

TOWN OF LLOYD TOWN BOARD
REGULAR MEETING AGENDA
JUNE 15, 2022

7:00 PM – Open meeting and Pledge of Allegiance

Live in Town Hall, WebEx and live stream on access Channel 22.

Katelin McPeck Valedictorian, Class of 2022 – Katelin McPeck, the daughter of Mark and Karen McPeck, earned a GPA of 103.57 which earned her the honor of Valedictorian. Katelin has taken advantage of the Advanced Placement courses offered at HHS, enrolling in more than 10 throughout her high school career.

As an HHS student, Katelin is a member of Science Olympiad, Model UN, Mathletes, Interact Club, Peer Leadership, and Peer Mediation. She serves as the Co-President for National Honor Society and the Co-Secretary for the National Spanish Honor Society. She also competed on the school's Track team in her junior year.

While still undecided on where she will be attending college this fall, she plans to pursue a career in the science field. So far, she has been accepted to Rensselaer Polytechnic Institute, Worcester Polytechnic Institute, Marist College, and the State University of New York at New Paltz, and has earned several tuition-based scholarships.

Although she is thankful for all of her Highland teachers, she said that Social Studies teacher Barry Ranalli was particularly memorable. She also mentioned that because of her love for science, and teachers Dan Lynn, Chris Sgro, and Chris Cozzolino have all left an impact on her.

Dimitrios Bakatsias Salutatorian, Class of 2022 – Dimitrios Bakatsias, son of Mike and Elani Bakatsias earned a GPA of 103.49 while maintaining a rigorous course schedule of AP classes.

This fall, Dimitri will attend either Stony Brook University or Binghamton University, where he plans to major in Biology while following a Pre-Medicine Track. During his high school career, he played on the school's Football, Track, and Lacrosse teams. Dimitri has been a part of the Student Council as the Class President since freshman year. He is also President of the Interact Club, Treasurer of Model UN, Co-President of the National Honor Society, President of the FED Challenge, Co-President of the National Spanish Honor Society, Co-Vice President of Future Medical Professions, and a member of Peer Leadership, Peer Mediation, Art Club, Yearbook, People Who Code, and Mathletes.

When reflecting on his years at Highland, he said, "One of my absolute favorite school memories is when, as an eighth-grade class, we went to Boston. Those were much simpler times and we didn't yet understand all that was to come. We were able to eat, sightsee, sing, dance, and experience a party boat cruise all in one trip."

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This Town Board would also like to recognize the accomplishments of Highland High School's other high-achieving graduates. Rounding out the Top 10 for the Class of 2022 are: Dorothy Suzuki-Burke, Riya Shenoy, Ava DeMassio, Margaret Van Valkenburgh, Tyreese Ling, Marcelo Cuya, Ryan Ta, and Evelyn Wright.

Public Hearings opened February 16, 2022 will remain open. Development agreements are not yet complete.

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

Public Hearings opened April 20, 2022

Package Plants

MOTION to Open Public Hearing on Local Law F-2022, a local law to amend 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".

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

Beautification – Councilmember Auchmoody

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.

3. **NEW BUSINESS**

A.

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4. PRIVILEGE OF THE FLOOR

5. MOTIONS AND RESOLUTIONS

- A. **Motion** to approve the minutes of May 18, 2022 Regular Town Board Meeting.
- B. **RESOLUTION** to authorize the payment of vouchers as audited by the Audit Committee for May and June.
- C. **RESOLUTION** to hire Kristy Garcia as a part-time Police Officer at a rate of \$21.20 per hour at the recommendation of Chief James Janso.
- D. **RESOLUTION** to hire Geovanni Villalon as a part-time Police Officer at a rate of \$21.20 per hour at the recommendation of Chief James Janso.
- E. **RESOLUTION** to hire Shyguana Muhammad-Jones as a part-time Police Officer at a rate of \$21.20 per hour at the recommendation of Chief James Janso.
- F. **RESOLUTION** Whereas the current Pitney Bowes Postage Machine lease expires August 2022, the Supervisor is authorized to sign new lease contract for Pitney Bowes postage machine, effective August 7, 2022 for a term of 60 months billed at \$457.83 per quarter (previous amount \$420.99), which is budget supported.
- G. **RESOLUTION** per previous approval at the 8/4/2021 Workshop meeting, for the purchase of a Hyundai Loader at a cost of \$133,845 be adjusted due to a price increase. The purchase price upon delivery was \$138,735. The Highway Department requests that approval be granted for the additional cost totaling \$4890 which is budget supported and at the recommendation of Highway Superintendent Richard Klotz.
- H. **RESOLUTION** to install 3 *STOP* signs at the intersection of Tano Drive and Hilltop Lane, per the recommendation of Richard Klotz, Highway Superintendent.
- I. **RESOLUTION** to install a *Children at Play* sign at both the eastern and western entrances to Smith Terrace per the recommendation of Richard Klotz, Highway Superintendent.
- J. **RESOLUTION** to authorize the Supervisor to request Ulster County Civil Service Personnel Department to set up the Town of Lloyd with 4 New Position Duties Statements for Senior Clerk positions (Court, Building Dept, Water/Sewer, Town Hall).

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K. RESOLUTION WHEREAS, a local law, being proposed as **Local Law G – 2022**, was introduced at this meeting by _____ and Seconded by _____ as follows:

Local Law G – 2022, a local law to amend the Code of the Town of Lloyd, A Local Law to Revise Chapter 16 of the Town Code entitled “Meetings, Open Public” to Add a New Section 16- 4 Entitled, “Videoconference Meetings”.

(copy of Local Law attached)

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 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 July 2022 at 7:00 p.m.; and it is further **RESOLVED**, that 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 **it is further RESOLVED**, that the Town Clerk is hereby directed and authorized to cause public notice of said hearing to be given as provided by law.

TOWN OF LLOYD LOCAL LAW G - 2022

A LOCAL LAW TO REVISE CHAPTER 16 OF THE TOWN CODE ENTITLED “MEETINGS, OPEN PUBLIC” TO ADD A NEW SECTION 16-4 ENTITLED, “VIDEOCONFERENCE MEETINGS”

Section 1. LEGISLATIVE INTENT

It is the intent of this local law to give the Town of Lloyd public bodies, as that term is defined in Public Officers Law § 102, the authority to participate in meetings via videoconference in a manner consistent with the Town’s videoconferencing policy and the authority granted in Public Officers Law § 103-a.

Section 2. AUTHORITY

This local law is adopted pursuant to Public Officers Law § 103-a which expressly authorizes the Town Board to adopt a local law giving the Town’s public bodies the authority to participate in meetings via videoconference from locations not accessible to the public so long as a quorum of the board/body participates from locations where the public may be physically present and other conditions are met.

Section 3. AMENDMENT

The Code of the Town of Lloyd is hereby amended to add a new Section 16-4, “Videoconference Meetings” to Chapter 16, “Meetings, Open Public” of the Code of the Town of Lloyd to read as follows:

“Video Conference Meetings:

It is the intent of this local law to give the Town of Lloyd public bodies, as that term is defined in Public Officers Law § 102, the authority to participate in meetings via videoconference in a manner consistent with the Town’s videoconferencing policy and the authority granted in Public Officers Law § 103-a.

A. Definitions.

1. The terms, words and phrases used in this article shall have the same

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meanings as such terms, words and phrases are defined in § 102 of the Public Officers Law.

2. “Local public body” means any duly constituted board, commission or other municipal body or agency of the Town of Lloyd comprised of two or more public officers or other persons.

B. Remote attendance.

The Town Board of the Town of Lloyd hereby authorizes all members of the Town’s public bodies to participate in meetings using videoconferencing technology in a manner consistent with Public Officers Law § 103-a and with the Town’s videoconferencing policy adopted by the Town Board, which policy may be amended by resolution of the Town Board.”

Section 4. SEVERABILITY

If any clause, sentence, paragraph, subdivision, section, or part of this law or the application thereof to any person, individual, corporation, firm, partnership, entity or circumstance shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, effect or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or part of this law or in its application to the person, individual, corporation, firm, partnership, entity or circumstance directly involved in the controversy in which such order or judgment shall be rendered.

Section 5. EFFECTIVE DATE

This Local Law shall be effective upon filing with the Secretary of State

L. RESOLUTION APPROVING DEVELOPER’S AGREEMENT

WHEREAS, Sixteen Acres, LLC, Toloms Holdings, LLC and **The Village in the Hudson Valley, LLC**, (collectively referred to as the “Developers”) have obtained Final Conditional Subdivision Approval from the Town of Lloyd Planning Board via resolution dated September 23, 2021 which was filed in the Town Clerk’s office on September 30, 2021 (the “Subdivision Approval Resolution”) to create a new 14.67 acre lot, known as Lot 2 on a certain subdivision map to be filed in the Ulster County Clerk’s Office (hereinafter the “Property”) which subdivision map is entitled “Map of Lot Line Adjustment of Lands of The Village in the Hudson Valley, LLC”, prepared on 05 February 2021, last revised 02 August 2021 by Brooks & Brooks Land Surveyors, PC (the “Subdivision Map”); and

WHEREAS, the Subdivision Approval Resolution was extended by the Planning Board via resolution dated March 24, 2022, which resolution as filed in the Town Clerk’s Office on March 25, 2022.

WHEREAS, the Developers have also obtained Final Conditional Site Plan and Special Use Permit Approval from the Planning Board via resolution dated September 23, 2021, which was filed in the Town Clerk’s Office on September 30, 2021 (the “Site Approval Resolution”) to allow construction and operation of an Assisted Living Facility and an Adult Day Care Center (the “Project”) on the Property; and

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WHEREAS, the Site Approval Resolution was amended by the Planning Board via resolution dated April 28, 2022, which resolution was filed in the Town Clerk's office on April 29, 2022.

WHEREAS, the Planning Board has placed certain conditions on the Developers' subdivision, site plan and special use permit approvals; and

WHEREAS, the Developers desire to address impacts and conditions set forth from the development and operation of the Project; and

WHEREAS, the Town, through its engineer, has specified certain improvements to public water and sewer infrastructure that must be undertaken by or with the shared participation of the Developers in order for the Town to provided water and sewer service for the Project. These improvements are specifically described in a March 15, 2021 memorandum from the Town's engineer attached hereto as Exhibit A describing the improvements and how they should be undertaken without cost to the Town and thereafter dedicated to the Town's water and sewer districts; and

WHEREAS, pursuant to condition "b" of the Subdivision Approval Resolution, the Developer and Town must memorialize their agreement concerning the development and operation of the Project with respect to: (1) the future posting of a performance security, (2) the Developers' share of the costs for the public infrastructure necessary to serve the Project, and (3) the payment of all applicable Town fees; and

WHEREAS, representatives of the Developers have met with the Town Building Department, the Town Engineers, both Water and Sewer, the Town's Attorneys and other representatives of the Town, and there has been a Developer's Agreement drafted to address the issues as set forth above, a copy of which is annexed hereto as Exhibit A; and,

WHEREAS, the Town Board desires to approve such agreement in order to move the proceedings toward final approval and the Planning Board Chairman's signing of the site plan map in the near future; and,

WHEREAS, the Developer's Agreement shall be utilized by all parties to facilitate the improvements and other conditions required in the Planning Board's approval.

NOW, THEREFORE, IT IS RESOLVED AS FOLLOWS:

1. The agreement by and between Sixteen Acres, LLC, Toloms Holdings, LLC and The Village in the Hudson Valley, LLC, as "Developers", and the Town of Lloyd, annexed hereto as Exhibit A, be, and the same hereby is, approved.
2. The Supervisor, David Plavchak, be, and they hereby are, authorized to sign said agreement.
3. The Developers are to post such security as required by this agreement and pay such fees as required by the agreement by transmittal of the security to the Town Attorney and Town Supervisor, in accordance with the agreement.
4. Upon the signing of several duplicates by the Developers' representatives and the Town of Lloyd representatives, one complete duplicate original of the Developer's Agreement is to be filed with the Town Clerk, with other duplicates for the Developers, Planning Board, Supervisor and Town Attorney's office.

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M. RESOLUTION APPROVING TERMINATION AND RELEASE OF EASEMENT

WHEREAS, Sixteen Acres is an owner of that certain real property located at the intersection of Mayer Drive and New York State Route 9W, in the Town of Lloyd, County of Ulster, State of New York, identified on the tax maps as Section 95.12, Block 1, Lots 15.1 (hereinafter the “Servient Parcel”); and

WHEREAS, pursuant to a Declaration of Covenants and Restrictions recorded in Liber 1424 at page 958 within the Ulster County Clerk’s Office on February 20, 1980 and the corresponding subdivision maps filed in the Ulster County Clerk’s Office on June 21, 1979 as Filed Map numbers 3938A and 3938B, there is a certain sewer easement right of way that cuts across the Servient Parcel from Mayer Drive to New York State Route 9W that is labelled “Sewer R.O.W. 1” (the “Old Sewer Easement”); and

WHEREAS, by Quitclaim Deed, recorded in the Ulster County Clerk’s Office on November 23, 1993 at Liber 2344, page 288, all rights and benefits to that Old Sewer Easement were conveyed to the Town; and

WHEREAS, the Planning Board of the Town of Lloyd has recently granted conditional final subdivision and site plan and special use permit approval to Sixteen Acres, among other property owners, to construct an Assisted Living Facility on an approximately 14.67-acre lot, to be owned by Sixteen Acres, which a portion of that 14.67-acre lot includes the Servient Parcel; and

WHEREAS, the recently approved subdivision map contains a laid out and developed utility easement area on a portion of the Servient Parcel for the benefit of the Town with respect to the location of a new sewer easement area to run any proposed sewer pipes lines; and

WHEREAS, the new proposed subdivision map identifies the Old Sewer Easement as 20’ wide sewer easement to be removed; and

WHEREAS, since there is a New Sewer Easement Area agreed upon between the Town and the owner of the Servient Parcel, the existing Old Sewer Easement is no longer necessary; and

WHEREAS, the Town’s Planning Board has conditioned its final subdivision approval on officially terminating the existing Old Sewer Easement since it is no longer necessary because of the New Sewer Easement Area; and

WHEREAS, Sixteen Acres, LLC has submitted to the Town a proposed termination and release of easement which the Town has reviewed in consultation its attorneys, Engineers and Building, Water and Sewer Departments; and

WHEREAS, the Town Board wishes to approve said Agreement.

NOW, THEREFORE, BE IT RESOLVED:

1. The Termination and Release of Easement by and between Sixteen Acres, LLC, and the Town of Lloyd annexed hereto as Exhibit A, be, and the same hereby is, approved.
2. The Supervisor, David Plavchak, be, and they hereby are, authorized to sign said Termination and Release of Easement.
3. Upon the signing of said Termination and Release of Easement and any other forms necessary for the following thereof the original shall be filed with the Ulster County Clerk’s Office and thereafter filed with the Town of Lloyd Clerk’s Office.

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**N. RESOLUTION THE VILLAGE IN THE HUDSON VALLEY, LLC
EXTENSION OF HIGHLAND WATER DISTRICT RESOLUTION TO
EXTEND DISTRICT**

WHEREAS, a petition by The Village in the Hudson Valley, LLC under Article 12 of the Town Law for the extension of the Highland Water District in the Town of Lloyd, Ulster County, New York, the said petition being dated November 23, 2021 has been filed with the Town Clerk and duly presented to the Town Board; and,

WHEREAS, CPL Architecture Engineering Planning having prepared and filed a Map, Plan and Report with the Town Clerk; and,

WHEREAS, the Town Board adopted an Order reciting the improvements proposed, the boundaries of the proposed extension and the estimated expenses, and specifying the date and time that the Town Board would hold a public hearing to consider the petition and hear all persons; and,

WHEREAS, the capitol cost associated with this District extension will be borne by the owner without any cost to the Highland Water District tax payers and the water main installation is to be inspected by the Town Engineer and funded by escrow established by the owner; and;

WHEREAS, this is an ad valorem district, there will be no debt service or benefit assessment, and no application to the State Comptroller is necessary. This is a no cost extension of the Highland Water District and there will be no further cost for construction to the taxpayers of the Highland Water District; and,

WHEREAS, this extension proceeding is a Type II action and exempt from SEQRA under 6NYCRR Part 617, Section 617.13(d) (20) of such regulations.

WHEREAS, an Order was duly adopted by the Town Board on January 19th, 2022, reciting the filing of the petition, the improvements, the boundaries and the estimated expense, and specifying February 16th, 2022, at 7:00 p.m. as the time and place at the Town Hall in said town, where the said Town Board would meet to consider the petition and to hear all persons interested; and,

WHEREAS, such Order was duly posted and published as required by law; and,

WHEREAS, a hearing in the matter was duly held by the Board on the 16th day of February, 2022 and continued on the 16th day of March 2022, the 20th day of April, 2022, the 18th day of May, 2022 and the 15th day of June 2022 to consider the petition and to hear all persons interested in the subject thereof concerning the same, and all persons desiring to be heard having duly been heard.

NOW, THEREFORE, upon the evidence considered by this board and upon motion as set forth above, it is

RESOLVED AND DETERMINED THAT:

- (a) The petition aforesaid is signed and approved as required by law, and it duly complies with the requirements of Section 191 of the Town Law as to sufficiency of signers, and it is otherwise sufficient.
- (b) All the property and property owners within the proposed extension of the Highland Water District are benefited thereby.
- (c) All the property and property owners benefited are included within the limits of the proposed extension of district.

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(d) It is in the public interest to grant in whole the relief sought.

AND IT IS FURTHER RESOLVED AND DETERMINED THAT:

(a) The establishment of an extension to the Highland Water District, as proposed in said petition, be approved and the district hereby extended.

(b) The improvement thereon mentioned be constructed and the service therein mentioned be provided for upon the required funds being made available or provided for by the Petitioner.

(c) The extension shall be designated and known as The Village in the Hudson Valley, LLC extension of the Highland Water District and shall be bounded and described as set forth in Schedule AA@ annexed hereto.

AND IT IS FURTHER RESOLVED AND DETERMINED THAT:

The proposed improvement, including costs of rights of way, construction costs, legal fees and all other expenses shall be paid by the owner.

AND IT IS FURTHER RESOLVED THAT:

The Town Clerk of this town shall, within ten days after the adoption of this resolution, file certified copies thereof in duplicate in the office of the State Department of Audit and Control at Albany, New York, and cause a certified copy of this Determination and Order of the Town Board recorded with the Ulster County Clerk, all pursuant to Town Law Section 194 and 195.

O. RESOLUTION APPROVING DECLARATION OF UTILITY EASEMENT

WHEREAS, Toloms Holdings, LLC and Sixteen Acres, LLC (hereinafter the “Grantors”) are the owner in fee of certain real property located near New York State Route 9W, in the town of Lloyd, County of Ulster, State of New York, identified on the tax map as 95.2-2-9 & 10, and 95.12-1-5 and 15.1 (the “Premises”); and

WHEREAS, the Planning Board of the Town of Lloyd has granted conditional final subdivision and site plan and special use permit approval to the Grantors to construct an Assisted Living Facility on an approximately 14.67-acre lot, owned by Grantors; and

WHEREAS, Town of Lloyd has requested the right, privilege and authority from the Grantors to install, construct, operate and maintain on a portion of the Property, an underground sewer pipe within a utility easement area as described on a map of “Lot Line Adjustment of the Lands of The Village in the Hudson Valley, LLC”, prepared on February 5, 2021 and last revised on _____ by Brooks & Brooks Land Surveyors, P.C.; and

WHEREAS, the Grantors have laid out and developed a utility easement area on a portion of the Premises for the benefit of the Grantee (the “Easement Area”); and

WHEREAS, Sixteen Acres, LLC has submitted to the Town a proposed Declaration of Utility Easement which the Town has reviewed in consultation its attorneys, Engineers and Building, Water and Sewer Departments; and

WHEREAS, the Town Board wishes to approve said Agreement.

NOW, THEREFORE, BE IT RESOLVED:

1. The Declaration of Utility Easement by and between Sixteen Acres, LLC, and the Town of Lloyd annexed hereto as Exhibit A, be, and the same hereby is, approved.

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2. The Supervisor, David Plavchak, be, and hereby is, authorized to sign said Declaration of Utility Easement.
3. Upon the signing of said Declaration of Utility Easement and any other forms necessary for the filing thereof the original shall be filed with the Ulster County Clerk's Office and thereafter filed with the Town of Lloyd Clerk's Office.

P. RESOLUTION APPROVING IRREVOCABLE OFFER OF DEDICATION OF SEWER LINES TO THE TOWN OF LLOYD

WHEREAS, Sixteen Acres, LLC and Toloms Holdings, LLC (hereinafter the "Owners") are the owner in fee of certain real property located near New York State Route 9W, in the Town of Lloyd, County of Ulster, State of New York, identified on the tax map as a portion of lot 95.2-2-9 and all of 95.2-2-9, & 10, and 95.12-1-5 and 15.1; and

WHEREAS, the Planning Board of the Town of Lloyd has granted conditional final subdivision and site plan and special use permit approval to the Grantors to construct an Assisted Living Facility on an approximately 14.67-acre lot, owned by Owners; and

WHEREAS, the Town has requested the right, privilege and authority from the Owners to install, construct, operate and maintain on a portion of the Property, an underground sewer pipe (the "Sewer Lines") within a utility easement area as described on a map identified as of "Lot Line Adjustment of the Lands of The Village in the Hudson Valley, LLC", prepared on February 5, 2021 and last revised on _____ by Brooks & Brooks Land Surveyors, P.C.; and

WHEREAS, the Owners have laid out and developed a utility easement area on a portion of the Premises for the benefit of the Town (the "Utility Easement Area"), which Utility Easement Area is more particularly shown described in the Utility Easement between the Town and the Owners, which will be separately recorded; and

WHEREAS, the Town is requesting the owners Irrevocable Offer grant, cede and convey to the Town, or its successor municipality, those certain sewer lines as set forth and defined in the Utility Easement referenced above; and

WHEREAS, Sixteen Acres, LLC and Toloms Holdings, LLC have submitted to the Town a proposed Declaration of Irrevocable Offer of Dedication of Sewer Lines to the Town of Lloyd which the Town has reviewed in consultation its attorneys, Engineers and Building, Water and Sewer Departments; and

WHEREAS, the Town Board wishes to approve said Agreement.

NOW, THEREFORE, BE IT RESOLVED:

1. The Declaration of Irrevocable Offer of Dedication of Sewer Lines to the Town of Lloyd by and between Sixteen Acres, LLC, Toloms Holdings, LLC and the Town of Lloyd annexed hereto as Exhibit A, be, and the same hereby is, approved.
2. The Supervisor, David Plavchak, be, and hereby is, authorized to sign said Declaration of Irrevocable Offer of Dedication of Sewer Lines to the Town of Lloyd.

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3. Upon the signing of said Declaration of Irrevocable Offer of Dedication of Sewer Lines to the Town of Lloyd the original shall be filed with the Town of Lloyd Clerk's Office.

Q. RESOLUTION APPROVING DECLARATION OF SIDEWALK EASEMENT AND MAINTENANCE AGREEMENT

WHEREAS, Sixteen Acres, LLC and Toloms Holdings, LLC (hereinafter the "Owners") through a related entity, The Village in the Hudson Valley, LLC, intend to construct, operate and maintain an Assisted Living Facility and Adult Day Care Center (the "Project") on their properties located at the intersection of NYS Route 9W and Mayer Drive in the Town of Lloyd, Ulster County, New York (which includes a portion of SBL##:95.2-2.9; and all of SBL## 95.2-2-10; 95.2-1-5; 95.12-1-15.1)(the "Premises"), which Project is described in certain site plans approved by the Town of Lloyd Planning Board("Site Plans") on September 23, 2021; and

WHEREAS, the Owners intend to and shall construct and undertake certain site development improvements on the Premises, including public sidewalks along NYS Route 9W and Mayer Drive (the "Public Sidewalks") as depicted in the Site Plans, at their own expense; and

WHEREAS, the Public Sidewalks on the Premises will remain the primary responsibility of the Owners; and

WHEREAS, the Town and the Owners now desire to enter into an easement allowing the general public to utilize the Public Sidewalks on the Premises an agreement to provide for the long term maintenance of the Public Sidewalks on the Premises approved by the Town for the above-described Project, as above-described; and

WHEREAS, the Grantors have prepared and submitted Sidewalk Easement and Maintenance Agreement; and

WHEREAS, Sixteen Acres, LLC has submitted to the Town a proposed Declaration of Sidewalk Easement and Maintenance Agreement which the Town has reviewed in consultation its attorneys, Engineers and Building, Water and Sewer Departments; and

WHEREAS, the Town Board wishes to approve said Agreement.

NOW, THEREFORE, BE IT RESOLVED:

1. The Declaration of Sidewalk Easement and Maintenance Agreement by and between Sixteen Acres, LLC, and the Town of Lloyd annexed hereto as Exhibit A, be, and the same hereby is, approved.
2. The Supervisor, David Plavchak, be, and hereby is, authorized to sign said Declaration of Sidewalk Easement and Maintenance Agreement.
3. Upon the signing of said Declaration of Sidewalk Easement and Maintenance Agreement and any other forms necessary for the filing thereof the original shall be filed with the Ulster County Clerk's Office and thereafter filed with the Town of Lloyd Clerk's Office.

R. RESOLUTION APPROVING DECLARATION OF DRAINAGE EASEMENT

WHEREAS, Sixteen Acres, LLC (hereinafter the "Grantors") is the owner in fee of certain real property located near New York State Route 9W, in the Town of Lloyd, County of Ulster, State of New York, identified on the tax map as 95.12-1-15.1; and

WHEREAS, the Planning Board of the Town of Lloyd has granted conditional final

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subdivision and site plan and special use permit approval to the Grantor to construct an Assisted Living Facility on an approximately 14.67-acre lot, owned by Grantor; and

WHEREAS, the Grantee has requested the right, privilege and authority from the Grantor to install, construct, operate and maintain on a portion of the Property, an underground drainage pipe within a drainage easement area as described on a map of “Lot Line Adjustment of the Lands of The Village in the Hudson Valley, LLC”, prepared on February 5, 2021 and last revised on _____ by Brooks & Brooks Land Surveyors, P.C.; and

WHEREAS, the Grantor had laid out and developed a drainage easement area on a portion of the Premises for the benefit of the Grantee (the “Easement Area”); and

WHEREAS, Sixteen Acres, LLC has submitted to the Town a proposed Declaration of Drainage Easement which the Town has reviewed in consultation its attorneys, Engineers and Building, Water and Sewer Departments; and

WHEREAS, the Town Board wishes to approve said Agreement.

NOW, THEREFORE, BE IT RESOLVED:

1. The Declaration of Drainage Easement by and between Sixteen Acres, LLC, and the Town of Lloyd annexed hereto as Exhibit A, be, and the same hereby is, approved.
2. The Supervisor, David Plavchak, be, and hereby is, authorized to sign said Declaration of Drainage Easement.
3. Upon the signing of said Declaration of Drainage Easement and any other forms necessary for the filing thereof the original shall be filed with the Ulster County Clerk’s Office and thereafter filed with the Town of Lloyd Clerk’s Office.

S. WHEREAS, ADC Ulster has applied to the Town of Lloyd Planning Board (“Planning Board”) for approval of a large-scale residential subdivision with access to be provided from Upper North Road (the “Project”); and

WHEREAS, the Project is located outside the boundaries of any established Town of Lloyd sewer district and ADC Ulster has proposed to install a private wastewater package treatment plant (“Package Plant”) with a surface water discharge to serve the properties in the residential subdivision; and

WHEREAS, ADC Ulster has indicated its intent to seek the consent of the Town of Lloyd Town Board (“Town Board”) to ADC Ulster’s formation of a sewage works corporation under the NYS Transportation Corporations Law to build, operate and maintain the Package Plant for the Project; and

WHEREAS, in May 2021 the Planning Board stated its intention to serve as SEQRA lead agency for review of the Project, including review of the potential impacts of the proposed Package Plant; and

WHEREAS, the Town Board supports the Planning Board’s serving as lead agency for SEQRA review of the Project; and

WHEREAS, the Town Board believes that the Package Plant proposed for the Project has the potential to result in significant adverse impacts that should be addressed through an Environmental Impact Statement (“EIS”) prepared for the Project; and

WHEREAS, specifically, as a general matter the Town Board does not support private wastewater package treatment plants because of the potential that the Town

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could be asked to assume the costs for their maintenance and replacement, resulting in significant and unanticipated adverse fiscal impacts to the Town; and

WHEREAS, the Town Board additionally has concerns about potential environmental impacts arising from the planned surface water discharge from the proposed Package Plant; and

WHEREAS, to avoid the potential impacts to the Town, the Town Board has a strong preference for the provision of wastewater services through existing or extended public sewer districts administered by the Highland Sewer District.

NOW, THEREFORE, the Town Board resolves as follows:

I. The Project's proposed Package Plant has the potential to result in significant adverse financial and environmental impacts to the Town of Lloyd; and

II. A SEQRA determination by the Planning Board that the Project has a potential to result in one or more significant adverse impacts to the environment is appropriate; and

III. An EIS should be required for the Project that includes an analysis of the potential adverse impacts of a Package Plant; and

IV. The information requested by the Town's Water and Sewer Committee regarding the proposed Package Plant (See letter dated February 23, 2022) should be sought as part of an EIS developed for the Project, as well as other alternatives to the proposed Package Plant; and

V. The Town Board will fulfill its responsibilities under SEQRA as an involved agency for the Project.

T. Highway

Machinery Equipment	01-04-5130.20	Expenditure	\$138,735.00
Unexpended Balance	01-770	Balance Sheet	\$138,735.00-

Reestablish expense from PO HWY 421 from 2020 for 2022 HL940ATM Hyundai Wheel Loader S/N: HHKHWL41KL0000084