

TOWN OF LLOYD TOWN BOARD
REGULAR MEETING AGENDA
MAY 18, 2022

7:00 PM – Open meeting and Pledge of Allegiance

Public Hearings opened February 16, 2022

- **The Views Water District extension**
- **Stewarts Water and Sewer District extension**
- **The Villages Water District extension**

Public Hearings opened April 20, 2022

- **Amend Sewer Rates**
- **Amend Agriculture Buffer Definition**
- **Amend Water Rates**
- **Package Plants (leave open)**

1. REPORTS – Town Board Liaisons

A. Town Board Liaisons

Audit – January 1 – June 30, 2022: Councilmembers Auchmoody and Mazzetti

July 1 - December 31, 2022: Councilmembers Fraino and Guerriero

Building Department – Supervisor

ECC (Environmental Conservation Committee) – Councilmember Guerriero

EDC (Economic Development Committee)- Supervisor

Highland Fire District/ Ambulance – Councilmember Fraino

Highland Central School District – Councilmember Mazzetti

Highland Landing Park – Councilmember Auchmoody

Lights – Councilmember Fraino

Planning Board – Councilmember Auchmoody

Police – Supervisor

Hudson Valley Rail Trail – Councilmember Auchmoody

Water and Sewer – Councilmember Auchmoody

Zoning Board of Appeals – Councilmember Guerriero

2. OLD BUSINESS

A.

B.

3. NEW BUSINESS

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- A. Patti Brooks, Brooks & Brooks – Lot line revision for Frank Lombardi Municipal Parking Lot
- B. Millennium Strategies – Grant writing proposal

4. PRIVILEGE OF THE FLOOR

5. MOTIONS AND RESOLUTIONS

- A. **RESOLUTION** to hire Sandra Ksar as a part-time Dispatcher at a rate of \$18.65 per hour with a start date of May 19, 2022, at the recommendation of Chief James Janso.
- B. **RESOLUTION** to hire Tanesha Gooden as a part-time Dispatcher at a rate of \$18.65 per hour with a start date of May 19, 2022, at the recommendation of Chief James Janso.
- C. **RESOLUTION** to accept the resignation of Francis M. Piscopo effective May 26, 2022.
- D. **RESOLUTION** to hire the following staff for the 2022 Berean Park and SummerFun season, Camp Counselors: Cameron Adoma, Zachary Angelone, Kayla Feo, Natalia Feo, Zachary Haeser, Tyler Johnston, Brendan Kerr, Savannah Kerr, Mitchel Neer, Michael Secor, Chelsea Strika, Casey Vogel, Cooper Vogel, Leah Klotz, Dean Klotz, Osei Adoma, Kaitlin Becker at a rate of \$13.50 per hour at the request of Frank Alfonso.
- E. **RESOLUTION** to hire Zach Angelone as Seasonal Part-time Buildings and Grounds starting May 19, 2022 at \$15.67/hour 20/hour week at the request of Frank Alfonso.
- F. **RESOLUTION** to hire up to 2 part-time paid summer interns to assist in clerical/administrative cleanup ahead of the fall Shred event at the rate of \$14.50 per hour, budget supported at the recommendation of David Plavchak, Supervisor.
- G. **MOTION** to move the current UCAT bus stop location (and bus stop sign) from Vineyard Ave. in front of 71-79 Vineyard Ave. to the Stop sign stop on the corner of Main St. and Vineyard Ave. along the property of Highland United Methodist Church with the support of Ulster County.
- H. **RESOLUTION WHEREAS** the Town of Lloyd Building department has Deputy Building Inspectors who must respond to any emergency, during and after normal work hours, which involves building safety issues in the Town of Lloyd.

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THEREFORE, The Town of Lloyd Town Board authorizes Deputy Building Inspectors to take Building Department Town vehicles to their residence in order for them to respond to any building Emergency or Safety issue within the Town of Lloyd after normal work hours.

- I. RESOLUTION** to amend the working hours of the Town of Lloyd Highway Department from the current hours of 7am to 3:30pm to the Summer Hours of 6:00am to 2:30pm effective Tuesday May 31st 2022, at the recommendation of Highway Superintendent, Richard Klotz.
- J. MOTION** to authorize closing the following streets: Phillips Avenue north to New Paltz Road easterly to Main Street, along Vineyard Avenue south to Milton Avenue to Van Wagner Avenue to Vineyard Avenue north into the hamlet of Highland for the Memorial Day Parade on Monday May 30, 2022 from 8:00 AM to approximately 11:00 AM.
- K. RESOLUTION** made by Auchmoody, seconded by Guerriero to host Spring Fest along the Hudson Valley Rail Trail at 75 Haviland Road, including 75 Haviland Road parking lot and 100 Haviland Road parking lot, on Saturday, September 21st and Sunday, September 22nd at the request of Peter Bellizzi, President HVRTA.
- L. MOTION** to approve Town of Lloyd Film Permit for High Roller Productions, LLC to film a TV Series, Poker Face, at 601 Main St. New Paltz, NY, the Roadway Inn.
- M. MOTION** to close Public Hearing to Amend Sewer Rates **Local Law B-2022**
- N. RESOLUTION WHEREAS**, a proposed **Local Law B – 2022**, a local law to amend the Code of the Town of Lloyd, Chapter 85, Article X, entitled “Sewer Charges” by canceling the existing subsection 85 Section 85-48 B. (1), to amend the rates charged for sewer, was introduced at a meeting of the Town Board held on the 6th day of April, 2022 at 4:00 P.M.; and,
WHEREAS, the within local law is a Type II action pursuant to the State Environmental Quality Review Act (SEQRA) and is exempt from further proceedings under such act; and,
WHEREAS, a public hearing has been held thereon on the 20th day of April, 2022 at 7:00 P.M., and continued on the 18th day of May, 2022 at 7:00 P.M., at which time all interested parties were given an opportunity to be heard thereon; and,
NOW, THEREFORE, BE IT RESOLVED that **Local Law 2 – 2022** be enacted as in the form attached hereto as Schedule “A” as fully as if set forth herein, being a local law to amend the Code of the Town of Lloyd Chapter 85, Article X, Sections 85-48 B. (1), to amend the rates charged for sewer.

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O. Motion to close Public Hearing Agricultural Buffer language **Local Law C-2022**

P. RESOLUTION

WHEREAS, proposed **Local Law “C” of 2022**, a local law to amend Chapter 100, “Zoning”, Article II entitled “Definitions” to add a definition for “Agricultural Buffer”, was introduced at a meeting of the Town Board held on the 6th day of April, 2022, at 4:00 p.m.; and,

WHEREAS, the Town Board of the Town of Lloyd, having determined that this matter constitutes an Unlisted action under the State Environmental Quality Review Act (SEQRA), and a Short Form EAF having been prepared on behalf of the Town, and the Board having issued its declaration of non-significance in this matter; and

WHEREAS, a public hearing was opened on the 20th day of April, 2022, at 7:00 p.m. and continued on the 18th day of May 2022 at 7:00 p.m., at which time all interested persons were given an opportunity to be heard thereon; and

WHEREAS, the Town Board previously proposed and circulated said local law pursuant to law; and

WHEREAS, the Town Board made revisions to the previously introduced local law pursuant to the recommendation of the Ulster County Planning Board, to clarify that said definition shall apply to lands in Ulster County, New York-Certified Agricultural Districts and/or "Farm Operation" consistent with the New York State Agricultural and Markets Law and to remove the prohibition of allowing septic systems in the buffer area.

NOW, THEREFORE, it is resolved that **Local Law “4” of 2022** be enacted as in the form attached hereto as Schedule “A” as fully as if set forth herein, being a local law to amend Chapter 100, “Zoning”, Article II entitled “Definitions” to add a definition for “Agricultural Buffer” of the Code of the Town of Lloyd.

LOCAL LAW C- 2022

A LOCAL LAW TO AMEND THE CODE OF THE TOWN OF LLOYD, CHAPTER 100, ARTICLE II, SECTIONS 100-8, TO A NEW DEFINITION

Section 1

Purpose. The purpose of this local law is to add a definition for “Agricultural Buffer” in Chapter 100 (Zoning) of the code.

Section 2

The Town of Lloyd Code, Chapter 100, Article II, entitled "Definitions" be and the same hereby is amended by adding the following definition;

“AGRICULTURE BUFFER” An area of land intended to protect uses on an adjoining lot from the impacts of agricultural uses. Such buffer shall be created during subdivision, site plan, or site plan amendment and shall include natural or planted

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vegetation or fencing, or both, sufficient to provide a visual and noise buffer as required by this chapter and shall not be paved nor used for buildings, accessory buildings, parking or storage. For purposes of this section the term “agricultural uses” shall apply to lands in Ulster County, New York- Certified Agricultural Districts and/or “Farm Operation” consistent with the New York State Agricultural and Markets Law.

Section 3

This local law will take effect when filed with the Secretary of State in accordance with the Municipal Home Rule Law.

Q. Motion to close Public Hearing to Amend Water Rates Local Law E-2022

R. RESOLUTION WHEREAS, a proposed **Local Law E – 2022**, a local law to amend the Code of the Town of Lloyd Chapter 98, Article IV, Sections 98-13 and 98-15, to amend the rates charged for water, was introduced at a meeting of the Town Board held on the 6th day of April, 2022 at 4:00 P.M.; and,

WHEREAS, the within local law is a Type II action pursuant to the State Environmental Quality Review Act (SEQRA) and is exempt from further proceedings under such act; and,

WHEREAS, a public hearing has been held thereon on the 20th day of April, 2022 at 7:00 P.M., and continued on the 18th day of May, 2022 at 7:00 P.M., at which time all interested parties were given an opportunity to be heard thereon; and,

NOW, THEREFORE, BE IT RESOLVED that **Local Law 3 – 2022** be enacted as in the form attached hereto as Schedule “A” as fully as if set forth herein, being a local law to amend the Code of the Town of Lloyd Chapter 98, Article IV, Sections 98-13 and 98-15, to amend the rates charged for water.

S. RESOLUTION WHEREAS, a local law, being proposed as **Local Law No. F – 2022**, was introduced at this meeting by _____ and seconded by _____ as follows:

Local Law No. F – 2022, a local law to revise Chapter 100 of the Town Code Entitled “Zoning” to add a Provision to Chapter 100 “Zoning” Article VII “Special Use Permits to add 100-53 Entitled “Cannabis/marijuana Retail Sales and Lounges”.

(copy of Local Law attached)

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

WHEREAS, the Town Board is determined that this is a Type I action under the New York State Environmental Quality Review Act (SEQRA), and Part I of a Full Environmental Assessment Form has been prepared on behalf of the Town Board, with the Town Board assuming lead agency to do all necessary reviews in this matter; and

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WHEREAS, the Town Board desires to hold a public hearing with respect to the adoption of said local law.

NOW, THEREFORE, BE IT RESOLVED, the Town Board hereby declares itself lead agency to do 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 15th day of June, 2022, at 7:00 P.M.; and it is further

RESOLVED, that the Town Clerk is 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.

TOWN OF LLOYD LOCAL LAW F - 2022

A LOCAL LAW TO REVISE CHAPTER 100 OF THE TOWN CODE ENTITLED "ZONING" TO ADD A PROVISION TO CHAPTER 100 "ZONING" ARTICLE VII "SPECIAL USE PERMITS TO ADD 100-53 ENTITLED "CANNABIS/MARIJUANA RETAIL SALES AND LOUNGES"

Section 1.

The Town of Lloyd Code, Chapter 100, is hereby amended to add a new section 100-53 as follows:

"Cannabis/Marijuana Retail Sales and Lounges

Definitions:

MARIJUANA ESTABLISHMENT:

A marijuana retailer or any other type of licensed marijuana-related business, or any combination thereof at a single location.

MARIJUANA LOUNGE:

An entity or individual licensed for the sale and on-site consumption of marijuana products.

MARIJUANA PRODUCTS:

Products that have been manufactured and contain marijuana or an extract from marijuana, including concentrated forms of marijuana and products composed of marijuana and other ingredients that are intended for use or consumption, including edible products, beverages, topical products, ointments, oils and tinctures.

MARIJUANA RETAILER:

An entity or individual licensed to purchase and deliver marijuana and marijuana products from marijuana establishments and to deliver, sell or otherwise transfer marijuana and marijuana products to marijuana establishments and to consumers.

A. Findings. The Town of Lloyd finds that the orderly development of commercial business is essential to maintaining and protecting the health, safety and welfare of the residents of the Town. Businesses which cater to adults should be located and regulated in order to minimize the impact to residents.

B. Purpose:

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- a. To provide for the placement of marijuana establishments in appropriate places.
- b. To minimize the adverse impacts of marijuana establishments on residential neighborhoods, schools, and other places where children commonly congregate.
- c. To regulate the siting, design, placement, security, safety, monitoring, and modification of marijuana establishments.
- C. Applicability. These regulations shall apply to all structures and uses of retail sales and/or consumption lounges where marijuana can be purchased or consumed.
 - a. No marijuana establishment shall be established except in compliance with the provisions of this chapter.
 - b. When a marijuana establishment is created in an existing building, regardless of prior site plan (including approval for retail sales on the property), that establishment will apply to the Planning Board for Special Use Permit/Site Plan approval for that use.
 - c. Location. A marijuana establishment may be located in those zones indicated in the Use Table (attachment 1).
- D. Special permit approval criteria.
 - (a) All marijuana establishments shall be contained within a building or structure.
 - (b) The hours of operation of marijuana establishments shall be set by the special permit granting authority, which shall be the Planning Board.
 - (c) Marijuana establishments shall not be located within a 500-foot radius from:
 - a. Any school pre-k through 12;
 - b. Any daycare center, or any facility where children commonly congregate. A facility is not, however, limited to a building. A "facility where children commonly congregate" includes, but is not limited to facilities in which children gather for particular purposes in a structured and scheduled manner, or which are dedicated to the use by children, such as playgrounds, youth service programs, day care centers, youth sports facilities, dance schools, and gymnastic schools;
 - i. Exception: The Hudson Valley Rail Trail is not included in the restrictions noted above.
 - c. Any other marijuana establishment;
 - d. Any drug or alcohol rehabilitation facility;
 - e. Any correctional facility, half-way house or similar facility.
 - f. Any building containing a place of worship.
 - (d) No marijuana establishment shall be located inside a building containing residential units, including transient housing such as motels and dormitories.
 - (e) Marijuana establishments shall be located within a permanent building and enclosure.
 - (f) No outside storage of marijuana, related supplies or promotional materials is permitted.
 - (g) No smoking or consumption of any product containing marijuana or marijuana-related products shall be permitted on the premises of a marijuana retailer. No burning of any product containing marijuana or marijuana-related products shall be permitted on the premises of a marijuana retailer;
 - E. Site Plan review shall be required along with Special Use Permit and shall include appropriate elements from section §100-53 of this Town of Lloyd Code.
 - F. Signs

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- a. Size of sign shall be dictated relative to the zone where the marijuana establishment is located per section 100-28 of this Town of Lloyd Code.
- b. No image depicting any part of a marijuana plant or any product or use of the marijuana plant shall be allowed on the sign."

Section 2.

This local law shall take effect when filed with the Secretary of State pursuant to the Municipal Home Rule Law.

T. RESOLUTION WHEREAS, a Project for Tillson Avenue: Route 44/55 (Vineyard Avenue) to Route 9W in the Town of Lloyd, Ulster County, identified as **PIN 8757.81** (the "Project") opened bids publicly on March 15, 2022 at 2:00 PM; and

WHEREAS, the Project received three (3) bids, the first from is A. Colarusso & Son, Inc., the second from A. Servidone, Inc./B. Anthony Construction Corp. JV, and the third from Kingston Equipment Rental, Inc.; and

WHEREAS, prior to publicly opening the bid packages, the Town declared the project funding amount, in accordance with the Contract Specifications, to be \$4,260,000.00. In accordance with the Contract Specifications Section 00100, if the bid amounts from all bidders for the Base Bid plus Add Alternate #1, is greater than the announced funded amount, the low bidder is based upon the lowest Base Bid amount; and

WHEREAS, A. Colarusso & Son, Inc. was the low bidder for the Base Bid portion of the Project; and

WHEREAS, the Town of Lloyd's project design consultant, Barton & Loguidice, D.P.C. (B&L) has performed a bid analysis in accordance with Chapter 14 of the New York State Department of Transportation's Local Project Manual; and

WHEREAS, B&L has not identified any discrepancies in the bid received from A. Colarusso & Son, Inc. or identified anything that suggests A. Colarusso & Son, Inc. is incapable of satisfactorily completing this project; and

WHEREAS, the Town of Lloyd desires to complete the Base Bid portion of this project; and

WHEREAS, the Town of Lloyd requires Award Notification from the New York State Department of Transportation prior to awarding the project to A. Colarusso & Son, Inc. and entering into a contract with A. Colarusso & Son, Inc. to complete the Project.

NOW, THEREFORE, the Lloyd Town Board, duly convened does hereby

RESOLVE, that the Lloyd Town Board hereby contingently approves the above-subject project, pending Award Notification from the New York State Department of Transportation; and it is hereby further

RESOLVED, that the Lloyd Town Board hereby authorizes the Town of Lloyd to complete the Base bid portion of this project; and it is further

RESOLVED, that the Town Supervisor of the Town of Lloyd is hereby authorized to execute all necessary Agreements, certifications or approvals to

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award the project to A. Colarusso & Son, Inc. on behalf of the Town of Lloyd once the New York State Department of Transportation provides Award Notification, and it is further

RESOLVED, this Resolution shall take effect immediately.

U. RESOLUTION WHEREAS, the Town of Lloyd Town Board as commissioners of the Highland Water District have previously authorized a project known as the “Town of Lloyd Water Storage Tank Replacement- Reservoir Road”; and, **WHEREAS**, CPL, Architects, Landscape Architect and Surveyor, D.P.C. d/b/a CPL, Andrew Learn, P.E., have prepared the required construction, specification and bid documents for public bid of the project; and, **WHEREAS**, this is a replacement project and is exempt from further proceedings pursuant to the requirement of the State Environmental Quality Review Act (SEQRA) being a Type II action consisting of a replacement, rehabilitation or reconstruction of a structure or a facility, in kind, on the same site which does not exceed the thresholds in Section 617.4 of 6 NYCRR Part 617 and no environmental proceedings are necessary. **NOW, THEREFORE, BE IT RESOLVED** that the Town Board as Commissioners of the Highland Water District hereby authorize the advertisements and bidding of this project in accordance with Town Law and other State requirements.; and it is further **RESOLVED**, that separate sealed bids will be received by the Town Clerk at Town Hall, 12 Church Street, Highland, New York 12528 until 1 p.m., local time on June 29th, 2022, at which time they will be publicly opened and read aloud.

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End Note for Supervisor: mention the thank you letter from Parkinson's Disease Support Group of Mid-Hudson Valley for proclaiming April as Parkinson's Awareness Month in April in the Town of Lloyd.

And gratitude to the Events Committee for an outstanding job on Spring Fest (Names to follow)