

TOWN OF LLOYD TOWN BOARD

REGULAR MEETING

JANUARY 19, 2022

Present: Supervisor David Plavchak

Also present: Sean Murphy, Attorney

Margaret O'Halloran, Secretary

Wendy D. Rosinski, Town Clerk

Councilmember Leonard Auchmoody

*Councilmember Michael Guerriero

Councilmember John Fraino

Councilmember Joseph Mazzetti

Meeting was in person at Town Hall and live streamed on Channel 22, WebEx

* Councilmember Guerriero was on speaker phone

7:00 PM – Open meeting and Pledge of Allegiance

Proclamation

Donna Deeprise

Memorial Resolution

WHEREAS, Donna Deeprise, a longtime resident of Town of Lloyd, was taken from our midst on January 2, 2022; and

WHEREAS, Donna Deeprise, was married to her husband Rafael for 60 years; and;

WHEREAS, Donna Deeprise, was born in Alberta Canada and came to the United States in 1961 and attended Columbia University; and

WHEREAS, Donna Deeprise moved to Highland after spending 40 years in Manhattan as a writer, management trainer and author of numerous books on management; and

WHEREAS, Donna Deeprise, immediately became a treasured volunteer for so many organizations in Highland; and

WHEREAS, Donna Deeprise did fundraising for the Lloyd Environment Conservation Council, and physically got her feet deep into the mud for projects and was awarded the Stewardship of the Land Award for her extensive contribution; and

WHEREAS, Donna Deeprise used her writing skills to write the monthly presentation programs for the Town of Lloyd Historical Preservation Society and interviewed upcoming speakers for the press release and followed up with an article; and

WHEREAS, Donna Deeprise, alongside her husband Rafael ran the Learn-to-Run program for the Hudson Valley Rail Trail graduating over 200 students. She helped to create and host the Rail Trail's Caboose Museum which drew 8,000 visitors yearly; and

WHEREAS, Donna Deeprise made her greatest community contribution to the Bob Shepard Highland Land Park. She fought for the park during the hotly contested referendum and the park won. Donna then took on the job of writing and managing grants needed for construction and amenities as well as the fundraising for the trailered boat ramp.

WHEREAS, Donna Deeprise loved to walk and hike and run the trails in Highland, New Paltz and loved her travels to Europe, Mexico and Northern Spain taking in archeological sites; and

WHEREAS, Donna Deeprise's resume of service is impressive, Donna was a lovely person not only in appearance but in how she lived; and

WHEREAS, Donna Deeprise treated people genuinely with respect and real interest; she loved them and they loved her back; and

NOW, THEREFORE, BE IT RESOLVED that this Regular Meeting of January 19, 2022 of the Town of Lloyd Town Board be opened in memory of Donna Deeprise; and

BE IT FURTHER RESOLVED that a certified copy of this resolution will be delivered to her husband Rafael and son Jason with the deepest sympathy of this Town Board of the Town of Lloyd.

Barton & Loguidice Tillson/Toc Update

Traffic Operations Engineer Peter Christiano, of Barton & Loguidice, gave an update to the Lloyd Town Board on the Tillson Avenue, Vineyard Avenue and Toc Drive intersection project. At this point the project has been in the planning stages for about 12 years.

Christiano said there is \$4.7 million on hand for this project but there is a shortfall of \$1.6 million in funding.

TOWN OF LLOYD TOWN BOARD

REGULAR MEETING
JANUARY 19, 2022

“In order to get this project going we broke it up into a Base bid and an Add Alternate,” he said. “The base bid is to go out and get the numbers in, award the project and then begin construction, hopefully on all of it but if that doesn’t work, we would do just the base bid while we seek funding for the rest of the project.”

The base bid will deal with the removal of the remaining tree stumps along Tillson Avenue from trees that were removed in anticipation of the project. In addition, a failing retaining wall will be addressed on this road.

Christiano said some work would also be done on the Tillson and Toc realignment as well as from Smith Terrace to Route 9W.

“The work we would include with that is pavement reconstruction in those areas, retaining walls, curbs and sidewalks,” he said.

Christiano explained that the funding shortfall was due to the need for additional water line replacements on Vineyard and Toc, staged construction of the utilities and an escalation of prices over the past decade. He noted that studies on threatened endangered species in the area and an investigation of the town’s cultural resources had to be done as per a directive from the Department of Transportation, which also contributed to a rise in costs.

Christiano described the Add Alternates as the ‘meat and potatoes’ of the project and pertains to the actual intersection alignment work of the three roadways.

A lot of utilities are overlapping in that location so we couldn’t break those out and do them as part of the base bid,” he said. “In addition of the profile adjustments of dropping Tillson as we approach Vineyard Avenue, the retaining wall, the curbs and the pavement all have to be done at the same time as the utility work.”

Christiano said breaking the project out, “allows us to bid the project right now and we get the bid numbers from the contractors and we can see how far off we are of the funding. We then can go to UCTC [Ulster County Transportation Council] and request additional funds and begin that process while we potentially award the base bid.”

Christiano pointed out that this would allow his firm to leverage the project, “and seemingly start construction this season. We’ll have a piece of the project book-ending the intersection so that strengthens our case with UCTC to get additional funds.”

Christiano said his next step would be to go to UCTC to get their buy-in on the base bid and he is hoping to get authorization to advertise next week.

“On top of that we have 5 weeks of advertisement with a letting in March and an award [of the project] 45 days later and to begin construction in late April. Four months of construction would put us in August; right now, that is the plan,” he said.

Supervisor Dave Plavchak said this plan allows the town to get the bid sent out for contractors to consider and submit their cost estimates. He said he does not want to see the tree stumps sitting in people’s yards for another year. He commended Christiano’s plan as a good way to jump start a project that has been a dozen years in the making.

Councilman Joe Mazzetti said he would feel more comfortable having the \$1.6 million shortfall secured prior to starting the project. Christiano assured the Town Board that the base bid is well within the funded amount.

Plavchak said if the extra funding does not come through, he expects the project will not start, however, by the time the bids come back in May the town will know if there is any extra funding available to cover the shortfall. He added that the state will know the status of the project and that a lot of planning and some work has already been done and may step up to fill the shortfall.

“I think we have to go forward for a couple of months with these bids and see how they work out and if we don’t feel comfortable awarding them at that time we won’t award them,” Plavchak said. “If we didn’t do it this way we would be waiting until October to put any bids out. This looks like the best path forward for now.”

1. REPORTS – Town Board Liaisons

A. Town Board Liaisons

Assessor - Supervisor read Annie’s report.

January was spent processing all new sales; transfers to update properties for the general tax bills. All bank codes were updated as well. Renewal exemption applications were sent out for the agricultural and non-profit exemptions which are due by March 1, 2022. For the 2nd year, NYS has allowed localities to adopt a resolution to not have seniors and disabled individuals renew their exemptions. This is to ensure their safety from COVID.

The month was primarily spent fielding in-person, phones, & email questions about

TOWN OF LLOYD TOWN BOARD

REGULAR MEETING

JANUARY 19, 2022

tax bills and exemptions. They will be preparing their new construction and property map changes for the next tentative assessment roll that will be filed on May 1, 2022.

Town Clerk – Wendy Rosinski

Rosinski stated they have collected 2.8 million dollars in taxes to date.

Audit – January 1 – June 30, 2022: Councilmembers Auchmoody and Mazzetti July 1 - December 31, 2022: Councilmembers Fraino and Guerriero

Beautification – Supervisor, Councilmember Auchmoody

Supervisor stated that he and Auchmoody haven't driven around yet but they will get started and will try to put a committee together for that.

Building Department – Supervisor

Supervisor stated that they have some resolution for MPR's (Map, Plan and Reports). They have spent a lot of time on that and they'll get to that.

EDC (Economic Development Committee)- Supervisor

Supervisor stated that he did meet with the Development Committee a couple times already and they have kicked off by focusing on marketing the town and also looking at the grant process and how they can try and get that Committee to focus on getting more grants for revitalization. Some of the older buildings and the brownfield buildings.

Hudson 7 – Russ Gilmore

Supervisor stated that they have their first meeting of the year tomorrow night. Nothing to report today except he thinks there's a resolution to designate him the "Primary Representative" on the Hudson 7 group.

Police – Supervisor

Supervisor stated that he has spent some time with the Chief. He has a lot going. The one thing that Murphy and the Chief want to work on is getting the language in the code changed so that he can better enforce the parking lots.

Chief stated that when there's no parking in the streets its okay, but the parking lots have become a storage area now for trucks, vans, whatever. Without any kind of teeth to the code, what the laws are, they can't enforce it anywhere. If somebody brings a boat down to a parking lot; they can just leave it there and there's nothing to prevent that.

Zoning Board of Appeals – Councilmember Guerriero

Guerriero reported 180 South Street LLC-180 South St., 87.3-5-14. Commercial Area Variance has an extended public hearing. Applicant is seeking an area variance for side yard setback, total side yard setback and minimum parking.

Pepino's Foods-304 Station Rd., SBL #: 86.4-1-22 Commercial Area Variance. New Public Hearing still open. Applicant is seeking an area variance from max lot coverage of 10% max to actual coverage of 35.3% (5.9% increase from previously approved site plan) and a determination that the 100-15 (B)(11) 50ft buffer setback is adequate to permit the amendment of the applicant's site plan originally approved on 3/1/02 to delete the 12 parking spaces on the north side of the building and add 17 parking spaces on the east side of the building.

ADC Ulster (Falcon Ridge)-301 Upper North Rd. & 357 Upper North Rd., SBL # 80.3-1-18.110 & 80.3-1-31- Use variance and Appeal. Applicant is seeking a use variance to create a road in the L1 (Light Industrial) zone. Applicant is seeking to appeal a determination from the Town's Code Enforcement Officer about the treatment plant and a portion of the road being in an L1 zone, that are intended to serve single-family residences.

Guerriero stated Falcon Ridge was granted a variance through the LI and a lot of people are confused. Dave Barton made a decision following the code that you can't go from an LI into a residential and then they appealed it. The owners of the property through the attorneys who wrote up this long resolution saying that it could be done and it felt that so many words it wouldn't cause a problem. He thinks we have to be more consistent. These people bought this property knowing that was the zoning. They spent all this money and didn't realize that they were land-locked. There was another situation where they never brought up if there was another way to ingress and egress throughout the property other

TOWN OF LLOYD TOWN BOARD

REGULAR MEETING
JANUARY 19, 2022

than the LI zone. There's more to this story.

Supervisor added that he did his homework and there are two things to remember; one is they have the zoning board of appeals in place for a reason. They are like an appellate division where they can't influence them as a Town Board. Once they make a decision, it holds unless somebody takes the town to court. They put people on the zoning board and they do get legal advice from an attorney because they have to in some cases. When you look at New York State Town Law, section 267b, it says, "The board of appeals may reaffirm a form wholly or partly or may modify the order requirement decision interpretation or determination appealed from and shall make such order or requirement as necessary", and then if you go down a little further and read which is actually part of the United States Constitution, it says that you can't deprive somebody without due process of using their land without just compensation. There was a chance they would have called this unconstitutional and make the town have to compensate by buying the land.

ECC (Environmental Conservation Committee) – Councilmember Guerriero

Highland Fire District/ Ambulance – Councilmember Fraino

Fraino stated that he would do the Highland Fire District first. He attended the January Commissioners meeting last Tuesday. Kevin Rizzo was elected Fire Commissioner in the December election and that was to fill Benjamin A. Bragg's position and then the board last Tuesday appointed Lieutenant Phil Roloson as Commissioner to fill the vacancy that was created when he (Fraino) resigned from the board. Roloson will fill it for the year. In December he will actually have to run for the remaining two years that he had on his term. Two great additions to the board between Rizzo and Roloson and the existing board members. They have a bright future ahead of them.

He met with the President of Mobile Life, Scott Woebse, the CFO and the Vice President of Operations at their headquarters in New Windsor. They had a tour of the facility and went into the dispatch room to see what actually takes place, real time, for all the communities that have the Mobile Life service. He will be putting together a kind of fact sheet, get it out to the entire board and answer any questions that board members might have, and hopefully at the next workshop they can bring it up and vote.

Lights – Councilmember Fraino

Fraino said they had a couple of reports of lights out. He got the contact information for Central Hudson and immediately notified them of the outages. He has been in contact with Chris Spyros from Bridgeview and took a walkthrough of the lighting issues that they are dealing with. They had a meeting scheduled with the committee or subcommittee of the homeowner's association. Unfortunately, a couple members were not feeling well so that meeting had to get rescheduled. We are going to have to make some improvements and do whatever it takes to get that part of the lighting district up to where it needs to be and obviously it might take some money and hopefully, we'll be able to get some and help those folks out.

Highland Central School District – Councilmember Mazzetti

Mazzetti spoke to some board members and right now the school board is looking at reestablishing the SRO (School Resource Officer) position in the school District. They believe this position will build a positive rapport with the police and with the students as well as maintain a safety within the school community. Presently the district is looking for what types of funds are available through the state and what other ways this position could be cooperatively funded. The district is in the initial phases of the budget process and they are getting ready for the 22-23 school year.

The January Regents are cancelled, that's throughout the State.

Winter sports are well underway. All of their students are enjoying a variety of activities and the JV Girls Basketball team is having a very successful year. They are a small team of about seven players.

The district is looking at different types of capital projects pertaining to the infrastructure of their three school campuses. They are doing a needs assessment and ranking priorities of identified areas.

Highland Landing Park – Councilmember Auchmoody

Auchmoody reported they did a cost assessment on the educational building and sent that out. They went through everything needed to finish the inside of the building and came

TOWN OF LLOYD TOWN BOARD

REGULAR MEETING

JANUARY 19, 2022

up with \$139,000. They sent this to State Senator Michelle Hinchey, and she's going to see what she can do to get us some more money to finish the inside of the building. He has more of those river rocks to cover up the bank in the back and in front of the building once the weather breaks. They have discussed putting in five or six more benches in the spring and hopefully Lenny and Hank Behr can get together and finish the back stairs.

Planning Board – Councilmember Auchmoody

Auchmoody stated that their first meeting is tomorrow night for the Planning Board.

Water and Sewer – Councilmember Auchmoody

Hudson Valley Rail Trail – President Bellizzi

2. OLD BUSINESS

A. Pavilion Update

Supervisor stated the first design that came in was three or four times the cost they had planned. So, they are now trying to find a design that will fit the \$125,000 grant. They will probably, as a town, have to add something to it to come up with a reasonable size pavilion. They might have to spend an additional 75 to 100k to get what they think is a usable structure. He thinks it will be a great addition and it will get people to the town field to enjoy important activities. Auchmoody sent out some design work to get started and they will go from there.

B. Mazzetti inquired of Murphy if the developer from Highbridge has agreed to give them money to replace the sidewalk going down from the Rail Trail. He asked where they are with that because he wants to get the money before they lose it again.

Murphy replied that he will contact the developer's attorney and basically do two different agreements. One just to secure the money that he agreed to give for the sidewalks, and then revisit the idea regarding the easement and what the consideration for that easement through his property up to the Rail Trail would be. Hopefully the \$10,000 is easy. He thinks it's going to be a little discussion regarding the easement and what the Town's going to do.

3. NEW BUSINESS

A.

4. Privilege of the Floor

Russell Gilmore, ZBA (Zoning Board of Appeals), stated as a member of the ZBA in reference to the Falcon Ridge project, he wants to make it clear; they rejected that development based on the rule that you can't go through LI into an R1 district. It was kind of confusing because in their open session, they were looking at whether or not they support the building inspector's review. What his determination was and we all sat there and said "Yes" and a lot of people interpreted that as "Yes" to the project that the people of Falcon Ridge were looking for, but they were actually supporting the building inspector and they rejected the "Falcon Ridge Project" so he just wants to clarify that.

Supervisor asked about the variance.

Gilmore replied that the variance was an appeal against the building inspector and they supported the building inspector.

Gilmore said when they came to the meeting, they only had the appeal. There were two items. He doesn't remember exactly verbatim the second item but the appeal was if they supported the building inspector, the second point would become moot and both attorneys had agreed to that.

Gina Hansut, one of our new County Legislators for the Town of Lloyd, reported that they have had a couple of meetings with the County and they still haven't gotten their committee assignments. As soon as she has them, she will share with you what committees she will be on. She also wants to regularly come to the Town and relay any information or issues from the County, and vice versa. One of the important issues is COVID, and the County Executive has been very instrumental in making this a priority and getting the resources out - test kits and testing sites. She thanked Rosinski and her

TOWN OF LLOYD TOWN BOARD

REGULAR MEETING
JANUARY 19, 2022

office and the Town Board for getting those tests out in a very orderly manner. She's here to help in any way that she can. She's available and she looks forward to her new role.

Reynolds also inquired about the idea of burying wires prior to the concrete work.

Supervisor stated there's a project going on that's going to replace the sidewalks from Commerical Ave. going down into town. This is a grant. Auchmoody found a grant program to bury wires. Their thought was, let's not dig up the sidewalks, replace them. Then this other grant comes through and we'll have to dig them up. They have Barton and Loguidice looking for that second grant to see if they can apply for that or if it applies to them. They received an email from them that they are supposed to get back with us next week on what research they have done so far.

Supervisor stated that the other thing they have to remember is he doesn't want to hold the sidewalk project up for three years either. There's going to be some timing associated with it and they may not even be able to get that second grant for the utilities so that's what they have to find out.

Reynolds asked Auchmoody for the estimated total cost to finish the building at Highland Landing Park.

Auchmoody replied they sent an estimate of \$139,000 and change to Michelle Hinchey to do the finishing. Once the weather cooperates, Jerry Erickson will lend them a 20-foot container to clean the building out.

Reynolds inquired about affordable housing in relation to adaptive reuse that they are working on, because that's been ignored in the past.

Supervisor answered that affordable housing should be for any development that includes apartments over the number of ten.

Mazzetti asked since there's a law that's already in the books if there's anything they want to change if this resolution goes through. Would they rewrite the law or would it be beneficial if there's anything else worth changing to put those resolutions up.

Murphy answered, not specifically in this law. Affordable housing is a different law. It applies to any project with more than ten apartments, as the Supervisor said, whether it's adaptive reuse or not.

5. MOTIONS AND RESOLUTIONS

A. RESOLUTION made by Winslow, seconded by Guerriero, to authorize the payment of vouchers as audited by the Audit Committee.

GENERAL	G - 001	to G - 049	\$ 57,679.18
HIGHWAY	H - 001	to H - 025	\$ 13,919.79
MISC	M - 001	to M - 026	\$ 67,076.64
PREPAYS	P - 001	to P - 060	\$ 199,856.18
SEWER	S - 001	to S - 030	\$ 7,932.50
WATER	W - 001	to W - 034	\$ 21,938.61
		TOTAL	\$ 368,402.90

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

B. RESOLUTION made by Mazzetti, seconded by Auchmoody, to authorize the Supervisor to sign the Transient Merchant license for Mark Christiana.

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

C. RESOLUTION made by Auchmoody, seconded by Mazzetti, to accept the resignation of part-time Police Officer David C. Schaefer effective February 1, 2021.

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

D. RESOLUTION made by Auchmoody, seconded by Fraino, to hire Joan M. Korey as part-time Police Officer at a rate of \$21.20 per hour at the recommendation of Chief James Janso.

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

TOWN OF LLOYD TOWN BOARD

REGULAR MEETING

JANUARY 19, 2022

E. RESOLUTION made by Mazzetti, seconded by Fraino, to hire Thomas McGovern for the position of Water/Wastewater Maintenance Worker. The position is budget supported with a 2022 base rate of \$23.88 pr.hr. and would be effective January 28, 2022 pending a pre-employment physical.

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

Five ayes carried

F. MOTION made by Fraino, seconded by Guerriero, to appoint Anna Nati and Martha Zola to the Environmental Conservation Committee.

Five ayes carried

G. RESOLUTION made by Mazzetti, seconded by Fraino, to authorize the Supervisor to sign retainer for Steven Latino of Shaw, Peelson, May & Lambert LLP to serve as labor counsel to the Town of Lloyd.

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

Five ayes carried

H. RESOLUTION made by Mazzetti, seconded by Fraino, to authorize the Supervisor to sign the 2022 Ulster County Stop DWI Task Force Agreement, effective through September 30, 2022.

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

Five ayes carried

I. RESOLUTION made by Auchmoody, seconded by Mazzetti, Authorizing the Town Supervisor to appoint primary and alternate representative for Hudson River Drinking Water Inter-Municipal Council (Hudson 7)

WHEREAS, The Hudson River Drinking Water Intermunicipal Council (Hudson 7) is a coalition of seven municipalities that rely on drinking water from the Hudson River. The communities include the City and Town of Poughkeepsie, the Village and Town of Rhinebeck, and the Towns of Esopus, Hyde Park, and Lloyd. Our five public water supplies serve 106,000 residents and major regional employers, providing safe water for human consumption, firefighting, industry, and more in Ulster and Dutchess County and three hospitals and three colleges in Dutchess County.

AND WHEREAS, David Plavchak be designated as the “Primary Representative” and Russell Gilmore as the “Alternate Representative” to the Hudson River Drinking Water Intermunicipal Council for the Town of Lloyd.

NOW, THEREFORE, BE IT RESOLVED, that the Town of Lloyd Town Board does hereby acknowledge the “Primary Representative” and the “Alternate Representative” for the Hudson River Drinking Water Intermunicipal Council for __Town_ of _Lloyd__.

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

Five ayes carried

J. RESOLUTION made by Auchmoody, seconded by Fraino,

Town of Lloyd Town Board

Resolution Approving a Stormwater Control Facility Maintenance Easement

Agreement for the All-Space Storage, 480 Route 299

October 20, 2021

WHEREAS, on August 26, 2021 the Town of Lloyd Planning Board (“Planning Board”) granted Site Plan Review approvals to The Apollo Group, LLC (the “Applicant”) for the construction of an expansion to an existing self-storage facility site in the Town of Lloyd, Ulster County, New York (the “Project”); and

WHEREAS, the Planning Board’s approvals authorized certain site construction and preparation activities to be undertaken for the Project upon the fulfillment of conditions including, but not limited to proof of recording in the Ulster County Clerk’s Office of a Stormwater Control Facility Maintenance Easement Agreement for the Project approved by the Town of Lloyd Town Board (“Town Board”); and

WHEREAS, the attached Stormwater Control Facility Maintenance Easement Agreement provides the Town with necessary legal authority to ensure the construction, long term maintenance and continuation of stormwater control measures approved by the Planning Board for the Project in accordance with the approved Project site plans, including the Storm Water Pollution Prevention Plan contained therein; and

WHEREAS, the Planning Board’s counsel and engineer have developed the attached

TOWN OF LLOYD TOWN BOARD

REGULAR MEETING
JANUARY 19, 2022

Stormwater Control Facility Maintenance Easement Agreement, obtained agreement from the Applicant to its terms, and now recommend it for approval by the Town Board.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board approves the attached Stormwater Control Facility Maintenance Easement Agreement and authorizes the Town Supervisor sign it on behalf of the Board; and

BE IT FURTHER RESOLVED, that this resolution shall take effect immediately.

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

Five ayes carried

J. RESOLUTION made by Auchmoody, seconded Fraino

WHEREAS, SG Brightlight PV, LLC, intends to permit, construct, operate and maintain a 600 KW ground-mounted nonresidential solar system as shown on site plans dated July 6, 2021 on real property owned by Selux Corporation and leased to SG Brightlight PV,

LLC and commonly known as 5 Lumen Lane (Tax Map 88.1-6-6.100) in the Town of Lloyd, Ulster County, New York.

WHEREAS, the Town of Lloyd Planning Board approved the Project by issuance of a Special Use Permit and Site Plan Approval on July 22, 2021 and a condition of the approval, prior to the Planning Board Chairman's signing of the approved Site Plans was the "preparation by the Applicant and acceptance by the Town, in consultation with the Town Engineer and legal counsel of a Decommissioning Agreement for the Project which includes adequate financial security to guarantee restoration of the Site to its condition prior to the clearing of the Site and construction of the Project thereon," and

WHEREAS, the Town in consultation with its engineer, land use counsel and Building Department have negotiated a "Decommissioning Agreement" between the Town, SG Brightlight PV, LLC and Selux Corporation, of the Town of Lloyd wishes to approve said agreement.

NOW, THEREFORE, BE IT RESOLVED

1. The "Decommissioning Agreement" by and between the Town of Lloyd, SG Brightlight PV, LLC and Selux Corporation, a copy of which is annexed hereto as Exhibit A, be and the same is hereby approved.
2. The Supervisor is hereby authorized to execute said agreement and provide copies to all parties thereto and file same in the Town Clerk's Office.

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

Five ayes carried

K. RESOLUTION made by Auchmoody, seconded by Fraino

WHEREAS, the Town Board seeks to amend the Zoning Code pursuant to its authority to adopt local laws under Article IX of the New York State Constitution and Municipal Home Rule Law § 10, and its authority to adopt amendments to its Zoning Code pursuant to Town Law Section 264 and Zoning Code Article X; and

WHEREAS, specifically, the attached, proposed amendment to the Zoning Code would establish an Adaptive Reuse Overlay District to incentivize the redevelopment, for residential and commercial purposes, of unused or underutilized nonresidential buildings on properties served by Town of Lloyd water and sewer; and

WHEREAS, the proposed amendment to the Zoning Code is a Type 1 SEQRA action and, accordingly, a Full Environmental Assessment Form ("FEAF"), Part 1 has been prepared; and

WHEREAS, pursuant to its authority the Town Board hereby introduces the proposed amendment to the Zoning Code, refers it for review as required by the Zoning Code and General Municipal Law § 239-m, and directs that a public hearing be held for consideration of the proposed amendment to the Zoning Code.

NOW, THEREFORE, be it resolved that:

1. Pursuant to General Municipal Law § 239-m, the attached, proposed Zoning Code amendment and SEQRA FEAF Part 1 shall be referred to the Ulster County Planning Board for review of any inter-community or county-wide considerations; and
2. Pursuant to Article X of the Zoning Code, the proposed Zoning Code amendment shall be referred to the Town of Lloyd Planning Board for a report; and
3. Pursuant to Town Law § 264 and Article X of the Zoning Code, a public hearing by the Town Board shall be held at 7:00 p.m., or as soon thereafter as may occur, on February 16, 2022 and notice of the hearing shall be provided in accordance with the Zoning Law and Town Law.

TOWN OF LLOYD TOWN BOARD

REGULAR MEETING

JANUARY 19, 2022

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

Five ayes carried

Resolution to set public hearings

- 1. The Views Water District extension February 16**
- 2. Stewarts Water and Sewer District extensions February 16**
- 3. The Villages Water District extension February 16**

L. RESOLUTION made by Auchmoody, seconded by Fraino

WHEREAS, a petition by **The Views at Highland** 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 must adopt an order reciting the following: the filing of said petition, reciting the improvements proposed, the boundaries of the proposed district and the estimated expenses thereof and specifying the date and time when the Town Board will hold a public hearing to consider the petition and hear all persons interested in the subject thereof for the extension of the Highland Water District in said Town to be bounded and described as set forth in Exhibit "A" annexed hereto; and,

WHEREAS, the improvements proposed will be constructed by the owner of the premises in question and will be hooked up to the Highland Water District without cost or expense to the Water District tax payers; and,

WHEREAS, the improvements consist of installation of a 6" ductile iron, water main from the existing main along Mayer Drive directly adjacent to the subject parcel, approximately 240 feet to the east to a point at the intersection of Mayer Drive and South Chapel Hill Road. The water main extension will be terminated with a fire hydrant assembly; and,

WHEREAS, based on the estimated annual usage (over 365 days) and the current operation and maintenance cost of \$5.25/1,000 gallons, the annual estimated operation and maintenance costs are approximately \$9,632.99, and the annual debt service for the District extension is projected at \$154.93 for a projected total first year user cost for the District extension of \$9,787.92.

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.

NOW, THEREFORE, it is hereby Resolved and Ordered that a meeting of the Town Board of the Town of Lloyd, shall be held at the Town Hall, Thomas Shay Square, 12 Church Street, Highland, New York, 7:00 p.m., on February 16th, 2022, to consider the said petition, and to hear all persons interested in the subject thereof concerning the same, and for such other action on the vote of the Town Board with relation to the said petition as may be required by law or proper in the circumstances.

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

Five ayes carried

M. RESOLUTION made by Auchmoody, seconded by Fraino,

WHEREAS, a petition by **Stewart Shops** 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 July 31, 2019, 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 must adopt an order reciting the following: the filing of said petition, reciting the improvements proposed, the boundaries of the proposed district and the estimated expenses thereof and specifying the date and time when the Town Board will hold a public hearing to consider the petition and hear all persons interested in the subject thereof for the extension of the Highland Water District in said Town to be bounded and described as set forth in Exhibit "A" annexed hereto; and,

TOWN OF LLOYD TOWN BOARD

REGULAR MEETING
JANUARY 19, 2022

WHEREAS, the improvements proposed will be constructed by the owner of the premises in question and will be hooked up to the Highland Water District without cost or expense to the Water District tax payers; and,

WHEREAS, the improvements consist of installation of a 8” ductile iron, water main from the existing main along Route 9W north, approximately 100 feet to the subject parcel, and then west approximately 170 feet across the parcel to a point on South Chapel Hill Road. The water main extension will be terminated with tow capped isolation valves, tee and fire hydrant assembly. The termination will be arranged in a manor to allow for future extension of the water main either to the north or south along South Chapel Hill Road; and,

WHEREAS, based on the estimated annual usage (over 365 days) and the current operation and maintenance cost of \$5.25/1,000 gallons, the annual estimated operation and maintenance costs for the District extension are approximately \$2,736.41, and the annual debt service for the District extension is projected at \$173.50 for a projected total first year user cost for the District extension of \$2,909.91.

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.

NOW, THEREFORE, it is hereby Resolved and Ordered that a meeting of the Town Board of the Town of Lloyd, shall be held at the Town Hall, Thomas Shay Square, 12 Church Street, Highland, New York, 7:00 p.m., on February 16th, 2022, to consider the said petition, and to hear all persons interested in the subject thereof concerning the same, and for such other action on the vote of the Town Board with relation to the said petition as may be required by law or proper in the circumstances.

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

Five ayes carried

N. RESOLUTION made by Auchmoody, seconded by Fraino,

WHEREAS, a petition by **Stewart Shops** under Article 12 of the Town Law for the extension of the Highland **Sewer District** in the Town of Lloyd, Ulster County, New York, the said petition being dated July 13, 2019 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 must adopt an order reciting the following: the filing of said petition, reciting the improvements proposed, the boundaries of the proposed district and the estimated expenses thereof and specifying the date and time when the Town Board will hold a public hearing to consider the petition and hear all persons interested in the subject thereof for the extension of the Highland Sewer District in said Town to be bounded and described as set forth in Exhibit “A” annexed hereto; and,

WHEREAS, the improvements proposed will be constructed by the owner of the premises in question and will be hooked up to the Highland Sewer District without cost or expense to the Sewer District tax payers; and,

WHEREAS, based on the estimated annual usage (over 365 days) a summary of the total first year user cost for the District extension is projected as follows; Stewart Shop operation and maintenance charges \$1,294.29, debt service \$536.58, total cost \$1,830.87; SBL:96.9-1-31.200 operation and maintenance charges \$706.00, debt service \$380.76, total annual cost \$1,087.04, for a projected total first year user cost for the extension of \$2,917.91; 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.

NOW, THEREFORE, it is hereby Resolved and Ordered that a meeting of the Town Board of the Town of Lloyd, shall be held at the Town Hall, Thomas Shay Square, 12 Church Street, Highland, New York, 7:00 p.m., on February 16th, 2022, to consider the said petition, and to hear all persons interested in the subject thereof concerning the same, and for such other action on the vote of the Town Board with relation to the said petition as may be required by law or proper in the circumstances.

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

Five ayes carried

O. RESOLUTION made by Auchmoody, seconded by Fraino,

WHEREAS, a petition by **The Villages in the Hudson Valley** under Article 12 of the

TOWN OF LLOYD TOWN BOARD

REGULAR MEETING

JANUARY 19, 2022

Town Law for the extension of the **Highland Water District** in the Town of Lloyd, Ulster County, New York, the said petition being dated _____, 2022 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 must adopt an order reciting the following: the filing of said petition, reciting the improvements proposed, the boundaries of the proposed district and the estimated expenses thereof and specifying the date and time when the Town Board will hold a public hearing to consider the petition and hear all persons interested in the subject thereof for the extension of the Highland Water District in said Town to be bounded and described as set forth in Exhibit "A" annexed hereto; and,

WHEREAS, the improvements proposed will be constructed by the owner of the premises in question and will be hooked up to the Highland Water District without cost or expense to the Water District tax payers; and,

WHEREAS, the improvements consist of installation of a 12" ductile iron, water main from the existing main along Route 9W South, approximately 1500 feet to the subject parcel, and to the intersection of Mayer Drive and Route 9W. The water main extension will be terminated with a capped isolation valve and blow off, along with a tee and fire hydrant assembly. The termination will be arranged in a manor to allow for future extension of the water main either to the south along Route 9W or the west along Myer Drive; and,

WHEREAS, based on the estimated annual usage (over 365 days) and the current operation and maintenance cost of \$5.25/1,000 gallons, the annual estimated operation and maintenance costs are approximately \$127,277.33, and the annual debt service for the District extension is projected at \$511.53, for a projected total first year user cost for the District extension of \$127,788.66.

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.

NOW, THEREFORE, it is hereby Resolved and Ordered that a meeting of the Town Board of the Town of Lloyd, shall be held at the Town Hall, Thomas Shay Square, 12 Church Street, Highland, New York, 7:00 p.m., on February 16th, 2022, to consider the said petition, and to hear all persons interested in the subject thereof concerning the same, and for such other action on the vote of the Town Board with relation to the said petition as may be required by law or proper in the circumstances.

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

Five ayes carried

Respectfully submitted,

Wendy D. Rosinski
Town Clerk

TOWN OF LLOYD TOWN BOARD

REGULAR MEETING
JANUARY 19, 2022