

TOWN OF LLOYD TOWN BOARD
REGULAR MEETING AGENDA
AUGUST 17, 2022

7:00 PM – Open meeting and Pledge of Allegiance

Proclamation
Louis S. Foscaldi
Memorial Resolution

WHEREAS, Louis S. Foscaldi , a longtime resident of the Town of Lloyd, was taken from our midst on July 20, 2022; and

WHEREAS, Louis S. Foscaldi was born in Bronx, New York on January 18, 1931; and

WHEREAS, Louis S. Foscaldi married his late wife Judith Fortunato in 1951; and

WHEREAS, Louis S. Foscaldi married his surviving wife, Arlene Crawford on August 2, 2004; and

WHEREAS, Louis S. Foscaldi served in the US Marine Corp from 1952-1954; and

WHEREAS, Louis S. Foscaldi attended Mindel Institute for Mechanical Engineering; and

WHEREAS, Louis S. Foscaldi worked as a Mechanical Engineer at IBM from 1965 until his retirement in 1991; and

WHEREAS, Louis S. Foscaldi was the Town of Lloyd Town Supervisor from 1970-1973; and

WHEREAS, Louis S. Foscaldi was a member of the Italian Center, Highland Legion Post 193, the Italian Club and Elks Club of Vero Beach, FL; and

WHEREAS, Louis S. Foscaldi enjoyed his summers in New York and winters In Florida; and

WHEREAS, Louis S. Foscaldi loved finance and investing, politics, history and baseball; and

WHEREAS, Louis S. Foscaldi was a voracious reader, loved the beach, working outside, a good cocktail and Golf and played regularly until the age of 90; and

WHEREAS, Louis S. Foscaldi loved life; his kindness and infectious personality endeared him to those fortunate enough to know him, had an immense circle of friends and the love of his family; and

WHEREAS, Louis S. Foscaldi; sense of humor, love of family and friends and capacity to enjoy the simpler things in life, will be deeply missed by all; and

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NOW, THEREFORE, BE IT RESOLVED that this Regular Meeting of August 17, 2022 of the Town of Lloyd Town Board be opened in memory of Louis Foscaldi; and

BE IT FURTHER RESOLVED that a certified copy of this resolution will be delivered to his family with the deepest sympathy of this Town Board of the Town of Lloyd.

CLOSE Public Hearing Local Law G-2022 Video Conference Meetings

WHEREAS, a proposed **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” was introduced at a meeting of the Town Board held on the 15th day of June, 2022 at 7:00 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 July, 2022 at 7:00 P.M., and continued on the 17th day of August, 2022 at 7:00 P.M., at which time all interested parties were given an opportunity to be heard thereon; and,

WHEREAS, the Town is determined that it is in the best interest of the Town to proceed with the Local Law in the form attached hereto;

NOW, THEREFORE, BE IT RESOLVED that **Local Law 6 – 2022** be enacted as in the form attached hereto as Schedule “A” as fully as if set forth herein, being 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”.

OPEN Public Hearing

**In the Matter of the
Increase and Improvement of Facilities of the Highland Water District,
in the Town of Lloyd, in the County of Ulster, New York,
pursuant to Section 202-b of the Town Law**

The Supervisor stated that a public hearing had been called for this meeting at the Town Hall, 12 Church Street, Highland, New York, at 7:00 o'clock P.M. (Prevailing Time) to consider the increase and improvement of facilities of the Highland Water District, at the estimated total cost of \$2,525,000, consisting of the replacement of the water storage tank and any and all necessary furnishings, equipment, machinery, apparatus, installations, appurtenances, accessories and related engineering and other costs in connection with the foregoing, as further described in the Report and other costs in connection with the foregoing, at the estimated maximum cost, including preliminary costs and costs incidental thereto and the

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financing thereof, and to hear all persons interested in the subject thereof concerning the same and for such other action on the part of the Town Board with relation thereto as may be required by law. The Town Clerk presented affidavits showing that the Notice of said public hearing had been duly published and posted pursuant to the provisions of Article 12 of the Town Law;

The Supervisor stated that the hearing in the said matter was now open and asked if there were any interested persons present who desired to be heard. The following persons appeared in favor of such increase and improvement of facilities of said District:

The following persons appeared in opposition to such increase and improvement of facilities:

The Supervisor inquired as to whether there were any other persons present who wished to be heard. No one appeared, whereupon the Supervisor declared the public hearing closed.

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.

B.

3. NEW BUSINESS

A.

4. PRIVILEGE OF THE FLOOR

5. MOTIONS AND RESOLUTIONS

A. Motion to approve the July 20, 2022 Town Board and August 3, 2022 Town Board Minutes.

B. Resolution to authorize the payment of vouchers as audited by the Audit Committee.

C. Resolution to approve the following budget amendments for General:

00-06-7110-40	- \$6500.00
00-06-7110-50	+ \$1607.00
00-06-7110-42	+\$3393.00
00-01-1630-40	+\$1500.00
00-07-8560-40	+\$2866.00
00-04-5140-40	-\$2866.00
00-06-7550-20	-\$1000.00
00-06-7550-40	+\$1000.00

D. Resolution Budget Amendment to move funds for Postage: June - July, 2022. Budget Supported.

1355.40	-\$18.09
1220.40	-\$71.63
1320.40	-\$149.49
1410.40	-\$210.34
8010.40	-\$419.29
1110.40	-\$913.73
5010.40	-\$2.68
8310.40	-\$320.79
8110.40	-\$320.79
3120.40	-\$30.37
7310.41	-\$572.73
1670.40	\$3029.93

E. Resolution to approve the following budget amendments for Sewer:

30-08-9060-80	-\$23000.00
30-07-8130-20	- \$15000.00
30-08-8130-40	\$38000.00

F. RESOLUTION to approve the following budget amendments for Highway:

01-04-5112.36	- \$6738.85
01-04-5112.39	- \$1426.49
01-04-5112.41	- \$837.85
01-04-5112.42	+\$5436.96

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01-04-5112.40 +\$14431.18
01-04-5110-40 -\$10864.95

G. RESOLUTION to approve the following budget amendments for Highway:

01-04-5142.40 - \$40000.00
01-04-5110-40 + \$40000.00

H. RESOLUTION to approve the following budget amendments for Water:

20-07-8310.30 +\$15000.00
20-07-8340-40 -\$15000.00

I. RESOLUTION to approve the following budget amendments for Summer Recreation:

00-06-7310-13 +\$3789.88
00-06-7310-40 -\$3789.88
00-06-7310-12 +\$5124.88
00-06-7310-40 -\$5124.88

J. RESOLUTION to hire Brady J. Robin as a part-time Dispatcher at a rate of \$18.65 per hour with a start date of August 18, 2022 at the recommendation of Chief James Janso.

K. RESOLUTION to hire Richard Belliveau, Jr. as a full-time Police Officer at a starting salary of \$52,902.00 per year with a start date of August 22, 2022 at the recommendation of Chief James Janso.

L. RESOLUTION to set Public Hearing Short Term Rentals

WHEREAS, a local law, being proposed as Local Law No. H – 2022, was introduced at this meeting by _____ and

seconded by _____ as follows:

Local Law No. H – 2022, a Local Law to revise Chapter 100 of the Town Code

Entitled “Zoning” to add a Provision to Chapter 100 “Zoning” Article VI “Special Use Permits” to Add 100-42a Entitled “Short-term Transient Rentals (STR)”.

(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,

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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

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 21st day of September, 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 TOWN OF LLOYD

LOCAL LAW H - 2022

A LOCAL LAW TO REVISE CHAPTER 100 OF THE TOWN CODE ENTITLED "ZONING" TO ADD A PROVISION TO CHAPTER 100 "ZONING" ARTICLE VI "SPECIAL USE PERMITS" TO ADD 100-42a ENTITLED "SHORT-TERM TRANSIENT RENTALS (STR)"

Section 1.

The Town of Lloyd Code, Chapter 100, is hereby amended to add a new section 100-42a as follows:

"Short-Term Transient Rentals

Definitions:

A. Purpose. With the increase in tourism over the past several years in the Town of Lloyd and adjacent areas, there has been an increase in the number of property owners renting to tourists on a short-term transient basis. Many residents list their properties as short-term transient rentals on web-based booking sites such as AirBnB and VRBO. Short-term transient rentals offer benefits to property owners and residents in the town such as increased income; however, STRs also create potential health, safety, and quality of life detriments to the community. In recognition of the widespread popularity of short-term transient rentals and in recognition that many short-term transient rentals are already operating in the town, the purpose of this local law is to regulate the safety and use of short-term transient rentals as home businesses in line with the goals of the Town Comprehensive Plan.

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The following local law imposes mandatory regulations and requirements on all Town of Lloyd property owners that desire to rent their property on a short-term transient basis. The purpose of such regulations and requirements are to assure that the properties being rented meet certain minimum safety and regulatory requirements which are proportional to those imposed on similar uses such as beds and breakfasts, inns, motels, and hotels; thereby protecting the property owners, the occupants of such housing and the residents of the Town of Lloyd.

B. Authorization. This Local Law is adopted in accordance with Article 16 of the Town Law of the State of New York which grants the Town of Lloyd the authority to enact local laws for the purpose of promoting the health, safety, and welfare of the Town, and in accordance with Municipal Home Rule Law, Article 2, Section 10, that gives the Town of Lloyd the power to protect and enhance its physical environment. The Town Board authorizes the Planning Board of the Town of Lloyd to issue Special Use Permits to property owners to use their properties as a short-term transient rental per the provisions of this local law. Applications for a permit to operate a short-term transient rental shall be processed under the procedures set forth in this local law.

C. Zoning. The use of a property for Short Term Transient Rental shall be strictly considered an accessory use to residential use single family and two-family dwelling units and allowable only upon receipt of a short-term transient rental permit in the A, R2, R1, R1/2, R1/4, and CB zoning districts. To apply for a permit, a parcel must contain a residential dwelling unit.

D. Density. Existing short-term transient rental units shall meet all density and setback requirements for the zoning district unless they are pre-existing nonconforming structures. New construction dwelling units shall meet density and setback requirements for the zoning district.

E. Prohibitions. The following parcels shall be prohibited from being issued permits to operate short-term transient rentals.

- (1) Parcels utilized for multifamily dwelling units.
- (2) Parcels utilized for commercial or industrial purposes.
- (3) Vacant property which does not contain a residential dwelling unit.

F. Definitions. As specifically apply to this subsection

Access - The place, means, or way by which pedestrians and/or vehicles shall have safe, adequate, and usable ingress and egress to a property, structure, or use.

Camping - The use of a property as a site for sleeping outside; or the parking of travel trailers or similar equipment, the erection of tents or other shelters, to serve as temporary residences.

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Density - The number of families, individual dwelling units or principal structures per unit of land.

Dwelling Unit - A building or entirely self-contained portion thereof containing complete housekeeping facilities for only one family, including any domestic servants employed on the premises, and having no enclosed space (other than vestibules, entrance or other hallways or porches) or cooking or sanitary facilities in common with any other dwelling unit.

Existing Short-Term Transient Rental – A short-term transient rental, as defined herein, which is in operation as of December 31, 2022.

House Rules - A set of rules that applies to renters of short-term transient rentals while occupying the unit.

Local Manager - The person specifically named on the application and permit that is responsible for the day-to-day operation of the short-term transient rental, and who may be contacted, day or night, if there is a problem at the short-term transient rental. The local manager may be either the owner or an agent of the owner. The local manager must reside within thirty (30) miles of the Town of Lloyd Town Hall.

New Operating Short-Term Transient Rental – A Short-Term Transient Rental not in operation prior to December 31, 2022

Non-Owner Occupied – A STR unit that does not qualify as owner-occupied.

Owner Occupied – A STR unit that is the primary residence of the owner for at least 180 days in the calendar year, or the owner is present in the dwelling or is present on the same parcel while the residence is being used as a short-term rental.

Primary Residence – A person's domicile where they usually live in the Town of Lloyd, whether on a full-time or part-time basis for at least 180 days in the calendar year, typically a house including any habitable accessory structures on the same property.

Rental - An agreement granting use or possession of a residence, in whole or in part, to a person or group in exchange for consideration valued in money, goods, labor, credits, or other valuable consideration.

Rented in Part – An STR in a Primary Residence, as defined above, that is being occupied in part by the owner and in part by STR guest(s), simultaneously.

Rented in Whole – An STR in a dwelling unit that is being occupied entirely by STR guests for the rental duration.

Secondary Dwelling Unit (SDU) – An attached or detached secondary residential dwelling unit that shares the building lot of a larger, primary home, including having separate cooking and sanitary facilities.

Short-Term Transient Rental (STR) - The use of a parcel for the rental or lease of any or part of any residential use single family and two-family dwelling unit, for a period of less than thirty (30) days. Motels, hotels, resorts, inns, and bed & breakfasts, as defined in this chapter are excluded from this definition.

Short-Term Transient Rental Unit – A dwelling unit utilized for the purposes of short-term transient rentals

Sleeping Room - An interior room other than a bedroom, as defined under the NYS Uniform Fire Prevention and Building Code, that may serve to afford sleep to a person, however, sleep shall not be the primary function of the room. Examples include, but are not limited to, a living room, family room, den or great room which may be furnished with a futon, convertible couch, or other sleeping surface. All sleeping rooms shall meet NYS Uniform Fire Prevention and Building Code mandates for bedrooms. (i.e., size, ceiling height, access, egress, lighting and ventilation, electrical outlets, heat, and smoke and carbon monoxide alarms).

Vacant Property – A parcel which does not contain a residential dwelling unit.

G. Applicable Law.

(1) All property owners desiring to rent on a short-term transient basis must comply with the regulations of this local law. However, nothing in this local law shall alter, affect, or supersede any regulations or requirements of the Town of Lloyd Zoning Code, any regulations or requirements imposed by the County of Ulster, or any State or Federal regulations or requirements, and all property owners must continue to comply with such regulations or requirements.

(2) All short-term transient rental property owners shall obtain a valid Special Use Permit permit from the Town of Lloyd Planning Board before operation. Such permits shall be applicable for a two-year period, subject to annual fire and safety inspection.

H. Ownership of Properties

(1) Properties must be owned by an individual, individuals, sole proprietorship, general partnership, limited liability partnership, or a limited liability company. No property owned by a corporation or other business entity shall qualify for a permit.

(2) A general partnership, limited liability partnership or a limited liability company must disclose names of all partners and/or members when applying. Any changes in partners and/or members shall be provided to the Building Department within thirty (30) days of change.

(3) No owner entity composed of similar individuals may hold permits for greater than two properties at any given time, one owner-occupied and one non-owner-occupied STR. Only one permit per property is allowed at one time.

I. Designation of STR Properties. All short-term transient rentals shall be designated as Owner Occupied, or Non-Owner Occupied, as defined herein.

J. Ulster County Hotel and Motel Occupancy Tax. All short-term transient rentals shall comply with the Ulster County Hotel and Motel Room Occupancy Tax (Local Law Number 5 of 1991). An operator of a hotel or motel may be responsible for the collection of tax on occupancy of Hotel/Motel room rentals. Included in the definition of Hotel/Motel rooms are short term and/or vacation rentals and properties typically listed on sites like Airbnb, Home Away, and VRBO.

K. Application of Law to Existing Short Term Rentals

(1) Property owners who operate an existing short-term transient rental shall have 90 days from the effective date of this law to apply for a valid permit.

(2) They shall be allowed to continue operation until such time as a Special Use Permit is issued or denied by the Planning Board.

(3) Pre-Existing, un-permitted STRs

The Town of Lloyd will offer a one-time pre-existing, un-permitted STR opportunity recognizing existing STR units operating prior to December 31, 2022. This is for BOTH owner-occupied and non-owner occupied STR units.

To qualify for “preexisting, un-permitted” of existing use, a property owner shall meet the standards and produce documentation of compliance of (a), (b), and (c) below. Any property owners who fail to produce such documentation shall be required to file and be considered a NEW operating short-term transient rental.

(a) Provide an Ulster County Department of Finance Certificate of Authority dated prior to December 31, 2022. AND

(b) Provide proof of operation as an STR between December 31, 2016 and December 31, 2022.
AND

(c) Have submitted a complete application and be subject to Section (T), Special Use Permit Regulations and an annual fire and safety inspection.

(4) Preexisting STR Units shall be allowed to operate, subject to biennial application renewal and annual fire and safety inspection, until such use ceases to exist or the property changes ownership.

L. Fee. A nonrefundable permit application fee and inspection fee shall be established by resolution of the Town Board for each dwelling unit that functions as or contains a short-term transient rental unit. Such permit fee shall be submitted with each new application and each biennial renewal application. A separate fee shall be submitted for an annual fire safety inspection of each permitted STR.

M. Application Forms. Application forms for a permit to operate a short-term transient rental shall be developed by the Building Department.

N. Applicants must file a separate application and tender a separate application fee and obtain a separate permit and inspection for each dwelling unit which contains or functions as a short-term transient rental.

O. Application Process.

The initial permit application to operate a short-term transient rental shall be submitted to the Planning Board along with the applicable application fee, prior to operation.

Property owners shall register with the County's Commissioner of Finance and receive a Certificate of Authority empowering such operator to collect the tax from the occupant pursuant to Section 312-8 of the Code of Ulster County, and provide documentation relating thereto to the Municipality to be eligible for any such permit.

(1) The initial permit application shall include the following:

(a) Contact information. The names, addresses, email address(es) and day/night telephone numbers of the property owners and local managers shall be included on the application.

(b) Designation of the STR as Owner Occupied or Non-Owner Occupied, as defined herein.

(c) Designation of the STR as Rented in Part and/or Rented in Whole, as defined herein.

(d) Hosting Platform information. The applicant shall provide the names and URLs for all hosting platforms or other advertising platforms, such as but not limited to AirBnB, VRBO or other hosting websites; and Facebook, Instagram, or other social media postings used by the applicant for advertisement of the short-term transient rental unit. Any changes or additions to the listed hosting/advertising platform shall be reported on the applicant's renewal permit.

(e) Parking. The number of off-street parking spaces to be provided shall be stated on the application. Off street parking shall be provided to accommodate the occupancy of the short-term transient rental unit, one parking space for each sleeping room in the dwelling plus other parking as required by §100-29. Vehicles shall not be parked on front lawns. There shall be no on-street parking allowed. No parking shall be allowed outside of the parking spots designated and detailed on the permit.

(f) Maximum Occupancy. The maximum desired occupancy by the operator shall be stated on the application. The Code Enforcement Officer shall establish the maximum occupancy. The Code Enforcement Officer shall limit the number of occupants based on the number, size, configuration, and furnishings of the bedrooms and/or sleeping rooms, and per the provisions of NYS Uniform Fire Prevention and Building Code.

(g) Water and septic. The source of the water supply shall be stated on the application and the permit. The septic system shall be functioning, and the type, size, and location of the

septic system shall also be stated on the application. New permit applications shall require documentation as determined acceptable to the Planning Board, indicating that the septic system is found to be currently working properly and is adequate for the Short-Term Transient Rental maximum occupancy.

(h) Fire Safety. Documentation of location and existence of fire extinguishers in compliance with NYS Uniform Fire Prevention and Building Code

(i) Description. State the occupancy of each bedroom and sleeping room and the methods of ingress and egress (examples: doors and windows) shall be included with the application. No kitchen shall be occupied for sleeping purposes.

(j) Plat. The applicant shall submit an aerial plat of the property showing approximate property boundaries and existing features, including buildings, structures, well, septic system, parking spaces, firepits/outdoor fireplaces, driveways, streets, streams and other water bodies, and neighboring buildings within one hundred (100) feet of the short-term transient rental unit. This does not need to be a survey. This is easily obtained free of charge from many online sources.

(k) Garbage Removal. The applicant shall state how garbage is to be removed from the property. The applicant is responsible for all refuse and garbage removal. The applicant shall be responsible for either (a) contracting with a refuse company or (b) the owner or property manager shall remove garbage on a weekly basis. If there is a dumpster located on the property, the location of the dumpster shall be depicted on the plat submitted with the application.

(l) House Rules. The applicant shall submit a copy of the house rules (see below Section T for required House Rules.)

(m) Jurisdiction. If a property owner does not reside within thirty (30) miles of the Town of Lloyd Town Hall, then they must designate the Local Manager, as an agent.

(n) A copy of the Ulster County Commissioner of Finance Certificate of Authority

P. Inspections.

(1) Annually, each short-term transient rental unit shall be inspected by the Code Enforcement Officer or Fire Inspector to determine compliance with New York State Uniform Fire Prevention and Building Code. Inspections shall be done for the initial permitting and annually, thereafter.

(2) All STR units must comply with NYS Building Code requirements and shall have no open violations. No initial or renewal permit shall be issued without compliance with the elements of the submitted application.

(3) The entire structure, regardless of whether parts are not to be occupied by short term rental tenants, is to be inspected. This includes all owner-occupied spaces in buildings where

a STR unit is located. Those owner-occupied spaces shall be in compliance with the Property Maintenance Code of New York State related to interior and exterior spaces and fire safety.

Q. Application Review. Upon receipt of the application and fee, the Planning Board shall determine if the applicant has complied with all the requirements of this local law as well as any federal, state, county, or local laws. If the applicant has fully complied, then the Planning Board shall issue the property owner a short-term transient rental permit so long as initial fire safety and property maintenance inspections have been completed and approved. No permit shall be issued until inspection is completed and the short-term transient rental unit is approved by the Planning Board. Notification of the initial permit shall be sent to neighbors within 200 ft of the property by the Building Department upon permit approval.

R. Renewal permits. The applicant will provide the Town of Lloyd with any changes to the original underlying application for a Short-Term Transient Rental Permit, together with such additional documentation as determined by the Planning Board, all of which will be on forms prescribed by the Building Department, along with the current application fee. Renewal applications shall never be subject to any cap, provided the property remains under the same ownership. Any applicant who applies for a short-term transient rental permit and did not hold a permit for the immediate prior year, shall be considered a new applicant and not a renewal applicant. Permit holders shall be able to apply for Renewal Permits beginning October 1st through December 1st.

S. General Permit Regulations.

(1) The permit to operate a short-term transient rental in any given year will expire on December 31, except an initial permit approved after September 1st of a calendar year shall be allowed to run through December 31st of the subsequent year. All renewal permits shall run from January 1st to December 31st of a calendar year.

(2) Copies of the permit must be displayed in the dwelling unit in a place where it is easily visible to the occupants.

(3) Permits for operation of a short-term transient rental may not be assigned, pledged, sold, or otherwise transferred to any other persons, businesses, entities, or properties.

(4) All short-term rental properties shall have posted on or about the inside of the front or main door of each dwelling unit a card listing emergency contact information. Such information shall include, but not be limited to the name, address, email, and phone numbers of the building owner, if local, or of a local manager and instructions on dialing 911 for emergency/fire/ambulance assistance. A local manager shall be able to respond in person within one hour.

(5) Exterior advertising signs are prohibited except an STR may have one nonilluminated accessory use freestanding or wall sign not to exceed 4 square feet in area to identify the STR

(6) No person or persons shall be housed separately and/or apart from the approved dwelling unit in any temporary structure, tent, trailer, camper, lean-to, recreation vehicle, 'tiny-house', boat, or non- dwelling unit.

T. House Rules

(1) All short-term rental properties shall post for renters of each dwelling unit a listing of House Rules. House Rules shall incorporate, but not be limited to, the following:

- (a) An emergency exit egress plan
- (b) The location of fire extinguishers
- (c) Identify the property lines and a statement emphasizing that unit occupants may be liable for illegal trespassing.
- (d) Identify the procedures for disposal of refuse/garbage.
- (e) If allowed by the property owner, specify outdoor fires shall be made solely within a fireplace or fire pit in accordance with all New York State burning regulations.
- (f) If allowed by the property owner, instructions for fires in fireplaces or wood stoves. If not allowed by the property owner, a statement stating as such
- (g) Short Term Transient Rentals shall not be permitted to be used for any commercial use or commercial event space.
- (h) No outdoor camping shall be allowed.
- (i) Parking shall be allowed solely in the designated parking spaces.
- (j) If the property has a pool, hot tub or other swimming or bathing appurtenance (hereafter: "pool"), a clear list of requirements related to use of the pool, including explanation of the use of the required barrier, barrier latches, alarms, electrical disconnect, etc. Further, the property owner will place a sign in each location leading to the pool that the property requires a "Water Watcher": a responsible adult to supervise the pool while it is in use and to be responsible for assuring that the barrier requirements are in place at all times.
- (k) Noise should be kept to a reasonable level. Unreasonably loud, disturbing and unnecessary noise should not occur after 8:00pm nor before 7:00am during weekdays, and not between 8:00pm and not before 9:00am on Sundays or any holiday.

U. Complaints

(1) Complaints regarding the operation of a short-term transient rental shall be in writing to the Code Enforcement Officer.

(2) Noise Complaints should be made to the Town of Lloyd Police Department.

(3) Upon receipt of a complaint of violation, the Code Enforcement Officer shall investigate to determine the presence of a violation, and upon finding to his/her satisfaction that a violation was or is currently occurring, he/she shall issue to the property owner and the local manager a notice detailing the alleged violation(s) as determined by the Code Enforcement Officer. Such notice shall also specify what corrective action is required of the property owner, and the date by which action shall be taken.

(4) Notices required by this section shall be issued by the Code Enforcement Officer either by personal service to the property owner and/or the local manager, if applicable, or by

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certified mail to the address of the property owner and/or local manager as shown on the permit application.

(5) If the landowner does not comply with corrective action by the date given by the Code Enforcement Officer, the Town of Lloyd may initiate procedures to revoke the permit, or the Town of Lloyd may begin a criminal action against the property owner or pursue any other relief permitted by law.

(6) The Code Enforcement Officer shall refer to the Town Board any property owners whom they believe to be in violation of this Local Law. The Town Board shall determine whether the permit in question shall be revoked. A revocation of a permit requires a public hearing by the Town Board. The referral to the Town Board may be done in addition to any other penalties permitted by law.

Complaints can further lead to a denial of a renewal permit until the violation is resolved.

Section 2.

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

M. BE IT RESOLVED that the Town Board, upon the recommendation of the Chief of Police and the Town Supervisor, hereby approves the terms of and authorizes its Town Supervisor to sign a Supplemental Memorandum of Agreement “SMOA” between the Town and the PBA dated August __, 2022 regarding the reimbursement of certain training fees and other costs. The terms of August __, 2022, SMOA shall be incorporated by reference within the minutes of this meeting.”

SUPPLEMENTAL MEMORANDUM OF AGREEMENT

This Supplemental Memorandum of Agreement is entered into by and between the negotiating teams for the Town of Lloyd (hereinafter “Town”) and the Town of Lloyd Police Benevolent Association, Inc. (hereinafter “PBA”), referred to collectively as the parties.

WHEREAS, the Town and the PBA are parties to a Collective Bargaining Agreement (“CBA”) which has an expiration date of December 31, 2019; and

WHEREAS, due to the current shortage of police officers, the Town needs to remain competitive with local police department and agencies for viable candidates by offering incentives for police officers from other police departments and agents to commence employment with the Town; and

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WHEREAS, a City of Newburgh Police Officer has expressed interest in employment with the Town of Lloyd but is subject to fees such reimbursement for uniforms, training and/or equipment; and

WHEREAS, the fees are in the thousands of dollars and are cost prohibitive for the Police Officer; and

WHEREAS, in order to incentivize this police officer to accept an offer of employment with the Town over other local police departments, the parties agree as follows:

1. Within thirty days of hiring Officer Belliveau, the Town will reimburse Officer Belliveau up to \$9,000 for any costs related to bullet proof vests, training, uniforms and equipment, associated with his leaving employment with the City of Newburgh. Payment for such bullet proof vests, training, uniforms and equipment shall be made to the officer only upon the presentation of a receipt for such costs and fees from his employer demanding such fees and shall be paid directly to the City of Newburgh.

2. If Officer Belliveau remains employed by the Town for a minimum of three (3) years, he will be relieved of any responsibility for reimbursing the Town for any portion of the fees the Town has paid to the City of Newburgh on his behalf. If, however, Officer Belliveau leaves employment with the Town prior to completing three years of service, he will be subject to the following fee schedule to reimburse the Town for the payments made to the City of Newburgh on his behalf:

- a. If Officer Belliveau, leaves employment prior to completing one year of service with the Town he will be responsible for reimbursing the Town the entire sum paid to the City of Newburgh for his costs related to bullet proof vests, training, uniforms and/or equipment.
- b. If Officer Belliveau leaves after one year but prior to reaching two years of employment with the Town he will be responsible for reimbursing the Town 66% of the sum paid to his former employer for his costs related to bullet proof vests, training, uniforms and/or equipment.
- c. If Officer Belliveau leaves after two years but prior to reaching three years of employment with the Town he will be responsible for reimbursing the Town 33% of the sum paid to his former employer for his costs related to bullet proof vests, training, uniforms and/or equipment.

3. This Supplemental Memorandum of Agreement is entered into by the parties based upon the unique circumstances involving Officer Belliveau's employment with the Town and is entered into on a non-precedent setting basis and it shall not be introduced into evidence in any proceeding to establish a binding practice or contractual obligation of the Town in any other matter involving any other officer other than Officer Belliveau.

4. The terms of this Supplemental Memorandum of Agreement shall be enforceable through the grievance procedure set forth in the CBA between the Town and the PBA.

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5. This Supplemental Memorandum of Agreement shall be subject to approval by the Town Board and shall be deemed null and void absent such approval.

6. This Supplemental Memorandum of Agreement may be executed in counterparts, transmitted via email or facsimile, with each part so executed and delivered deemed an original.

SO AGREED THIS DAY OF _____, AUGUST 2022.

DAVID PLAVCHAK
TOWN SUPERVISOR
TOWN OF LLOYD,

CHRISTOPHER MILLER
PBA PRESIDENT
POLICEBENEVOLENT
ASSOCIATION TOWN OF LLOYD

By signing below, I acknowledge the terms of this SMOA, and my rights and responsibilities contained within it, including my obligation to repay the Town in accordance with the schedule set forth herein should I leave Town employment prior to my three-year anniversary date.

[Name of Officer]

N. RESOLUTION Highbridge ROW

O. RESOLUTION Highbridge Sidewalk donation

P. RESOLUTION Bridgeview Lighting Fixtures

Q. 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") involves the reconfiguration of the intersection of Tillson Avenue, Toc Drive and Route 44/55, culvert replacement, pedestrian accommodations, drainage improvements, sight distance improvements, roadway grade reduction, sidewalk installation and replacement, pedestrian enhancements, Americans with Disabilities Act (ADA) compliant elements, drainage design, utility relocations, curb installation, pavement striping, retaining wall construction, and landscaping; and

WHEREAS, the Consultant provided preliminary design, detailed design, and construction services as outlined in Sections 1 through 9 of the original project scope and Supplemental Agreements No. 1 through No. 5; and

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WHEREAS, the consultant performed additional preliminary and detailed design services to complete the NYSDOT requested National Environmental Policy Act (NEPA) Re-evaluation that allowed the project to proceed to the construction phase, performed additional coordination with the NYSDOT, Town, and Metropolitan Planning Organization related to the bid analysis and project funding; and

WHEREAS, construction delay from the 2021 season to the 2022/2023 seasons have resulted in expected additional construction support and inspection service related costs due to the increase in DBE subconsultant costs, materials testing costs, and extension of construction operations into a second construction season; and

WHEREAS, the provisions of the original project agreement and Supplemental Agreements No. 1 through 5, remain in effect except as modified under Supplemental Agreement No. 6; and

WHEREAS, Supplemental Agreement No. 6 is for a total sum of \$253,959.00; and

WHEREAS, the Project is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs such program to be borne at the ration of 80% Federal funds and 20% non-federal funds; and

WHEREAS, the Project is eligible for New York State Marchiselli Aid related to work completion not associated with a New York State highway; and

WHEREAS, the Town of Lloyd is committed to 100% of the non-federal share of the costs of design, construction, and construction inspection work for the Project; and

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

RESOLVE, that the Lloyd Town Board hereby approves Supplemental Agreement No. 6 for the additional out of scope work not included as part of the original agreement and Supplemental Agreements No. 1 through No. 5; and it is hereby further

RESOLVED, that an authorized representative of the Town of Lloyd is hereby authorized to execute **Supplemental Agreement No. 6** on behalf of the Town of Lloyd, and it is further

RESOLVED, this Resolution shall take effect immediately.

R. RESOLUTION AND ORDER AFTER PUBLIC HEARING

WHEREAS, the Town Board of the Town of Lloyd (herein called the "Town"), in the County of Ulster, New York, on behalf of the Highland Water District (herein referred to as the "District"), has caused CPL, Newburgh, New York, engineers duly licensed by the State of New York (the "Engineer"), to prepare a map, plan and report for the increase and improvement of facilities of the District, consisting of the replacement of the water storage tank and any and all necessary furnishings, equipment, machinery, apparatus, installations, appurtenances, accessories and related engineering and other costs in connection with the foregoing, as further described in the Report (the "Project"); and

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WHEREAS, the Engineer has estimated that the cost of such increase and improvement of facilities shall be \$2,525,000 and said map, plan and report have been filed with the Town Board; and

WHEREAS, the Town expects that grant and/or other funds will be available to pay all or a part of the cost of the Project. Any such grant and/or other funds are hereby authorized to be applied toward the cost of said Project or redemption of the Town's bonds or notes issued therefor, or to be budgeted as an offset to the taxes to be collected for the payment of the principal of and interest on said bonds or notes; and

WHEREAS, the Town Board, acting as lead agency, has given due consideration to the impact that the Project described herein may have on the environment, and has determined that such projects constitute Type II actions pursuant to the State Environmental Quality Review Act (SEQRA), constituting Article 8 of the Environmental Conservation Law, and 6 N.Y.C.R.R., Regulations Part 617.5 (c), and therefore no further environmental review is required; and

WHEREAS, the Town Board adopted an Order describing in general terms the proposed increase and improvement of such facilities, specifying the estimated cost thereof, and stating the Town Board would meet to hear all persons interested in said increase and improvement of facilities on August 17, 2022 at 7:00 o'clock P.M. (Prevailing Time) at the Town Hall, 12 Church Street, Highland, New York; and

WHEREAS, a Notice of such public hearing was duly published and posted pursuant to the provisions of Article 12 of the Town Law; and

WHEREAS, such public hearing was duly held by the Town Board on August 17, 2022 at 7:00 o'clock P.M. (Prevailing Time) at the Town Hall, 12 Church Street, Highland, New York, with considerable discussion on the matter having been had and all persons desiring to be heard having been heard, including those in favor of and those in opposition to said increase and improvement of such facilities; and

Now, therefore, be it

DETERMINED, that it is in the public interest to increase and improve the facilities of the District as hereinabove described, at the estimated total cost of \$2,525,000; and it is hereby

ORDERED, that the facilities of the District shall be so increased and improved and that the Engineer shall prepare plans and specifications and make a careful estimate of the expense of said increase and improvement of such facilities and, with the assistance of the Town Attorney, shall prepare a proposed contract for such increase and improvement of facilities of the District, which plans and specifications, estimate and proposed contract shall be presented to the Town Board as soon as possible; and it is hereby

FURTHER ORDERED, that the expense of said increase and improvement of facilities shall be financed by the issuance of \$2,525,000 bonds of the Town, and the cost of said increase and improvement of facilities, including payment of principal of and interest on said bonds, shall be paid from charges collected through water metering and/or the assessment, levy and collection of assessments upon the several lots and parcels of land within the District in the same manner and at the same time as other Town charges; and it is hereby

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FURTHER ORDERED, that the Town Clerk record, or cause to be recorded, a certified copy of this Resolution and Order After Public Hearing in the office of the Clerk of Ulster County within ten (10) days after adoption thereof.

DATED: August 17, 2022

TENTATIVE