

TOWN OF LLOYD TOWN BOARD

REGULAR MEETING MINUTES

JANUARY 18, 2023

Present: Supervisor David Plavchak

Councilmember Leonard Auchmoody
Councilmember Michael Guerriero
Councilmember John Fraino
Councilmember Joseph Mazzetti

Also present: Sean Murphy, Attorney

Margaret O'Halloran, Secretary
Wendy D. Rosinski, Town Clerk

Meeting was in person at Town Hall and live streamed on Channel 22 and Web-Ex

7:00 PM – Supervisor opened the meeting at 7:00 PM with Pledge of Allegiance led by Councilmember Mazzetti

OPEN Public Hearing motion by Auchmoody, seconded by Fraino at 7:05 PM for PRRD Application Villages in Hudson Valley

Five ayes carried

John Furst, Attorney and Kelly Libolt, Planning Consultant and Ken Wersted, Traffic Engineer answered questions from the Town Board.

Paula Fabay expressed her support for the project.

OPEN Public Hearing Motion by Auchmoody, seconded by Fraino at 7:07 for Local Law 8 - 2022 Water Rates

Five ayes carried

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

They are working on larger banners for 9W and hanging flower baskets.

Building Department – Supervisor

ECC (Environmental Conservation Committee – Councilmember Guerriero

Discussion on trail work on the Lagintano property.

They will be installing a kiosk on Balck Creek.

Highland Fire District/ Ambulance – Councilmember Fraino

The Highland Fire District responded to 462 alarms in 2022

Highland Fire District Month of January 2023 Report

Prepared for the Town of Lloyd by Chief Peter D. Miller

Fire alarms dispatched 30

Average firefighters per call 14 +highest was 29

Average apparatus responses 2.36 +incident type dictates what apparatus responds

Total Number of apparatus responses 71

Manhours for alarms 405

Manhours for meetings 82

Manhours for training 156

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TOTAL manhours 643 January 2023

** Total manhours do not include officer's administrative work, planning for training and/or attending of the Highland Fire District Commissioners meetings by Officers and members.

Highland Central School District – Councilmember Mazzetti

Kindergarten Registration is now open.

Middle School Science club is working with Vassar College and hosting a Night at the Observatory.

Highland High School Music Team, Band, Chorus and Jazz Band will be hosting a 1970's rock concert.

High School Principal Murphy hosted an assembly called Hang up and drive. Speakers came in to discuss the dangers of using your cell phone while driving and to rely on

passengers to do the texting and give directions.
Regents week is January 24-27th.
Highland Landing Park – Councilmember Auchmoody
The pump station is operational. The bathroom interiors still need to be completed.
They would like to try and get some boat tours to come like Milton has been doing.

Lights – Councilmember Fraino
The three additional lights have been installed at Bridgeview.
There was one extra light so they will be installing it on Troy Lane.

Planning Board – Councilmember Auchmoody
Police – Supervisor

Hudson Valley Rail Trail – Councilmember Auchmoody
Peter Bellizzi reported the bathrooms at the Pavilion were locked and one of the locks has been broken. He will be deadbolting them.
The Historic signage is being installed.

Zoning Board of Appeals – Councilmember Guerriero
Nicholas Corday Farms LLC: Area Variance: 67 South Street: SBL # 87.3-1- 16.112
Applicant is seeking an area variance to place a farm outbuilding in the front yard. It was approved.

2. OLD BUSINESS

- A. Biancardi Parking Lot Right of Way**
The Right of way document has been found, the right of way is 12 feet wide. There is no maintenance agreement therefore the town can maintain it. The potholes need to be filled and something needs to be done with the lighting. Supervisor asked for help from Councilmembers to put together a plan.
- B. Comprehensive Plan**
The Visionary meeting is Monday, January 23, 2023 at 7:00 PM at the Firehouse.
Round table discussions will take place earlier in the day by invitation only.

3. NEW BUSINESS

- A. CFA#118657 Smart Growth Comprehensive Plan Award \$41,090.00.**
Received the Grant to for the final part of the Comprehensive Plan.
- B. Hudson Valley Guides, LLC** Auchmoody and Supervisor met with the Kayak Tour company that is interested in running tours out of Highland Landing Park. Also possibly adding to our recreation program at Berean Park

4. PRIVILEGE OF THE FLOOR

Lisa Ferrone, 18 Emerson Terrace discussed the problems of the road in Mountainside Woods not being dedicated to the Town. They need to be paved and plowed. The School Buses won't come on them so all the children have to meet in the circle, which the parents feel is dangerous.

David Weinberg, Project Owner and Manager explained that there were items that needed to be addressed; mapping of signs, etc. That is all complete and they are ready to move forward.

Supervisor said he will call a meeting with Highway, Water, Building and himself and find a solution to getting the roads dedicated and paved.

5. MOTIONS AND RESOLUTIONS

- A. MOTION** Auchmoody, seconded by Fraino to approve the Town Board minutes January 4, 2023.

Five ayes carried

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

GENERAL	G - 01	to G - 102	\$	215,806.91
HIGHWAY	H - 01	to H - 26	\$	61,073.86
MISC	M - 01	to M - 08	\$	239,338.66
PREPAYS	P - 01	to P - 04	\$	59,093.93
SEWER	S - 01	to S - 27	\$	50,869.49
WATER	W - 01	to W - 37	\$	<u>47,657.23</u>
TOTAL			\$	673,840.08

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Roll Call: Fraino, aye; Plavchak, aye; Auchmoody, aye; Guerriero, aye; Mazzetti, aye

Five ayes carried

- C. RESOLUTION** by Guerriero, seconded by Mazzetti to authorize the Supervisor to sign the Transient Merchant license for Mark Christiana.

Roll Call: Fraino, aye; Plavchak, aye; Auchmoody, aye; Guerriero, aye; Mazzetti, aye

Five ayes carried

- D. RESOLUTION** by Mazzetti, seconded by Fraino to promote Officer Michael Roberto to Sergeant Full Time as of 1/18/23 as the recommendation of Police Chief James Janso at a salary of \$85,818.00.

Roll Call: Fraino, aye; Plavchak, aye; Auchmoody, aye; Guerriero, aye; Mazzetti, aye

Five ayes carried

- E. RESOLUTION** by Fraino, seconded by Mazzetti to promote Officer Christopher Miller to Sergeant Full Time as of 1/18/23 as the recommendation of Police Chief James Janso at a salary of \$85,818.00.

Roll Call: Fraino, aye; Plavchak, aye; Auchmoody, aye; Guerriero, aye; Mazzetti, aye

Five ayes carried

- F. RESOLUTION** by Auchmoody, seconded by Mazzetti to hire Christopher Rosa as Police Officer PT as of 1/18/2023 at the recommendation of Police Chief James Janso at a salary of \$21.20/hour.

Roll Call: Fraino, aye; Plavchak, aye; Auchmoody, aye; Guerriero, aye; Mazzetti, aye

Five ayes carried

- G. RESOLUTION** by Auchmoody, seconded Guerriero to hire Tyler Porter as Dispatcher Part Time as of 1/18/2023 at the recommendation of Police Chief James Janso at a salary of \$19.20/hour.

Roll Call: Fraino, aye; Plavchak, aye; Auchmoody, aye; Guerriero, aye; Mazzetti, aye

Five ayes carried

- H. RESOLUTION** by Mazzetti, seconded by Guerriero to accept the resignation of Full Time Officer Kevin Doyle as of 1/15/2023 at the recommendation of Police Chief James Janso.

Roll Call: Fraino, aye; Plavchak, aye; Auchmoody, aye; Guerriero, aye; Mazzetti, aye

Five ayes carried

- I. RESOLUTION** by Auchmoody, seconded by Fraino effective immediately to add John G. Rockwell III as a seasonal part-time employee at the hourly rate of \$26.16 on an as-needed basis for snow hazard work at the recommendation of Richard Klotz, Highway Superintendent.

Roll Call: Fraino, aye; Plavchak, aye; Auchmoody, aye; Guerriero, aye; Mazzetti, aye

Five ayes carried

- J. MOTION** by Fraino, seconded by Guerriero to Close Public Hearing on Water Rates.

Five ayes carried

- K. RESOLUTION** by Auchmoody, seconded by Guerriero

“**WHEREAS**, on January 11, 2023, representatives of the Town and the Town of Lloyd Police Benevolent Association, Inc., for part-time and full-time dispatchers (hereinafter “PBA”), affiliated with the New York State Union of Police Associations, Inc. (hereinafter “NYSUPA”) on behalf of the members of the bargaining unit agreed in principle to a Memorandum of Agreement to create a three-year successor Collectively Negotiated Agreement effective January 1, 2023 and terminating on December 31, 2025, to the one which expired on December 31, 2022; and

WHEREAS, on January 11, 2023, the members of the PBA Dispatchers bargaining unit, ratified the January 1, 2023 – December 31, 2025 MOA between the PBA and the Town, and Town Board ratification and approval of the Memorandum of Agreement is required; and

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NOW, THEREFORE, BE IT RESOLVED, that the Board hereby ratifies and approves the January 1, 2023 – December 31, 2025, Memorandum of Agreement between the Town and the PBA (Dispatchers Unit) and hereby appropriates those monies necessary to fund the parties' 2023 - 2025 Collectively Negotiated Agreement between the Town and the PBA (Dispatchers Unit).

Roll Call: Fraino, aye; Plavchak, aye; Auchmoody, aye; Guerriero, aye; Mazzetti, aye

Five ayes carried

L. RESOLUTION by Auchmoody, seconded by Fraino

At a regular meeting of the Town Board, Town of Lloyd, held at the Town Hall, 12 Church Street, Highland, New York, on the 18th day of January, 2023 at 7:00 P.M

WHEREAS, a proposed Local Law J– 2022, a local law to amend the Code of the Town of Lloyd Chapter 98, “Water”, Article III “Service”, Section 98-5 A, 98-5 C, and Article IV “Rates”, 98-13, 98-15, 98-18, 98-19 and 98-20.1, to provide that the rates charged pursuant thereto may be set by resolution of the Town Board, was introduced at a meeting of the Town Board held on the 21th day of December, 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 18th day of January, 2023 at 7:00 P.M., at which time all interested parties were given an opportunity to be heard thereon.

NOW, THEREFORE, BE IT RESOLVED that Local Law 1– 2023 be enacted as in the form attached hereto as Schedule “A” as fully as if set forth herein, being a local law to amend the Code of the Town of Lloyd Chapter 98, “Water”, Article III “Service”, Section 98-5 A, 98-5 C, and Article IV “Rates”, 98-13, 98-15, 98-18, 98-19 and 98-20.1, to provide that the rates charged pursuant thereto may be set by resolution of the Town Board.

Roll Call: Fraino, aye; Plavchak, aye; Auchmoody, aye; Guerriero, aye; Mazzetti, aye

Five ayes carried

M. RESOLUTION by Auchmoody, seconded by Fraino

At a regular meeting of the Town Board, Town of Lloyd, held at the Town Hall, 12 Church Street, Highland, New York, on the 18th day of January, 2023 at 7:00 P.M.

WHEREAS, the Town Board of the Town of Lloyd has adopted Local Law 1– 2023, a local law that provides that the rates charged pursuant to the Code of the Town of Lloyd Chapter 98, “Water”, Article IV “Rates”, Sections 98-13, 98-15, 98-18, 98-19 and 98-20.1, will be set by resolution of the Town Board, and,

WHEREAS, the Town Board wishes to approve the rates set forth in the schedule attached hereto and made a part hereof, pursuant to said Local Law.

NOW, THEREFORE, BE IT RESOLVED that the rates charged pursuant to the Code of the Town of Lloyd Chapter 98, “Water”, Article IV “Rates”, Sections 98-13, 98-15, 98-18, 98-19 and 98-20.1, be set as contained in the Schedule of Rates attached hereto and made a part hereof.

Roll Call: Fraino, aye; Plavchak, aye; Auchmoody, aye; Guerriero, aye; Mazzetti, aye

Five ayes carried

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Water/Sewer Department Fee Schedule		revised 01.18.2023
Water Connection Application		
	Existing Stub	\$25.00
	New Stub	\$50.00
	Minimum Fee for Connection	\$750.00
Sewer Conncection Applicaton		
	Existing Stub	\$25.00
	New Stub	\$50.00
	Minimum Fee for Connection	\$750.00
Trench and Meter Inspections		No Charge
Subsequent Inspections for Missed of Failed Inspections		
	2nd inspection	\$50.00
	3rd inspection	\$100.00
	4th inspection	\$500.00
	All additional others	\$500.00
	Subsequent inspection	Priced when requested
Water Meter Fees		
	3/4" Meter	\$386.00
	3/4" meter for pits	\$386.00
	1" meter	\$616.00
	1 1/2" meter	\$1,217.00
	2" meter	\$1,557.00
	Other	Priced when requested
Final Water Meter Reading		
	please call to request	\$35.00
	845-691-2400	
Water Usage Rate:		\$5.75 per 1000 gallons, no minimum
Sewer Usage Rate		\$50.00 for first 10,000 gallons
		\$5.00 per 1000 gallons after
		10,000 gallon minimum
Hydrants and Sprinkler Systems		\$50.00 per year charged to Highland Fire District
		Public/Fee Schedules

N. RESOLUTION by Auchmoody, seconded by Guerriero

At a regular meeting of the Town Board, Town of Lloyd, held at the Town Hall, 12 Church Street, Highland, New York, on the 18th day of January, 2023, at 7:00 p.m.

WHEREAS, the Town of Lloyd Town Board, as commissioners of the Highland Water District, have previously authorized a project known as the “Town of Lloyd Water Storage Tank Replacement-Reservoir Road” and

WHEREAS, the Town has previously awarded a contract for the completion of said project to Statewide Aquastore, for the amount of \$2,525,000.00 (Two Million Five Hundred Twenty-Five Thousand Dollars) and

WHEREAS, the American Rescue Plan Act of 2021 was signed into law on March 11, 2021 and established the Coronavirus State and Local Fiscal Recovery Fund (the “SLFRF”), with the goal of providing vital federal support to local governments as they address the negative health and economic impacts of COVID-19 in their communities; and

WHEREAS, the County of Ulster (the “County”), as a SLFRF recipient, is authorized to issue subawards for the purpose of carrying out a portion of the administration of the SLFRF; and

WHEREAS, the County, as a SLFRF recipient, desires to utilize a portion of these funds, to respond to the public health emergency with respect to the Coronavirus Disease 2019 (COVID-19) or its negative economic impacts, including by awarding funds to the Town of Lloyd for the purpose of replacing the water storage tank on Reservoir Road in the Highland Water District; and

WHEREAS, the County, desires to issue a subaward to the Town of Lloyd to assist the Town with the cost of the project known as the “Town of Lloyd Water Storage

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Tank Replacement-Reservoir Road” as the Town’s water system has a significant impact to the public at large; and

WHEREAS, the County has agreed to engage the Town of Lloyd, and the Town of Lloyd has agreed to contract with the County, to administer the sub-award of the SLFRF in the amount of \$500,000.00 (Five Hundred Thousand Dollars) for the purpose of assisting in funding the replacing of the water storage tank on Reservoir Road in the Highland Water District, pursuant to said project, in the Town of Lloyd in accordance with the terms of a certain “Sewer & Water Infrastructure Subaward Agreement: Town of Lloyd American Rescue Plan Act (ARPA)” Coronavirus State and Local Fiscal Recovery Fund (the “SLFRF”), a copy of which is attached hereto and incorporated herein.

NOW, THEREFORE, BE IT RESOLVED as follows:

1. The “Sewer & Water Infrastructure Subaward Agreement: Town of Lloyd American Rescue Plan Act (ARPA)” Coronavirus State and Local Fiscal Recovery Fund (the “SLFRF”) between the County of Ulster and the Town of Lloyd annexed hereto as Exhibit “A”, and the same is hereby approved;
2. David Plavchak as Supervisor is authorized to execute the Agreement attached hereto as Exhibit “A”.

Roll Call: Fraino, aye; Plavchak, aye; Auchmoody, aye; Guerriero, aye; Mazzetti, aye
Five ayes carried

MOTION by Auchmoody, seconded by Guerriero to adjourn at 8:50 PM.

Five ayes carried

Respectfully submitted,

Wendy D. Rosinski
Town Clerk

LOCAL LAW 1 – 2023

A LOCAL LAW TO AMEND THE CODE OF THE TOWN OF LLOYD CHAPTER 98 “WATER”, ARTICLE III “SERVICE” SECTIONS 98-5 A, 98-5 C and ARTICLE IV “RATES” SECTIONS 98-13, 98-15, 98-18, 98-19, and 98- 20.1 TO PROVIDE THAT THE RATES CHARGED PURSUANT THERETO MAY BE SET BY RESOLUTION OF THE TOWN BOARD.

Section 1

The Code of the Town of Lloyd, Chapter 98, entitled “Water”, Article III, entitled “Service” and Article IV, entitled “Rates”, be and the same is hereby amended by deleting existing Sections 98-5A, 98-5C, 98-13, 98-15, 98-18, 98-19, and Section 98-20.1, and enacting new sections as follows:

“Section 98-5. Applications for water service.

- A. Application for water service to any premises not being served as of the effective date of these rules, regulations and rates shall be made by the property owner to the Highland Water District on the form provided by the district for such purpose. A fee shall be paid on the filing of such application, which fee shall be set by the Town Board by resolution and amended from time to time. The estimated total cost, based on time and material, shall be calculated. A minimum fee, which fee shall be set by the Town Board by resolution and amended from time to time, for a service connection shall be paid whether or not the actual time and material exceed that amount. The fee is for reimbursement to the district for its cost for connection to the district facilities. Persons requesting a single three-fourths-inch service line connection or greater shall so indicate on the application form. The Superintendent shall then determine if service greater than three-fourths-inch is feasible. The applicant shall be advised of such estimate and shall pay 50% thereof to the Town Clerk. The actual cost of the labor and materials required to complete such special

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service shall be computed by the Superintendent upon the completion of the work, and the difference between the actual cost and the 50% paid when the estimate was given, which shall be the final balance, shall be paid by the applicant before water service is turned on.”

- C. The applicant shall, at his own cost and expense, and in accordance with plans, specifications and schematics furnished by the Water District, install the service line and the meter. The water shall be turned on at the curb stop by the Water District only after inspection by and approval of the district of the meter installation, service line and all plumbing and fixtures connected therewith. Said fee, which may increase depending on the number of inspections, shall be set by the Town Board by resolution and amended from time to time.”

“Section 98-13. Rates established.

The rates for service and water supply to any customer of the Highland Water District shall be levied on the basis of the amount of water from the Highland Water District used by each water using at such per gallon, or fraction thereof, rates as the Town Board may from time to time establish by resolution and amended from time to time.”

“Section 98-15. Rate of water supply to non-metered users.

The rate for water supplied to non-metered users shall be levied on the basis of the amount of water from the Highland Water District used by a non-metered user at such per gallon of water, or a fraction thereof, rate as the Town Board may from time to time establish by resolution and amended from time to time.”

“Section 98-18. Restoration charges.

In any case where service has been discontinued or terminated, a restoration fee shall be paid before water service and water is supplied. Such restoration fee shall be set as the Town Board may establish from time to time by resolution, and amended from time to time.”

“Section 98-19. Charges for fire hydrants and sprinkler systems.

- A. There shall be an annual charge per hydrant made to the Highland Fire District for the furnishing of water service and water. Such charge shall be set by the Town Board by resolution, and amended from time to time.
- B. There shall be a quarterly charge for any sprinkler or other fire-protection system connected to district water services that is nonmetered, which charge shall be set by the Town Board by resolution and amended from time to time.”

“Section 98-20.1. Fees for meter readings.

Consumers requesting a reading of their water meters other than the customary quarterly meter readings shall be charged a fee, which fee shall be set by the Town Board by resolution and amended from time to time.”

Section 2

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