

TOWN OF LLOYD TOWN BOARD

REGULAR MEETING

NOVEMBER 21, 2018

Present: Supervisor Paul Hansut
Councilmember Leonard Auchmoody
Councilmember Michael Guerriero
Councilmember Joseph Mazzetti

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

Absent: Councilmember Claire Winslow

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

7:00 PM – Supervisor opened the Public Hearing on proposed Local Law H of 2018 “Amendments of Chapter 100 of the Town of Lloyd Zoning Code”, the purpose of which is to amend the Zoning Map for a 23.117+/- acre parcel located at 5 Lumen Lane upon the application of Selux Corporation, the owner of the premises, which is the subject of the proposed local law, said premise being a 23.117 +/- acre parcel which is a portion of SBL 88.1-3-10 and which is intended to be combined with adjacent lands of Selux Corporation SBL: 88.1-6-6.100;

Public Comments

Bob Haskins, resident of Bellevue Road, asked if any of the commercial zoning would be along Bellevue Road.

Sean Murphy, Town Attorney, showed him the map and explained that the applicant is combining only 23 acres of the residential parcel into the commercial piece and it will not be near Bellevue Road.

7:05 PM– Supervisor opened the Public Hearing on proposed as Local Law I of 2018 a local law known as the “Amendments of Chapter 100 of the Town of Lloyd Zoning Code”, the purpose of which is to amend the Zoning Map for property located on State Route 299 within the Town being SBL: 87.2-7-28.200 from design business to general business.

Public Comments

No comments

1. REPORTS – Town Board Liaisons

Audit –January 1 to June 30, 2018: Councilmembers Auchmoody and Mazzetti

July 1 to December 31, 2018: Councilmember Winslow and Guerriero

ECC /Zoning Board – Councilmember Guerriero

Guerriero reported that the applicant at 840 N Chodikee Lake Rd, SBL# 79.2-2-3.100 in R1 Zone is requesting an 8' 9" area variance to place a 24' x 12 ' garage in the front yard. The applicant at 289 Hurds Rd, SBL# 94.2-1-4.120 in A Zone is seeking an area variance relief of .97 acres to then apply to the Planning Board for an accessory apartment in their detached 28 x 24 sq. ft 2-story building on the parcel. The applicant at 77 Mayer Drive, SBL# 95.12-3-20 in R ½ Zone is seeking an area variance relief of .07 acres to then apply to the Planning Board for an accessory apartment in their primary residence.

Guerriero said that there was no ECC meeting.

Highland Central School District – Councilmember Mazzetti

Mazzetti reported that on November 20th the High School students will go to Canada,

December 12th is the High School Winter Concert at the High School with a snow date of December 19th. December 13th is College night. October 24th the Tri M Music Society had their annual induction ceremony, the High School has 44 student musicians in the Society. October 25th was Financial Aid night. The High School Art Department Students have their art work displayed at the BOCES Conference Center. High School students visited the 911 Museum as part of a History class. November 9th was Cultural Day with guest speakers that discussed what it is like to grow up in a different culture and immigrate from another country. 7th grade Science class ordered a 3-D printer to create models of earth which shows mountains and oceans. The 3rd graders went to Locust Grove. Kindergarten 2019-2020 registration packets are available Monday,

December 3rd. Elementary Winter Concert is Monday, December 10th with a snow date of the 17th at the High School. The PTA will be meeting Monday, December 3rd at 6:30 at the Elementary School.

Planning Board – Councilmember Winslow

Police/Fire/Town Justice – Supervisor Paul Hansut

Water/Sewer/Drainage Committee – Councilmember Auchmoody

REPORT – Peter Bellizzi, President, Hudson Valley Rail Trail

Peter Bellizzi reported that the grand opening of Phase III of the Hudson Valley Rail Trail was a couple weeks ago which concludes the Town of Lloyd's portion of the Rail Trail. The Eagle Scout project bridge off Mile Hill Road is complete.

The owner of 201 New Paltz Road came to the HVRT meeting to see if the association would consider allowing his fence to remain. The Association agreed with the Town Board that the fence should be removed. The other concern the Association has is the Mountain Side Woods project as water is running onto the black top of the Rail Trail and freezing. They have had eight months to fix this issue.

Mazzetti said he spoke with Dave Barton, Building Department Director, who said he has spoken with the builder and they assure him it is going to be fixed. He is putting the builder on notice that the issue must be rectified within 10 days and if it isn't, they will suspend all building permits until the problem is corrected. He also spoke with Ray Jurkowski, Town Engineer, who said there are no engineering issues.

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

2. OLD BUSINESS

A. A-1 Communications – lease agreement

Sean Murphy explained that A-1 Communications owns a tower on Illinois Mountain and they pay the Town \$1500.00 a month (\$18,000.00 per year) to access the tower as they have to use town property to get to it. Their lease expired in February 2018. They sent a letter asking for an extension of the lease and would like a moderate decrease in the rent. Murphy spoke to Adam Litman, Water and Sewer Administrator who recommended a moderate increase. Murphy sent him a 10-year schedule with a 3% increase to review.

Murphy said the Town owns and maintains the road. The County has a building on the mountain that holds the police radio equipment.

Supervisor asked if Murphy wanted to prepare a resolution for next month's meeting.

Murphy responded that he feels they need to go back to A-1 and tell them that the Commissioners of the Water and Sewer district are requesting an increase of 3% per year or whatever is decided. Litman feels 3% is appropriate and reasonable. He will contact A-1 and prepare a resolution for the next meeting.

3. NEW BUSINESS

A.

4. PRIVILEGE OF THE FLOOR

Charles Meuser, resident 526 North Chodikee Lake Road, said he is again requesting an interview to be on the Zoning Board of Appeals.

Mazzetti said that Meuser would be interviewed.

Mark Reynolds, Reporter, asked if either of the rezonings that are on the agenda tonight constitute spot zoning.

Murphy responded that they did not as the surrounding parcels are zoned the same as the applicants have requested.

Reynolds asked if there were three quotes for the sidewalk work at Bridgeview.

Auchmoody responded that three companies were interviewed.

Michael Dunn, Tillson Ave. Ext. said the last time he was in front of the Town Board with his issue of the noise coming from the Shamrock Liquor Beer Store coolers the Board said that it was going to help with a resolution of his issue.

Murphy said he spoke with Anthony Giangrasso, Building Inspector who has been the contact with the Shamrock Beer Store owner. Giangrasso had reached out a couple of times without success so Murphy reached out to the property owner who said he would discuss the matter with his family members but it would have to wait until after the holidays.

Dunn felt waiting two months to try to find a solution to the noise was unreasonable.

Murphy said that both the technician that installed the units and the building inspector examined the units and found them to be working properly.

Dunn said they went to court.

Murphy explained that Mr. Dunn brought Shamrock to court and the Judge told him that he would not proceed because the Building Department and the technician for the equipment met and found nothing wrong with the equipment.

Mazzetti said there is nothing the Town Board can do but if new information comes up Mr. Dunn can come back to the Board.

Joe Marzano, Troy Lane, Bridgeview resident came to complain that cars are parking in the cul-de-sac and blocking driveways. He has reported it to the police and it is getting worse with the snow. Speeding is also an issue

Auchmoody said they can park on the right side of the road on the streets but not in the circles.

Murphy said that if it is in the code, they need to put signs up and enforce it. If it isn't in the code, they would need to do so. The speed limit should be enforced and possibly should be lowered.

Marzano added that there is a tree blocking one of the street lights.

Supervisor asked if Marzano owned the property.

Marzano responded that he rented.

Supervisor said they have a lot of issues with Bridgeview and felt that the Home Owners Association should update their bylaws and hold their residents accountable. Sunnybrook has a very tight HOA and Board Directors that pay attention and enforce their bylaws. Bridgeview needs to do the same.

Marzano said he sent a letter to the town requesting two trees in front of his driveway be removed.

Murphy read the Town of Lloyd Town Code and said Troy Lane parking is not in the Town code so a local law will need to be adopted.

Auchmoody asked what the snow ordinance is.

Murphy responded no parking from October 15th to April 15th during times of snow. He will speak with Police Chief Waage and Highway Superintendent Richard Klotz concerning the snow ordinance and have something in writing for the Workshop Meeting.

Klotz said Troy Lane should have parking in driveways only.

Supervisor said if people park on the streets and the signs say no parking, they get a ticket.

Chief Waage said they try to solve the problem immediately. If they can knock on a door and find a person to move the vehicle immediately then that solves the problem. If they can't find anyone then they ticket the car.

5. MOTIONS AND RESOLUTIONS

A. MOTION made by Auchmoody, seconded by Mazzetti to approve the minutes Workshop Meeting October 3rd, 2018 and Regular Meeting October 17th, 2018
Four ayes carried

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

General	G - 946 to G - 1045	\$ 114,687.68
Highway	H - 451 to H - 520	\$ 153,059.12
Miscellaneous	M - 234 to M - 249	\$ 241,133.46
Prepays	P - 588 to P - 657	\$ 82,528.91
Sewer	S - 319 to S - 372	\$ 53,630.24
Water	W - 366 to W - 426	\$ 44,317.72

Roll call: Mazzetti, aye; Guerriero, aye; Hansut, aye; Auchmoody, aye
Four ayes carried

C. RESOLUTION made by Mazzetti, seconded by Guerriero

WHEREAS, the Town Clerk is required by Town Law Sections 198(3)(d) and 198(1)(k), to report annually the statements showing the unpaid Water and Sewer charges in the Highland Water and Sewer Districts which have not appeared on any Such statement previously filed, and

WHEREAS, the Town Clerk has filed such statement dated November 7, 2018, annexed hereto, and requested that the Town Board, pursuant to Town Law Sections 198(3)(d) and 198(1)(k), the Town Code Chapter 98, on Water, Sections 98-22 and 98-23, the Sewer Use Code Chapter 85, Section 85-49(F) and (G), and General Municipal Law Sec. 452, levy a lien upon the real property benefited,

NOW, THEREFORE, it is RESOLVED AND ORDERED, that the water and sewer 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 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 of Ulster County for levy in the sums as set forth in the annexed statement, against the properties liable, as set forth in the statement and 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 "Water and Sewer Rents", and it is further

RESOLVED AND ORDERED 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 of bonds issued for the purposes of each district, all as set forth in Town Law Sections 198(3)(d) and 198(1)(k). (See Attached)

Roll call: Mazzetti, aye; Guerriero, aye; Hansut, aye; Auchmoody, aye

Four ayes carried.

D. RESOLUTION made by Mazzetti, seconded by Auchmoody, to establish the Capital Project BSHL Improvements Grant #12935 code 50-06-7110-46 for completion to finish the educational center, benches, etc. at the Bob Shepard Park. The initial funding of \$125,000.00 for this project will come from a loan from the General Fund unexpended Fund Balance to be paid back once grants monies are received.

Roll call: Mazzetti, aye; Guerriero, aye; Hansut, aye; Auchmoody, aye

Four ayes carried

E. RESOLUTION made by Mazzetti, seconded by Auchmoody to establish the Capital Project BSHL Water/Sewer Extension Grant #15475 code 50-06-7110-47 to the Bob Shepard Park. The initial funding of \$250,000.00 for this project will come from a loan from the General Fund unexpended Fund Balance to be paid back once grants monies are received.

Roll call: Mazzetti, aye; Guerriero, aye; Hansut, aye; Auchmoody, aye

Four ayes carried

F. RESOLUTION made by Mazzetti, seconded by Guerriero to hire Michael A. DePaola as a part-time seasonal laborer on an on-call basis at the base rate of \$19.65 per hour, effective immediately at the recommendation of Richard Klotz, Highway Superintendent.

Roll call: Mazzetti, aye; Guerriero, aye; Hansut, aye; Auchmoody, aye

Four ayes carried

G. RESOLUTION made by Mazzetti, seconded by Guerriero to hire Anthony Giangrasso as a part-time seasonal laborer on an on-call basis at the base rate of \$19.65 per hour, effective immediately at the recommendation of Richard Klotz, Highway Superintendent.

Roll call: Mazzetti, aye; Guerriero, aye; Hansut, aye; Auchmoody, aye

Four ayes carried

- H. RESOLUTION** made by Mazzetti, seconded by Guerriero to hire Fred Riley as a part-time seasonal laborer on an on-call basis at the base rate of \$19.65 per hour, effective immediately at the recommendation of Richard Klotz, Highway Superintendent.
Roll call: Mazzetti, aye; Guerriero, aye; Hansut, aye; Auchmoody, aye
Four ayes carried
- I. MOTION** made by Auchmoody, seconded by Mazzetti to accept the resignation of part-time police officer, Brett Blank, effective October 20, 2018.
Four ayes carried
- J. MOTION** made by Auchmoody, seconded by Mazzetti to accept the retirement of Frank Sozio, Highway MEO, effective November 16, 2018 and wish him well.
Four ayes carried
- K. MOTION** made by Mazzetti, seconded by Guerriero to accept the resignation of part-time police officer, Nicholas Vazeos, effective November 23, 2018.
Four ayes carried
- L. MOTION** made by Mazzetti, seconded by Auchmoody to accept the resignation of part-time police officer Olukayode Olasokan effective November 20, 2018.
Four ayes carried
- M. RESOLUTION** made by Mazzetti, seconded by Auchmoody to hire Donald F. Yonta III as a part-time dispatcher at an hourly rate of \$18.35 effective immediately at the recommendation of Chief Daniel Waage.
Roll call: Mazzetti, aye; Guerriero, aye; Hansut, aye; Auchmoody, aye
Four ayes carried
- N. RESOLUTION** made by Mazzetti, seconded by Guerriero to hire Tyler M. Croizer as a part-time police officer at an hourly rate of \$20.50 effective immediately at the recommendation of Chief Daniel Waage.
Roll call: Mazzetti, aye; Guerriero, aye; Hansut, aye; Auchmoody, aye
Four ayes carried
- O. RESOLUTION** made by Mazzetti, seconded by Auchmoody to hire Jesse C. Assenza as a part-time police officer at the hourly rate of \$20.50 effective immediately at the recommendation of Chief Daniel Waage.
Roll call: Mazzetti, aye; Guerriero, aye; Hansut, aye; Auchmoody, aye
Four ayes carried
- P. RESOLUTION** made by Mazzetti, seconded by Guerriero
WHEREAS, the Town of Lloyd and the Town of Lloyd Highway Department maintain certain Town Highways located within the Town known as Commercial Avenue, Leonta Court, Grove St., Meadow St., and Lincoln Avenue; and
WHEREAS, Central Hudson Gas & Electric Corporation hereafter “Central Hudson”, recently performed a distribution improvement project for the gas main and service replacement in the Town of Lloyd on portions of said town highways; and
WHEREAS, during the installation process certain areas of said town highways were disturbed; and
WHEREAS, the Central Hudson has agreed to pay the Town and its Highway Department the sum of Sixty-Four Thousand Dollars (\$64,000.00) in exchange for the Town and its highway department assuming all responsibility to repair, restore, and repave those portions of Commercial Avenue, Leonta Court, Grove St., Meadow St., and Lincoln Avenue disturbed by the distribution improvement project performed by Central Hudson; and
WHEREAS, the Town and Central Hudson have agreed to enter into a letter agreement confirming the parties’ understanding that the Town will assume all responsibility for the repair, restoration, and repaving of portions of Commercial Avenue, Leonta Court, Grove St., Meadow St., and Lincoln Avenue recently disturbed by Central Hudson and release Central Hudson from all liability relating to same in exchange for the sum of Sixty-Four Thousand Dollars (\$64,000.00) paid by Central Hudson to the Town;

November 21, 2018

NOW, THEREFORE, it is resolved as follows:

- 1) The letter/agreement annexed hereto as Exhibit "A" between Central Hudson Gas & Electric Corporation and the Town of Lloyd be and the same is hereby approved; and
- 2) Paul J. Hansut, Town Supervisor, is authorized on behalf of the Town of Lloyd to sign said agreement.

Roll call: Mazzetti, aye; Guerriero, aye; Hansut, aye; Auchmoody, aye
Four ayes carried

EXHIBIT A

November 21, 2018

Central Hudson Gas & Electric Corporation
Attn: James Keating
242 South Road
Poughkeepsie, NY 12601

Re: Central Hudson with Town of Lloyd Commercial Avenue

Dear Mr. Keating,

This letter is in reference to the Town of Lloyd's agreement to restore and repair those portions of Commercial Avenue, Leonta Court, Grove St., Meadow St., and Lincoln Avenue which were recently disturbed during Central Hudson Gas & Electric Distribution Improvement Project for the gas main and service replacement in the Town of Lloyd. This letter is to confirm that the Town of Lloyd and the Town of Lloyd Highway Department agree to release Central Hudson Gas & Electric Corporation from all liability, responsibility, and claims for repairs to that portions of Commercial Avenue, Leonta Court, Grove St., Meadow St., and Lincoln Avenue disturbed during Central Hudson's recent main and service replacement work in 2018 exchange for the sum of \$64,000.00 from Central Hudson Gas & Electric Corporation. It is mutually agreed and understood that the Town of Lloyd will release Central Hudson Gas & Electric Corporation from all claims and responsibility for the restoration and re-paving of those areas of Commercial Avenue, Leonta Court, Grove St., Meadow St., and Lincoln Avenue disturbed by Central Hudson during its work as set forth above.

Very Truly Yours,

Town of Lloyd

By _____
Paul J. Hansut

Date _____
Approved:
Central Hudson Gas & Electric Corporation

By _____
James Keating

Q. RESOLUTION made by Mazzetti, seconded by Guerriero

WHEREAS, Pursuant to section 32 of the New York State Town Law the Town Superintendent of Highways is obligated to perform such duties as are imposed upon him by law and such further duties as the Town Board may determine not inconsistent with law; and

WHEREAS, the Town Board of the Town of Lloyd as from time to time assigned such other and further duties to the Highway Department and its Superintendent; and

WHEREAS, the Highway Department is entitled to reimbursement for Labor equipment and materials expended in the performance of duties assigned to the Highway and its Superintendent by the Town Board; and

WHEREAS, the Town Board wishes to acknowledge same and create a procedure for said reimbursement;

NOW, THEREFORE, it is resolved as follows:

- 3) The Town Highway Department shall be reimbursed for all work not imposed upon the Highway Superintendent or Department by law but have been assigned to the Highway Department by the Town Board; and

- 4) The Town Highway Superintendent shall submit a voucher for reimbursement to the Town for any such further duties that the Town Board has assigned and submit same to be reviewed and approved for payment.

Roll call: Mazzetti, aye; Guerriero, aye; Hansut, aye; Auchmoody, aye

Four ayes carried

- R. MOTION** made by Mazzetti, seconded by Guerriero to close the Public Hearing at 7:55 PM on proposed Local Law H of 2018 “Amendments of Chapter 100 of the Town of Lloyd Zoning Code”, to amend the Zoning Map for a 23.117+/- acre parcel located at 5 Lumen Lane upon the application of Selux Corporation at 7:55PM.

Four ayes carried

- S. RESOLUTION** made by Auchmoody, seconded by Guerriero

WHEREAS, a proposed Local Law H of 2018 was introduced on the 17th day of October, 2018; and

WHEREAS, this local law amends the Zoning Map of the Town of Lloyd; and

WHEREAS, the Town Board has determined that this matter constitutes an Unlisted action under the State Environmental Quality Review Act (SEQRA), and the Town Board declared lead agency to do all necessary reviews in this matter; and

WHEREAS, a Short Environmental Assessment Form (EAF) has been prepared by the Petitioner and provided to the Town; and

WHEREAS, the Town Board has considered the information contained in Part I and other materials submitted by the project sponsor, and completed Part II of the Short Form EAF; and

WHEREAS, the Town Board has determined that the proposed action, to wit an amendment of the Zoning Map of the Town of Lloyd, will have no significant adverse environmental impacts.

NOW, THEREFORE, it is resolved that the Town Board, as lead agency under the New York State Environmental Quality Review Act, finds that the proposed action will not result in any adverse environmental impacts and hereby issues its declaration of non-significance.

Roll call: Mazzetti, aye; Guerriero, aye; Hansut, aye; Auchmoody, aye

Four ayes carried

- T. RESOLUTION** made by Mazzetti, seconded by Guerriero

WHEREAS, proposed Local Law H of 2018, a local law to amend the Zoning Map of the Town of Lloyd at 5 Lumen Lane (Portion of SBL 88.1-3-10 and which said parcel is intended to be combined with the adjacent parcel SBL: 88.1-6-6.100) from R1 (One Family Residential 1 acre) to GB (General Business), was introduced at a meeting of the Town Board held on the 17th day of October, 2018 at 7:00 p.m.; and

WHEREAS, this local law amends the Zoning Map to rezone the above-referenced parcels from R1 to GB; and

WHEREAS, this is an Unlisted action under SEQRA; and

WHEREAS, the Town Board, having examined Part I and completed Part II of a Short Environmental Assessment Form and considered the environmental effects of this matter, has found, as lead agency, that there is no environmental impact and has issued its declaration of non-significance; and

WHEREAS, a public hearing has been held thereon on the 21st day of November, 2018 at 7:00 p.m., at which time all interested persons were given the opportunity to be heard thereon.

NOW, THEREFORE, it is resolved that Local Law H of 2018 be enacted as in the form attached hereto as Schedule “A” as if fully set forth herein, being a law to amend the Zoning Map of the Town of Lloyd.

Roll call: Mazzetti, aye; Guerriero, aye; Hansut, aye; Auchmoody, aye

Four ayes carried

- U. MOTION** made by Mazzetti, seconded by Guerriero to close the Public Hearing at 8:00 PM on proposed Local Law I of 2018 a local law known as the “Amendments of Chapter 100 of the Town of Lloyd Zoning Code”, to amend the Zoning Map for property located on State Route 299 within the Town being SBL: 87.2-7-28.200 from design business to general business upon the application of Anthony Prizzia at 8PM.

Four ayes carried

V. RESOLUTION made by Mazzetti, seconded by Guerriero

WHEREAS, a proposed Local Law I of 2018 was introduced on the 17th day of October, 2018; and

WHEREAS, this local law amends the Zoning Map of the Town of Lloyd; and

WHEREAS, the Town Board has determined that this matter constitutes an Unlisted action under the State Environmental Quality Review Act (SEQRA), and the Town Board declared lead agency to do all necessary reviews in this matter; and

WHEREAS, a Short Environmental Assessment Form (EAF) has been prepared by the Petitioner and provided to the Town; and

WHEREAS, the Town Board has considered the information contained in Part I and other materials submitted by the project sponsor, and completed Part II of the Short Form EAF; and

WHEREAS, the Town Board has determined that the proposed action, to wit an amendment of the Zoning Map of the Town of Lloyd, will have no significant adverse environmental impacts.

NOW, THEREFORE, it is resolved that the Town Board, as lead agency under the New York State Environmental Quality Review Act, finds that the proposed action will not result in any adverse environmental impacts and hereby issues its declaration of non-significance.

Roll call: Mazzetti, aye; Guerriero, aye; Hansut, aye; Auchmoody, aye

Four ayes carried

W. RESOLUTION made by Auchmoody, seconded by Mazzetti

WHEREAS, proposed Local Law I of 2018, a local law to amend the Zoning Map of the Town of Lloyd at State Route 299 (SBL 87.2-7-28.200) from DB (Design Business) to GB (General Business), was introduced at a meeting of the Town Board held on the 17th day of October, 2018 at 7:00 p.m.; and

WHEREAS, this local law amends the Zoning Map to rezone the above-referenced parcels from DB to GB; and

WHEREAS, this is an Unlisted action under SEQRA; and

WHEREAS, the Town Board, having examined Part I and completed Part II of a Short Environmental Assessment Form and considered the environmental effects of this matter, has found, as lead agency, that there are no environmental impacts and has issued its declaration of non-significance; and

WHEREAS, a public hearing has been held thereon on the 21st day of November, 2018 at 7:00 p.m., at which time all interested persons were given the opportunity to be heard thereon.

NOW, THEREFORE, it is resolved that Local Law I of 2018 be enacted as in the form attached hereto as Schedule "A" as if fully set forth herein, being a law to amend the Zoning Map of the Town of Lloyd.

Roll call: Mazzetti, aye; Guerriero, aye; Hansut, aye; Auchmoody, aye

Four ayes carried

Murphy said he has an opinion from the NYS Comptroller that states that the Town Board may not reduce the salary of an elected official during their term unless it is by local law subject to mandatory Referendum. Therefore, the resolution reducing the salary of the four Councilmembers and the Supervisor is against case law. cannot raise a salary after the Preliminary Budget is posted but you cannot lower a salary during the term of the elected official. And you can't do either for Justices.

Supervisor said they need to amend lines 1010.10 and 1220.10 and to ensure they stay under the cap they are going to increase the mortgage tax line 00-3005 from \$1000 to \$11,000.

X. RESOLUTION made by Auchmoody, seconded by Hansut to rescind the resolution adopted on November 14, 2018 that changed the following Elected Official Salaries for the 2019 Preliminary Budget: Supervisor \$24,000.00 Town Board Members \$ 7,469.00

Roll call: Mazzetti, aye; Guerriero, aye; Hansut, aye; Auchmoody, aye

Four ayes carried

Y. RESOLUTION made by Auchmoody, seconded by Hansut to amend the resolution of the November 14, 2018 Town Board Meeting that amended the 2019 proposed Town of Lloyd Budget by eliminating in the GENERAL FUND Town Board PS 1010.10 -\$ 8,000.00, Supervisor PS 1220.10 -\$6,000.00 and by increasing Mortgage Tax 00-3005 from \$1,000.00 to \$11,000.00.

Roll call: Mazzetti, aye; Guerriero, aye; Hansut, aye; Auchmoody, aye

Four ayes carried

Guerriero questioned Sidewalks 5140.40 for \$7,049.00.

Supervisor said that in 2018 line 5140.40 spent \$17,049.00 and there was only \$10,000.00 in the budget so they needed to move \$7,049.00 into that line. This money was used to repair Bridgeview sidewalks.

Mazzetti said that he did not remember a resolution to spend that money to repair Bridgeview sidewalks and wanted that budget amendment removed until they know what the \$7000.00 is for. He remembered a resolution for sanding and grinding but not for repairing.

Auchmoody said they discussed the sidewalks at Bridgeview for months and nothing got done. The sidewalks were a dangerous situation as two people had already fallen. They needed to be done.

Guerriero said that he did not remember a resolution to spend the money.

Auchmoody said it was an emergency. He felt they were making this a political football. it was under \$10,000.00, an emergency and it needed to be done. It's been an issue for over two years.

Mazzetti said the contractor did the work and must be paid. He felt Mr. Auchmoody acted in good faith to get the job done. Procedure needs to be followed in the future. The Town Board was not notified of the emergency.

Z. RESOLUTION made by Mazzetti, seconded by Guerriero to approve the following budget amendments to the 2018 budget:

GENERAL

Supervisor PS	1220.10	+\$ 1,166.00
---------------	---------	--------------

(Bookkeeper bought out a weeks' vacation earlier in the year because she was maxed out)

Building & Grounds CE	1630.40	+\$ 5,000.00
-----------------------	---------	--------------

Police FT	3120.10	+\$108,000.00
-----------	---------	---------------

(Due to PBA contract being settled after 2018 budget was finalized)

Sidewalks	5140.40	+\$ 7,049.00
-----------	---------	--------------

Parks CE	7110.40	+\$ 9,000.00
----------	---------	--------------

BSHL Park CE	7110.42	+\$ 900.00
--------------	---------	------------

Celebrations	7550.40	+\$ 300.00
--------------	---------	------------

Transfer Station PS	8260.10	+\$ 5,000.00
---------------------	---------	--------------

Police Life Ins	9045.80	+\$ 700.00
-----------------	---------	------------

Building & Grounds PS	1630.10	-\$ 2,500.00
-----------------------	---------	--------------

Unallocated Insurance	1910.40	-\$ 2,104.00
-----------------------	---------	--------------

Police PT	3120.11	-\$ 5,000.00
-----------	---------	--------------

Dispatcher	3120.14	-\$ 1,000.00
------------	---------	--------------

Transfer Station CE	8260.40	-\$ 1,000.00
---------------------	---------	--------------

Contingency	1990.40	-\$113,100.00
-------------	---------	---------------

Reimburse Police	00-2691	+\$ 7,951.00
------------------	---------	--------------

Flea Market	00-2560	+\$ 300.00
-------------	---------	------------

Research Fees	00-2125	+\$ 4,160.00
---------------	---------	--------------

HIGHWAY

Hawleys Corners Rd	5112.88	+\$69,656.48
--------------------	---------	--------------

N. Chodikee Lake Rd	5112.89	+\$24,022.25
---------------------	---------	--------------

White St	5112.80	-\$ 4,565.63
----------	---------	--------------

Clearwater Road	5112.82	-\$ 2,297.34
-----------------	---------	--------------

Raymond Avenue	5112.83	-\$ 71.50
----------------	---------	-----------

Crest Lane	5112.84	-\$ 683.92
------------	---------	------------

November 21, 2018

N. Elting Corners Rd	5112.87	-\$ 1,587.26
General Repairs CE	5110.40	-\$ 84,473.08

SEWER

Sewage Treatment CE	8130.40	+\$27,000.00
Administration Prof Serv	8110.30	-\$27,000.00

Roll call: Mazzetti, aye; Guerriero, aye; Hansut, aye; Auchmoody, aye
Four ayes carried

MOTION made by Auchmoody, seconded by Guerriero to go into executive session to discuss litigation at 8:20PM.

Four ayes carried.

MOTION made by Auchmoody, seconded by Guerriero to come out of executive session at 8:41PM.

Four ayes carried.

RESOLUTION made by Auchmoody, seconded by Guerriero to hire the firm of Di Stasi Moriello & Murphy Law PLLC to represent the Town of Lloyd in the Verified Petition of Lawrence Roberto and Kellen Roberto against the Town of Lloyd.

Roll call: Mazzetti, aye; Guerriero, aye; Hansut, aye; Auchmoody, aye.
Four ayes carried

Respectfully submitted

Rosaria Schiavone Peplow
Town Clerk