

**TOWN OF LLOYD**  
**REGULAR TOWN BOARD MEETING**  
**OCTOBER 16, 2019**

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

**Also present:** Sean Murphy, Attorney  
Wendy D. Rosinski, Town Clerk

**7:00 PM – Supervisor** opened meeting.

Supervisor offered his condolences to the Steven Passante family. Steve passed away last week, he was a phenomenal man and a member of the American Legion Post #193.

**7:03 PM - Supervisor** opened the Public Hearing on Local Law D – 2019, a local law to Override a Tax Levy Limit

**1. REPORTS – Town Board Liaisons**

**Audit** –January 1 to June 30, 2019: Councilmembers Auchmoody and Mazzetti  
July 1 to December 31, 2019: Councilmembers Winslow and Guerriero

**ECC /Zoning Board – Councilmember Guerriero**

Guerriero reported that the public hearing for Ryan Law’s proposed project on Hawleys Corners Road, has been held open so the applicant can find a different location for the garage with an accessory apartment, which he originally wanted to locate in front of his house.

A second applicant, Paul Krystek, applied for a residential variance for a shed in his front yard. The board asked for pictures showing the steepness of the land which would partially hide the shed. Very little of the shed would be visible. The applicant provided letters of support, and his application was approved.

Apple Blossom Orchards is seeking an area variance to permit coverage on 50 acres. He has to do some homework pertaining to the water shed and discharge.

**Highland Central School District – Councilmember Mazzetti**

Mazzetti congratulated the Honor Society inductees. Five-week report cards go out on the 11<sup>th</sup>. The high school is hosting their annual blood drive on the 17<sup>th</sup>. A rock concert will be held at the high school on the 17<sup>th</sup>. The middle school PTA is hosting a dance for students on the 18<sup>th</sup>. All Highland schools will have a half day on the 31<sup>st</sup>. PBIS is having a website sale for holiday goods.

The Mid-Hudson School Study Council will be honoring three people from Highland with a 2019 Excellence Award for having a positive impact on the lives of students. They are the elementary school principal Joel Freer; Steve Laubach, from the Rotary Club; and school security officer Wade Sargent.

**Planning Board – Councilmember Winslow**

Winslow reported that for new Public Hearings Paul and Joanne Costantino, 30 Bellevue Rd, SBL # 88.17-2-13.100. Applicants are proposing a lot line revision to add a vacant 0.83-acre parcel of land to their single-family residential lot.

**Old Business**

Auto Zone Retail Auto Parts Store, No# 6881, 3668 Route 9W, SBL# 96.1-4-18.241 in GB Zone. \*\*Adjourned until 11.21.2019 per request of applicant. Applicant is seeking commercial site plan approval for a land development project that will consist of a 6,816 sq. ft single story structure for the retail sale of auto parts.

Cusa, Sal, North Road, SBL# 88.1-4-8.225, in R 1/2 Zone. \*\*Adjourned until 11.21.2019 per Water and Sewer Committee meeting discussion.

Applicant is seeking subdivision approval proposing to divide lot SBL# 88.1-4-8.225 into 5 lots for single family residences.

Glide Path Power Solutions, Route 9W, 88.1-3-3.200 in LI Zone

Applicant is seeking commercial site plan approval for a lithium battery energy storage system facility at the intersection of 9W and Route 299 that will provide capacity and ancillary services to the regional electric grid.

Joyful Moments Childcare, LLC, 620 New Paltz Rd, SBL # 87.10-6-6, in R ½ Zone.

Applicant is seeking a special use permit to relocate a childcare business to a new location.

Law, Ryan, 65 Hawleys Corners Road, SBL# 79.4-1-12.200, in R1 Zone.  
\*\*Adjourned until a revised plan is completed with the ZBA.

Applicant is seeking a special use permit to allow an accessory apartment as part of a detached garage to be constructed in the front yard of his parcel. Applicant is seeking an area variance simultaneously from the ZBA to construct the building in the lower front yard.

P WE Holdings, LLC, Route 9W, SBL # 88.1-4-8.222 in GB Zone. \*\*Adjourned until 11.21.2019 per request of applicant.

Applicant is seeking commercial site plan approval to construct a 6,300 square foot catering hall/banquet facility on a 9.34-acre parcel of land located on Route 9W, southerly of North Road and northerly of Grand Street.

RTH Realty Holdings, LLC, Upper North Road, SBL# 80.3-1-16 in LI Zone.

Applicant is seeking commercial site plan approval to construct 12,000 sq. ft warehouse and office space building along with associated parking and loading area. The proposed multi-use passive building is intended to be constructed on a 3.4-acre vacant parcel.

Stewart's Shops Corp, 3733 Route 9W, SBL# 96.9-1-33.100, in HBD Zone. \*\*Adjourned until feasibility and traffic studies are completed.

Applicant is seeking commercial site plan approval proposing a new typical Stewart's Shops convenience store (3,850 s f) with self-service gasoline.

The Views at Highland, 3715-3725 Route 9W, SBL# 95.2-2-12.100 & 95.2-2-12.200 in HBD Zone. \*\*Adjourned until 10.24.2019 per request of applicant.

Applicant is seeking commercial site plan approval to redevelop property at 3715-3725 each respective building. In accordance with the Town of Lloyd Zoning Code Section Route 9W (SBL 95.2-2-12.100 & 12.200) for a mixed-use commercial and residential development with related parking and landscaping.

The applicant proposes to construct two mixed-use buildings comprised of retail and office space on the first floor of each building and twenty-two apartment units located on the upper two floors in 100-36D, ten percent of the proposed residential units will be designated as below market rates.

The Village in the Hudson Valley, 3679 Route 9W, SBL#'s 95.12-1-5 & 15.1, 95.2-2-3.21, 9 & 10 in R1/2 Zone. \*\*Adjourned until 11.21.2019 per request of applicant. Applicant is seeking commercial site plan approval for a proposed Continuing Care Retirement Community and a lot line revision to consolidate and reconfigure five parcels into two parcels.

**Police/Fire/Town Justice** – Supervisor Paul Hansut

Supervisor reported that the Town of Lloyd Police in conjunction with Ulster County Urgent made a substantial arrest at the Highland Motel. They took two people into custody and collected heroin, fentanyl and cash.

Supervisor thanked both agencies for their great work.

**Water/Sewer/Drainage Committee and EDC** –Councilmember Auchmoody

Auchmoody apologized, he missed those meetings.

**REPORT** – Peter Bellizzi, President, Hudson Valley Rail Trail

Bellizzi reported that the trail has been very busy, the sign is up on the gateway towers, and a plaque dedication for Ray and Claire Costantino will take place on Saturday, October 19<sup>th</sup> at 3:30 at the towers.

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

Auchmoody reported that 10 sonotubes have been poured for the lights. They hope to get more done over the weekend.

Auchmoody said there are applications available in the Town Clerk's office to sponsor a light.

A plaque will be engraved and placed on the light; the bollards are 3 ½ feet and are \$1000.00, the 12 foot one is \$1750.00; the light, the conduit, the wire etc. This will cover the cost.

**2. OLD BUSINESS**

A.

**3. NEW BUSINESS**

A. No Workshop meeting November 6, 2019.

**4. PRIVILEGE OF THE FLOOR**

Supervisor explained that a public hearing will be held on November 20<sup>th</sup> for the proposed moratorium.

Darlene Seymour and her neighbor, Lorena, shared their continued concern about a tree

growing on Rail Trail property, but leaning over Lorena's house. They would like the tree taken down because it proposes a hazard to Lorena's house and her children. Supervisor asked Bellizzi and Richie Klotz, Highway Superintendent, to get together and have the tree taken down.

## 5. MOTIONS AND RESOLUTIONS

- A. **MOTION** made by Mazzetti, seconded by Guerriero to approve the minutes of the 10.02.2019 Town Board Workshop Meeting.

**Five ayes carried**

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

General	G - 962 to G - 1049	\$ 87,670.77
Highway	H - 453 to H - 480	\$ 13,612.34
Miscellaneous	M - 209 to M - 241	\$ 72,148.64
Prepays	NO PREPAYS	
Sewer	S - 269 to S - 313	\$ 45,521.19
Water	W - 370 to W - 423	\$ 53,201.97

**Roll Call:** Winslow, aye; Mazzetti, aye; Guerriero, aye; Hansut aye; Auchmoody, aye

**Five ayes carried**

- C. **RESOLUTION** made by Auchmoody, seconded by Winslow to set the Public Hearing on the 2020 Town of Lloyd Preliminary Budget for November 6, 2019 at 7:00 PM at the Town Hall.

**Roll Call:** Winslow, aye; Mazzetti, aye; Guerriero, aye; Hansut aye; Auchmoody, aye

**Five ayes carried**

- D. **RESOLUTION** made by Auchmoody, seconded by Mazzetti to appoint Vincent Scacciaferro to the position of Water/Wastewater Maintenance Worker at the rate of 22.06 per hour, 40 hours per week at the recommendation of Adam Litman, Water/Sewer Administrator, effective October 26, 2019.

**Roll Call:** Winslow, aye; Mazzetti, aye; Guerriero, aye; Hansut aye; Auchmoody, aye

**Five ayes carried**

- E. **RESOLUTION** made by Auchmoody, seconded by Winslow to hire Karen McPeck, part-time Bookkeeper, to complete payroll functions until 12/31/2019 at a rate of \$750.00 per payroll.

**Roll Call:** Winslow, aye; Mazzetti, aye; Guerriero, aye; Hansut aye; Auchmoody, aye

**Five ayes carried**

- F. **RESOLUTION** made by Mazzetti, seconded by Winslow **WHEREAS**, a local law, being proposed as Local Law E – 2019, was introduced at this meeting by Mazzetti and seconded by Winslow as follows:

Local Law E – 2019, a local law entitled the “2019 Temporary Moratorium Law”, a local law to temporarily suspend certain development within the Town. The local law will impose a moratorium for the period of six (6) months following the date of adoption on application for development approvals for any commercial, industrial or mixed use building or use for any subdivision for any use, for any multifamily use, for continuing care residential community, nursing home or assisted living/memory care facilities, upper floor apartments and manufactured home parks. This law will temporarily suspend all action on pending applications currently before officials or boards of the Town of Lloyd for development approvals listed herein and no decisions shall be made either approving or denying such applications during the period of this moratorium. The moratorium shall not apply to applications for residential subdivisions involving less than ten lots and applications for building permits for approved lots or structures to be used for residential purposes including two family dwellings, accessory apartments, accessory buildings, and manufactured homes and additions. The law provides that the moratorium may be extended for a period of two (2) additional periods of three (3) months each by resolution of the Town Board upon a finding of the necessity for such extension.

**WHEREAS**, the Town Board of the Town of Lloyd has determined that this matter constitutes a Type II action under the State Environmental Quality Review Act (SEQRA), and is exempt from further proceedings under such Act; 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** that a Public Hearing will be held by the Town Board with respect to the adoption of the aforesaid local law at the Highland Fire District Station 1, on the 20<sup>th</sup> day of November, 2019 at 7:00 p.m.

**Roll Call:** Winslow, aye; Mazzetti, aye; Guerriero, aye; Hansut, aye; Auchmoody, nay

**Four ayes carried**

**G. Motion** made by Mazzetti, seconded by Winslow to close the Public Hearing on Local Law D-2019, a Local Law to override the Tax Levy limit established in General Municipal Law Section 3-C.

**Roll Call:** Winslow, aye; Mazzetti, aye; Guerriero, aye; Hansut aye; Auchmoody, aye

**Five ayes carried**

**H. RESOLUTION** made by Mazzetti, seconded by Winslow

**WHEREAS**, a proposed Local Law D – 2019, a local law to Override a Tax Levy Limit established in General Municipal Law, Section 3-c, was introduced at a meeting of the Town Board held on the 2<sup>nd</sup> day of October, 2019 at 5:00 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 16<sup>th</sup> day of October, 2019 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 4 -2019 be enacted as in the form attached hereto as Schedule “A” as fully as if set forth herein, being a local law to amend Override the Tax Levy Limit Established in General Municipal Law, Section 3-c.

**Roll Call:** Winslow, aye; Mazzetti, aye; Guerriero, aye; Hansut aye; Auchmoody, aye

**Five ayes carried**

**I. RESOLUTION** made by Winslow, seconded by Mazzetti to establish the Capital Project 50-04-5144-40 for the Sidewalk TAP-CMAQ grant pin 8762.55 with a loan from the General fund for \$131,000 which constitutes the Town’s share toward the total cost of the enhancements of \$840,687.00 (federal share \$672,550.00).

**Roll Call:** Winslow, aye; Mazzetti, aye; Guerriero, aye; Hansut aye; Auchmoody, aye

**Five ayes carried**

**J. RESOLUTION** made by Auchmoody, seconded by Winslow to close Main Street from Church Street to the intersection with Vineyard Avenue and Vineyard Avenue from Main Street to Milton Avenue on Saturday October 26, 2019 from 3pm to 10pm for the celebration of Halloween in the Hamlet.

**Roll Call:** Winslow, aye; Mazzetti, aye; Guerriero, aye; Hansut aye; Auchmoody, aye

**Five ayes carried**

**K. RESOLUTION** made by Mazzetti, seconded by Winslow to approve the following budget amendments:

**GENERAL**

3120.11	Police PS Part Time	+\$25,000.00
1990.40	Contingency	-\$25,000.00

3120.40	Police CE	+\$ 6,914.17
3120.20	Police Equip	+\$30,638.76
00-2685	Insurance Recoveries	-\$ 37,552.93

**HIGHWAY**

5112.92	– Commercial Ave.	+\$14,509.55
5112.93	– Grove St.	+\$35,692.39

5112.94 – Leonta Ct. +\$12,064.65  
 5112.95 – Lincoln Ave. +\$ 7,111.60  
 5112.96 – Meadow St. +\$12,104.90  
 5110.40 - General Repairs CE -\$81,483.09

**Roll Call:** Winslow, aye; Mazzetti, aye; Guerriero, aye; Hansut aye; Auchmoody, aye  
**Five ayes carried**

**L. RESOLUTION** made by Winslow, seconded by Guerriero, revised from agenda, to change the following Fire Safety Inspections fees from:

7.15	Multi-Family Residential Inspections		
	Multi-family dwellings, year-round		
	Residential units	\$25.00 per unit (change from set fees)	Before Inspection

Change Fees to:

7.15	Multi-Family Residential Inspections		
	Multi-family dwellings, year-round		
	Residential units	\$100.00 plus \$10.00 per unit, no max	Before Inspection

**Roll Call:** Winslow, aye; Mazzetti, aye; Guerriero, aye; Hansut aye; Auchmoody, aye  
**Five ayes carried**

Richard Gerantine, owner of Golden View on Argent Drive thanked the board for reevaluating the fire inspections. He thinks it is fair for everyone. He has proposed another affordable senior housing project of 57 units, to be located behind the current units, called Silver Gardens, which he presented to the board a couple of weeks ago. He and RUPCO are going to proceed, but he is concerned about how the moratorium is going to affect their ability to proceed.

Murphy indicated that Gerantine’s project would be subject to the moratorium, but it allows for an application to the town board requesting a waiver as it is considered a hardship.

Mazzetti said this moratorium gives the board the ability to vote on projects case by case, and they plan to get the law redone very quickly.

Jeff Paladino asked Winslow if she would like to continue a discussion she started on social media. Winslow responded she would like him to provide the documents that prove he does not have a hand in these projects.

Paladino said he has no problem disclosing and feels all the board members should disclose what properties they own. He has copies of his contract that proves he does not own or have anything to do with any of these projects on 9W.

He said as far as the moratorium they have a planning board to oversee these projects.

He stated that NYS SEQRA process is one of the most stringent processes in the nation. The Town has no regulation over 9W, it is the NYS DOT. They are the ones that will come in and say what can be done. Putting a moratorium is a stop gap. The boards track record for doing things quickly is very poor. This year we have had \$37 million added to our assessments. Due

to the efforts over the last 8-10 years by an understanding board, planning board and building department to create what we have today. That brought revenue to our town. He is saying be careful how you handle development. It does have impact but also adds rateables to our community that we need. A hotel will help to expand on our tourism, it goes with the rail trail and the agritourism which is thriving in our region.

Winslow said that every time a project comes up Jeff uses scare tactics to make people believe they need it. He said a sewer line that cost \$3 million is a no brainer, is it a no brainer to give a guy a sewer line so he can put whatever he wants in his development or should we be responsible and look at the plans and digest it.

Palladino said the developer was willing to put out \$3 million for the sewer line in exchange for 40 more houses.

Winslow said he reneged on the sewer line.

Supervisor said this is not a debate, it is public comments.

Dave Plavchak said watch what you say regarding doing something quickly, because July of 2018 you struck the adaptive re-use law with the promise it would be done in a month or two and it is still not done.

Winslow asked Sal Cuciti to talk about the conversation they had earlier in the day.

Sal Cuciti, Planning Board member, said you cannot use SEQRA as a substitute for zoning or shut down a project or make it smaller. The Zoning should be across the town and systematic. SEQRA looks at individual projects, not the impact of all the projects together.

Mazzetti asked Cuciti if he feels the moratorium is a good idea.

Cuciti said yes.

Palladino asked what the status of Adaptive Re-use is.

Mazzetti said it was abolished.

Guerriero said they can ask for a special variance.

Fred Pizzuto, planning board chair, stated that it is being addressed by the Comprehensive Plan Committee.

Palladino said the current use of adaptive reuse brought in a local business and two apartments, no children in the schools. The schools are 200 students below cap right now and its 5% below what it was 20 years ago. The old Pratt Lumber was assessed at \$161,000 it is now \$1.9 million. Every development is going to affect someone. This is how the town has the ability to pay its employees and afford recreation or anything that the community wants to do to improve the quality of life, not by saying no business in Highland.

Winslow reminded Palladino that they are not suggesting no business in the community, they are saying you can't take projects and let them do whatever they want.

Mazzetti said the adaptive reuse code was a loosey goosey, no clarity law.

Rick Bolstad of Mack's Lane said he is pleased that the board has taken the action that they have.

Joseph Kulaga of Mack's Lane asked if the board had picked what they are going to address with the moratorium.

Mazzetti replied that they will be looking at set-backs, buffers, density, height of the building, and traffic congestion.

Supervisor recommended that residents attend the Comprehensive Planning meeting on Oct. 24<sup>th</sup> at 6:00 PM. That is where changes will be made.

Supervisor also said that three of the developers have gotten together and will jointly pay for the traffic study.

Gordon Hamilton of Mack's Lane shared that gas stations and strip malls do not attract tourists, and this is not thoughtful development. He said we need both revenue and quality of life.

Supervisor said the public hearing regarding the moratorium will take place at the fire house on Milton Avenue on Wednesday, November 20<sup>th</sup> at 7:00 PM.

Melanie Bolstad is concerned that three gas stations could end up at the intersection of Mack's Lane, and traffic is already scary in this area.

Auchmoody stated we don't know how the traffic study will address all the traffic concerns until it happens.

Susan Lindauer of Mayer Drive asked the board to define what we want the town to look like. Do we need more gas stations, did we need another storage unit, do we need more unattractive buildings?

Mazzetti shared that the new storage facility is only at 20% occupancy and they're asking for a reduction in taxes already because the units are not being rented as anticipated.

Peggy Kremer of Upper Grand Street is disappointed with the type of growth on 9W. She is an ambassador on the Walkway, and when visitor's ask her for suggestions of things to do

OCTOBER 16, 2019

and see nearby, she's at a loss and a bit embarrassed that there is so little of interest in the immediate vicinity. She thinks the moratorium is the right move to reconsider what projects would be best for Highland.

Sylvia Marion of Mayer Drive, the original Hudson Hills, which brought in 100+homes. The developer left them with a retention pond, which now has trees growing in it. She feels no one has taken the responsibility to make sure their development has a decent sewer system, paved roads and good infrastructure, and yet they want to welcome more large scale projects in the same area. She said we need to make wise decisions for this town's future.

**MOTION** made by Winslow, seconded by Mazzetti to go into executive session at 8:20 PM to discuss personnel.

**Five ayes carried**

**MOTION** made by Winslow, seconded by Mazzetti to come out of executive session at 8:40 PM.

**Five ayes carried**

**RESOLUTION** made by Winslow, seconded by Mazzetti to hire Roemer, Wallens, Gold & Mineaux, LLP at a rate of \$240.00 per hour to investigate a personnel issue.

**Roll Call:** Winslow, aye; Mazzetti, aye; Guerriero, aye; Hansut aye; Auchmoody, aye

**Five ayes carried**

**RESOLUTION** made by Auchmoody, seconded by Guerriero to accept the resignation of Geraldine Rhodes effective October 31, 2019.

**Roll Call:** Winslow, aye; Mazzetti, aye; Guerriero, aye; Hansut aye; Auchmoody, aye

**Five ayes carried**

Supervisor appoints Geraldine Rhoades as Confidential Secretary to the Supervisor effective November 1, 2019.

**MOTION** made by Winslow, seconded by Mazzetti to adjourn at 8:30.

**Five ayes carried**

Respectfully submitted,

Wendy D. Rosinski  
Town Clerk

