

# TOWN OF LLOYD TOWN BOARD

## REGULAR MEETING

MARCH 21, 2018

**Present:** Supervisor Paul Hansut  
Councilmember Leonard Auchmoody  
Councilmember Michael Guerriero  
Councilmember Claire Winslow

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

**Absent:** Councilmember Joseph Mazzetti

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

Supervisor read the following Proclamation

### **PROCLAMATION –OF PARKINSON’S AWARENESS MONTH**

**WHEREAS**, Parkinson’s disease is a progressive neurological movement disorder of the central nervous system, which has a unique impact on each patient; and

**WHEREAS**, according to the Parkinson’s Action Network, the Parkinson’s Disease Foundation, the American Parkinson’s Disease Association and the National Institutes of Health, there are over one million Americans diagnosed with Parkinson’s Disease; and

**WHEREAS**, symptoms include slowness, tremor, difficulty with balance and speaking, rigidity, cognitive and memory problems; and

**WHEREAS**, although new medicines and therapies may enhance life for some time for people with Parkinson’s, more work is needed for a cure; and

**WHEREAS**, increased education and research are needed to help find more effective treatments with fewer side effects and ultimately a cure for Parkinson’s disease; and

**WHEREAS**, a multidisciplinary approach to Parkinson’s disease care includes local wellness, support and caregiver groups; and

**WHEREAS**, April has been proclaimed as World Wide Parkinson’s Awareness Month for all to recognize the need for more research and help in dealing with the devastating effects of Parkinson’s disease.

**NOW, THEREFORE**, I, Paul J. Hansut, Supervisor of the Town of Lloyd, do hereby proclaim April as Parkinson’s Awareness Month in the Town of Lloyd.

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

**Audit** –January 1 to June 30, 2017: Councilmembers Auchmoody and Mazzetti  
July 1 to December 31, 2017: Councilmembers Winslow and Guerriero

#### **ECC /Zoning Board – Councilmember Guerriero**

Guerriero reported that the ECC is printing *The Lloyd Leaf* and it will be out soon. They are planning some events; the Black Creek Kayak Tour, Spring Fest and Black Creek Clean-up day.

The Zoning Board approved a Use Variance for 84 New Paltz Road. It was previously a non-conforming business in R-1/2 Zone, an auto repair shop which has been gone for approximately one year. The applicant is a commercial construction company. The ZBA approved the use variance and it will now go to the Planning Board.

#### **Highland Central School District – Councilmember Mazzetti**

#### **Planning Board – Councilmember Winslow**

Winslow reported that the Planning Board is discussing the housing project off Mile Hill Road and 9W and the drainage issues.

Town Board Councilmember Claire Winslow, Planning Board Chair Peter Brooks and Planning Board Member Larry Hammond interviewed for the vacant Planning Board positions, made their recommendations to the Town Board and feel they have chosen

two good candidates. They have one more position to fill and will take their time choosing someone to fill it.

Supervisor asked if the Dollar General Store was going in the vacant lot next to Burger King on Route 9W.

Winslow responded that it was and the next building south will be renovated and the building behind that will be demolished.

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

Hansut reported that he toured the schools in our district with all the Principals and Chief Waage to check possible security issues. The School Board is working on new security measures.

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

Auchmoody reported that at the last meeting they discussed the proposed housing project off Mile Hill Road and Route 9W; there are some drainage issues where the water is running down the hill at the back of the project to Christopher Ave.

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

Bellizzi reported that construction of Phase III and IV of the HVRT has begun. The Ground-Breaking Ceremony is Friday, March 23 at 9:00 at Tony Williams Park.

There are various construction projects on the Rail Trail, the water line to the Walkway Over the Hudson Ulster Visitors' Center, the water line for High Bridge Apartments at Linwood Ave. and the sewer line for Mountainside Woods west of Sunnybrook. He said people need to be aware of the construction and patient.

Mark Reynolds, reporter, asked if the Rail Trail extension was being constructed with grant money and if so how much.

Bellizzi replied that the Town received a grant for Phase III. Ulster County is funding Phase IV and will donate it back to the Town.

Supervisor stated that the original cost was \$1.9 million to extend the trail to South St. but it is now going to cost \$1.9 million to extend it to Rt. 299. The grant for this project was secured over ten years ago when Raymond Costantino was Supervisor. The project has taken a long time to get started and costs have gone up. They have sent the County a Notice to Proceed and the Town will receive \$100,000.00 from Scenic Hudson and a grant of \$50,000.00 from Assemblyman Skartados which is a reimbursable grant. The Town has put some money aside for the project from unexpended funds.

The detour on Riverside Road will commence on April 2<sup>nd</sup> and construction will begin.

Supervisor welcomed Boy Scout Luke Munsen who is there to observe the meeting.

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

Auchmoody they have moved the Sycamore Tree that was too close to the pavilion at the Bob Shepard Highland Landing Park. They will continue working on the sidewalks as soon as possible.

## 2. OLD BUSINESS

**A. Tom Baird, Barton & Loguidice** – update on Tillson/Toc Project

Baird reported that next month the appraiser will be contacting the 21 property owners along the corridor of the project. The property owner will get a letter stating that the appraiser will be visiting their residence to photograph the areas that could be impacted by the project. The owner does not have to be present. The information will be entered into a formula using the Federal Government Guidelines and the numbers will be returned to the owner. RkHite, Subcontractor for Stropp Appraisal, will meet with the owners and go over the appraisals and talk about trees, temporary and permanent easements and property acquisition.

They would like to go out to bid by November 2018 with a bid opening in December and construction to start in January or February of 2019 and completed by September of 2019. The project is approximately \$3.6 million.

He showed photos of retaining walls and they have met already met with some property owners concerning walls.

The funds from NYSDOT and some additional funds have been secured.

There is not a traffic light in the plan but this Summer they would like to do another traffic study and compare it to the first study submitted years ago when NYSDOT said no to a traffic light. There are certain warrants, "needs" that must be met before

NYSDOT will consider installing a traffic signal. This project has satisfied some of the warrants but not enough. Perhaps they can still get a traffic signal.

Baird said they will be in the area a lot with the Hudson Valley Rail Trail Project so they will come over and do the traffic study without any charge to the Town.

Auchmoody said he understood that even with the projection of the Mountainside Woods project the traffic count was not heavy enough to warrant a traffic light.

Baird said that is correct because until the development is at full build out NYSDOT will not consider that traffic in the analysis. The reason is that the project may never go to build out and they don't want to maintain a traffic light that is not necessary. Then if the project does build out they can always install one. They will be putting in the foundations for a traffic light even if it is not approved at this time, just in case, for the future.

Dave Plavchak, resident 126 Vineyard Avenue, asked if raising Vineyard Ave. two feet would affect the blue stone walls on his property.

Baird responded that it would not affect his wall. They have the plan ready to present to him showing the relocation of his driveway. They are raising Vineyard Ave. to reduce some of the sloop on Tillson Ave. They are not reducing it as much as they would have liked because of the culvert.

Kate Jonietz asked what the date was of the original traffic study.

Baird replied that it was in 2010-11. He stated that the total cost of the project is \$4.4 million; construction \$3.5 million, right of way, title work, property, closings \$313,000.00, engineering/geotechnical \$520,000.00; survey – design, right of way \$110,000.00 for a total of \$4,443,000.00.

Supervisor said that the Mountain Side Woods project paid \$250,000.00 for the Town's share and the Town put aside some unexpended funds for this project.

Supervisor said that Ulster County has purchased the house on the corner of South Chodikee Lake Road and New Paltz Road at a tax sale. They will be taking the house down and building a parking lot, this will provide a better site line when pulling out of South Chodikee Lake Road looking west. They will donate the property back to the Town. It will provide more parking for the Rail Trail entrance at the Pavilion.

**B. Elizabeth Waldstein-Hart – update on the Ulster Welcome Center.**

Waldstein-Hart stated that construction on the westside Welcome Center is due to be completed in June. It will contain bathrooms, an office for NY State Parks and an information area. There will be a gathering area that can host up to 250 people. The small parking lot at the entrance to the Walkway will no longer be open to the public and that will be for Park staff only. Governor Cuomo is a big supporter of Parks so there is funding, the Welcome Center is funded by New York State and it is a NYS Parks Project. Volunteers will greet visitors at the entrance and direct them to the Welcome Center and the Hudson Valley Rail Trail. The Walkway portion of this project is constructing Haviland Road bus turnaround which is on the Southeast side of Haviland Road; it is now a dirt parking lot and staging area for contractors. The turnaround will be able to hold three buses at a time and have space for approximately 25 cars. The expansion of the Hudson Valley Rail Trail, the Welcome Center and the bus turnaround will provide a huge economic impact the length of the Trails.

They are working with Peter Bellizzi, President, Hudson Valley Rail Trail on parking and coordinating events.

The Ribbon cutting for the Welcome Center will be mid-June.

The Groundbreaking for the visitors' center on the Dutchess side will be in the fall. It will be a smaller version of the Ulster center and will have bathrooms and a pavilion for people to gather.

The Walkway distributes 50,000 Walkway Over the Hudson Vicinity Map and Guide highlighting businesses and points of interest on both sides of the Hudson River twice a year.

Mark Reynolds asked the total cost of the Ulster Welcome Center and if it was coming in on budget.

Elizabeth responded that the west side project is coming in on budget and on schedule. It is approximately a \$4 million project with building and landscaping. The east side is approximately \$2.8 million and Walkway Over the Hudson funded \$1.2

million of that through private donations and the State funded the balance. They will break ground in the Spring and it will be completed in about a year. Hart said the elevator is currently not running. It had originally run on a WiFi system and with the winds and cold temperatures it was not a dependable system so it is now being hard wired. Over a 123,000 people used the elevator last year. In June, Patterns for Progress and Marist college will be supplying some numbers on the Economic impact of the Walkway Over the Hudson. Supervisor added that the Town’s share of the Bus Turnaround was \$75,000.00 which most of that was done through in-kind service. The Town of Lloyd Highway Department did a lot of work and Ray Jurkowski donated the Engineering.

**3. NEW BUSINESS**

**A.** Central Hudson – easement request for installation of new pole

Supervisor welcomed Ben Lombardi and Rita Lombardi. Frank Lombardi was a very special man in this community.

**B.** Dedication of municipal parking lot in memory of Frank Lombardi, former Town of Lloyd Highway Superintendent.

Saturday, March 24<sup>th</sup> at 11:00 a.m. in the St. Augustine’s’ Gym is  
Easter Magic in the Hamlet.  
11:00 listen to a story with Penelope Rabbit, the Easter Bunny’s granddaughter.  
11:30 Springtime Frolic, games and pictures with Penelope.  
12:00 noon Egg Hunt – all ages (limit 10 eggs per child)

Saturday, April 21<sup>st</sup> from 9:00 a.m. to 12 noon is the Shred Event sponsored by the Highland Rotary Club & the Town of Lloyd. The event is free to the Community.

**4. PRIVILEGE OF THE FLOOR**

**5. MOTIONS AND RESOLUTIONS**

**A. MOTION** made by Winslow, seconded by Auchmoody to approve the minutes of the Workshop Meeting February 7, 2018 and the Regular Meeting February 21, 2018.

**Four ayes carried.**

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

General	G - 235	to	G - 322	\$	40,165.51
Highway	H - 113	to	H -158	\$	124,266.94
Miscellaneous	M - 36	to	M - 52	\$	32,670.19
Prepays	P - 99	to	P - 161	\$	90,097.07
Sewer	S - 63	to	S - 92	\$	11,524.49
Water	W - 83	to	W- 122	\$	10,777.70

**Roll call:** Winslow, aye; Guerriero, aye; Hansut, aye; Auchmoody, aye

**Four ayes carried**

**C. RESOLUTION** made by Guerriero, seconded by Winslow to authorize the Supervisor to sign the Street Lighting Authority Order for street lights at Mountainside Woods and 14 Lily Lake Road.

**Roll call:** Winslow, aye; Guerriero, aye; Hansut, aye; Auchmoody, aye.

**Four ayes carried.**

**D. RESOLUTION** made by Auchmoody, seconded by Winslow

**WHEREAS,** Frank Lombardi, a lifelong resident of the Town of Lloyd, was taken from our midst on October 27, 2016; and

**WHEREAS,** Frank Lombardi served as the Town of Lloyd Highway Superintendent from 1990 to 2011; and

**WHEREAS**, Frank Lombardi was known for his generosity, his honesty and integrity, his friendship to all, his devotion to family and community;

**NOW, THEREFORE, BE IT RESOLVED** that the municipal parking lot located at 39 Main Street will be named the “Frank Lombardi Municipal Parking Lot”, effective immediately on this day 21<sup>st</sup>, March 2018 with a formal dedication to take place during Springfest on Saturday May 19, 2018.

**Roll call:** Winslow, aye; Guerriero, aye; Hansut, aye; Auchmoody, aye.

**Four ayes carried.**

**E. RESOLUTION** made by Auchmoody, seconded by Winslow

**WHEREAS**, the Town of Lloyd owns certain real property located between Mile Hill Road and the Hudson Valley Rail Trail (SBL 88.17-5-5.110) and,

**WHEREAS**, Central Hudson Gas & Electric Corporation has requested an easement over a portion of the Land owned by the Town referenced above for the purposes of entering on said portion of land for the purpose of constructing and maintaining over, under and through said easement area transmission structures, poles, cables, wires, supporting structures and other appurtenances and fixtures necessary for transmission of electrical service in and through the area and to remove, cut, trim and keep clear all obstructions, trees, brush and other objections that might injure the improvements and operation of the improvements located within the proposed easement area; and,

**WHEREAS**, Central Hudson Gas & Electric Corporation has requested that the Town provide said easement over said easement area as described in the proposed Grant of Easement and Right of Way attached hereto as Exhibit A; and,

**WHEREAS**, the granting of said easement to Central Hudson Gas & Electric Corporation would not impede the Town’s or the public’s use of the subject premises or the Rail Trail adjacent thereto; and,

**WHEREAS**, the granting of said easement is in the public’s interest in that it will allow Central Hudson Gas & Electric Corporation to better maintain their electrical and gas distribution system.

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

1. That the form, as attached as Exhibit A to this resolution, of a Grant of Easement and Right of Way between the Town of Lloyd as grantor and to Central Hudson Gas & Electric Corporation as grantee be, and hereby is, approved by the Town Board.
2. That Supervisor Paul J. Hansut be, and hereby is, authorized to sign the Grant of Easement and Right of Way as set forth in Exhibit A annexed hereto and any and all necessary forms to record said easement deed with the Clerk of the County of Ulster.
3. This resolution is subject to permissive referendum, and the Town Clerk shall publish a notice in the official newspaper of the Town within ten (10) days after adoption of this resolution containing the information required in Town Law Section 90, which notice shall set forth the date of adoption of the resolution and contain an abstract of such resolution concisely stating the purpose and effect thereof, and that it was adopted subject to permissive referendum.
4. This resolution is not final and shall not take effect until thirty (30) days after its passage, provided no petition is filed with the Town Clerk pursuant to Town Law Section 91 requesting a special election. If an election is so requested, the resolution shall not take effect until an affirmative vote is rendered by the voters entitled to vote, pursuant to the Town Law.

**EXHIBIT A**

**GRANT OF EASEMENT AND RIGHT OF WAY BETWEEN**

Town of Lloyd, New York, a municipal government, with an address at 12 Church Street, Highland, New York 12528

5. Grantor,  
and

**CENTRAL HUDSON GAS & ELECTRIC CORPORATION**, a domestic corporation having its principal office at 284 South Avenue, Poughkeepsie, New York 12601

March 21, 2018

Grantee,

In consideration of the sum of \$1.00 and other valuable consideration, the receipt whereof from Central Hudson Gas & Electric Corporation (hereinafter called Central Hudson), is hereby acknowledged, the Grantor hereby grant(s) and convey(s) unto Central Hudson, its successors, assigns, and lessees, and easement and right of way throughout its extent, in upon, over, under and across the lands of the Grantor, including roads and highways thereon and adjacent thereto, situated in the Town of Lloyd, County of Ulster, State of New York.

This easement pertains to a portion of Ulster County Real Property Tax Map Parcel 88.17-5-5.110. A description of the easement area and a survey of such easement and right of way area are attached hereto and made a part thereof as Exhibit A.

Together with the right at all times to have access thereto across the remaining premises of the Grantor (said right of access to be confined to practicable and reasonable routes to be designated by the Grantor), and to enter thereon, and to construct, relocate, operate and maintain, and to protect, repair, replace and remove, in, upon, over and under said easement and right of way and all poles, towers, supporting structures, cables, cross arms, wires, guys, braces, underground conduits, and all other appurtenances and fixtures necessary or adaptable to the present and future needs, uses and purposes of Central Hudson, its successors, assigns, and lessees for any public utility use; and provided that physical damage to the property owned by the Grantor caused solely by Central Hudson, its successors, assigns and lessees, shall be adjusted at the expense of Central Hudson, its successors, assigns, and lessees.

Together with the permanent right to trim and cut to ground level, at any time, such brush, trees and other objects or obstructions within the easement area and on adjacent property of the Grantor as in the reasonable judgment of Central Hudson its successors, assigns, and lessees, may interfere with, obstruct or endanger the construction, operation or maintenance of said poles, lines and other appurtenances and fixtures or any thereof, which are now or may hereafter be constructed on said right of way. Said right shall include the right to use chemical means of brush and vegetation control within the limits of the easement and rights of way where applicable. Any chemical use shall be in accordance with all Federal and State regulations pertaining to utility right-of-way maintenance.

The location of said easement and right of way, facilities, and lines is to be as determined by Central Hudson having regard to the origin, general direction and destination of said facilities and the requirements of Central Hudson.

Reserving unto the Grantor, and the Grantor's heirs and assigns, the right to cultivate the ground within the limits of said easement and right of way and the right to construct roadway(s) across said easement and right of way, the location of which is to be subject to Central Hudson's written approval, without any obligation or duty on, the party of Central Hudson, its successors, assigns or lessees, to construct or maintain any such roadway. In the exercise, use, construction and maintenance of any such roadway by the Grantor and the Grantor's heirs and assigns, every reasonable and proper precaution shall be taken not to interfere with the use of, obstruct or endanger the facilities installed on the aforesaid easement and right of way by Central Hudson, its successors, assigns or lessees, and that, for mutual protection, Central Hudson, its successors, assigns and lessees shall be notified in writing in advance of any proposed changes in such exercise, use or maintenance thereof, or of any unusual use or contemplated use or condition.

No house, structures, or other improvements shall be erected in the easement area, and no roadway (except as agreed upon herein) shall be constructed, and excavating, mining or blasting shall not be undertaken within the limits of said easement area and right of way without the prior written consent of Central Hudson, its successors or assigns; and any house or other structure that is already on said easement and right of way may be removed by Central Hudson, its successors or assigns, at the expense of Central Hudson, its successors, assigns

or lessees, upon written notice to the Granter, or the Grantor's heirs or successors, by Central Hudson its successors, assigns or lessees, by certified mail, to the address herein below given.

The terms hereof shall be binding upon and inure to the benefit of the heirs, executors, administrators, personal representatives, successors and assigns and lessees of the Granter and Central Hudson.

**Exhibit A**

**PROPOSED EASEMENT  
THROUGH LANDS NOW OR FORMERLY OF  
TOWN OF LLOYD  
TO BE GRANTED TO CENTRAL HUDSON GAS AND ELECTRIC CORPORATION  
TOWN OF LLOYD, COUNTY OF ULSTER, STATE OF NEW YORK**

All that certain tract, piece or parcel of land situate in the Town of Lloyd, County of Ulster, State of New York as shown on a map entitled "Proposed Easement Lands now or formerly of Town of Lloyd Tax ID# 88.17-5-5.11" as prepared by Maser Consulting, dated 2/16/18 and being more particularly bounded and described as follows:

BEGINNING at the point of intersection of the division line between lands now or formerly of Phoenix Development Company, Inc. (Liber 2205, page 83) to the south, lands now or formerly of Town of Lloyd (Liber 2794, page 151) to the north and an existing Central Hudson Gas & Electric Corp. easement (Liber 5648, page 39) to the west; thence along said existing easement North 69°59'39" West 64.36 feet to a point; thence across the lands now or formerly Town of Lloyd the following two courses and distances:

1. North 89°53'44" East 107.20 feet to a point;
2. South 08°45'09" East 22.11 feet to a point in the division line with lands now or formerly Phoenix Development Company Inc.

Thence along said division line along the arc of a curve to the left having a radius of 2759.62 feet, an arc length of 50.09 feet, and a chord bearing and distance of South 89°35'16" West 50.09 feet to the point of beginning, containing 1730± square feet or 0.04± acres of land.

**Roll call:** Winslow, aye; Guerriero, aye; Hansut, aye; Auchmoody, aye.

**Four ayes carried.**

- F. MOTION** made by Winslow, seconded by Guerriero to appoint Salvatore Cuciti to the Town of Lloyd Planning Board to fill the unexpired term of Nicki Anzivina whose term expires 12/31/23.

**Four ayes carried**

- G. MOTION** made by Winslow, seconded by Guerriero to appoint Charly Long to the Town of Lloyd Planning Board to fill the unexpired term of Bill Ogden whose term expires 12/31/19.

**Four ayes carried**

- H. RESOLUTION** made by Auchmoody, seconded by Winslow to accept the resignation of part-time police officer Adam Montfort effective March 7, 2018.

**Roll call:** Winslow, aye; Guerriero, aye; Hansut, aye; Auchmoody, aye.

**Four ayes carried.**

- I. RESOLUTION** to hire Michael Taylor as a part-time police officer at an hourly rate of \$20.50 effective March 22, 2018 subject to the successful completion of the pre-employment physical at the recommendation of Police Chief Daniel Waage.

**Roll call:** Winslow, aye; Guerriero, aye; Hansut, aye; Auchmoody, aye.

**Four ayes carried.**

- J. MOTION** made by Winslow, seconded by Guerriero to accept the resignation of part-time dispatcher Shenna Chorvas effective April 1, 2018.

**Four ayes carried**

March 21, 2018

**K. MOTION** made by Winslow, seconded by Auchmoody to accept the resignation of part-time laborer Joseph Cannalli effective March 29, 2018.

**Four ayes carried**

**L. MOTION** made by Winslow, seconded by Auchmoody to appoint Kate Jonietz as the project manager for HVRT Phase 3, until the completion of the project at no additional remuneration.

**Four ayes carried**

**MOTION** made by Winslow, seconded by Auchmoody to adjourn the meeting at 8:05PM.

**Four ayes carried.**

Respectfully submitted,

Rosaria Schiavone Peplow  
Town Clerk