

TOWN OF LLOYD
REGULAR TOWN BOARD MEETING
MAY 15, 2019

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

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

Absent: Councilmember Joseph Mazzetti

7:00 PM – Open meeting and Pledge of Allegiance

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 D & D Auto on 9W was granted an area variance to build a storage building.

Highland Central School District – Councilmember Mazzetti

Planning Board – Councilmember Winslow

Winslow reported that the new item for the Planning Board is the Views of Highland.

Police/Fire/Town Justice – Supervisor Paul Hansut

Supervisor reported that he, Mike Guerriero and Rich Klotz attended the 125th Anniversary Dinner for the Highland Fire Department. Peter Miller was recognized for his 45 years of service to the Highland Fire District.

At the Police Department there are PODS in the parking lot because they had a sewer main back up and pipe break under the building. They had to move items into the PODS so that the damage could be fixed.

Tonight, is the graduation for the 5th Civilian Police Academy with 14 graduates. One of the teachers from the High School FLEX program graduated and his students were there with flowers to congratulate her.

This Saturday, May 18th is Spring Fest.

Water/Sewer/Drainage Committee and EDC –Councilmember Auchmoody

Auchmoody reported the W/S/D committee discussed a pump or tank on the top of the hill for Falcon Ridge. They discussed the Church St./Grove St. new water main.

REPORT – Peter Bellizzi, President, Hudson Valley Rail Trail

Bellizzi reported that May 4th was Rail Trail Clean Up Day. He has been working on the trail to the Eagle Scout project. The Rail Trail received a mower from Empire State Trails.

The plaques have been mounted on the cabooses with the history of each caboose how they came to the Rail Trail and who donated them.

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

Auchmoody reported that five additional benches will arrive next week and the concrete pads have already been poured for them. They have started the sidewalk which will go from the dock to the driveway. The interior lights in the pavilion are installed, it takes a key to turn them on and off. They will only be on when there is an event at the pavilion. The fishermen are enjoying the park and there is a lot of activity.

2. OLD BUSINESS

A.

3. NEW BUSINESS

A. Assessor position

The Assessors position has been posted on the New York State Assessors Association website. It's has been sent to the County and it is posted on the Town of Lloyd website. They have not had any responses.

4. PRIVILEGE OF THE FLOOR

Peggy Kremer, 170 Upper Grand St. said she has a creek on her property and because of the swale on her property she has a lake. The slope of the swale is too high for her to get her lawn mower over. She can't widen her driveway because of the swale. It is unusable land.

Rich Klotz, the Highway Superintendent said they cannot do work on private property. She asked if the town could help her. She doesn't feel she should be paying for property she can't use, perhaps take it off her tax roll or put some pipes in.

Guerriero asked Klotz if the installation of the new pipe in the road is going to eliminate the problem on her property.

Klotz responded no.

Supervisor said it is private property and the town cannot go on private property to work.

Kremer asked if she found someone to do the work would the town supply the pipe and such.

Supervisor responded that by law they cannot do that.

Rafaela Smith, 67 Argent Drive said for the last three years she has asked the town to do something about the curbs, they are disintegrating. She said they need action from the town to fix them. She said she knows the town got money to do sidewalks and would like the town to use some of that money to fix the curbs in Bridgeview.

Eugene Roosa, President of the CSEA for the Town of Lloyd, said he is here to address the situation of hiring a part-time clerk typist in the Water Department. Last year it was put into the budget for a Senior Account Clerk, and that position still exists, as it was never abolished. They would like the board to consider filling that position full time. That position is still in the contract. Seven years ago, they agreed to it going part-time for Chris Sabatelli while he went to college. Currently, you are using someone who makes a higher rate pay and you are requiring him to do a clerk job.

Alex Caccio added that it is important that the position be full-time, it takes a lot to run that department, it is very important that everything goes right with taking payments and services rendered.

Guerriero stated that Litman agreed to part-time.

Caccio said as a Union they agreed to it but the person must take the test and become full-time. It is a competitive position.

Winslow asked if the Union could force the Board to hire someone full time, is that why they are here.

Roosa said no, they are not forcing, they are suggesting it. He said to read page 3 of the contract, I can't tell you what to do.

Winslow responded that they understand what they need to do.

Caccio said they have a Collective Bargaining Agreement agreed upon by both sides.

Roosa said if the Board would care to contact the Union, they could help work things out.

5. MOTIONS AND RESOLUTIONS

A. MOTION made by Auchmoody, **no second** to approve the minutes

Workshop meeting April 3, 2019, Regular Meeting April 17, 2019 and Workshop Meeting May 1, 2019.

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

General	G - 419 to G - 493	\$ 82,972.63
Highway	H - 213 to H - 267	\$ 18,623.37
Miscellaneous	M - 96 to M - 116	\$ 179,833.53
Prepays	P - 197 to P - 251	\$ 79,646.92
Sewer	S - 129 to S - 150	\$ 11,566.52
Water	W - 182 to W - 223	\$ 16,883.52

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

Four ayes carried

C. TABLED RESOLUTION to designate Greene County Commercial Bank as an additional banking institution to be used for certificates of deposit, checking accounts, savings accounts, notes and bonds.

Supervisor said the Greene County had met with Karen McPeck, Bookkeeper and had offered some very competitive rates. They weren't switching to them, just wanted the option. Then our current banks came back and wanted to open the line of communication to see what they could do to better serve the Town.

D. RESOLUTION made by Auchmoody, seconded by Winslow to approve the transfer of funds in the amount of \$10,000 from the Recreation reserve to the Capital fund expense

line 50-06-7310-40 for capital improvements at Tony Williams Park as recommended by Frank Alfonso, Recreation Director.

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

Four ayes carried

- E. RESOLUTION** made by Winslow, seconded by Guerriero to amend the working hours of the Town of Lloyd Highway crew from the current hours of 7am to 3:30pm to Summer Hours of 6:00am to 2:30pm effective May 27th, 2019 at the recommendation of Highway Superintendent, Richard Klotz.

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

Four ayes carried

- F. RESOLUTION** made by Auchmoody, seconded by Winslow to accept the resignation of James Algarin, part-time dispatcher, effective May 15, 2019.

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

Four ayes carried

- G. RESOLUTION** made by Winslow, seconded by Guerriero to hire James Algarin as part-time police officer at the hourly rate of \$21.20 effective May 16, 2019 at the recommendation of Chief Daniel Waage.

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

Four ayes carried

- H. RESOLUTION** made by Winslow, seconded by Auchmoody to hire Michael Henry as part-time police officer at the hourly rate of \$21.20 effective May 16, 2019 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 hire Daniel Parada as part-time dispatcher at the hourly rate of \$18.35 effective May 16, 2019 at the recommendation of Chief Daniel Waage.

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

Four ayes carried

- J. RESOLUTION** made by Auchmoody, seconded by Winslow

WHEREAS, THE PEOPLE OF THE STATE OF NEW YORK acting by and through the Commissioner of the Office of Parks, Recreation and Historic Preservation (N.Y.O.P.R.H.P.), have previously dedicated to the Town of Lloyd, Ulster County, New York, for all lawful municipal and **sewer district purposes**, all pumps, pipes, lines, connections, conduits and other equipment (the “improvements”), and offered to convey and assign all rights, title and interest to said improvements installed by or on behalf of N.Y.O.P.R.H.P. in the course and in furtherance of the extension of the Highland Sewer District and upgrade of the district’s facilities and improvements on property located within the Town’s right-of-way on the northeasterly side of Haviland Road; and

WHEREAS, N.Y.O.P.R.H.P, is the owner of all right, title and interests in and to the aforesaid improvements; and

WHEREAS, said improvements have been installed pursuant to the requirements of the Town of Lloyd, the Town Board as Commissioners of the Highland Sewer District; and

WHEREAS, representatives from the office of the town’s engineers, CPL have inspected and approved the improvements in the company of the Towns Sewer Administrator Adam Litman and have reviewed and approved the as-built drawings submitted to the Town on behalf of N.Y.O.P.R.H.P (As-Built Record Survey prepared by Meyer Contracting Corp. Walkway over Hudson State Historic Park- Ulster entrance last dated 10-8-18 Sheets numbered 1-6) and have verified that all “Improvements” required by the Town are complete and ready for acceptance by the Town Board of the Town of Lloyd as Commissioners of the Highland Sewer District; and

WHEREAS, the Town of Lloyd is in receipt from N.Y.O.P.R.H.P of a Bill of Sale in the form attached hereto and duly executed on behalf of the owner thereof and approved as to sufficiency by the attorney for the town,

MAY 15, 2019

NOW, THEREFORE, based upon the foregoing recitals the Town Board of the Town of Lloyd as Commissioners of the Highland Sewer District finds and determines as follows:

RESOLVED that the Town of Lloyd and the Highland Sewer District hereby accepts the aforesaid improvements described in this resolution and in the attached Bill of Sale, which said improvements shall hereinafter be the sole and exclusive property of the town; and it is further

RESOLVED that the supervisor be and the same hereby is, authorized to sign such other and further documents as are necessary to accept the improvements and to give full force and effect to this resolution.

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

Four ayes carried

K. RESOLUTION made by Auchmoody, seconded by Winslow

WHEREAS, THE PEOPLE OF THE STATE OF NEW YORK acting by and through the Commissioner of the Office of Parks, Recreation and Historic Preservation (N.Y.O.P.R.H.P.), have previously dedicated to the Town of Lloyd, Ulster County, New York, for all lawful municipal and **Water district purposes**, all pumps, pipes, lines, connections, conduits and other equipment (the "improvements"), and offered to convey and assign all rights, title and interest to said improvements installed by or on behalf of N.Y.O.P.R.H.P. in the course and in furtherance of the extension of the Highland Water District and upgrade of the districts' facilities and improvements on property located at 75 Haviland Road in the Town of Lloyd and bearing Town of Lloyd Tax Map Identification S-B-L: 88.17-5-38.200; and

WHEREAS, N.Y.O.P.R.H.P, is the owner of all right, title and interests in and to the aforesaid improvements; and

WHEREAS, said improvements have been installed pursuant to the requirements of the Town of Lloyd, the Town Board as Commissioners of the Highland Water; and

WHEREAS, representatives from the office of the town's engineers, CPL have inspected and approved the improvements in the company of the Towns Water Administrator Adam Litman and have reviewed and approved the as-built drawings submitted to the Town on behalf of N.Y.O.P.R.H.P (As-Built Record Survey prepared by Meyer Contracting Corp. Walkway over Hudson State Historic Park- Ulster entrance last dated 10-8-18 Sheets numbered 1-6) and have verified that all "Improvements" required by the Town are complete and ready for acceptance by the Town Board of the Town of Lloyd as Commissioners of the Highland Water District; and

WHEREAS, the Town of Lloyd is in receipt from N.Y.O.P.R.H.P of a Bill of Sale in the form attached hereto and duly executed on behalf of the owner thereof and approved as to sufficiency by the attorney for the town,

NOW, THEREFORE, based upon the foregoing recitals the Town Board of the Town of Lloyd as Commissioners of the Highland Water District finds and determines as follows:

RESOLVED that the Town of Lloyd and the Highland Water District hereby accepts the aforesaid improvements described in this resolution and in the attached Bill of Sale, which said improvements shall hereinafter be the sole and exclusive property of the town; and it is further

RESOLVED that the supervisor be and the same hereby is, authorized to sign such other and further documents as are necessary to accept the improvements and to give full force and effect to this resolution.

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

Four ayes carried

L. RESOLUTION made by Guerriero, seconded by Winslow

WHEREAS, Indian Ridge, LLC and Leonard J. Auchmoody entered into an agreement with the Town of Lloyd to allow the construction of a roadway with the signing of the subdivision map to build the road instead of bonding it; and,

WHEREAS, Indian Ridge, LLC and Leonard J. Auchmoody, in paragraph 8 of the said Road Improvement and Drainage Agreement dated November 5, 2005, set forth a completion date of thirty (30) months from the commencement of construction; and,

WHEREAS, the developer Leonard J. Auchmoody and Indian Ridge, LLC wishes to amend the agreement to provide, in paragraph 8, that the time set forth in the first sentence shall be "thirty (36) months from the execution of the Fifth Amendment to Road Improvement and Drainage Agreement;"

MAY 15, 2019

NOW, THEREFORE, IT IS RESOLVED AS FOLLOWS:

1. The Agreement of November 5, 2005 is amended as set forth in the "Fifth Amendment to Road Improvement and Drainage Agreement" to provide, in paragraph 8, that the developer shall complete the road within "thirty-six (36) months of the date the Fifth Amendment to Road Improvement and Drainage Agreement;"
2. The Building Department is advised that no permits other than the one allowed under the first amendment to this agreement are to be issued in this subdivision until the road is completed and approved by the Town's Highway Superintendent and engineer, and dedicated to the Town of Lloyd, without further agreement between the Town, Indian Ridge, LLC and Leonard J. Auchmoody.
3. The Developer may not obtain permits or C.O.'s or sell any lots without dedicating or bonding the road.
4. The Supervisor is authorized to sign the "Fifth Amendment to Road Improvement and Drainage Agreement" as set forth in Exhibit A attached hereto.

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

Four ayes carried

M. RESOLUTION made by Winslow, seconded by Guerriero - This agreement by and between the Town of Lloyd, a municipal corporation in the County of Ulster, with offices at Thomas Shay Square, 12 Church Street, Highland, New York 12528, and the Town of Marlborough, a municipal corporation in the County of Ulster, with offices at 21 Milton Turnpike, P.O. Box 305, Milton, New York 12547,

WHEREAS, a need has existed, as between the parties, for coverage of the parties' respective Boards of Assessment Review due to possible conflicts of interest when individual members of each Board wish to file a grievance and appeal the respective assessment of their own property and should not hear such cases; and

WHEREAS, any agreement between the towns should be in writing and approved by the Town Boards of both municipalities.

NOW, THEREFORE, IT IS AGREED AS FOLLOWS:

1. The parties shall share the services of their Board of Assessment Review on Grievance Day each year, hearing of any grievance from a Board member who grieves his or her own property or any property in which such member or a family member has an interest.

2. Pursuant to this contract, members of the Board of Assessment Review of each town be, and they hereby are, appointed as temporary members of the Board of Assessment Review of each other's town for all purposes when this contract is approved by the resolution of each municipality. The temporary member's decision shall be final and binding as if the decision of the other Town's Board.

3. There would normally be no remuneration to either town or the Board of Assessment Review for matters referred for a hearing and decision in the place and stead of the other town's Board of Assessment Review.

4. The Board of Assessment Review of each town shall be considered as a temporary appointee when working on a specific grievance, and all insurance and liability requirements would be covered by the municipality whose grievance was being heard.

5. A Board of Assessment Review acting for a town in this agreement may borrow the Assessor's and other relevant files of the other town for purposes of working on the grievance or case, and it is agreed that the said file shall be returned to the home town when the grievance hearing is completed and a decision reached. At the Board's discretion, it may travel to the other town's office and hear the grievance or review documents there, if the file is too voluminous to move. Records shall be kept of the shared services by each municipality and the provider of the service shall send a memorandum identifying the time and date of the hearing and decision on each grievance. Records shall be available for inspection by either of the municipalities which are a party to this agreement.

6. Any party to this contract may revoke the same by sending a notice of such revocation to the Town Board of the participating municipality. Upon the revocation of this contract, any outstanding records shall be returned within thirty (30) days of such revocation, unless the parties agree in writing to extend such date of return.

7. Any actions taken by the Board of Assessment Review of the affected municipalities hereunder shall be consistent with all the duties delegated to such officials by law.

8. If any provision of this agreement is deemed to be invalid or inoperative for any reason, that part shall be deemed modified to the extent necessary to make it valid and operative or, if it cannot be so modified, then severed and the remainder of the contract shall continue in full force and effect.

9. This contract shall be approved by the Town Board of each municipality and shall expire five (5) years from the date of its signing by its chief fiscal officer on behalf of its Town Board. The Town Board may extend or renew this contract at the termination thereof for another five (5) year period.

IN WITNESS WHEREOF, the Towns of Lloyd and Marlborough, Ulster County, New York, each has, by order of its respective Town Board, caused these presents to be subscribed by each of its respective Supervisors, and the seal of the Town to be affixed and attested by its Clerk thereof, on the dates affixed next to their respective signatures.

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

Four ayes carried

N. RESOLUTION made by Auchmoody seconded by Winslow

WHEREAS, the John Burroughs Black Creek Trail Steering Committee (“Steering Committee”) has been developing a plan for a multimodal trail from Illinois Mountain to the Hudson River through the Black Creek Corridor; and

WHEREAS, the Town of Lloyd is home to the southern half of the proposed trail, running from the Walkway Over the Hudson/ Hudson Valley Rail Trail/ and Illinois Mountain within the Town of Lloyd to the Town Boundary at North Chodikee Lake Road; and

WHEREAS, after conducting a planning process with public input in 2017, the Steering Committee has completed a “John Burroughs Black Creek Trail Plan,” (the “Plan”) which makes nine recommendations and proposes a multi-phase implementation; and

WHEREAS, the Town of Lloyd was represented on the Steering Committee throughout the planning process by the Town Supervisor and Chairperson, or their designee, of the Lloyd Economic Development Committee; and

WHEREAS, the John Burroughs Association and Scenic Hudson presented the recommendations and vision for the trail as set forth in the Plan to the Town Board for its consideration; and

WHEREAS, the Town of Lloyd unanimously passed a Resolution of Support for the John Burroughs Black Creek Trail Plan on April 26th, 2017; and

WHEREAS, a Traffic Safety Assessment of the proposed bike route including two alternative sections along a portion of New York State Route 299 and a structural assessment of Ose Bridge within the Town of Lloyd are two of the nine recommendations and an essential initial step in implementing the Plan; and

WHEREAS, the Town of Lloyd submitted a grant application to Hudson River Valley Greenway (the “Grant”) on September 8th, 2017 for the John Burroughs Black Creek Trail Phase I Implementation: Bicycle Segment; and

WHEREAS, Scenic Hudson agreed to supply \$5,000 cash as match for the Grant and manage any consultants hired if the Grant was secured; and

WHEREAS, the Town of Lloyd secured the Grant in the amount of \$39,950 on October 18th, 2017 which the Hudson River Valley Greenway provide a final contract execution date of November 30, 2017; and

NOW, THEREFORE, IT IS RESOLVED AS FOLLOWS:

1. This Town Board establishes a project to be known as John Burroughs Black Creek Bike Route Assessment for an engineering study to provide professional engineering services to perform an assessment of the John Burroughs Black Creek Trail on-road bike route to include 1) a traffic impact analysis for the two alternate bike routes, 2) a structural safety assessment for re-use and re-habilitation plan of Ose Road Bridge, and 3) a conceptual site plan for a bike route crossing of NYS Route;
2. The cost of this project shall be paid from the grant that has been received from the Hudson River Valley Greenway, and matching funds provided by Scenic Hudson;
3. This is a replacement project and it is exempt from further SEQRA Action, being a Type II action consisting of an engineering study which does not exceed the thresholds of Section 617.4 of 6NYCRR Part 617, and no further environmental proceedings are necessary;
4. The Town Authorizes the preparation of necessary Request 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 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.

Supervisor thanked Charles Glasner, he was instrumental on the Town's behalf working with Scenic Hudson and John Burroughs Association to get this grant and move the project forward.

Heather Blakey, Park Planner with Scenic Hudson said they are partnering with the Town of Lloyd and John Burroughs Association to create this 11-mile multimode park; from Illinois Mountain to black Creek Preserve. She thanked the Board for supporting the project. The Greenway Grants helps create the Bike section of the project which is a BIKE PADDLE HIKE. They will be applying for a CFA Grant to help support the rest of the plan. She thanked the Board for their support.

- O. RESOLUTION** made by Winslow, seconded by Guerriero to hire Kathleen Berean as Arts & Crafts Director at a salary of \$3,400.00 for the 2019 Arts & Crafts Summerfun Program at Berean Park at the recommendation of Frank Alfonso, Recreation Director.

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

Four ayes carried

- P. RESOLUTION** made by Winslow, seconded by Guerriero to hire Alissa Morano as Sports Director at a salary \$3,400.00 for the 2019 Sports Summerfun Program at Tony Williams Park at the recommendation of Frank Alfonso, Recreation Director.

- Q. RESOLUTION** made by Auchmoody, seconded by Winslow to hire Justine Marsh, as Assistant Camp Director at an hourly rate of \$11.70 for the 2019 Arts & Crafts Summerfun Program at Berean Park at the recommendation of Frank Alfonso, Recreation Director.

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

Four ayes carried

- R. RESOLUTION** made by Winslow, seconded by Guerriero to hire the following lifeguard and waterfront staff for the 2019 season at Berean Park: Thomas Palazzo, Waterfront Director at a salary of \$4,500.00; Bogregory Garcia, Assistant Waterfront Director, \$15.00 per hour; Taylor Farino, Head Lifeguard, \$15.00; Adam Albright, \$11.70 per hour; Jocelyn Antonio, \$11.70 per hour; Emily Angelillo, \$11.70 per hour; Jan Anthony, \$11.70 per hour; Riley Becker, \$11.70 per hour; Emily Boesch, \$11.70 per hour; Michael Canino, \$12.50 per hour; Christopher Hammond, \$11.70 per hour; Nicholas Metz, \$11.70 per hour; Harrison Pietrzak, \$11.70 per hour and Emily Ramsey, \$11.70 per hour.

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

Four ayes carried

Supervisor mentioned that Thursday, the 16th is a "Night at the USO" in honor Ben Bragg, at the High School at 5:30 PM, it is free to all Senior Citizens, there will be dinner, a DJ and dancing.

MOTION made by Winslow, seconded by Guerriero to adjourn at 7:40 PM

Respectfully submitted

Wendy D. Rosinski
Town Clerk