the Supervisor he prepared a local law to prohibit parking on the side of the road with the odd numbered houses. There is a resolution on the agenda for the Town Board to set a public hearing for a proposed local law to consider parking on one side of the street.

Supervisor said that he had the opportunity to meet with approximately 75 residents of Bridgeview last Monday about their concerns of No Parking on both sides of the street.

Susan Marone, resident of Sterling Place at Bridgeview six months of the year; the information about this public hearing was not passed on to the homeowners. She stated that she is 100% against any parking on Sterling Place. She has had near accidents due to parked cars and trucks on Sterling Place; it is very difficult to see oncoming traffic. This summer she nearly had an accident when she backed very slowly out of her driveway and did not see a young boy coming down Sterling Place on a skateboard. There are two parking lots in Bridgeview and it is her opinion people don't want to park in them because they are lazy and do not want to walk down the street. When she has company, people are dropped off at their house and the driver parks in the parking lot and walks back to the house. She has been told that the firemen say that trucks can maneuver on Sterling Place if there is parking on only one side. There was a fire on Sterling Place and she noted that the stabilizers on the fire truck stretched curb to curb. One of the drivers told her that if there is ever another fire and there are cars in the road, he will smash into them and knock them out of the way. The car owners will then sue. She asked all those assembled to get involved in a cause greater than you and noted that the Board should consider the lives they may save and not the votes they will get from the people who want parking on Sterling Place.

Lucille Oddo, resident of Bridgeview who lives on the other side of Sterling Place, said that the parking near the clubhouse is not close to her; it is dark and cold at 4 PM. She does not feel she can ask her visitors to park a quarter of a mile away to get to her house.

Roy Sivertsen, President of Bridgeview Homeowners Association, said that he has lived in the community over 12 years. There were 75 to 80 people at the annual meeting last week and most of them were concerned about No Parking on both sides of the street. He asked the Board to consider parking on at least one side of the street. To his knowledge there have

been no accidents. He said that the parking in front of the clubhouse is for residents and not for the public; if someone rents the facility it is difficult to get the vehicles out of the parking lot that don't belong there.

Paladino asked if the clubhouse parking is posted for use of the guests of the clubhouse and Sivertsen replied that it is.

Guerrero asked if residents back cars out of their driveways.

Sivertsen answered that it depends but he backs into his driveway and pulls out onto the roadway. Most people have at least two vehicles and he feels that when the community was set up people had one or two cars; there are not enough places to park. Parking on the streets overnight is not permitted at this time of the year and he feels that the people in his community are very good about that.

Supervisor explained that the proposed local law was No Parking on either side of the street but after meeting with the homeowners association they have requested that there will be No Parking on the odd side of the street.

Susie Garcia said that she and her family live on Sterling close to the pool and clubhouse. She knows that there is no parking in the clubhouse and it is a service to the residents when the clubhouse is rented. She does not feel that the playground area is good for overflow parking as it is a high-traffic area for kids who are playing riding their bicycles. There are three cars in her family and in caring for her disabled son she needs the convenience of a parking space on the street. She suggested that there is a need for clearly marked parking spaces on the street.

Anne Marie Malone, Sterling Place, noted that if you park in the lot on Argent, the sidewalks on Argent do not connect to Sterling Place and the last 100 feet has to be walked in the street. It is dangerous especially in the wintertime. Halloween was a big event with 500 kids in the community.

David Lambert, Sterling Place, added on Halloween he witnessed kids falling due to the sidewalks that are in disrepair. He feels that to force people to walk on the sidewalks is opening liability issues and it is not reasonable to ferry guests or for them to walk to and from the parking lot. There is insufficient parking for parties and celebrations. He favors a minimum of one side of the street parking and that will give ample room for emergency vehicles.

Supervisor asked how many on-street parking spots there are and a member of the audience replied there were 50, using both sides of Sterling Place.

Scott Talarczyk, 198 Sterling Place, said that most of the points he wanted to make have already been made but added that he is a NYS Trooper and he looked through their records to see if there were any property damage incidents or auto accidents within the past 10-plus years and there have been none as a result of vehicles parked in the way. He understands the concerns of the Lloyd Police and Highland Fire Department and does not disagree with that there have been incidents when cars were parked on both sides of the road. The parking lots at Argent Drive and Sterling Place have limited capacity and at any given point approximately 50% are occupied by people who live near those lots. One lot has between 15 and 17 parking spaces and the other lot has slightly over 30 spaces. That drastically reduces the number of spaces for those who would normally have been parking their vehicles on the roadway; the concern is for seniors and pregnant women. For his family it is a substantial walk to get to their residence. On days that he and his wife are working, his 60-year old mother-in-law cares for their child and the walk from the parking

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lot would be a substantial encumbrance on her. He recommends one side of the street parking.

Guerrero asked what the opinion of the Fire Department was and Supervisor replied that they are okay with one side of the street parking.

John Bernhardt, 239 Sterling Place, said that there are 51 parking spaces available. The developer never allowed for overflow parking when designing Bridgeview or that there may be four cars per house; there is a dog walk in Bridgeview that would have been ideal for a parking area. He said that the Town should have made him do it.

Supervisor stated that the original bylaws of Bridgeview cited only two cars per house that is not a matter for the Town of Lloyd.

Bernhardt said that at least one side of the street parking is needed. He said that he was the first occupant in 1986 and after all of these years he did not know that there was a street named Sterling Drive. He would like the Sterling Place sign replaced to say Sterling Drive on the road that runs from the mailboxes to the corner. He said that there is a leaf problem and they did not clean the leaves in Bridgeview and there will be a flooding problem.

Supervisor asked him to call the Highway Department at 691.7631 for help. At the Bridgeview annual meeting there was a show of hands vote in favor of one side of the street parking.

MaryAnn Fitzpatrick, 126 Sterling Place, said that she is in support of parking on one side and she was one of the first owners in 1986; at that time there were supposed to be just two cars for each house. Speeding through the community is a concern for her and few cars stop at the STOP sign at the corner of Argent and Sterling.

Supervisor suggested that Troopers could use their radar in Bridgeview.

Talarczyk retorted that he brought radar to the community and has stopped vehicles but because he lives within the community he does not care to issue summons to his neighbors but he does give them a stern warning about the STOP sign and speeding.

Supervisor explained that the Town Board set the public hearing for changing the local law on Sterling Place, not realizing that there is a street named Sterling Drive. The public hearing notice was put in the newspaper as required by law. There was a small miscommunication between himself and someone at Bridgeview that the information would get out to the community. The public hearing was held and no one attended. The Board would take that to mean that it is okay with everybody or nobody knew about the about the public hearing. The Board voted on adopting the local law that specified No Parking on either side of the street. He called legal counsel who had fortunately not sent the local law to Albany which is when it would take effect. When he attended the meeting at Bridgeview and saw the concern people had he felt that the Board should set another public hearing in January for Sterling Place. The local law will be No Parking on the odd side of Sterling Place. The Board feels that is the best resolution to the problem.

Bridgeview residents felt that the law would read that there would be No Parking on the even side of the street, parking on the odd side where there are more parking spaces.

Murphy interjected that the way it is now written is No Parking on the odd side.

Supervisor clarified that the Bridgeview residents want No Parking on the even side. He said that the way he looked at it, coming into Sterling Drive going up the hill, the odd numbered houses are on the right. If there was No Parking there, the fire trucks could go up without a problem.

Sivertsen agreed and said that there are fewer parking spaces on the even side.

Bernhardt said that there are more parking spaces on the clubhouse side of the street.

Supervisor concluded the resolution on tonight's agenda is to set the public hearing for No Parking on the odd side of the street; that is what was discussed and the fairest solution.

A member of the Bridgeview community recalled that the odd side of the street is the site of the light poles and that is where the signs could be installed.

Supervisor concurred with that.

Susan Marone added that everyone seemed to be concerned about senior citizens and noted that she turned 68 years old yesterday, a heart patient and senior citizen with a problem walking with her right foot. One of the reasons that she had to walk from her parked car a few doors down is because of the two people living in the house of the police officer at this meeting has four cars and one of the reasons she had to walk was that she could not see around his parked truck.

Bernhardt said that the association maintains the grass between the curb and the sidewalk; these signs are right in the middle. He asked why they could not be put on the light posts as is done on Argent.

Supervisor noted that Bernhardt has retired from NYS DOT and said that NYS DOT comes and tells the Town where to put the signs; however, the signs are going to go on the light poles. He spoke with Highway Superintendent Rich Klotz and he agreed to put them on the light pole. He explained that the Superintendent calls DOT, they come and measure and they tell the Town what the signs are to say and where they are to be placed.

Rosalie Peplow, Town Clerk, answered the question of a resident and said that legal notices are put in the *New Paltz Times*, *Southern Ulster Times*, on the Town website and posted on the Town Clerk's signboard in Town Hall.

Supervisor offered that if communication is needed with Bridgeview, his office will contact their community to disseminate the information. He has asked Chief Daniel Waage not to issue parking tickets until this is resolved.

## 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 said that there was nothing new to report.

**HCS D** – Councilmember Kevin Brennie said that there was nothing new to report.

**Planning Board** – Councilmember Mike Horodyski said that there was nothing new to report.

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

**Water/Sewer/Drainage Committee** – Councilmember Jeff Paladino reported that there will be a presentation on a Water Plant upgrade, probably by Ray Jurkowski, in January or February.

**REPORT** – Claire Costantino, President, Hudson Valley Rail Trail, not present at this meeting.

**REPORT** – Matthew Smith, Manager, Bob Shepard Highland Landing Park, not present at this meeting.

## 2. **OLD BUSINESS**

A. There was no Old Business to discuss.

### **3. NEW BUSINESS**

#### **A. Settlement Day**

Supervisor announced that the Settlement Day Meeting will be on January 7, 2015 at 3PM.

#### **B. Re-organizational meeting**

Supervisor announced that the Reorganization meeting will be on January 7, 2015 at 5PM.

C. Supervisor announced that there will be a meeting of the Library Board here at Town Hall on January 5 at 6 PM, for a presentation on facts and figures for the proposed Highland Library; it will be televised on Channel 22.

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

Charles Glasner, Chairman of the Economic Development Committee, reported that during 2014 the Economic Development Committee (EDC) met monthly and he related their accomplishments:

1. Following up our October, 2013 report on public parking conditions in the Hamlet of Highland, we worked with Highway Supervisor Richie Klotz to make sure that adequate signage was installed, indicating the locations of parking facilities.
2. The EDC has become a member of the New Paltz Regional Chamber of Commerce, which we expect will increase awareness of the Town of Lloyd among its members.
3. The loose-leaf binder containing information about commercial properties available for sale in the Town of Lloyd was updated twice during 2014.
4. The EDC has arranged for installation of upgraded signage on Route 9W at the north and south ends of town, similar to the sign on Milton Avenue. The signs will welcome visitors to Highland and indicate that it is home to the Walkway over the Hudson. EDC members have volunteered to clean up the area around the southern sign and expect to do the same around the northern sign when weather permits. Sign installation is expected either later in December or early next year.
5. The EDC has created a building improvement contest which will provide outright grants to owners and/or tenants of commercial property who will compete for the awards. The Town's Revolving Loan Fund has agreed to provide a \$5,000 matching grant and EDC members are currently soliciting donations from local banks, companies and individuals to match that amount. It is expected that, after the funds are secured, the contest will take place in the spring and summer of 2015.
6. EDC members created an updated list of restaurants in the Town which will be available on the Town's web-site once it is upgraded (a process which we understand is underway and should be completed soon). Once this is done, the EDC plans to update the list regularly.
7. The EDC has created a draft document describing the steps needed to open a business in the Town of Lloyd (building permits; sign approvals; etc.). It is expected that this document will be complete and available for distribution early in 2015.

Glasner announced noted that there is a new business opening on North Road on Saturday, December 20, 10 AM, when there will be a ribbon cutting and open house for Il Mercato, an Italian marketplace for both retail and wholesale foods.

Supervisor added that they have beautifully restored the old Nardone apple cooler.

**5. MOTIONS AND RESOLUTIONS**

**A. MOTION** made by Horodyski, seconded by Guerriero, to approve the minutes of the Special Meeting Budget Public Hearing November 5, 2014 and the Regular Meeting of November 19, 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	G939 to G1064	\$ 142,955.64
Highway	H484 to H530	\$ 50,663.65
Miscellaneous	M179 to M199	\$ 68,362.02
Prepay	P438 P494	\$ 160,028.82
Sewer	S333 to S379	\$ 22,830.47
Water	W339 to W366	\$ 110,274.01

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

**Five ayes carried.**

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

**WHEREAS**, a petition under Article XII of the Town Law for the extension of the Highland Water District in the Town of Lloyd, Ulster County, New York, the said petition being dated October 23, 2014 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 Water District in said Town, to be bounded and described as set forth in Exhibit "A" annexed hereto; and,

**WHEREAS**, the improvements proposed will cost \$0.00, as said improvements have already been constructed by the owner of the premises in question and have been hooked up to the Highland Water District without cost or expense to the Water District tax payers; and,

**WHEREAS**, the improvements consist of 1" copper water service pipe with valve from the water service main to the subject property line; and,

**WHEREAS**, the estimated first year user cost for the District extension is projected as follows: debt service, \$304.76; operation and maintenance charges, \$192.17, totaling \$496.93, which is less than the State Comptroller's guidelines of \$805.00. This is an ad valorem district, there will be no debt service or benefit assessment, and no application to the State Comptroller is necessary. Additionally, this is a no cost extension of the Highland Water District and there will be no further cost for construction to the taxpayers of the Highland Water District; and,

**WHEREAS**, this extension proceeding is a Type II action and exempt from SEQRA under 6NYCRR Part 617, Section 617.13(d) (20) of such regulations.

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**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, 7:00 p.m., on January 21, 2015, 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.

Dated: December 17, 2014.

*Paladino explained that this is Cusa's property on New Paltz Road at the corner of South Chodikee Lake Road. It was included in the water district in error as the Planning Board thought that it was already in the Water/Sewer District. It is on the border and the district has to be extended.*

*Sean Murphy, Attorney, added that Cusa was provided service in error and he is now being provided service as an out-of-district user; the Town would prefer to have the property in the district and it is also in his best interest.*

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

**Five ayes carried.**

**D. RESOLUTION** made by Horodyski, seconded by Paladino, to change the hours and days of operation of the Town of Lloyd Transfer Station to Friday, 8:00am - 3:45pm; Saturday, 8:00am - 2:45pm; Sunday, 9:00am - 2:45pm, effective January 2, 2015.

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

**Five ayes carried.**

**E. RESOLUTION** made by Horodyski, seconded by Paladino, to authorize the Supervisor to sign a contract with Environmental Consultants LLC to provide NYS certified supervisory operation of the Town's water treatment plant effective February 1, 2015; at the rate of \$500.00 per month to take effect March 1, 2105 as the first month is free. (See Attached)

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

**Five ayes carried.**

**F. RESOLUTION** made by Horodyski, seconded by Brennie, to authorize the Supervisor to sign the 2015 Ulster County Stop DWI Task Force agreement, effective January 1, 2015 through December 31, 2015.

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

**Five ayes carried.**

**G. RESOLUTION** made by Brennie, seconded by Paladino, to hire Dennis A. Chaffee as a seasonal employee effective immediately at the Laborer rate of \$18.07 per hour on an as-needed basis upon successful completion of the pre employment physical at the recommendation of Richard Klotz, Highway Superintendent.

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

**Five ayes carried.**

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

**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

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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**, a public hearing was held thereon, on the 19<sup>th</sup> day of November, 2014 at 7:00 p.m., at which time all interested persons were given an opportunity to be heard thereon; and,  
**WHEREAS**, the Town Board of the Town of Lloyd adopted a resolution at said meeting enacting said Local Law H of 2014; and,  
**WHEREAS**, subsequent to said passage, upon further review it was determined that it would be in the best interest of the town to amend said local law as enacted; and,  
**WHEREAS**, said local law was to take effect when filed with the Secretary of State of the State of New York; and,  
**WHEREAS**, said filing never occurred and said local law never became effective as a result thereof; and,  
**NOW, THEREFORE**, it is resolved that the previous resolution of this Board, passed at the Board’s regular meeting held on November 19<sup>th</sup>, 2014 at 7:00 p.m., is hereby rescinded in its entirety.

*Murphy explained that this resolution rescinds the resolution adopting the local law to prohibit parking on both sides of Sterling Place; the resolution was adopted but the local law, based on conversations he had with the Supervisor, was not sent to Albany and the law does not take effect until it is filed with the Secretary of State.*

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

**Five ayes carried.**

- I. MOTION** to close the Public Hearing on 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. 7:45PM.

**Five ayes carried.**

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

**WHEREAS**, proposed Local Law “J” of 2014, a local law to amend Chapter 96, Article III, “Parking, Stopping, Standing, and Truck Traffic”, to limit parking on Sterling Drive, was introduced at a meeting of the Town Board held on the 19th day of November, 2014, at 7:00 p.m.; and,

**WHEREAS**, 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 17th day of December, 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 “J” of 2014 be enacted as in the form attached hereto as Schedule “A” fully set forth herein, being a local law to amend Chapter 96, Article III, “Parking, Stopping, Standing, and Truck Traffic”, to limit parking on Sterling Drive. (See Attached)

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

**Five ayes carried.**

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

**WHEREAS**, a local law, being proposed as Local Law A – 2015, was introduced at this meeting as follows: Local Law A – 2015, a local law to amend Chapter 96, Article 3, “Parking, Stopping, Standing and Truck Traffic”, on Sterling Place and River Road.

**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 21st day of January, 2015 at 7:00 p.m.; and it is further

**RESOLVED**, that the Town Board of the Town of Lloyd has determined that the within 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.

Town of Lloyd, Ulster County, New York  
Local Law A of the Year 2015  
A local law to amend Chapter 96, Article III  
“Parking, Stopping, Standing and Truck Traffic”

**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 Place	On which residence addresses have odd street numbers	Entire length”

**Section 2.**

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

<u>“Name of Street</u>	<u>Side</u>	<u>Location</u>
River Road	East	Between the railroad tracks west of Mariner’s Harbor to the railroad tracks west of fuel storage tanks”

and replace with the following:

<u>“Name of Street</u>	<u>Side</u>	<u>Location</u>
River Road	East	From north point of parking lot for Mariner’s on the Hudson to entrance to parking area for Bob Shepard Highland Landing Park. No parking except for vehicles with boat trailers using the boat launch ramp. No parking or standing on or obstructing entrance to boat launch ramp.

**Section 3.**

Section 96-6 of the Town of Lloyd Code is amended to revise the location for Leonta Court contained in Section 96-6 to delete the term “adjacent to police parking lot. . .” from said location description.

**Section 4.**

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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.

*Murphy explained that this is to set a public hearing on a proposed local law to prohibit parking on the odd side of Sterling Drive.*

*Guerriero is concerned about safety of the residents and parking close to the ends of the driveways making it difficult for residents to back out their cars and he feels that the parking spaces should be striped. He had received a letter from a resident of Bridgeview saying that she was happy that the Town Board is tackling this issue. He said that her house is on the odd-number side of the street.*

*Supervisor felt that the issue of striping could be addressed with the Highway Superintendent.*

*Sivertsen said that it was his personal opinion that the striping would be unsightly.*

*Paladino added that the Fire Chief approved the odd side of the street parking.*

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

**Five ayes carried.**

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

**WHEREAS**, a local law being proposed as Local Law B of 2015 was introduced at this meeting as follows:

**WHEREAS**, Local Law B of 2015, 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 21st day of January, 2015 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.

Town of Lloyd, Ulster County, New York

Local Law B of the Year 2015

A local law to amend Chapter 100, entitled “Zoning” of the Code of the Town of Lloyd to create the Highway Business District

**Section 1. Purpose**

The purpose of this local law is to amend Chapter 100, entitled “Zoning” of the Code of the Town of Lloyd to create the Highway Business District, to amend the Zoning Map and make other related changes necessitated by the creation of this district. The amendments are designed to protect the health, safety and welfare of Town residents and to bring the Town’s Zoning Law into conformance with the recommendations of the Town’s Comprehensive Plan.

**Section 2.**

Section 100-9 of the Code is hereby amended by the addition of the following district to the list of district classifications in subsection A.

<u>District label</u>	<u>Zoning District</u>
HBD	Highway Business District

**Section 3.**

Section 100-12 of the Code is hereby amended by replacing 100, Attachment 1, Town of Lloyd Use Table with the revised Town of Lloyd Use Table, a copy of which is attached hereto as Exhibit “A”.

**Section 4.**

Section 100-13 of the Code is hereby amended by replacing 100, Attachment 2, Town of Lloyd Dimensional Table with the revised Town of Lloyd Dimensional Table, a copy of which is attached hereto as Exhibit “B”.

**Section 5.**

A new section, 100-30.1, will be added as follows:

“100-30.1 Design Standards and Guidelines for the Highway Business District.

- A. Applicability. These design standards and guidelines for highway business districts shall apply in the HB District throughout the Town of Lloyd as further described in Appendix B, which said Appendix is on file at the Town offices. The regulations established herein are not intended as a substitute for other district provisions but are additional standards to be met by the applicant or developer, prior to project approval. If there should be a conflict between the provisions of this section and other provisions of this chapter, the more restrictive shall apply.
- B. Review procedures.
  - (1) No separate application for approval under this section is required.
  - (2) In addition to data and plans required to be submitted for site plan approval, every application shall also comply with the standards and guidelines set forth in Appendix B, which is on file in the Town offices.
  - (3) Prior to approval of a site plan subject to the provisions of this section, the Planning Board shall make a determination that the proposed action complies with the Design Standards and Guidelines for the Highway Business District as set forth in Appendix B, which is on file in the Town offices, and set forth such findings in its resolution of approval.

**Section 6.**

The current Zoning District Map is hereby amended to incorporate the addition of the Highway Business District to the Zoning Map, as set forth on the map attached hereto and made a part hereof as Exhibit “C”.

**Section 7.**

The invalidity of any word, section, clause, paragraph, sentence, part or provision of this local law shall not affect the validity of any other part of this local law, which can be given effect without such part or parts.

**Section 8.**

This local law shall supersede all prior inconsistent local laws.

**Section 9.**

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.

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

**Four ayes carried.**

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

**WHEREAS**, a local law, being proposed as Local Law C – 2015, was introduced at this meeting as follows: Local Law C – 2015, a local law to amend Chapter 100, entitled “Zoning”, of the Code of the Town of Lloyd, to revise Article VI. Supplementary Regulations, Section 100-36, Affordable housing regulations.

**WHEREAS**, this is an Unlisted action under SEQRA, and Part I and Part II of a Full Environmental Assessment Form have 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 21st day of January, 2015 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 hereby directed and authorized 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.

Town of Lloyd, Ulster County, New York

Local Law C of the Year 2015

**Section 1. Title**

This local law shall be known as “Amendments to Section 100-36, Affordable Housing Regulations, of Chapter 100 of the Town of Lloyd Code: Zoning.”

**Section 2. Purpose**

The purpose of this local law shall be to amend Chapter 100, Article VI, Supplementary Regulations, Section 100-36, Affordable Housing Regulations of the Town of Lloyd Zoning ordinance.

**Section 3.**

Amendments to the Town of Lloyd Code, Chapter 100: Zoning, be enacted by the Town Board of the Town of Lloyd. That the Town of Lloyd Zoning ordinance (the “Zoning Code”) is hereby amended as follows:

**A.** Section 100-36 C. (1) is deleted and replaced in its entirety as follows:

“The provisions of this section apply to all developments that result in or contain 10 or more residential dwelling units or lots in the R-1, R-1/2, R-1/4, Walkway-Gateway Mixed Use, PUD, and PRD zones. The types of development subject to the provisions of this section include, without limitation, the following:”

**B.** The second sentence of Section 100-36 C. (2) is deleted and replaced in its entirety as follows:

“An applicant should not avoid this section by submitting piecemeal applications or approval requests for subdivision plats, site or development plans, or building permits.”

**C.** Section 100-36 D. is deleted and replaced in its entirety as follows:

“In order to encourage developers to include affordable housing in their projects, the following density bonus shall be applied when the developer includes affordable housing units as defined by this section of the Code:”

**D.** A sentence is added at the end of Section 100-36 E., as follows:

“No more than 10% of the units in the proposed development are allowed to be affordable.”

**E.** Section 100-36 H. (1) is deleted and replaced in its entirety as follows:

“To be eligible to purchase an affordable dwelling unit, the household’s aggregate annual income shall not exceed 120% of the Kingston Ulster County Metropolitan Statistical Area median family income, as established and defined in the annual schedule published by the Secretary of the U.S. Department of Housing and Urban Development (HUD), and adjusted for household size.”

**F.** Section 100-36 H. (2) is deleted and replaced in its entirety as follows:

“To be eligible to rent an affordable dwelling unit, the household’s aggregate annual income shall not exceed 100% of the Kingston Ulster County Metropolitan Statistical Area median family income, as established and defined in the annual schedule published by the Secretary of the U.S. Department of Housing and Urban Development (HUD), and adjusted for household size.”

**G.** The second sentence of Section 100-36 J. (3) is deleted and replaced in its entirety as follows: “This dwelling has been constructed for use by moderate-income families pursuant to Chapter 100 Section 36 of the Town of Lloyd Code.”

**Section 4.**

This local law shall supersede all prior inconsistent local laws.

**Section 5.**

This local law shall take effect when filed with the Secretary of State in accordance with the Municipal Home Rule Law.

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

**Four ayes carried.**

**N. RESOLUTION** made by Paladino, seconded by Horodyski to approve to following Budget Amendments to the 2014 Budget:

GENERAL

Supervisor CE	1220.40	+\$750.00
Town Board CE	1010.40	-\$750.00
Town Hall Cap Improve	1620.50	+\$8,650.00
Planning Consult	1440.41	-\$8,650.00

December 17, 2014

Unallocated Insurance	1910.40	+\$216.00
Planning Consult	1440.41	-\$216.00
Police Full Time PS	3120.10	+\$20,000.00
Police Part Time PS	3120.11	-\$20,000.00
(Payout comp, sick and vacation for Officer who resigned)		
Police Equip	3120.20	+\$ 317.00
Police CE	3120.40	-\$ 317.00
(Extras for new police car)		
Street Signs	3310.40	+\$2,500.00
Contingency	1990.40	-\$2,500.00
Dog Control CE	3510.40	+\$1,500.00
Contingency	1990.40	-\$1,500.00
(old bill from 2012 that needed to be paid)		
Parks PS	7110.10	+\$1,200.00
Parks CE	7110.40	+\$4,500.00
Highland Landing CE	7110.42	+\$ 120.00
Contingency	1990.40	-\$5,820.00
Building Dept PS	8010.10	+\$4,500.00
Building Dept CE	8010.40	+\$4,000.00
Building Dept Equip	8010.20	-\$2,000.00
Records Mgmt	1460.40	-\$3,400.00 (scanner position)
Planning Consult	1440.41	-\$3,100.00
Police Life Ins	9045.80	+\$ 215.00
Medical Ins	9060.80	+\$5,600.00
Medical Ins Buy Out	9060.10	-\$5,815.00
HIGHWAY		
Snow Removal Equip	5142.20	+\$12,110.00
Main Street	5112.54	-\$12,110.00

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

**O. RESOLUTION** made by Brennie, seconded by Guerriero,

**WHEREAS**, The United States Postal Service plans to close (or “consolidate”) the Mid-Hudson P & DC mail Processing and Distribution Center, and

**WHEREAS**, this plan would severely delay all classes of mail delivery, and

**WHEREAS**, the delay of mail would negatively affect residents and local businesses, and would harm our community, and

**WHEREAS**, the closure would result in a degradation of “service standards,” that would result in the virtual elimination of overnight mail delivery throughout the country, and

**WHEREAS**, the closure is not in the public's best interest, and

**WHEREAS**, Federal law stipulates that, “The Postal Service shall have as its basic function the obligation to provide postal services to bind the Nation together through personal, educational, literary, and business correspondence of the people. It shall provide prompt, reliable and efficient services to patrons in all areas and shall render postal services to all communities,” [39 U.S. Code Section 101(a)]

**THEREFORE BE IT RESOLVED BY THE** Town of Lloyd Town Board:

**Section 1.** That the Town of Lloyd Town Board

Does hereby demand congressional intervention to stop this proposal to Close or Consolidate the Mid Hudson P & DC (Processing & Distribution Center).

**Section 2.** Does hereby demand congressional intervention to stop the delay of mail and the elimination of overnight delivery of first-class mail, set for January 5, 2015.

**Section 3.** That this resolution shall be forwarded to our U.S. Senators and Representatives and the Postmaster General.

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

**Four ayes carried.**

**P. RESOLUTION** made by Paladino, seconded by Brennie, to make the following fee changes at the Transfer Station effective January 2, 2015:

1. 1 cubic yard of loose trash \$60.00;
2. Brush-\$10.00 pickup truck load, small trailer \$8.00;
3. Rugs/flooring 8X12 \$10, 10X12 -\$15.00 any larger \$20.00;
4. Toilets/sinks \$10;
5. Mattress/ springs \$10.00 single (each), double \$12.00 (each), queen \$15.00 (each), king \$20 (each);
6. Couches \$8.00 per cushion, sleeper couches \$10.00 per cushion;
7. Small kitchen bag \$2.50.

*Paladino said that he would make the motion at the recommendation of the Transfer Station Attendant John DiValentino with appreciation of the Town Board for his efforts.*

*Guerriero would like to accept brush without charge as he feels that the Town should give something back to the residents.*

*Supervisor replied that the charge is intended to offset the rental of equipment to mulch the brush.*

*Paladino would like to try to make up for the deficit and revisit the charges in the near future; there are businesses bringing in brush and it may be possible to separate the businesses from the residents.*

*Guerriero suggested that the businesses are getting paid to remove the brush and they should pay more.*

*Supervisor added that they should have been paying their fair share in permits which has not been done.*

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

**Five ayes carried.**

Supervisor wished everyone a very Merry Christmas and Happy Hanukkah.

**MOTION** made by Horodyski, seconded by Paladino, to go into executive session with Sean Murphy, Town Attorney to discuss tax certiorari at 8:10PM.

December 17, 2014

**Five ayes carried.**

**MOTION** made by Horodyski, seconded by Brennie to come out of executive session at 8:29PM.

**Five ayes carried.**

**Q. RESOLUTION** made by Horodyski, seconded by Brennie,

**WHEREAS**, there is presently pending against the Town of Lloyd a tax certiorari proceeding commenced by Lloyd Nine, LLC to review the assessment of a parcel of real property located within the Town of Lloyd on the final Tax Assessment Roll adopted in 2014 as such parcel is set forth and described in the attached copy of proposed Consent Judgment with respect to said petition.

**NOW, THEREFORE, BE IT RESOLVED**, that settlement on the terms set forth in the annexed Consent Judgment is approved and Sean Murphy of Di Stasi Moriello & Murphy Law PLLC, attorneys for the Town of Lloyd, be and hereby is, authorized on behalf of the Town of Lloyd to execute the within Consent Judgment, and that said settlement be submitted to the Ulster County Supreme Court for final approval and entry of the Consent Order directing adjustment of the affected tax rolls.

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

**Four ayes carried.**

Councilmember Paladino left the meeting at 8:30PM.

**R. RESOLUTION** made by Horodyski, seconded by Brennie,

**WHEREAS**, there is presently pending against the Town of Lloyd a tax certiorari proceeding commenced by Jane River, LLC, Lloyd Meadows, LLC and Vineyard Farms, LLC to review the assessment of a parcel of real property located within the Town of Lloyd on the final Tax Assessment Roll adopted in 2014 as such parcel is set forth and described in the attached copy of proposed Consent Judgment with respect to said petition.

**NOW, THEREFORE, BE IT RESOLVED**, that settlement on the terms set forth in the annexed Consent Judgment is approved and Sean Murphy of Di Stasi Moriello & Murphy Law PLLC, attorneys for the Town of Lloyd, be and hereby is, authorized on behalf of the Town of Lloyd to execute the within Consent Judgment, and that said settlement be submitted to the Ulster County Supreme Court for final approval and entry of the Consent Order directing adjustment of the affected tax rolls.

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

**Four ayes carried.**

**MOTION** made by Guerriero, seconded by Brennie to adjourn the meeting at 8:40PM.

**Four ayes carried.**

Respectfully submitted

Rosaria Schiavone Peplow  
Town Clerk