

TOWN OF LLOYD TOWN BOARD

REGULAR MEETING AGENDA

OCTOBER 16, 2013

Present: Supervisor Paul Hansut
Councilmember Kevin Brennie
Councilmember Michael Guerriero
Councilmember Herbert Litts
Councilmember Jeffrey Paladino

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

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

7:00 PM – Supervisor opened the Public Hearing on the Preliminary 2014 Town Budget and asked if there were any questions on the Preliminary Budget.

Mark Reynolds, reporter, asked the Supervisor to note any of the big changes in the budget.

Supervisor said that it is difficult to give a percentage of exactly what the budget increase will be; it is at 2.934%. The biggest factor for this year's budget is that we have to start paying the debt of the Sewer Plant which is about \$400,000 per year for the next 20-some years. If you look at the Preliminary budget outside the Water and Sewer District, taxes are going to go up 8-cents per thousand and on a \$300,000 house, that is \$24.00; inside the Water and Sewer it is going to go up 39-cents per thousand, \$117.00 on a \$300,000 house and inside the Water District it is going to be a minus 13-cents, which is actually a minus \$39.00 on a \$300,000 house. The biggest increase in the levy is under the Sewer capital at 114.3%. The Sewer Plant needed an upgrade, there were public hearings in 2006 and the Town received a great opportunity through the Environmental Funding Corp (EFC) where interest was not paid on the first half of the construction loan and then 1% for the next half of the construction loan. Three contracts were settled. The PBA had been expired for three years. There is a 9% increase over a five-year period but in settling the contract eight or nine full-time Police were put into the high-deductible health insurance plan which will ultimately save money. The next contract that was settled was the CSEA; there were two contract meetings with them and we were able to resolve that with a 2% and 2%. The five-year contract with the Building Department Supervisor was settled. The budget increases two employees from part-time to full-time. The Assessor's Clerk will increase to 35 hours per week due to the Assessor doing the re-evaluation in-house, collecting data. The second position is the part-time laborer at the Water and Sewer Departments will now be full-time. This individual was hired for part-time and has been doing a fantastic job so he is going to be moved to a full-time position. There was a question raised about the Assessor's Aide position. One candidate who had applied for the Assessor's position with 25 years of experience believed that he could do the job with a part-time Aide. The new Assessor, Jennifer Mund, is doing a fantastic job. She will be doing the re-val, data collection; \$7,000 a year would be spent if someone was hired to do the re-val. The Board talked it over and it was felt that the full-time position as Assessor's Aide was needed. The Safety Net has decreased \$75,000 due to Ulster County absorbing one third of the cost. It is not certain when the battle between the County and Assemblyman Kevin Cahill will be resolved and if it is not resolved, sales tax will be 7% rather than the 8%. An adjustment was made for revenue under Sales Tax. Supervisor's Contingency Budget has been reduced from \$200,000 to \$150,000. The Water District Budget has decreased due to the use of surplus funds to offset operation maintenance and there is \$65,000 that has come off that debt. It is anticipated that in 2015 that another \$90,000 will come off. These are the highlights; in the past Town Boards have gone through the budget line by line but everything is clear cut. The Preliminary Budget for 2014 is online for anyone who would like to look at it. The Contractual expenses have towed the line. Personnel services have gone up. He noted that he felt that the workforce in the Town of Lloyd does an excellent job. There are a lot of parks, roadways and a great Police Department. Passing this budget will require a majority of the Town Board to exceed the 1.66% property tax cap.

Reynolds asked if there has been a savings with the high deductible health insurance.

Elaine Rivera, Budget Officer, suggested looking under General, Highway, Water and Sewer, Code 9010, and the savings can be seen. Karen McPeck, Bookkeeper, has the actual figure in savings.

Supervisor said that adding the Police to CDCHP will result in a \$40,000 savings.

Reynolds asked if the Town was going out for a RFP on the Property and Casualty insurance.

Supervisor anticipated that will be done in November. The other decrease was in the Ambulance District with Mobile Life which was almost \$18,000, as Mobile Life is picking

up more business at Wingate so they were able to reduce that contract down to \$212,000. If anyone has comments and could not be at this meeting, they may send the comments to his email which is phansut@townoflloyd.com and he will forward the questions and concerns to the other Town Board members.

1. REPORTS – Town Board Liaisons

Assessor – Councilmember Paladino reported that Jennifer Mund attended the School Board meeting to introduce herself; there will be a presentation by the Office of Real Property on the STAR program at the November 19 School Board meeting. He reminded everyone to get their exemption in by December 30.

Audit – January 1 to June 30, 2013: Councilmember Litts Councilmember Brennie

July 1 to December 31, 2013: Councilmember Paladino, Councilmember Guerriero

Building Department – Supervisor Hansut said that it has been very busy due to the public hearing and comments that are coming in on the Comprehensive Plan as well as the DEIS for the Winery project. David Barton is not feeling well and is at home; last night Dave attended a Town Board meeting in Marlborough regarding the extension of the water line south on Route 9W.

Anthony Pascale, Marlborough Councilman, was introduced and said that two letters were submitted today from the Marlborough Town Board in support of the CFA application of the Town of Lloyd which he hopes will help to get the grant to run the water line down to the Marlborough town line. Marlborough is anticipating that in April they will put in an application from the Town of Lloyd line down to Milton Turnpike. He complimented David Barton for his presentation last night which was very thorough and brought information to the Marlborough meeting that some of the Board members did not know. Councilmember Paladino was also present at the meeting, which he appreciated.

Supervisor said that application has been made for the Consolidated Fund (CFA), Ulster County IDA and Empire Region; there have been conversations with Steve Richardson of NYS DEP who was at the second meeting with the County. They are onboard with this extension. Last week, County Executive Mike Hein was in town and he has indicated his full support for that application.

Paladino said Suzanne Holt expressed at the meeting that there is County support for the project.

Mr. Maxon said that on behalf of the Winery project, the Town Board should be proud of the efforts of the Supervisor, Councilman Paladino, and especially Dave Barton, to take the water line to the Marlborough town line, bringing to light the information that much of the Marlborough board was not aware, and Anthony Pascale who made everyone aware of the importance of the project. Suzanne Holt who is taking over for March Gallagher, Director of Ulster County Business Services, showed the commitment of the County Executive to the project.

Guerriero asked Pascale why the Marlborough Town Board was not acting on the need for water.

Pascale replied was that there was a lack of communication; Paladino had made an attempt to speak with each board member individually but they were not aware until last night. He recused himself as he owns property next to this project. He was asked by two other board members to let the Town of Lloyd Town Board know that support letters have been sent.

Supervisor said in defense of Steve Osborn, Supervisor Town of Marlborough, at the times of the two meetings, Marlborough was still in the process of drilling for wells and hopeful that something would come of that.

Pascale said that they were dry wells.

Dog Control – Councilmember Brennie

Environmental – Councilmember Guerriero

Grants – Supervisor Hansut

Highland Fire District – Councilmember Paladino conveyed that they had an Open House this past Wednesday. Several hundred people attended; it is advertised primarily through the schools and the Elementary kids enjoy coming to see the fire trucks and get fire prevention education. It was a very successful event.

Highland Central School District – Councilmember Paladino said that discussions have begun on the District's Capital Improvement project and the School Board will meet every Tuesday through the month; there are two different proposals, one a \$15-million and the other a \$20-million proposal. The vote is on December 10.

Highway/Transfer Station – Councilmember Guerriero reported that revenue to date at the Transfer Station has increased \$9,454 over last year.

Historian – Councilmember Guerriero said that he attended a meeting held by the Historical Society at Vineyard Commons, which was also attended by Mrs. Liz Alfonso, Town Historian, who made an interesting presentation of the Old Days of Highland and the merchants.

Justice – Councilmember Litts said that there is nothing new to report.

Lights – Councilmember Brennie received one report of a light out on Cuomo Drive which was reported to Central Hudson.

Planning Board – Councilmember Guerriero said that he had nothing to report.

Police – Supervisor Hansut said that the Chief gave the monthly report at the Workshop meeting; however, since then there were two incidents: a 23 year-old male at Sunnybrook was charged with burglary and the second was at the Winery where 15 to 18 year old individuals broke into the building, painted swastikas and caused a lot of havoc, arrests were made.

Maxon, representing the Winery, offered his kudos on the response time of the Lloyd Police; they were joined by a NY State Trooper who lives on Blue Point Road and the Winery caretaker. Six young individuals were caught red-handed within moments. This is the second incident to which the Police Department has responded and there were three arrests made at that time.

Erin Quinn, reporter, asked for more information on the swastika graffiti.

Maxon said that Lt. James Janso asked him not to comment as it is a pending case.

Supervisor suggested that she should call Lt. Janso.

Litts asked for an update on the vandalism at the Highland Cemetery.

Supervisor replied that Roger Gardner, Superintendent of the Highland Cemetery, said that 142 total headstones were repaired and replaced.

Guerriero commented that they did a wonderful job; his wife's grandparents' headstone was damaged but it has been repaired and the repair was not evident.

Supervisor said that the work was done by Weidner Memorial on Route 9W; the bill is going to be submitted to NYS. He did speak with a Weidner partner and he said that whatever NYS does not pay, Weidner Memorial will cover. He was asked to mention that there is going to be a pasta dinner on November 3 at St. Augustine's School from 4 PM to 6 PM; contact person is Roberta Dunspaugh DeMaio. They are hoping to raise money in the event that the State does not pay the full share. The money will go toward the Cemetery fund for future projects, if the State does pay 100%. The Cemetery is treading water in their finances due to the expense of cutting the lawn and doing repairs.

Recreation – Councilmember Brennie reported that Tony Williams Park is used five days a week and Pop Warner is in full force with games and cheerleading; Men's softball continues. Saturday morning basketball program will begin at the Middle School. Lawn care is still being discussed for next year. It has been discussed if the Recreation Commission is something that should continue as it is difficult to get people to come to meetings, if the Commission actually holds real power and is relevant. The issues that arise do come to the Town Board anyway, the discussion will continue.

Water, Sewer and Drainage – Councilmember Litts reported that there was a meeting in October and the committee will meet December 5. There were presentations on drainage issues and one gentleman came to the meeting regarding his water bill. There will be reports coming from both of those issues.

Zoning Board of Appeals – Councilmember Litts said that there were two applicants on placement of sheds on their properties. One was larger than the typical shed and the variance was granted. The other was an interpretation as to where the front yard is and a variance was issued for that. It was a relatively quiet month.

REPORT – Claire Costantino, President, Hudson Valley Rail Trail, read the following report: The Rail Trail Association enjoyed an outstanding Columbus Day weekend of community events starting with the Moonwalk on Friday, the Gala on Saturday, Hudson Fest on Sunday and Move Your Caboose Fun Run/Walk Race on Monday, to benefit the Hudson Valley Rail Trail Association with their endeavors to bring additional amenities to the Trail. She extended a huge thank you to event chairmen: Wendy Rosinski, Eric Norberg and Susan Van de Bogart. Each of them can always be counted on to do an outstanding job for the Association. A highlight during the evening of Under the Stars Gala was the arrival of Chris White, on behalf of Ulster County Executive Michael Hein, presented the Hudson Valley Rail Trail Association with a certificate of appreciation: "Thank you for continuing to support the expansion and the

maintenance of the Rail Trail, your commitment and dedication to improving the quality of life in our community is truly appreciated. Together we strive to make Ulster County the best place to live, work and raise a family.”

On Thursday, October 10, Rail Trail Board Members Raphael Diaz, Ray Costantino and I attended the Trail Enhancement Coalition meeting hosted by Walkway over the Hudson; our own Raphael Diaz was part of the agenda, discussing what the Hudson Valley Rail Trail Association has done to increase trail safety and courtesy. Breakout groups focused on how to inform the public about appropriate and safe use of the trails, roles and responsibilities of trail volunteer groups, facilitation of smooth and safe pedestrian and bicycle flow through parks and trails and the monitoring evaluation of trail usage.

Our fall learn-to-run program continues under the direction of Raphael and the ten-week program will conclude on November 16 with a graduation ceremony and certificate for those who have completed the program.

Plans are already underway for the next event, WinterFest 14, under the leadership of Laurieann Marion; the event is scheduled for February 8, Saturday, at 101 New Paltz Road.

The caboos committee met and they are in the process of developing plans to make improvements to the cabooses at each site.

On behalf of the Hudson Valley Rail Trail Association, I wish to extend a thank you to the Town Board for the fresh coat of paint on the pavilion at 101 New Paltz Road; it really looks great and was done in time for the Columbus Day events. Thank you very much.

Supervisor commented that it was a great weekend and it was nice to see so many different people get involved in so many different events. Susan Van De Bogart, Wendy Rosinski and Eric Norberg really did a great job.

Paladino said that there were several thousand people at HudsonFest and there were a lot of people who made the comment that 60% to 80% of the people were from out of town which confirms the idea of tourism due to the Rail Trail and Walkway. He acknowledged that there was a meeting last night with the Marlborough Bounty Fest, at the Brooks and Brooks offices, and they would like to talk about making it a regional event. They estimate that they get approximately 3,000 people coming to Schantz Park.

REPORT – Matthew Smith, Manager, Bob Shepard Highland Landing Park: We are still hauling the larger rocks out that were screened from the fill and Lenny Auchmoody is hauling them out to his gravel bank with Jimmy Anzalone’s tri-axel dump truck. We will use the gravel as parking lot sub-base and in and out driveways. The base for the Riverwalk is crushed reclaimed concrete which looks nice. Thank you, Lenny.

We are having a grid of grade stakes put in (Brooks and Brooks are doing that as a donation) so we can finish the sub-grading and they are working with the architect now to make sure that the water runs in the right direction. Lenny is starting to haul the donated topsoil to his gravel bank where he will mix the donations of Rich Klotz, Ricky Auchmoody and Custom Compost, screen it and then bring it back to the Park. It won’t be until spring that the top soil is spread and grass planted. He said that he is very disappointed.

I met with Tim Baker of Baker & Son Landscaping a few days ago; he has volunteered to spread the topsoil, plant the grass seed and do the plantings, etc. He spent several hours walking the Park and is very excited to be able to help.

Steve Schmidt, Timberline Construction, finished installing the windows in the Education Building. We are working at preparing for the foamed-in insulation (clean up, electric inspections, etc.), which is the next step.

We had one of my dreams (Park Association dreams) come true at the Park last week. The 8th Grade Honors Science students from Highland Middle School, led by their teacher Kevin Rizzo, other teachers and parents, came down to the Park for a program called, “A Day in the Life of the River”, which was put on by the NYSDEC. They were able to use the equipment that was purchased with a Hudson River Foundation Grant (\$7,000 worth) to do various River studies, chemical testing of the water, core sampling, seining of fish and other invertebrates, kick netting, bottom sampling and much more. The kids had a terrific time (so did I!). I was impressed with their behavior; they were respectful and he did not see or hear a cell phone. We hope to have much more of the same in the future. The data they gathered will actually be used by DEC for their yearly River study. There was a great picture in this week’s *Southern Ulster Times*. He believes that the students will never forget the day they spent at the Hudson River.

The docks and ramps will be taken out the first week in November and will be stored up-land.

2. OLD BUSINESS

A. The Town’s current electronic recycling service, "Regional Computer Recycling & Recovery" will begin to charge the Town 25 cents per pound for electronic waste on November 1st. Transfer Station records shows that the Transfer Station handled a total of 17,000 pounds of electronic waste. Approximately 73% of that was Cathode Ray Tube (CRT) material at a cost to recycle of \$3,172.00 to Regional Computer Recycling & Recovery.

Supervisor said that Litts has offered a name of company who might be able to help and they will be contacted tomorrow. This is a problem that has to be addressed as the Town has to pay for to dispose of everything that is taken in.

Klotz added that CRT's are not recyclable anymore and has been talking to Ulster County Resource Recover (UCRR) and they are having the same problem. This is anything that has a screen.

He will call the number furnished by Litts and see if this can be resolved. There is a 4-yard dumpster at the Transfer Station and it is emptied about once a month. Supervisor said that because there will be a charge to dispose of the CRT's, there will be a lot of CRT's left along the roads; hopefully, this company will help us out.

Three options:

1. Continue to accept CRT's free of charge.
2. NOT accept CRT devices at all.
3. Charge a fee for CRT devices to offset the RCR&R handling fee.

It would be more cost effective to continue allowing residents to drop off these items and charge a fee for handling them. Having a contract with a reputable company to pick up and properly dispose of them according to DEC regulations is a benefit to all. If the Town does not accept these goods they may be discarded around Town or left at the Transfer Station when it is closed. The Town has no means to properly dismantle these particular items for recycling and we would be subject to DEC fines, etc. The Transfer Station should begin charging for accepting CRT containing devices including CRT TV's and CRT Monitors, effective November 1, 2013.

3. NEW BUSINESS

A. EDC report of suggested parking improvements in the Hamlet of Highland

Supervisor said that he spoke with Peter Brooks who with members of the EDC walked around the Hamlet and put together a report of recommendations. He feels that there are improvements that can be made with landscaping, signage and parking lot restrictions. He said that he appreciated the effort made in putting the report together.

4. PRIVILEGE OF THE FLOOR

Ray Costantino asked about the procedure to inform Central Hudson when a light is out.

Brennie said in the past, Central Hudson would be called and they now refer you to the website. The website asks for the pole number. Usually within seven to ten days the light is fixed. It has never been easier to report a light out.

Supervisor said to get the light pole numbers and give a call to Kate Jonietz and she will contact them.

Costantino suggested that the public is educated as the Town pays for those lights whether they are lit or not.

Jonietz said that on the Town website, the Supervisor's page, Report a Street Light Out, click and it will go right to Central Hudson's page, fill in the pole number, location; it will ask for your name and email address or the best way to contact you.

Raphael Diaz said that Board members are running for reelection or new positions and wanted to say in behalf of the Rail Trail, particularly the bike safety committee that the Board has been very cooperative and asked that if there are any changes and new people sitting in their seats that they maintain that. Regarding the meeting of the Coalition, with 30 people around the table, he said that both Ray and Claire work very hard and expressed his appreciation.

Supervisor said when the County Executive was in Lloyd he talked about the Rail Trail running out to the Shokan and he is committed to seeing that through.

Quinn asked if the Board was going to discuss the budget.

Supervisor said that he felt that everyone on the Board has been a part of it and it has been discussed; further, that it will probably be adopted at the next Regular Town Board meeting of November 20. He hopes that if anyone on the Board has a question that they reach out to him but he feels that the Board understands the amount of effort and work that went into the budget and that the Board had input. Elaine Rivera put this together and worked on the numbers. It was not an easy process. We would like to stay under the State property tax cap but in order to do that severe changes have to be made to the quality of life in the Town. He thanked County Executive Mike Hein who committed to take Safety Net back to the County and with the support of the Ulster County Legislature that is becoming a reality. He has guaranteed that his budget would be out prior to the adoption of our Town budget.

5. MOTIONS AND RESOLUTIONS

A. MOTION made by Brennie, seconded by Paladino, to approve the minutes of the Workshop Meeting of September 4, 2013 and Regular Meeting of September 18, 2013.

Five ayes carried.

B. RESOLUTION made by Brennie, seconded by Litts, to authorize the payment of vouchers as audited by the Audit Committee:

General	G883 to G986	\$55,379.07
Highway	H360 to H405	\$32,176.17
Miscellaneous	M151 to M171	\$46,515.35
Prepays	P341 to P371	\$41,754.40
Sewer	S226 to S261	\$41,646.65
Water	W237 to W268	\$22,845.45

Roll call: Hansut, aye; Paladino, aye; Guerriero, aye; Litts, aye; Brennie, aye.

Five ayes carried.

C. RESOLUTION made by Brennie, seconded by Paladino, to approve the following budget amendments for the 2013 budget:

GENERAL

1220.10	Supervisor's PS	+\$ 1,433.00
3510.10	Dog Control PS	+\$ 280.00
8010.10	Building Dept PS	+\$10,336.00
1990.40	Contingency	-\$12,049.00

(Adjustments to budget for CSEA contract settled)

1630.40	Building & Grounds CE	+\$5,000.00
1620.40	Town Hall CE	-\$2,750.00
1990.40	Contingency	-\$2,250.00

1650.40	Central Communications	-\$3,000.00
1990.40	Contingency	- \$3,000.00

3310.40	Signs	+\$500.00
1990.40	Contingency	-\$500.00

7020.10	Recreation Admin PS	+\$808.00
7310.10	Recreation Clerical PS	+\$ 10.00
7310.13	Rec Summer Fun PS	-\$818.00

7110.10	Parks PS (Delmar)	+\$3,500.00
7310.12	Rec Berean Park PS	-\$3,500.00

7510.10	Historian PS	+\$60.00
7510.40	Historian CE	-\$60.00

9060.10	Medical Ins Buy Out	+\$272.00
9040.80	Worker's Comp	-\$272.00

HIGHWAY

5110.10	General Repairs PS	+\$30,000.00
5142.10	Snow Removal PS	-\$30,000.00

5112.52	Cap Improve – VanOrden	+\$32,949.96
5112.47	Cap Improve – Grand St	-\$16,783.36
5112.48	Cap Improve – Maple Ave	-\$ 5,243.52
5112.49	Cap Improve – Brinkeroff	-\$10,012.14
5112.50	Cap Improve – Christopher	-\$ 910.94

9060.10	Medical Ins Buy Out	+\$5,688.00
01-2683	Self Ins Recoveries	-\$5,688.00

WATER

8310.40	Administration CE	+\$1,000.00
8310.10	Administration PS	-\$1,000.00

SEWER

8120.10	Sewage Collection PS	+\$18,412.00
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8130.10	Sewage Trmt PS	-\$18,412.00
8366.60	Sewer Plant Principal EFC	+\$4,384.26
9731.70	Sewer Plant Damages BAN	-\$4,384.26

Roll call: Hansut, aye; Brennie, aye; Guerriero, aye; Litts, aye; Paladino, aye.

D. RESOLUTION made by Brennie, seconded by Paladino,

WHEREAS, the Town of Lloyd is in title to a certain parcel of property containing approximately 1-2 acres, more or less, being a portion of tax map number 87.2-8-8.211, said parcel being a portion of the old New York, New Haven and Hartford right of way which was obtained by the Town from the County of Ulster and which parcel has been partially improved and used as the Hudson Valley Rail Trail, and it being the Town's intention to improve and extend the use thereof for Rail Trail purposes; and,

WHEREAS, the subject parcel is surrounded on the east by parcel set forth on the assessment rolls of the Town of Lloyd as 87.11-3-26 in the name of Garry Pardee; on the north by parcel 87.11-3-31 in the names of Lawrence and Mildred Sokol; on the west by parcel 87.11-3-32.100 in the name of Doris Valk, and on the south by other portions of parcel 87.2-8-8.211 in the name of the Town of Lloyd, being generally a part of the Hudson Valley Rail Trail; and,

WHEREAS, said parcel containing approximately 1-2 acres, more or less, has no value to be used part of the Hudson Valley Rail Trail or other public purposes because of its physical proximity to the Hudson Valley Rail Trail corridor and the surrounding parcels; and,

WHEREAS, the Town is seeking ways to raise revenues for the purpose of ensuring the continued use, maintenance and possible expansion of the Hudson Valley Rail Trail located on the old New York, New Haven and Hartford right of way; and,

WHEREAS, the Town is interested in exploring the possibility of selling the subject premises to raise funds to be used toward the continued use, maintenance and possible expansion of the Hudson Valley Rail Trail; and

WHEREAS, the Hudson Valley Rail Trail Association has obtained a quote from Brooks & Brooks, P.C. to survey the subject parcel for purposes of determining whether the subject premises is a buildable lot, which information is necessary to determine the value thereof; and,

WHEREAS, there are sufficient funds in the Town's Rail Trail reserve fund to fund the survey work to be done by Brooks & Brooks in the amount of \$1,750.00; and,

WHEREAS, the Town wishes to authorize the Supervisor to enter into an agreement with Brooks & Brooks to undertake the work as set forth in the agreement attached hereto and made a part hereof; and,

WHEREAS, it is the Town's intention that, upon the possible sale of the subject premises, any net revenues received there from would be deposited in the Town's Rail Trail reserve fund.

NOW, THEREFORE, IT IS RESOLVED AS FOLLOWS:

1. The agreement attached hereto as Exhibit A be, and the same hereby is, approved and the Supervisor is authorized to sign the agreement on behalf of the Town.
2. Payment of all expenses related to said agreement is to be paid from the Town's Rail Trail reserve fund.
3. All net revenues from the potential sale of the subject premises are to be deposited in the Town's Rail Trail reserve fund.

Paladino explained that he looked at this parcel with Guerriero and Ray Costantino, this is a non-essential piece of property owned by the Town of Lloyd. Patti Brooks, of Brooks and Brooks, will stake out the property. It will be determined if it can be a Board of Health-approved lot and the value. If it cannot be approved by the Board of Health as a building lot, it could be offered to the adjacent owners. Sale of the property could be a source of revenue for the Rail Trail Association.

Supervisor clarified that Brooks explained to him that she will go look at the property first and evaluate to see if it is worthwhile to survey and stake the property.

Roll call: Litts, aye; Guerriero, aye; Brennie, aye; Paladino, aye; Hansut, aye.

Five ayes carried.

E. MOTION made by Brennie, seconded by Paladino, to close the Public Hearing on the Preliminary Budget at 7:55 PM.

Five ayes carried.

- F. RESOLUTION** made by Litts, seconded by Paladino, to accept the resignation of Philip Missere as part-time Police Officer, with the best wishes of the Town Board, effective October 11, 2013.

Supervisor offered his appreciation for the service Missere has done for the Town wished him well in his full-time position in New Paltz. He noted that the PBA appreciated his efforts on their basketball and softball teams.

Roll call: Guerriero, aye; Brennie, aye; Hansut, aye; Paladino, aye; Litts, aye.

Five ayes carried.

- G. MOTION** made by Brennie, seconded by Paladino, to close the Public Hearing on the Town of Lloyd Comprehensive Plan at 8:00 PM.

Litts said that he is on the Committee and attended the last meeting; he questioned if the Public Hearing should be kept open because comments are continuing, some were emailed this morning and there will be changes to the Plan.

Supervisor said that the comments that are coming in are now repetitive.

Sean Murphy, attorney, advised that it is not necessary to keep the public hearing open; if the public hearing is closed tonight, a determination will have to be made on the SEQR. He assumed that the SEQR would be addressed at the November 20 meeting.

Litts said that whatever changes are made in the Plan if the public hearing is closed, no additional comment will be accepted.

Murphy added that it is not necessary to take additional comments; if substantial changes are made it can be re-noticed and resent to Ulster County.

Litts asked if that is what the Supervisor wants to do as the Committee is actually talking about changing some zones and some non-minor changes.

Murphy stated changes can be made and adopted at the November meeting.

Litts said that by making some of these changes, other sections will be affected.

Supervisor summed up that the Board is moving through the process and closing the public hearing; the Town Board has received all of the comments and now needs to decide which way to go and what changes are going to be made. If it is anything of substance, he is in favor of requesting more public comments.

Murphy said that if the PH is closed today; it would have to be re-noticed if the Board decides to accept additional comments.

Paladino added that response has been received from Ulster County.

Murphy said that a super-majority would be needed to override whatever the County comments were. At this point, you can make some changes and adopt the law without seeking additional comment.

Paladino feels that the concerns have been well vetted and that it is to the point that the Board should consider closing the public hearing and concentrate on making adjustments.

Reynolds asked if they were saying that they will still accept written comments.

Supervisor replied that they would not continue to receive written comments and are going to close the public hearing tonight. The Board is going to review the comments that have been presented and a decision will be made if the Board is going to adopt.

Paladino explained that the Comprehensive Plan Committee had a meeting based upon the comments this past Friday.

Donna Deeprise, CPC member, confirmed that the committee will meet again and finish, with which Paladino agreed, based on those comments.

Five ayes carried.

- H. RESOLUTION** made by Brennie, seconded by Litts, to appoint Riverside Marine Services, under the direction of diver Matthew Smith along with fellow diver Michael Rohde, to service the Town Hudson River intake, at a rate of \$50.00 per hour per diver, for the following: intake inspection, inside of tank pipe downstream, piling structures and removal of zinc anode, at the recommendation of Water/Sewer Administrator Adam Litman.

Roll call: Paladino, aye; Hansut, aye; Guerriero, aye; Litts, aye; Brennie, aye.

Five ayes carried.

- I. RESOLUTION** made by Paladino, seconded by Brennie, to renew the contract with The Work Place, for the employee assistance program (EAP), in the amount of \$800.00 annually for the term starting October 1, 2013 through September 30, 2014 and to authorize the Supervisor to sign the contract.

Roll call: Hansut, aye; Guerriero, aye; Brennie, aye; Litts, aye; Paladino, aye.

Five ayes carried.

- J. RESOLUTION** made by Paladino, seconded by Litts, to adopt the updated Town of Lloyd Comprehensive Emergency Management Plan. (See Attached)

Roll call: Guerriero, aye; Brennie, aye; Hansut, aye; Paladino, aye; Litts, aye.

Five ayes carried.

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

WHEREAS, a local law, being proposed as Local Law No. J – 2013, a local law to amend the Zoning Map of the Town of Lloyd. The town has prepared the proposed local law to amend the Zoning Map of the Town of Lloyd, a copy of which is attached hereto and made a part hereof as Exhibit A; and

WHEREAS, the Town Board of the Town of Lloyd has determined that this matter constitutes an unlisted action under the State Environmental Quality Review Act (SEQRA) and a short form EAF has been prepared on behalf of the town, and the Board having declared its intention to assume lead agency to do all necessary reviews in this matter; and

WHEREAS, this Board desires to hold a Public Hearing with respect to the adoption of the said local law;

NOW, THEREFORE, BE IT RESOLVED that the Town Board hereby is designated as lead agency to conduct all necessary reviews in this matter; and it is further

RESOLVED that a public hearing will be held by the Town Board with respect to the adoption of the aforesaid local law at the Town Hall on the 20th day of November, 2013 at 7:00 p.m.; and it is further

RESOLVED that the Town Clerk is hereby directed to publish and post a notice of said public hearing in accordance with law and circulate pursuant to the Town of Lloyd Code and the New York State General Municipal Law to the Town of Lloyd Planning Board, the Ulster County Planning Board and any other interested agencies for response prior to the public hearing.

Roll call: Litts, aye; Hansut, aye; Brennie, aye; Paladino, aye; Guerriero, aye.

Five ayes carried.

- L. RESOLUTION** made by Brennie, seconded by Guerriero, to accept NYSDOT U&O Permit #82390 for Black Creek access on the south side of Route 299 between South Riverside Road and the Black Creek for a 19,826.8+/- square foot launch site including signage, and gravel parking area, and to authorize the Supervisor to sign said permit.

Roll call: Paladino, aye; Litts, aye; Brennie, aye; Guerriero, aye; Hansut, aye.

Five ayes carried.

- M. RESOLUTION** made by Guerriero, seconded by Brennie, to authorize the Supervisor to sign a contract with Lime Energy to upgrade thirty exterior lights on the Town Garage with LED fixtures which will generate a savings in energy cost. The charge of \$2,483.52 will be taken from budget code 5132.40 and Central Hudson will pay the balance of the charges, as recommended by Richard Klotz, Highway Superintendent.

Roll call: Hansut, aye; Paladino, aye; Litts, aye; Brennie, aye; Guerriero, aye.

Five ayes carried.

- N. TABLED Resolution** to authorize the following charges at The Transfer Station effective November 1, 2013:

\$15.00 for any Cathode Ray Tube material with a screen up to 20 inches;

\$25.00 for any Cathode Ray Tube material with a screen from 21 to 27 inches;

\$50.00 for any Cathode Ray Tube material with a screen from 28 to 39 inches;

\$75.00 for any Cathode Ray Tube material with a screen from 40 to 59 inches;

\$100.00 for any Cathode Ray Tube material with a screen of 60 inches or larger;

as recommended by Richard Klotz, Transfer Station Administrator.

Diaz asked Brennie to explain his statement that the Recreation Commission may no longer exist.

Brennie replied that the Commission may be another layer of unnecessary bureaucracy; meetings are cancelled, members cannot make the meetings, there is no power to spend money and most of the ideas that they have are just recommendations and the decisions come to the Town Board anyway. The feeling from them is that the Commission is not needed. It has been discussed as to whether or not it is a valuable tool.

Supervisor added that there was a lot of concern over the lawn care bidding process and they felt that they gave their opinion and it really did not matter. Members of the Commission are a little frustrated.

Diaz said, speaking as a citizen, quite often this type of Commission can be useful for other things. He feels that it is always good to have an organization of citizens who are concerned.

Litts asked who is responsible for putting together their capital plan.

Supervisor said the Recreation Director

Brennie added that they have a five-year plan.

Litts did not feel that the Town Board wants to be in the position of doing research on all of the parks and what they need; rather have someone suggest what is necessary at each park, whether it is the Recreation Director or the Commission.

Reynolds asked who is on the Commission.

Brennie answered that it is Kevin McKenna, Peter Paulsen, Sharon Morris, Eric Andersen, Jill Indelicato and Kathy Schoonover.

Supervisor said there is a list on the website of the members.

Pascale commented that he got to see his tax dollars at work at Marlborough last night and in Lloyd tonight; he felt that his dollars were more efficient in Highland.

Litts thanked him.

Supervisor remarked that this is the last meeting of the Town Board prior to the elections on November 5 and there are a lot of candidates knocking on doors, working hard; there are a lot of people who have made sacrifices so that we have the opportunity to vote. It would be nice if three, four or five thousand people went out and voted.

Litts stressed that there are still people sacrificing for our right to vote. There will be a Vendor Day at the American Legion Hall on October 27. He is involved with Red Shirt Fridays and for the last four years he has been wearing a red shirt every Friday. This shows support of our troops. We need to support our troops whether we feel the war is right or wrong or we are indifferent. With a little convincing on his part, the American Legion Ladies Auxiliary bought 100 t-shirts which they will be selling at the Vendor Day. He also has some shirts to sell. This is a worthwhile event and the reason we are able to sit here and have this type of government and have our voices heard is through the effort of the people who sacrificed. Let's not forget them nor forget the women and men who are now defending our freedom.

Supervisor said that there is an event in the Hamlet, OctoberFest, from 4 to 9 PM; a micro-brewery is going to make beer. Halloween celebration is on October 26 from 4:30 to 8:30 PM. There was a letter from Central Hudson stating that we are not allowed to hang anything from pole to pole. They are looking for holiday ideas to decorate the Town.

Jonietz said that they will not allow anything to hang from pole to pole, pole to building or even building to building. We can get a permit to hang stationary things on the poles.

He thanked Dennis Jacobs for his help with the audio of tonight's meeting and is hopeful that the sound is better.

MOTION made by Litts, seconded by Brennie, to adjourn the meeting at 8:15 PM.

Five eyes carried.

Respectfully submitted,

Rosaria Schiavone Peplow
Town Clerk