

TOWN OF LLOYD TOWN BOARD

REGULAR MEETING AGENDA

FEBRUARY 20, 2019

Present: Supervisor Paul Hansut
Councilmember Leonard Auchmoody
Councilmember Joseph Mazzetti
Councilmember Claire Winslow

Also present: Sean Murphy, Attorney
Wendy Rosinski,
Deputy Clerk
Kate Jonietz, Secretary

Absent: Councilmember Joseph Mazzetti

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

Supervisor said the Public Hearings for the two proposed Local Laws on the agenda will stay open through the March Regular Town Board meeting. The Town has not received comments yet from the Ulster County Planning Board and there are probably people who could not make it this evening, due to the weather, and the board would like them to have the opportunity to comment. He would like the guest speakers to give their presentations before he opens those Public Hearings.

7:25PM - Supervisor opened the Public Hearing on Local Law B-2019, a Local Law to revise Chapter 100 “Zoning”, Article VII “Special Use Permits”, Section 100-42 “Accessory Apartments” by revising Subsection “J” thereof which section allows Accessory Apartments by Special Use Permit as provided in the Use Table in secondary structures (garage, carriage house, etc.) under the conditions contained in said Subsection “J”.

7:25PM - Supervisor opened the Public Hearing on Local Law C – 2019, a local to amend Chapter 100, entitled “Zoning” of § 100-12 entitled “Allowable uses” to prohibit the placement of Assisted Living Facilities and Nursing Homes in the R-2 (single- family residence, 2 acres) zone.

1. REPORTS – Town Board Liaisons

Audit –January 1 to June 30, 2019: Councilmembers Auchmoody and Mazzetti

July 1 to December 31, 2019: Councilmembers Winslow and Guerriero

ECC /Zoning Board – Councilmember Guerriero

Guerriero reported that Zoning Board does not have any applications in front of them.

NYSDEC has a program called Trees for Tribes. Anyone who has property along streams or creeks, that run down to the river, can apply for the program. DEC provides 2’ tree saplings which can be planted along the banks to help prevent soil erosion. Applications will be available at the Town hall, the Library or you can go on line at DEC.

Highland Central School District – Councilmember Mazzetti

Planning Board – Councilmember Winslow

Winslow reported the Planning Board workshop meeting, tomorrow night, the 21st and regular meeting on the 28th are cancelled because there isn’t anything on the agenda.

The Town received \$180,000.00 in Recreation Fees from Dollar General.

The Falcon Ridge feasibility study for the sewer line is almost complete.

Dollar General has broken ground.

Police/Fire/Town Justice – Supervisor Paul Hansut

Saturday, February 23rd is the United Methodist Church Annual Roast Pork Dinner from 4PM - 7PM at the United Methodist Church in the Hamlet. \$15 for Adults, \$7 for Children. Snow date is Saturday, March 2nd.

Supervisor said a couple of representatives from Highland Hose are here this evening. Their 125th Anniversary is this summer and they are planning a large parade, party and fireworks. They have a couple of resolutions on the Agenda that need to be approved so they can move forward with getting their permits.

Councilmember Guerriero said this is going to be a huge celebration.

Jim Balint, said they currently have 17 fire companies confirmed to come, they have sent out 86 invitations and its only a month into planning.

Water/Sewer/Drainage Committee –Councilmember Auchmoody

Auchmoody reported that this month’s meeting focused on the new water line project from Church St. up Grove St. They are currently discussing whether to pay for the project or

bond it. A concern about bonding is the time it takes getting the bond, then getting the project done and Highway being able to pave before the end of the year.

REPORT – Peter Bellizzi, President, Hudson Valley Rail Trail

Bellizzi reported that the Mountainside Woods sewer/drainage project is almost complete, they are cleaning up. They will refurbish and plant along the trail in the spring. Central Hudson installed 2 poles along the trail by their substation on Haviland Road. The project is complete, they have removed their equipment and will be doing some repair, refurbishing and clean up on the trail. He has spoken with Central Hudson because they had some leftover materials that the Rail Trail could use for the path from the Rail Trail to the Boy Scout bridge.

Bellizzi said this is the first winter with Phase III and IV open and having to plow the entire length of the Rail Trail. He said Highway did a great job and had the trail open by the next day after a storm.

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

Auchmoody reported that CSX and the Health Department have accepted the plans for Water and Sewer to go under the railroad tracks to get water and sewer to the Educational Building at the Park. Once they hear from their DASNY Grant representative (Dormitory Authority of the State of New York) that they are all set to go, they will go out to bid, which could be another three months.

2. OLD BUSINESS

A. Walkway Over the Hudson – bus turnaround

Elizabeth Waldstein-Hart, Executive Director Walkway Over the Hudson, thanked the Board for their service to Government. She invited everyone to visit the new Ulster Visitors Center.

Hart explained that The Walkway applied for a CFA (Consolidated Funding Application) Grant in 2016. When they applied for the grant, it was a three-part project; one part being the bus turnaround/parking lot at Haviland Road owned by the Town of Lloyd. After the grant was partially awarded. The construction was put on hold because Meyer Contracting Corporation, who were building the Visitors Center, used the parking lot as a staging area. That put the project on hold for two years. After Meyer Contracting moved out, the Town of Lloyd Highway Department groomed and graded the area so the tour buses and school buses could safely turn around. It can now be used for the bus turnaround and as many as 80 cars parked with assisted parking. In addition to the Town of Lloyd contribution, Meyer Contracting contributed Item 4, graveling and leveling; Central Hudson moved some poles and lines for safety reasons; Walter Stork Design did architecture work; NYS Bridge Authority, NYS Parks and the Walkway Over the Hudson also all contributed. At the end of the day, they were not awarded the other grant. The grant was a reimbursable 80/20 grant from Empire State Development Market New York. \$500,000.00 is spent and a \$100,000.00 is reimbursed. Unfortunately, no one has the \$500,000.00 for this project, it was tied to a bigger project that did not happen. The Town of Lloyd spent \$16,774.72 for materials and The Walkway Over the Hudson organization reimbursed the Town of Lloyd the \$16,744.72 out of their own funds. They are a non-profit and they do not get any money from New York State, they start every January with \$0 and raise all the money from donors. They were pleased to pay the Town this money because they do good work and the Town also contributed another \$20,000.00 in kind for labor. They have a successful bus turnaround but don't have curbing, lighting and landscaping as it was designed and first envisioned. The Walkway won't be able to complete those items without an influx of \$160,000.00 in cash. The options at this point would be to join forces with the Town of Lloyd and apply for another grant or perhaps some generous person would like to donate \$160,000.00.

Councilmember Winslow asked about other grants for which the Town could apply.

Hart responded there are many grants with different ratios of return. Walkway applies for many different types of grants all the time and they would be happy to support the Town with whatever type of grant they would like apply for and write letters of support.

Winslow asked how they find out about these grants and who writes them.

Hart said sometimes you look in old minutes or ask past board members, they will know what grants are available. The State regularly puts out lists of available grants. A good contact person is the Regional Director of Empire State Development, Meghan Taylor. Both of our counties are part of her region and she can guide your municipality.

Supervisor said in the past Barton & Loguidice have written grants for a fee. There are websites with information on grants. This is the time of year most of those lists come out.

Winslow asked if B & L have been successful.

Supervisor responded they got the Town the Rail Trail repaving grant and they are still waiting on the TAP Grant for the sidewalks. Barton & Loguidice has a very good success rate.

Hart said you pay to have the grant written whether you get it or not.

The bus turnaround is draining well, it is serving its purpose as a safe bus turnaround and it's getting cars off Haviland Road. After using it for a few events, state parks said they thought it was actually better that it wasn't curbed and landscaped because it gave the flexibility to use it as it was needed.

Supervisor said over the last few years they have discussed offering 75 Haviland Road parking lot and the bus turnaround lot up for sale to NYS Parks. That could provide a revenue influx the town.

Hart said the State does buy properties abutting their parks, so it is feasible.

Guerriero said they are considering putting in parking meters at 75 Haviland Road.

Hart said they did research for Parker Ave. and the City of Poughkeepsie and they looked at other places around the country. They found it to be a mixed result. People find other places to park, there is a cost to maintain the meters and monitor them.

Peter Bellizzi, President Hudson Valley Rail Trail Association thank Hart for clarifying the grant information.

Council Guerriero asked about signage on the Highland side. He had visitors from New Jersey and google sent them from Rt. 299 to Poughkeepsie.

Hart explained that it takes a great deal of effort to put signage up because of the different agency and landowners, such as NYSDOT. The City of Poughkeepsie put up several signs directing to the Walkway.

Bellizzi added that they have Empire State Trail signs ready to install in the spring.

Hart said that they have had people walk and drive around the town and look for directional signs to see if they are located in good place, if more need to be placed, etc. She said the Walkway Ambassadors would probably be happy to help the Town with something like that.

Mark Reynolds, reporter asked what the opening date is for the Dutchess Visitors Center and the Elevator.

Hart responded the Ulster Visitors Center is complete except for the solar panel installation. The Dutchess Visitors Center will be open in June, they do not have an exact date yet. The Elevator should be open in May. That is a State Parks project so she doesn't want to speak for them.

Supervisor said there are two resolutions on the agenda tonight which are both related to the Town and the County. He asked Chris White, Deputy Commissioner, Ulster County Planning Board, to come to the meeting this evening if anyone has any questions on either of these resolutions. The first resolution is for a maintenance and repair agreement with the County for Phase IV of the Hudson Valley Rail Trail which is from New Paltz Rd. along Rt. 299 to South St.

Supervisor asked if there were any questions, there were none.

The second is resolution M which is an agreement between the Town and the County for the parcel located at 2-4 South Chodikee Lake Road. This is the parcel at the corner of New Paltz Road and South Chodikee Lake across from the Rail Trail Depot. The house always caused a site line issue for New Paltz Road. Through the efforts of the County, the County Legislature and Chris White the County purchased it and tore the house down. They now want to convey the parcel to the Town at no cost.

Sean Murphy, Town Attorney said the County purchased Title Insurance on the property which protects from any liens, encumbrances or interests on the property that would be a detriment to the Town and he recommends the Town purchase title insurance on the property also. He said we can make it part of the resolution.

Supervisor thanked Chris for attending and asked if there were any questions for him, there were no one.

7:25 PM Supervisor opened Public Hearings and opened the floor to comments.

Dave Plavchak, 135 Vineyard Ave. spoke in reference to Local Law B-2019; prohibiting Accessory Apartments by Special Use Permit in secondary structures (garage, carriage house, etc.), he asked if anything has changed since the last time they discussed this law.

Winslow said they are changing it to a minimum lot size of 2-acres.

Plavchak said he doesn't understand the relevance of 2-acres or even changing the law because he didn't realize the law was broken.

Supervisor said when the revision of the law was first presented to the Town Board, they sent it back to the Planning Board for further discussion. The Planning Board returned with a requirement of a 2-acre lot would be better suited for the town.

Plavchak said he still doesn't understand, if you have a house with a detached garage and your neighbor has an attached garage; he can put up in an accessory apartment and you can't. He is trying to understand why, what the reason for changing the law is, were there complaints? It cost money to change code. He doesn't believe there were any complaints and in 5 years there were only 2 or 3 applications. He doesn't understand why they are spending money to change code for something that may not be broken. An accessory apartment can be a benefit to people.

Guerriero said they are trying to protect the character of the community.

Plavchak said again he doesn't understand why you are spending taxpayer's money with no good rationale for changing this law. When he was on the Planning Board and they discussed it three years ago, they didn't agree with changing the code, so what has changed since then.

Winslow said that the planning board has more of the specifics as to why it should be changed.

Plavchak responded that you should know those specifics if you are supporting the change.

Winslow said she tends to support anything the Planning Board presents.

Plavchak responded you're a good business person, if someone brings something to you that you don't understand, you aren't going to spend your money on it, correct?

Winslow responded she feels it saves the integrity of the neighborhoods and helps with overcrowding.

Plavchak said we can have boarding houses, there is no code for that, so its sort of the same thing. It doesn't matter whether its one or two acres, its still going to change the neighborhood. He said if you want to do it do it.

Winslow interjected "we are doing it".

Plavchak said you haven't voted on it yet. His personal opinion is they are taking taxpayers money to fix something that is not broke.

Comments on proposed Local Law C-2019 "Allowable uses" to prohibit the placement of Assisted Living Facilities and Nursing Homes in the R-2 (single-family residence, 2 acres) zone.

Rob Fuller 172 Bellevue Road feels that putting any type of business on Bellevue would alter the neighborhood. It will affect the traffic, the views, the bluffs.

Susan McGee 60 Bellevue Road said there isn't any traffic in their neighborhood and a project with 100 parking places will negatively impact the neighborhood.

Mary Casesse, 104 Bellevue Road said she is concerned about the health and safety impact. She also has concerns about where the project would get water from and the amount of delivery trucks.

Erika Fuller, 172 Bellevue Road said they would be opposed to a large scale Assisted Living Facility. She said Assisted Living homes are governed by the State and their hiring practices are not as stringent as nursing homes; applicants can't be disqualified because of criminal history and she questions the individuals that would be employed. The parking is one thing but the amount of staff and visitors would be overwhelming. If they have a well it will affect everyone's wells.

Erika Fuller said that the neighbors were not notified about the Town Board meeting.

Supervisor responded, there hasn't been anything submitted for a project, there was a conceptual idea brought to the building director and he initiated bringing it to the front tonight. There is no application for any project.

February 20, 2019

Sean Murphy, Town Attorney said the public hearing tonight is for a local law to amend the zoning to not allow Assisted Living Facilities or Nursing homes in R-2 Zones. Supervisor said this is for any R-2 property in the Town of Lloyd. The board will not be acting on the law tonight because they want to give everyone a fair opportunity to speak and also, they have not received the comments from the Ulster County Planning Board. Lance Spaulding, 65 Bellevue Road is in favor of changing the law to prohibit a large project from coming in. He said that the roads around Bellevue Road would not hold the traffic.

Samantha Schwall, 162 Bellevue Road said she is in favor of changing the zoning. For prospective, she said, think about the old St. Francis Hospital, it is about 125 beds; the project proposed is talking about 150 beds. That will give you an idea of the size of the proposed project.

Bob Benson, 2 Great View Lane. on the north end of Bellevue. asked the board if someone were building 3 25,000 sq. foot buildings, with 100 parking spaces and 40 employees, in your backyard, would any of you want it. He is opposed to the development and hopes the law will be changed.

Frank Arizmendi, 312 Bellevue Road said he is opposed to the project mostly because the road cannot handle the traffic, it is narrow, winding and gets very foggy.

Kevin Manning, 314 Bellevue Road said Bellevue Road is a jewel; people walk and jog and treat it as a very special thing. Once you open the road to commerce you open a gate you can never close and you will lose Bellevue Road as a jewel forever.

Randy McGee, 45 Bellevue Road has one of the older properties on Bellevue, it's an old farmhouse. He thinks the project should find somewhere else to build.

Supervisor said again, to make it clear, this Public Hearing is for a Local Law that would not allow Assisted Living Facilities or Nursing Homes in R-2 zoning throughout the Town.

Daniel Wolf, 33 Clearwater Road, his is the house that is on the bad curve on Clearwater. He is home all day because of his injury and he watches vehicles skid through the curve. He doesn't feel the road can handle the traffic from this project.

Supervisor said there were two letters and petitions submitted.

Comments to the Town Board – Public hearing 2/20/19

I support this change to the zoning ordinance

Nursing homes are a use that is too intense for this area. Multifamily dwellings and townhouses are not permitted in this zone and they are a lower density use than nursing homes.

There's a reason the entire west bank of the Hudson is zoned R-2. Because of the steep slopes, rocky soil, and absence of public water and sewer, a minimum of two acres is required to site a septic system and a well. Anyone who has built in the this area can describe the challenges of trucking in run-of-bank gravel to get the required percolation for the drainfield, finding a location for the well which is 100' from the drainfield and the neighbor's drainfield, and then hoping the well produces enough water to accommodate a family of 4.

The previous Comprehensive Plan proposed that additional areas be zoned R2 with the rationale that a two acre minimum lot size "more closely matched density with the carrying capacity of the land in areas of steep slopes and wetlands." It also recommended that the portions of the R-1 and the R-2 District in the vicinity of the Hudson River be reduced to a three acre minimum lot size to protect the environmentally sensitive Hudson River bluffs.

Since every property in this zone is dependent on private wells, an intense use, such as a nursing home, which depletes the common water supply, or worse, pollutes it, is a threat to our health and welfare.

As the ordinance says, zoning was "enacted to promote and protect the public health, safety, ... and general welfare of the people."

Please update the ordinance to protect the property owners you were elected to represent.

Joan S. Kelley
Joan Kelley

2/20/19



February 20, 2019

Councilmember Winslow, brought the attached letter and read into the minutes.

ALAN GOODMAN **171 BELLEVUE RD** **845-691-7970**
KATHY MAZZETTI **HIGHLAND, NY 12528** **845-399-7414**

ATT: Town of Lloyd Town Board
Ref: February 20th Meeting to consider adoption of Local Law C-2019

Dear Town Board Members,

Unfortunately we are unable to attend this meeting. We appreciate you reading this letter at the meeting and making it part of the public record.

We live on Bellevue Road that runs adjacent to land with R2 zoning along the Hudson River. Some of our own land is also zoned R2. We fully support the change in zoning that would prohibit assisted living and nursing homes to be build in the R2 zone.

These uses would be a substantial physical alteration to our residential neighborhood. In addition, they would be an added burden on the Town and have adverse impacts on the character and quality of life of our community. Bellevue Road, along with other R2 zone roads, is a winding limited access road that can only support residential traffic. The added commercial traffic would create safety issues for the residents who walk and ride bikes with their families. They would also have a negative impact on our property values. There is no municipal water and sewer to support these commercial buildings. The road may have to be made larger and require more maintenance.

We believe this type of development in the R2 zone is contrary to our Comprehensive Master Plan. Development of this nature in the R2 zone would affect our open space. The conditions of the land along the Hudson River may be altered. The wetlands that are so vital to our environment and the river could be adversely affected.

There are many other locations in our Town that would better support nursing homes and assisted living facilities but not in the R2 zone. We sincerely thank you for all the work you do to keep our Town safe and vibrant.

Sincerely yours


Alan Goodman

Kathy Mazzetti

3. NEW BUSINESS

A.

4. PRIVILEGE OF THE FLOOR

Ryan Burns, 849 North Chodikee Lake Road said he has been invited to a meeting with the County Legislative Office here at Town Hall on Saturday, the 23rd and is wondering what the Town's part is in the project.

Supervisor asked Kate Jonietz to give some background information.

Kate Jonietz, Secretary to the Supervisor said the Town does not have a part in this project. The only reason they are aware of it is that one of their committee members also sits on the John Burroughs Black Creek Trail Committee and brought it to their attention. Jonietz then made some phone calls to educate herself and the Supervisors' office. She said this is what she knows; that there are 125 acres that the County has owned for the last 14 years. In 2015, the intent was to sell it to NYSDEC. The meeting on Saturday is to determine how the parcel would be conveyed to them, they want it by Bargain and Sale which will provide a clearer title. As far as the Town is concerned, the terminus of North Chodikee Lake Road is at the cul-de-sac. There is question as to

whether the County abandoned the roadway that went through to Villi Valli Road in Esopus.

Because they may not have abandoned the road, they may still have rights to the road. The 125 acres cannot be combined with the existing Black Creek State Forest as it is not contiguous. NYSDEC would like to continue to work with Scenic Hudson to work on conservation and preservation of land in this area.

Burns said he worked for DEC for almost 10 years, he is a Veteran of Iraq and Afghanistan and still an active serviceman. He has an equity interest in the property DEC wants to cross.

The previous owners of his property said there was never an easement across 849 North Chodikee Lake Road to access the properties beyond. NYSDEC is claiming a road exists beyond the cul-de-sac on North Chodikee Lake Road. At a meeting on January 16, 2009, the DEC took the position that there was no evidence the Town of Lloyd had abandoned the road beyond the cul-de-sac. In a letter dated June 30, 1987 a letter from the Town attorney declares the road, a road by use, but only up to the cul-de-sac. He understands the town may argue that having access to the lands is good for commerce.

Concerning Camp Karlan-Stolin, in the summer months, it is well documented that there are problems with the campers. Creating access to the Black Creek Forest will only as aspirate those issues. Dumping is currently a problem and giving access will only increase that. Survey maps and deeds of the neighbors do not agree. His question to the board is how can they help.

Supervisor said they were not even aware of this until a committee member came to them.

They reached out to Dawn Passante, resident of North Chodikee Lake, DEC and Scenic Hudson to gather some information.

Murphy said a few years ago there was a law suit by the County to declare the path through the parcel a road and the suit was discontinued, there was no finding. At some point the road did go through to Villi Valli Road but that has been many, many years and the back end of the old road in Esopus is gated off. The Town did dedicate the road up to the Cul-de-sac, declared it a road by use. At some point you could go through to Villi Valli and end up on Floyd Ackert Road in Esopus.

Supervisor said this is not a Town issue but the Town could take a stand that they are not in support.

Murphy said the DEC is trying to open up the cul-de-sac for public access to the Black Creek Forest.

Burns said people park at the end of the cul-de-sac and hike and hunt, which is fine, those are my neighbors. The thought of opening it up to the entire state is not appealing.

Jonietz said Scenic Hudson and NYSDEC are meeting at the site on Saturday morning then coming back to Town Hall to talk.

Auchmoody asked how far Burns has walked the property.

Burns responded he has hiked all over the site.

Winslow asked if he thought his neighbors were going to attend the meeting.

Supervisor asked if Burns would give them some time to research and then prepare a resolution to not approve of opening up the access.

5. MOTIONS AND RESOLUTIONS

A. MOTION made by Winslow, seconded by Guerriero to approve the minutes Reorganization Meeting January 2, 2019 and the Regular Meeting January 16, 2019

Four ayes carried

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

General	G - 93	to	G - 237	\$ 230,077.22
Highway	H - 39	to	H - 91	\$ 51,400.95
Miscellaneous	M - 22	to	M - 55	\$ 124,424.33
Prepays	P - 38	to	P - 83	\$ 42,171.47
Sewer	S - 23	to	S - 73	\$ 78,094.02
Water	W - 39	to	W - 103	\$ 87,881.17

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

Four ayes carried

C. TABLED MOTION to close the Public Hearing on local Law-B-2019, a Local Law to revise Chapter 100 "Zoning", Article VII "Special Use Permits", Section 100-42

“Accessory Apartments” by revising Subsection “J” thereof which section allows Accessory Apartments by Special Use Permit as provided in the Use Table in secondary structures (garage, carriage house, etc.) under the conditions contained in Said subsection “J”.

D. TABLED MOTION to close the Public Hearing on Local Law C – 2019, a local to amend Chapter 100, entitled “Zoning” of § 100-12 entitled “Allowable uses” to prohibit the placement of Assisted Living Facilities and Nursing Homes in the R-2 (single- family residence, 2 acres) zone.

E. MOTION made by Winslow, seconded by Auchmoody to designate Saturday July 27, 2019 as Highland Hose Company No.1 Day in celebration of the 125th Anniversary and close the following streets for the parade route: commencing at New Paltz Road and Phillips Ave, along Main St. to Church St. along Vineyard Ave. to Van Wagner Rd. along Milton Ave. into the hamlet to the Frank Lombardi Municipal Parking Lot and use the Town Field for the festival and fireworks.

Four ayes carried

F. MOTION made by Winslow, seconded by Guerriero to suspend the noise ordinance from Town Code Chapter 75, Section 75-4 on Saturday July 27, 2019 for the Highland Hose Company No.1 125th Anniversary celebration from 3pm to 11pm.

Four ayes carried

G. MOTION made by Winslow, seconded by Guerriero to grant special permission to serve beer at the Town Field on Saturday July 27, 2019 for a period of three hours ending at 9:00pm for the Highland Hose Company No.1 125th Anniversary celebration as per Town Code Chapter 32, Section 32-4.

Four ayes carried

H. RESOLUTION made by Winslow, seconded by Guerriero to hire Amanda Rose as a part-time dispatcher at the hourly rate of \$18.35 effective immediately at the recommendation of Chief Daniel Waage.

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

Four ayes carried

I. RESOLUTION made by Winslow, seconded by Auchmoody to utilize Absolute Auction and Realty for the auction of the following surplus vehicle from the Police Department 2013 Ford Taurus VIN:1FAHP2L8XDG184961.

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

Four ayes carried

J. RESOLUTION made by Winslow, seconded by Guerriero to increase the rates for the following recreation programs: Summer Fun to \$85.00 per week for the first child and \$60.00 per week for the second child; increase the per-use rental fees for the Berean Park Pavilion and the Tony Williams Playground Pavilion to \$50.00 with proof of residency and \$100.00 for non-residents; increase the rental use fees for Tony Williams Field and the Town Field to \$50.00 per game/event. Proof of residency shall include NYS driver’s license and utility bill.

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

Four ayes carried

K. RESOLUTION made by Guerriero, seconded by Winslow to authorize the Supervisor to draft and sign Letters of Interest solicitations for the Hudson Valley Rail Trail Restoration Project for the OPRHP Grant Project # RTP 175017 to provide preliminary and final design and construction support services. Solicitations can only be sent to firms on the NYSDOT Region 8 LDSA list.

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

Four ayes carried

L. RESOLUTION made by Winslow, seconded by Auchmoody

WHEREAS, the Town Board, as Commissioners of the Highland Water District, received from its Administrator and Town Engineer information indicating that the Highland Water District Distribution System in the areas of Church Street and a portion of Grove Street are undersized and limit the ability of the water system to provide available fire flow from the hydrant system, as well as being in in poor condition and warrants the installation of a new water main to improve the water quality, available fire flow, and distribution system reliability; and,

WHEREAS, CPL, Architects, Engineers, Planners and Surveyor, has prepared documentation dated February, 2019, that has been submitted to the Town Board, and said information outlines the proposed improvements, budget and proposed project schedule, financing; and,

WHEREAS, the Highland Water District currently has budget line items and unexpended fund balance capable of covering the anticipated cost of the project, necessary to complete repairs, modifications, and improvements of the existing water systems as the District sees fit; and,

WHEREAS, CPL, Architects, Engineers, Planners, and Surveyor, Ray Jurkowski, P.E., and the Water and Sewer Administrator have provided a presentation to the Highland Water and Sewer Committee, as well as the Town Board for the improvements in this area and have delineated the project identified as Church Street Water Main Replacement.

NOW, THEREFORE, BE IT IS RESOLVED AS FOLLOWS:

1. This Town Board establishes a project to be known as Church Street Water Main Replacement for the installation of a new water main to serve the Church Street and Grove Street area in Highland New York;
2. The cost of this project shall be paid from the Water District 2018 and 2019 annual budget line item 9730.60, and the remainder to be paid from unexpended fund balance;
3. This is a replacement project and it is exempt from further SEQRA Action, being a Type II action consisting of a replacement in kind on the same site which did not exceed the thresholds of Section 617.4 of 6NYCRR Part 617, and no further environmental proceedings are necessary;
4. CPL, Architects, Engineers, Planners, and Surveyor, be and they hereby are authorized to prepare necessary design plans, obtain regulatory approvals, and prepare specifications and requests for proposal documents in accordance with law, give Notice to Bidders and all bids will be opened at the Town Hall at a date that shall be coordinated with the Town Clerk;
5. Such bid documents and proposed contract documents shall be available for public inspection for a deposit prior to the bid date;
6. Among other things, the bids must contain the Non-Collusion Certificate required by General Municipal Law, Section 103-d, and the Town Board shall reserve the right in its discretion to waive technical non-compliance, or irregularities that are not material or substantial to reject all bids and to re-bid the project.

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

Four ayes carried

Supervisor said what happens now is Ray Jurkowski, CPL will reach out the Ulster County Board of Health and make the application, a response takes 30 days. They hope to get the project going by this summer and complete before the flow of buses. Highway wants to pave Grove St. and Church St. this season.

Klotz said he is going to wait to pave Church St. and Grove St. until the project is done.

M. RESOLUTION made by Winslow, seconded by Guerriero

WHEREAS, the County of Ulster owns a certain parcel of land known as 2-4 South Chodikee Lake Road within the Town of Lloyd, said parcel being further described in a proposed Contract of Sale between the County of Ulster and the Town of Lloyd attached hereto and made a part hereof; and

WHEREAS, the County of Ulster has agreed to give the Town of Lloyd the parcel for no consideration upon the terms and conditions set forth in the Contract attached hereto, with conditions, including the County reserving a permanent easement for site

distance on, over and across a portion of the premises as set forth on an attachment to said Contract; and

WHEREAS, the Town wishes to accept the donation upon the terms and conditions contained in the Contract and attachments attached hereto and made apart hereof as Exhibit "A".

NOW, THEREFORE, IT IS RESOLVED AS FOLLOWS:

1. The Town of Lloyd hereby agrees to accept for no consideration the parcel of land identified in the Contract of Sale attached as Exhibit A annexed hereto; and
2. The Town of Lloyd is purchasing Title Insurance in the amount of \$50,000.00.
3. The Supervisor is authorized to execute all documents necessary to accept the parcel and arrange for filing of the Deed in the Ulster County Clerk's Office.
4. After filling in the Ulster County Clerk's Office the Deed shall be filed with the Town Clerk.

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

Four ayes carried

Klotz said he is having issues with the maintenance. The trail is narrow, the fence and the trees are in the way.

Supervisor said to reach out to Chris White, Deputy Commissioner, Ulster County Planning Board to discuss any issues.

N. RESOLUTION made by Winslow, seconded by Guerriero

WHEREAS, the County of Ulster has completed design, right-of-way acquisition and construction activities for the Hudson Valley Rail Trail: Phase 4, an approximately 1.25-mile public shared use path between New Paltz Road and South Street in the Town of Lloyd; and,

WHEREAS, the County and Town agreed that upon completion of the project by the County at the County's cost, the Town would assume responsibility for routine general maintenance tasks for the project, including but not limited to Snow removal, debris removal and fallen tree clearing; and,

WHEREAS, the County and Town have reached an agreement as to the terms and conditions, as set forth in the Agreement annexed hereto and made apart hereof; and,

WHEREAS, the County and Town now desire to enter into such agreement setting forth their respective rights and responsibilities; and

NOW THEREFORE IT IS RESOLVED AS FOLLOWS:

1. The Agreement set forth as Exhibit A annexed hereto be, and the same hereby is, approved by this Town Board, upon approval by the Ulster County Legislature the Supervisor is authorized to sign duplicate originals of the same.
2. Upon completion, original of the signed agreement shall be filed with the Town Clerk's Office.

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

Four ayes carried

O. RESOLUTION made by Guerriero, seconded by Auchmoody to accept and approve the Transient Merchant Market application of Mark Christiana at a fee of \$150.00 to expire on 12/31/2019.

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

Four ayes carried

P. RESOLUTION made by Auchmoody, seconded by Winslow to accept the quote of \$8,800.00 from Fireworks Extravaganza for the Town of Lloyd Independence Day fireworks display to be held on Friday July 5, 2019, with a rain-date of Saturday July 6, 2019 and authorize the Supervisor to sign the contract.

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

Four ayes carried

February 20, 2019

Supervisor said something to be aware of for the future, if you read the local paper, New Paltz is not doing Fireworks this year because of the cost of police and the overtime, renting the fairgrounds and the fireworks themselves. They can't get sponsorship to help pay for it and volunteers to organize and run the event.

Mark Reynolds asked if the town would have to maintain the parcel at 2-4 South Chodikee Lake Road and are they going to use it for a parking lot.

Supervisor said yes and that is the plan.

Reynolds asked if the 201 New Paltz Road fence on the Rail Trail has a set date to be removed.

Supervisor said in the spring.

Reynolds asked as far as the Affordable Housing issue, have they appointed an administrator.

Supervisor said Guy Kempe from RUPCO and David Barton, Building Department Director are working on that. They are working to form a committee and define responsibilities. The town Board will be appointing Barton in March.

Reynolds asked if there is a feeling among the Board members if they will go back to past projects to enforce the Affordable Housing.

Murphy said you can go back, but you don't know what the courts will do, it would be very difficult. And there isn't anyone on the list for Affordable Housing.

MOTION made by Winslow, seconded by Guerriero to go into executive session to discuss litigation at 8:30PM.

Five ayes carried.

MOTION made by Auchmoody, seconded by Winslow to come out of executive session to at 8:38 PM.

Five ayes carried.

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

Five ayes carried.

Respectfully submitted,

Wendy Rosinski
Deputy Town Clerk