

**TOWN OF LLOYD**  
**TOWN BOARD REGULAR MEETING**  
**April 20, 2022**

**Present:** Supervisor David Plavchak  
Councilmember Leonard Auchmoody  
Councilmember Michael Guerriero  
Councilmember John Fraino  
Councilmember Joseph Mazzetti

**Also present:** Sean Murphy, Attorney  
Wendy D. Rosinski, Town Clerk  
Margaret O'Halloran, Secretary

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

**7:00 PM** – Open meeting and Pledge of Allegiance led by the Supervisor

**Proclamation**  
**Elizabeth Alfonso**  
**Memorial Resolution**

**WHEREAS**, Elizabeth Alfonso, a lifetime resident of Milton and the Town of Lloyd, was taken from our midst on March 26, 2022; and  
**WHEREAS**, Elizabeth Alfonso was born in Milton, New York on June 16, 1927; and  
**WHEREAS**, Elizabeth Alfonso, married her late husband Daniel L. Alfonso in 1954; and  
**WHEREAS**, Elizabeth Alfonso worked at Western Publishing; and  
**WHEREAS**, Elizabeth Alfonso also worked at Hudson Valley Nursing Center as a secretary, and for over 20 years as a secretary at St. Augustine's Parish Rectory; and  
**WHEREAS**, Elizabeth Alfonso took over her husband Daniels position as an Ulster County Legislator after his passing, she then ran again for two more terms and won on her own merit; and  
**WHEREAS**, Elizabeth Alfonso held the position of Town of Lloyd Historian in Highland into her 90's; and  
**WHEREAS**, Elizabeth Alfonso volunteered for so many organizations in Highland including; Ulster County Community Action, Girls Scouts, Brownies, Cub Scouts, Boy Scouts, Highland Little League, St. Augustine's Church Thanksgiving and Food Drives, the Red Cross and the March of Dimes.; and  
**WHEREAS**, Elizabeth Alfonso was involved in all types of fundraising from BBQ dinners to dinners and dances, and  
**WHEREAS**, Elizabeth Alfonso's church service for St. Augustine's Parish included being a member of the Parish Council, Member of the Catholic Daughters for 43 years, the St. Augustine's Bazaar and Flea Market, Coordinator of the CCD religious education program, and  
**WHEREAS**, Elizabeth Alfonso was a wonderful mother and deeply loved her six children, Richard Alfonso, Michelle Watson, Daniel Alfonso, Jr, Amelia Alfonso-Brown, Gina Hansut and Frank Alfonso; and  
**WHEREAS**, Elizabeth Alfonso loved and was loved by her sister, her children's spouses, her many grandchildren, nieces, nephews, great nieces, great nephews and cherished fur baby, Izzy, and  
**WHEREAS**, Elizabeth Alfonso loved her family, her friends, her home, her community and will be deeply missed by all.  
**NOW, THEREFORE, BE IT RESOLVED** that this Regular Meeting of April 20, 2022 of the Town of Lloyd Town Board be opened in memory of Elizabeth Alfonso; and  
**BE IT FURTHER RESOLVED** that a certified copy of this resolution will be delivered to her family with the deepest sympathy of this Town Board of the Town of Lloyd.

**OPEN PUBLIC HEARINGS**

- **Local Law B – 2022 Sewer Rates**

**LOCAL LAW B- 2022**

**A LOCAL LAW TO AMEND THE CODE OF THE TOWN OF LLOYD, CHAPTER 85, ARTICLE X, SECTIONS 85-48 A, B (1) AND B (3), TO AMEND THE RATES CHARGED FOR SEWER**

April 20, 2022

Section 1

**Purpose.** The purpose of this local law is to increase the rates charged for sewer usage in the Highland Sewer District.

Section 2

The Town of Lloyd Code, Chapter 85, Article X, entitled "Sewer Charges" be and the same hereby is amended by canceling existing sub-section 85-48.B.(1) and enacting a new sub-section as follows:

"B. (1) Users, other than industrial (as defined in section 85-1) of Highland Water District metered water exclusively:

(a) Rates shall be as follows:

[1] Fifty dollars for up to the first ten thousand gallons of water used.

[2] A charge of \$0.0050 for each gallon of Water used, or fraction thereof no minimum."

Section 3

This local law will take effect when filed with the Secretary of State in accordance with the Municipal Home Rule Law, but the sewer rates shall be effective as of June 1, 2022.

• **Local Law C – 2022 Agricultural Buffer**

**LOCAL LAW C- 2022**

**A LOCAL LAW TO AMEND THE CODE OF THE TOWN OF LLOYD, CHAPTER 100, ARTICLE II, SECTIONS 100-8, TO A NEW DEFINITION**

Section 1

**Purpose.** The purpose of this local law is to add a definition for "Agricultural Buffer" in Chapter 100 (Zoning) of the code.

Section 2

The Town of Lloyd Code, Chapter 100, Article II, entitled "Definitions" be and the same hereby is amended by adding the following definition;

**"AGRICULTURE BUFFER"** An area of land intended to protect uses on an adjoining lot from the impacts of agricultural uses. Such buffer shall be on any lot adjacent to an agricultural use and shall be created during subdivision, site plan, or site plan amendment and shall include natural or planted vegetation or fencing, or both, sufficient to provide a visual and noise buffer as required by this chapter and shall not be paved nor used for buildings, accessory buildings, parking, storage or sewage disposal areas.

Section 3

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

• **Local Law D – 2022 Package Plant**

**Town of Lloyd**

**Local Law D of the year 2022**

A local law amending Chapter 85, Sewer Use and Rents, of the Code of the Town of Lloyd (the "Code") as enacted by the Town of Lloyd Town Board on December 14, 1979 by Local Law 1-1979.

**Be it enacted by the** Town Board of the Town of Lloyd as follows:

**SECTION I.**

**SHORT TITLE**

This local law shall be cited as Local Law D of 2022 of the Town of Lloyd and is entitled the "Private Package Plant Prohibition Law."

**SECTION II.**

**LEGISLATIVE FINDINGS**

The Town Board seeks to regulate private discharges of sewage throughout the Town to promote the public health, welfare and safety within the Town of Lloyd. The Town collects and treats sewage generated in the more developed areas of the Town. The Town Code also recognizes that private sewage systems are necessary for the treatment of sewage in areas of the Town that are not served by public sewage collection and treatment system. Individual wastewater treatments systems for homes and businesses are permitted in unserved areas of the Town, subject to required design and permitting. Environmental impacts from such systems is minimal and maintenance by the users may be relied upon unless the uses are abandoned, in which event the sewage discharges cease. The Town Board has concerns about

April 20, 2022

the potential future use of private “package plant” sewage treatment systems to collect and treat sewage generated by multiple users in areas of the Town that are not served by public sewer. Package plants are pre-manufactured treatment facilities used to treat wastewater and generally involve direct discharges of treated sewage to surface waters, with increased potential for environmental impacts to water quality and natural resources. The potential for environmental harm can be further increased by the necessity of relying on private maintenance of these systems. Poorly maintained systems may result in greater environmental impacts. Finally, perpetual private maintenance and/or replacement of package plants serving multiple users cannot be satisfactorily guaranteed, which has the potential to lead to the necessity of the Town taking over the system when multiple users are involved to ensure that the users discharging wastewater into the plant will continue to have reliable sewer service. The Town Board finds that these amendments to the Zoning Code are necessary to promote the public health, welfare and safety within the Town of Lloyd.

### **SECTION III.**

#### **AUTHORITY**

These amendments to the Zoning Code are enacted by the Town Board of the Town of Lloyd pursuant to its authority to adopt local laws under Article IX of the New York State Constitution and Municipal Home Rule Law Section 10, and its authority to adopt amendments to its Town Code pursuant to Town Law Section XXX.

### **SECTION IV.**

#### **PROVISIONS AMENDED OR ADDED**

The following provisions of Chapter 85, Sewer Use and Rents, of the Code are hereby amended or added:

- (A) A definition of “Private Package Plant” is added to section 85-1 of Chapter 85 of the Code to read: A privately-owned and operated, pre-manufactured wastewater treatment facility intended to treat wastewater flows from more than one user such as extended aeration plants, sequencing batch reactors, oxidation ditches, contact stabilization plants, or rotating biological contactors.
- (B) Section 85-10 of Chapter 85 of the Code is amended to read: The type, capacities, location and layout of a private sewage disposal system shall comply with all recommendations of the Department of Health of the State of New York. No septic tank or cesspool shall be permitted to discharge to any natural outlet. Private package plants as defined in this Chapter are prohibited.

### **SECTION V.**

#### **SEVERABILITY**

The invalidity of any word, section, clause, paragraph, sentence, part or provision of this Local Law shall not affect the validity of any other part of this Local Law which can be given effect without such invalid part or parts.

### **SECTION VI.**

#### **EFFECTIVE DATE**

This Local Law shall take effect immediately, as provided by law, upon filing with the New York State Secretary of State.

- **Local Law E – 2022 Water Rates**

#### **LOCAL LAW E - 2022**

### **A LOCAL LAW TO AMEND THE CODE OF THE TOWN OF LLOYD CHAPTER 98, ARTICLE IV, SECTIONS 98-13, AND 98-15, TO AMEND THE RATES CHARGED FOR WATER.**

#### **Section 1**

The Code of the Town of Lloyd, Chapter 98, Article IV, entitled "Rates", be and the same hereby is amended by canceling existing Sections 98-13 and 98-15 and enacting new sections as follows:

“Section 98-13. Rates Established.

The rates for service and water supply to any customer of the Highland Water District shall be established as follows:

A charge of \$0.00575, for each customer per quarter, for each gallon of water used, or fraction thereof."

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

The rate for water supplied to non-metered users shall be \$0.00675 for each gallon of water used, or fraction thereof."

April 20, 2022

## Section 2

This local law will take effect when filed with the Secretary of State in accordance with the Municipal Home Rule Law, but the water rates shall be effective June 1, 2022.

## **Public Comments**

Council Member Mazzetti said he doesn't like to raise rates but it is necessary at this time. Private sewage plants sound good in theory but unfortunately, when these plants fail, the town is left with taking it over and providing for that community.

Dylan Harris, 13 N Roberts Rd., Highland, NY commented on Local Law-C.

He has lived in the Town of Lloyd for seven-years. His law firm has a client that also lives in the Town of Lloyd that might be impacted by Local Law C. He is here in a dual capacity.

They are looking at Local Law C and it seems it's going to open up the Town for litigation down the line. There're a lot of questions that he has for he hasn't seen any records or minutes that need to be answered before this public hearing can be closed.

1. How many properties are actually impacted, necessitating this 50-foot buffer?
2. How many complaints from property owners adjacent to the ag uses have been received since last year or the last 6-months?

The town is making a pretty drastic change here and he hasn't heard or seen anything that shows the necessity for extending the buffer.

3. What studies do you have and can you provide those showing the necessity for a 50 foot or for an extended buffer in any regard? Did the studies that have been presumably done show 50 feet is the proper amount? Why not 35? Why not 40? Why not 45? A very specific number.
4. What does agricultural use mean? There's no definition of this. It is not in the zoning code. There's agriculture but there's no agriculture use definition. That needs to be tightened up. Would it be an agriculture use if you had a goat in the backyard? Is that considered agriculture? Then the house next door has to insure the 50 foot of their property was not used and have cement in it. Did not have a septic tank. These are drastic remedies to look at.
5. Was this referred to County Planning or the Department of Health since it does bring up septic and underground sewer? That's something that theoretically will have to go to the Department of Health.

If you look at zoning code 100-15(10), this allows for animal husbandry for R1, R2 districts. Does this mean for a residential house that has 12 chickens, that your neighbor will have to have a 50-foot buffer?

He hasn't seen or didn't find a GML 239 review. Since this is an amendment to a Local Law you will need to do a 239 review under the general municipal law, that wasn't done. It needs to be done before this law can be passed.

6. Why is the burden being put on the adjoining property owner, they are just trying to enjoy their land? Why isn't the buffer being imposed on the person that has the agricultural land? The way the law is written, if you read the top of it, "an area of land intended to protect uses on the adjoining lot", this is protecting the adjoining land user, this isn't for the protection of the agriculture use, but you are impacting and basically taking it out on the person who has adjoining property. They are taking 50 feet of your property because this person has an agricultural use.

Mazzetti commented that he was thinking about if he was the agricultural person, it seems like the law should be almost in reverse it should be 50, it should be the opposite the agricultural should be 50 feet or the increase away from the other property because they are the ones spraying the materials if that's the case, they are doing it. So would you be okay as a law firm, would you recommend that they reverse it, that would be a 50-foot increased buffer from the agricultural from the non-agricultural so it would be that person the agricultural use property would have to increase the buffer.

Supervisor pointed out that they are not extending the buffer it is already 50 feet, it has been 50 feet and that all they are doing is clarifying what that buffer zone should consist of. The law is already on the books saying 50 feet. All this does is clarify what that buffer consists of. They are not extending it. All they are doing is defining what the content of the buffer is.

Harris added that when you look at the law, there's a section about storage and sewer disposal areas which theoretically will cover a septic tank. Why would an underground septic tank be impacted by a farm use next to it? The drafting needs to be cleared up before this would work. Further, there's pavement and blacktop. How is that going to be impacted by agricultural use which R1 and R2 could be someone that has 12 chickens?

April 20, 2022

Supervisor interjected and said that Harris is looking at the entire law as it is written today. This is the definition of just the buffer piece of that law. The law has been on the books, it has always been a 50-foot buffer. They are not talking about someone who has 12 chickens. They are talking about an agriculture zone where there's a different use next to it. That's the only place that it applies. He thinks that's pretty clear. All they are doing here is defining what that buffer content consists of.

Harris asked where in the law is the agricultural zone? He can't find it.

Supervisor responded by saying, if you look at the zoning map, you'll see where the agriculture zone is.

Harris added that in the local Law, where does it say "agriculture zone"? It's the only zone impacted.

Murphy added that this is for new projects, new subdivisions next to an agriculture zone.

Harris then added that this only applies to someone who is in front of the ZBA Planning Board who wants to make a change to their property.

Supervisor added that it is not a new setback. It's always been 50 feet.

Harris described a hypothetical example: if he has 50 feet and someone is farming 2 acres over, they don't use the property anywhere near m - as the law is written, this is to protect me. What am I being protected from? Why can't I put a driveway in? Why can't I put a septic tank in those 50 feet if something is 2 acres over and not impacting me?

Murphy said, it will only affect you if you are a subdivision site plan or site plan amendment.

Harris said that's not new, that's existing projects.

Murphy said farmers have a lot of freedom to act. We can't go in and say you have to create a 50-foot buffer, that's a problem. They have an existing use that's been allowed. Even if its nonconforming, it's a prior nonconforming.

Supervisor stated again that this is just clarifying the definition portion for a lot that already exists. We have the law on the books that maybe the ZBA or others can't really interpret because of the way it's written.

Guerriero added so anybody that's going before the ZBA or the Planning Board right now, if this law is enacted then they have to follow the definition.

Auchmoody added that the law is already there.

Murphy said the purpose tonight is to take comments.

Harris then inquired if the Board can confirm if 239 was done with the County for this? That's one big answer because the 239 is absolutely necessary.

Murphy replied that he would have to talk to Dave Barton about that. He is not sure at this point.

Murphy requested the public hearing be at least opened up until the next Town Board meeting to be voted on.

Supervisor said that they are not going to close it tonight.

Cory Robinson, Professional Engineer for the State of New York, commented that he too has a few questions related to this agricultural buffer law. Would there be, or have considered, a waiver for property owners to decline the benefit of this buffer on their property?

Supervisor said that they have not as of yet.

Robinson then asked what impact to existing property values will this have by restricting potential future subdivisions by placing the restriction of virtually all development within this buffer area? Have they considered that?

Supervisor said that he is asking a question and basically as he said the only thing they are changing is the content of the buffer, so he doesn't think it will have any effect on property values.

Murphy reiterated that the purpose is to take public comments, it's not a question-and-answer period.

Supervisor said it's not a question and answer, you can make comments so the Board can consider the comments and address them. It's not a give and take.

Robinson commented that it mentions in the law to provide a noise buffer to the property, he is wondering if there was a noise study conducted to model the impacts of farm equipment on neighboring properties to determine this 50-foot distance? If so, what decibel levels were deemed acceptable or will farmers be required in the future to conduct noise studies on their properties to protect these adjoining properties that are affected by this law? He knows that two sewage disposal areas are included in the restricted development. He is struggling to understand what benefit to the owner there is by prohibiting their sub-surface septic disposal systems within this buffer. The NY State design regulations require 10 feet from the property line for a subsurface sewage disposal system. He is wondering what justified increasing this by five times? Will this restriction also be applied to future septic expansion areas for existing or proposed uses and what kind of impacts will that have on restricting the expansion of an existing septic system by limiting septic areas within this

April 20, 2022

buffer.

What considerations have they given to how this will impact the future subdivision and development of lands. This buffer will create a substantial restriction on developable area for the impacted properties and will also restrict development by eliminating possible subdivisions due to the additional restriction on septic placements.

Have they considered lots that are surrounded on three sides by agricultural uses?

How can a flag lot be created if pavement is restricted within this buffer? There would be nowhere to put a driveway?

He is wondering if they have considered a method to notify landowners of adjoining agriculture uses like when the farm is going to be spraying crops or using loud equipment near the property line rather than placing a restrictive buffer around the owner's property?

Scott Anzalone stated that the last speakers were, Cory Robinson, engineer for Peppino's, and Dillon Harris, attorney working on behalf of Guillen Patel, who is the attorney for Peppino's.

As the Supervisor mentioned, nothing is being changed in the actual law itself that has been on the books since prior to 2003. All this does is clarify what the definition of the agricultural buffer is. The law states - buffers adjacent to actively farmed lands within the NY State certified district.

This Town Board cannot change those definitions within that certified district, those are governed by New York State. The Town can make suggestions and he is sure Murphy can attest to that. The State has the authority over that district. They have protections for New York State right to farm laws within those districts that are protected by New York State. The Town can't supersede state law. The Town can set a law, but it can't be stricter than what is less strict at the state level.

As far as Councilman Mazzetti, you have pointed out that maybe it's a little too restrictive for the adjoining property owner - that's set by New York State. New York State law states that a farmer's right to farm every square inch of their property right up to their boundary line cannot be impeded and the Town can't make law that actually puts a restriction on the farm, so buffers have been put in place on adjoining non-conforming lots to an actively farmed land within a certified agricultural district. This isn't to say an R1 or an R2, as the comment came out, if he has 12 chickens, you don't qualify. This law doesn't apply to you, this buffer doesn't apply to you. This applies only to those in the agricultural district. So, to say that is a possibility, it's not, because this is an agricultural district.

There's a little bit of misunderstanding and misconstrued information as it goes back and forth. There's a lot of information with this that is set by New York State and a lot of the law is already on the books. The only thing the Town is doing is clarifying the definition of what that agricultural buffer is. Of what the intent of the original law is by saying agricultural buffer. When you say agricultural buffer, the reason they are put there is not to protect the adjacent homeowner, it's to protect the farmer from liability for actively farming their land under the governing practices that have been done for centuries.

They have been here for generations. They have farmed these lands for generations. March 6<sup>th</sup> of this year celebrated 100 years that his dad's grandfather purchased the farm here while he was the head chef of the Waldorf Astoria. He came up to Highland, with his good friend who was at the front of the house. Oscar Tschirky, of the Waldorf, the famed Oscar of the Waldorf, who owned his family farm known as the Culinarian's home.

August Zimmerman came here in 1922. He purchased their farm on Station Road, which was then Clintondale. My Dad was born in 1945, there were four houses and seven farms. They are the last farm on a road of over 40 houses.

These laws aren't meant to protect the neighboring properties as much as they are to protect the farm from the encroachment of now new development. They are losing farms in their towns across Ulster County, across their state, across their country due to development. They are not trying to stop development.

I congratulate you for living here for seven years. Highland is a great town. They have been here for centuries. His family has been here since before Queen Anne. Those who can't do quick British math, that's before 1700. They are not new. They can only stay here and survive and thrive if right to farm laws are protected. If their farmers are protected.

He spoke with Ulster County Planning Board, Dennis Doyle, and he spoke with Jeff Kehoe at the state level. To answer your questions Mr. Mazzetti, yes, they have been advised, he spoke with them. They were actually very happy, and you can speak with Dennis Doyle at the County level. When all these suggestions came out in the new comprehensive plans, they were ecstatic that the Town of Lloyd and a few surrounding towns went to the extent that they did at the suggestion of the County to create these buffers to protect the farmland that they have.

April 20, 2022

Jeff Kehoe, from NYS, stated the only thing that he would have suggested is that they would have done more. Their buffer states plainly what they wanted, what they saw when they created this town code. New York State is always looking to protect their farmers, they are looking to protect their farmers more than they have now because they don't want to lose them.

His Dad is third generation, his brothers and he are fourth generation. Their nieces and nephews come plant and help during harvest season. On his mother's side, they go back again generations. What allows them to stay in Highland and thrive, and our communities to thrive, are our farmers. They hope that they take that into consideration, that they understand that this is just a clarification of what is already the law, to protect that buffer from non-conforming uses adjoining each other.

If not, and these aren't strengthened, and these aren't understood, then the farmer next to a non-conforming lot, in the agricultural district, not R1, not R2, not general business, in non-conforming lots within the agricultural district, while they are performing their normal duties, they are susceptible to lawsuits. There are many local farmers who have been susceptible to overspray from spraying because of non-conforming lots within their district that didn't adhere to a buffer, that didn't give them the protections the Town of Lloyd already has on the books. They are already affording their farmers the opportunity of protecting themselves. All this law changes, which isn't technically a law change, it's clarifying the definition of what is allowed in that buffer.

Murphy stated the way the law is written right now, it's any act of agricultural use. You have to meet certain criteria to be recognized as a working farm by the Ags and Markets law.

Anzalone concluded there are very few, and far in between, farms that are not in the agricultural district. There are a handful on Chodikee Lake Road. There are a handful on Pancake Hollow that are not in the stamped zone agricultural district, but in order to be included, those properties must meet certain criteria, they must apply to the Town, the Town must submit it to the County, the County must certify it and send it to the State, and the State must then certify it as well. These aren't just anybody who's growing produce and reaching a certain threshold in order to get those exemptions. In order to get those exemptions, they have to go through a process. It's not just anybody in their backyard in R1 or R2 that have a few chickens or a couple of goats, these are farms that are actually substantial farms that are doing the work of being farmers.

## **Public Hearings opened February 16, 2022**

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

### **Close Public Hearing:**

- **Local Law A-2022 Adaptive Re-use Overlay District**

**MOTION** made by Auchmoody, seconded by Fraino, to close the Local Law A-2022 Adaptive Re-use Overlay District.

There are no more comments. It has been open since February.

**Roll Call;** Fraino, aye; Plavchak, aye; Auchmoody, aye; Guerriero, aye; Mazzetti, recused  
**Four 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

*Supervisor mentioned that they have done some work on the voucher process so he just wants to make sure it's moving forward in a good way.*

### **Building Department – Supervisor**

Supervisor stated they saw the report at the workshop. They are busy right now, and they have been working with a lot of inspections.

They did get a letter back from the people on 69 North Road. The person is trying to actually buy that house. It's an estate issue and they are aware they have to cut the

April 20, 2022

trees and get rid of the trash. They have a structural engineer lined up and they are in the process of getting titles for the vehicles.

**ECC (Environmental Conservation Committee)** – Councilmember Guerriero  
Guerriero stated there was no meeting. Someone's family contracted COVID, so they canceled the meeting. They didn't want to take a chance.

**EDC (Economic Development Committee)**- Supervisor  
Supervisor met with EDC. They are updating the brochures for all the businesses. He has seen some of them. They have also started to put some updates on the website. The closing for the bank building in town was yesterday. There were people in it and they are starting to figure out what they are going to do with that building. He and Auchmoody stopped in and saw them as they were walking through the neighborhood.

**Highland Fire District/ Ambulance** – Councilmember Fraino

Fraino stated the commissioners had their monthly meeting last Tuesday. They had an election of officers for the hose company and the only change was that Mike Gaffney, who was Assistant Chief, is now Ulster County Fire Coordinator. Gaffney was promoted into that role of being Ulster County Fire Coordinator. Not that it was a conflict, but it was too demanding that he continues his role as Assistant Chief in Highland, so he stepped down and

Jeffrey Dimitro moved up. And now they have a new Third Assistant, Nate Pura.

The installation dinner is next Friday, the 29<sup>th</sup>. If you haven't responded, please respond to Steve Lee.

Disposing of used fire trucks is very difficult. Many times, they end up getting scrapped because there are just so many out on the market. Highland had truck 3130 and they advertised in a little town in Vermont with 700 people. A resident of the town came forward, the Chief, and bought the fire truck from Highland out of his own personal account and donated it because they don't have a fire district.

Fraino stated that he has the Mobile Life March report and they are very timely. There were 193 calls. 74 of those are what they call alpha or non-emergency or community service calls. 60 of the 193 were no transports. 31% of the calls are no transports and the average response time for the month of March was five minutes and 10 seconds. Fraino requested a revised report that showed response times for Advance Life Support [ALS] and Basic Life Support [BLS] rather than a combined report. The next day, he had a report breaking down ALS and BLS. They have been extremely responsive. Their response times are quite good. Response time starts at the beginning of a dispatch call.

Auchmoody added, it goes to the county, the county has to take that call and then call Mobile

Life so there is a little bit of lapse in there. He doesn't know how long.

Fraino added that just about 100% of the time, it's less than a 30-second time lapse from 9-1-1 to when they get a dispatch.

**Highland Central School District** – Councilmember Mazzetti

Three members of the local community will be inducted into the Husky Hall of Fame on April 23<sup>rd</sup>. The Alumni Hall of Fame inductees are Lenny Auchmoody and Peter Miller. Retired Highland teacher Pattie Steffens is the recipient of this year's Husky Pride award.

The trio of Hall of Fame inductees will be honored as part of the Highland Educational Foundation's Annual Dinner Dance and silent auction fundraiser, which will be held as a Spring Gala this year at Novella's in New Paltz.

The Hall of Fame was created four years ago to recognize the achievements of accomplished alumni and dedicated faculty and staff of the Highland Central School District (HCSD), and to inspire today's students to do great things with their education. As in the past, this year's honorees display an impressive level of commitment to the Highland community.

Miller, Class of 1971, works as the District's Director of Operations and Maintenance and is also the Fire Chief of the Highland Fire District. Miller embodies everything that makes for a good community member—he likes to get things done, he likes to keep things looking good, and he cares a lot about people.

Auchmoody serves as a Councilman and is Deputy Supervisor for the Town of Lloyd. He has been a member of the American Legion for 48 years and also has served as a member of the Highland Landing Park Committee, where he played a large part in the development of Bob Shepard Highland Landing Park. As the owner of Leonard



April 20, 2022

Auchmoody & Sons, he donated the use of a host of heavy equipment to help transform what had been a vast yard for oil storage tanks into the pristine, family-oriented park we see today. Lenny serves on the Water and Sewer Committee in Highland, and was a part of the Highland Rail Trail Association, which was responsible for the redevelopment of the former railway into the highly popular trail so many local residents enjoy.

Steffens has been a fixture in Highland Schools since she was hired as a Spanish teacher in 1987. Over her many years of service, she taught Spanish and French at the Middle and High Schools, and is known for her lively foreign language classes (which at one point, after a trip to Argentina, even included tango lessons). She has led adventurous trips all over Canada, Spain, France and Italy. After her retirement in 2010, she continued to serve the Highland community as a translator who helps with parent communications. Working with students in Highland High School's Interact Club, along with District cafeteria staff and the Highland Senior Center, Pattie facilitated 10 years of the "Senior Citizen Prom," and she looks forward to continuing the popular event. She also started the "Love Out Loud" award in memory of her daughter Alicia, who tragically died in a car accident, and has since given out more than \$21,000 in scholarship money to graduating Highland students.

The honorees will be formally recognized at the Spring Gala, which will be held on April 23<sup>rd</sup> from 6-10 PM at Novella's in New Paltz. Tickets are \$65 each, with a cash bar. There will be dinner, dancing, and a silent auction. Tickets are available by calling or texting Luke at 845.430.5679. Proceeds will support teacher mini-grants for projects to benefit HSCD students.

The 6th graders have a mission to help the refugees of Ukraine! On April 22, 2022, they will be sponsoring a benefit walk. All money raised will go to The Global Giving Ukraine Crisis Relief Fund. Students have set a goal to raise \$1,500, and have already collected \$1,155!

Katelin McPeck, has been named valedictorian of the Class of 2022. Katelin is the daughter of Mark and Karen McPeck of Highland. She earned a GPA of 103.57. She has taken advantage of the Advanced Placement courses offered at HHS, enrolling in more than 10 throughout her high school career.

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

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

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

Dimitrios Bakatsias, is this year's salutatorian. The son of Mike and Eleni Bakatsias of Highland, earned a GPA of 103.49 while maintaining a rigorous course schedule of AP classes.

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

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

#### **Highland Landing Park – Councilmember Auchmoody**

Auchmoody is extremely happy to report everything is out of the building down at the park. Jerry Erickson gave them a 20-foot overseas container that they can store

April 20, 2022

everything in while they are working in the building. They were down there last night till midnight. The floor is all ground so when they put the tiles down, they'll be level. The holes are drilled in the floor for all the rough-in plumbing.

Giangrasso said he's going to absolutely try to get that done next week.

Peter Bellizzi has a little bit of electrical stuff to do and then they can get the foam insulation blown in and then start to put the whole thing back together. He appreciates everything that everybody's done this far. Hopefully by mid-summer they can have the bathrooms open.

#### **Lights – Councilmember Fraino**

Fraino stated that Central Hudson's response time for lights being out is beyond poor. He is going to be drafting a letter to the vice president of customer service.

At the next workshop, they will have Steve Harriman who represents the company "Real Term Energy" to explain their program. He will talk about the cost of operation savings proposal. If they deliver what they say they can deliver it could be significant. It's no cost to the town. There are a few different scenarios; there's a five-year program, and a seven-year program, but there's no additional cost to what they are doing now. Over the long term, it's probably a three-million-dollar savings over a 20-year period, with better service because they will also contract for the service of the equipment for the lights. Bridgeview is marked out for "Dig Safe." They will be there Monday to search and see where the utilities run so it doesn't interfere with their project.

They have a draft RFP in place that hopefully goes out to bid, and do a phase one, and then a phase two, and then start to do the conversion. After dig safe does the mark outs they are going to use the water department truck to actually dig some test holes and just see what they have.

#### **Planning Board – Councilmember Auchmoody**

The March 24<sup>th</sup> meeting, Mazzella, Frank - a special use permit for timber harvest at 18 Trisha Boulevard that was discussed.

Property Management LLC. Commercial site plan for 24 Main St. Applicant is seeking site plan to install a 1<sup>st</sup> floor yoga studio with residential living space above.

Lewis, Nathan special use permit at 240 Vineyard Ave. Applicant is seeking a SUP for an apartment over a garage.

The Villages applicants are requesting a modification of conditions that need to be complete prior to the chair signing site plan.

The Views, applicant is requesting an extension of the site plan approval.

Mazella, Frank applied to seek extension of special use permit for their garage and accessory apartment.

#### **Hudson Valley Rail Trail – Peter Bellizzi**

Bellizzi stated that will all the rain last week they had a little flooding between 101 New Paltz and the overpass on New Paltz Road.

They didn't have a lot of damage to the trail. The Wallkill Valley Rail Trail had massive flood damage wiping out the trail.

Local Pack 70 made some bird houses and put them along the trail from the caboose to Tony Williams. There are roughly 15 to 16 different colors that kind of pop out.

Brooks and Brooks did the mileage on the Rail Trail. They had a pin every quarter mile.

He is going to mark the half miles with a caboose stencil and put the mileage on them all the way to South St.

When people have races, the distance will already be marked on the trail.

Klotz has been very helpful with cleaning up the town.

#### **Water and Sewer – Councilmember Auchmoody**

Auchmoody reported that at their meeting last Thursday, the main discussion was on Stewart's sewer extension, whether to put in a single E1 pump station or to put in a wet well and collect and then pump it back up. As of right now, the water and sewer administrator is not too keen on that idea. They have a meeting tomorrow morning about that.

The Views attended their meeting. Instead of running gravity from their project north on 9W, they are proposing to put in a pump station and pump it into another of our pump stations that the town owns and run it back that way.

April 20, 2022

**Zoning Board of Appeals – Councilmember Guerriero**

Guerriero stated that John D. Valentino on Merritt Ave., applied for an area variance to renovate an empty space below a pre-existing apartment in the garage due to handicapped condition. He was granted.

The public hearing for Peppino's Foods on Station Road was extended until next month.

**Police – Supervisor**

**2. OLD BUSINESS**

**A. Tillson/Toc Intersection update**

Supervisor gave an update on the Tillson Avenue, Vineyard Avenue and Toc Drive intersection project. He stated that they have two bids in this project. At this point the project has been in the planning stages for about 12 years. They put the bids out, and if you remember, they didn't expect to have enough money to do the whole project. They had 4.2 million left of the initial federal bid and the bids came so they split the bid out as a Base bid and an Add Alternate, and the bids came in at 1.75 million and 4.45million. It ended up being 6.2 million dollars and they have 4.2 million, so they can award the base bid and start the project. They are working to get additional funding.

He has spoken to Klotz about the pros and cons, and to figure out the right way to move forward. We don't want to do part of it and not do it right. He has been calling all of their congressmen, state senator, and their state assemblyman. They have put in for additional grants with the U.S senators and their U.S congressmen. They are not getting anybody just saying they are going to hand it out yet. He met with New York State Department [DOT], UCTC [Ulster County Transportation Council] and DOT sends them back to UCTC Ulster County and the County sends it back to D.O.T. It's kind of government at its worst. This is the worst process he has ever dealt with. He is still working to get money. He has gotten calls from these offices but any help they can get to try and get additional funding. He has some matching commitment from Ulster County around three to five hundred thousand. If they can match that, they will match it.

They have cut trees down, they have moved utilities, there are holes in the road. There's a retaining wall falling down and they were asking for the Town to fund the rest of it. To him, it's like holding their Town hostage for their projects. They were requested to start a project that's federally funded and he doesn't think it's right to put that 2-million-dollar bill on their Town. He doesn't want to lose the 4.2 million dollars they have. They'll make all the calls that they can make. This is an election year, and all the calls they can make to try to get help, they should make. If they get to the point, they have extended the awarding of the bid out 30 days to give them more time to work on this. By the May meeting, they have to either award the bid or not award the bid. The risk with not awarding the bid, the price may go up more. They have to make some decisions over the next month.

Supervisor encouraged the Town of Lloyd residents to call our Congressmen, our Senators, our assemblymen, whoever you can get help from and let's try and get something started in Lloyd that will be positive. People have been waiting for a while to clean up that road.

They need to get help on Tilson/Toc Road.

Supervisor stated that he doesn't want to leave that road half done. The big part of the work is at the intersection. That's where the giant culvert is. There's a lot of the infrastructure, the water down there. There stumps in their front yard and they have to get rid of.

The way they put the bid out was to do from 9W to the middle of the two Smith terraces so that would include doing all the retaining wall work, all the sidewalk work, all the drainage on that side, and then the big part of the bid, which was the additional 4.4 million was to move the road over, put the culvert in, and do all the work. That's the most expensive part. They have to raise Vineyard Ave. They have to change the grade.

They could start the top part and continue to try to get the money. They have sent in for three new grants.

They have been held up a lot by State regulations. This was ready to go out to bid in August of 2020 and if they had been able to bid it then, they would probably come much closer to the money they have.

**3. NEW BUSINESS**

April 20, 2022

**A. Beautification Committee**

Supervisor disclosed that he has been asked by residents to be on the Beautification

Committee which they don't have. He believes it is good for the Town to start one. He wants to start advertising for volunteers for the committee.

Anybody interested in joining the beautification committee can send their name to O'Halloran or Rosinski and they'll start putting the committee together.

Auchmoody would not have a problem being the liaison.

**4. PRIVILEGE OF THE FLOOR**

Staci Anne Elliott, Town of Lloyd resident, is asking the Board if they could reconsider putting a turning lane on State Route 299 between 206 and 222. It is her understanding that this was considered about 10 years ago, and part of the reason why it was not approved at that time was that there were not enough accidents that were reported for a turning lane.

Supervisor stated they have to put a request to NYS DOT Region 8, Regional Director Lance MacMillan to make that turning lane. That's how the process works. It's a state road and NYS DOT has the authority to decide what they want to do. He asked the Board if they should write a letter to the state, that's all they can do. They can ask to have it looked at to see if there is a possibility of getting a turning lane there.

Mazzetti volunteered to write the letter requesting a turning lane.

Auchmoody said that the most they can do is call the state and request a study for her.

Miss Elliott asked who approved the turning lane for Health Quest?

Supervisor explained the reason got one was because it was new construction and they had to work with D.O.T on the curb cutouts based on the traffic flow when the site plan came forward. D.O.T agreed to put it in and the developer actually paid to have that put in. Which is the big difference, because if the developer is willing to pay for it, the state will consider it. In this case, they would probably come back to the Town and say if we are willing to pay for it, and they agree with you, then you can do it on their road.

**5. MOTIONS AND RESOLUTIONS**

**A. RESOLUTION** made by Fraino, seconded by Auchmoody,

**WHEREAS**, the Town of Lloyd has introduced a local law to amend Chapter 100 entitled "Zoning", of the Code of the Town of Lloyd, to repeal the current definition of "Adaptive Reuse Building" in section 100-8 of the Zoning Code and adding a new section 100-8 to a term and definition of "Adaptive Reuse Project" and to add a new section 100-23.3 entitled "Adaptive Reuse Overlay District"; and

**WHEREAS**, New York State Environmental Quality Review Act (SEQRA) requires the Town Board to make a determination on every project that is not a Type II action; and

**WHEREAS**, said local law constitutes a Type I action under SEQRA; and

**WHEREAS**, after reviewing Part I and Part II of the Full Environmental Assessment form and considering the factors, as contained in 6 NYCRR Section 617.7(c), and considering the environmental effects of the amendment to Chapter 100 as contained in Local Law by repealing the definition of "Adaptive Reuse Building" and to adding a new term and definition for "Adaptive Reuse Project" and adding section 100-23.3 entitled "Adaptive Reuse Overlay District", the Town Board of the Town of Lloyd has determined that the adoption of the local law will have no significant environmental impact.

**NOW, THEREFORE**, it is resolved by the Town Board of the Town of Lloyd that the local law to amend Chapter 100 entitled "Zoning" of the Code of the Town of Lloyd, as set forth above will have no significant environmental impact, and the Board hereby issues its negative declaration pursuant to Part 617 of the New York State Environmental Quality Review Act.

**Roll Call:** Fraino, aye; Plavchak, aye; Auchmoody, aye; Guerriero, nay; Mazzetti, recuse

**Three ayes carried**

**B. RESOLUTION** made by Auchmoody, seconded by Fraino,

**WHEREAS**, proposed Local Law "A" of 2022, a local law to amend the Code of the Town of Lloyd, Chapter 100 entitled "Zoning", of the Code of the Town of Lloyd, to repeal the current definition of "Adaptive Reuse Building" in section 100-8 of the Zoning Code, adding a new section 100-8 to include a term and definition of "Adaptive Reuse Project" and to add a new section 100-23.3 entitled "Adaptive Reuse

April 20, 2022

Overlay District”, was introduced at a meeting of the Town Board held on the 19th day of January, 2022, at 7:00 P.M.; and

**WHEREAS**, this is a Type I action under SEQRA, and Part I of a Full Environmental Assessment Form has been prepared on behalf of the Town, with the Town Board assuming lead agency to do all necessary reviews in this matter; and

**WHEREAS**, a public hearing was scheduled for 16th day of February 2022 at 7:00 P.M., continued on the 16th day of March 2022 at 7:00 P.M. and continued on the 20th day of April 2022 at 7:00 P.M, and the Town Clerk published and posted a notice of said public hearing in accordance with law, and circulated, 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 prior to the public hearing; and

**WHEREAS**, the Town’s Planning Board has recommended that the law be enacted as proposed; and

**WHEREAS**, the Ulster County Planning Board has provided a response to the Town which indicating that the Ulster County Planning Board is very supportive of the proposed law and of the Adaptive Reuse of underutilized buildings in general and suggested minor revisions to the local law which the Town Board has considered and addressed; and

**WHEREAS**, the Town Board has considered these recommendations and determined that it is in the best interest of the Town to proceed with the local law in the form attached hereto; and

**WHEREAS**, a public hearing has been held thereon on 16th day of February 2022 at 7:00 P.M. and continued on the 16th day of March 2022 at 7:00 P.M. and continued on the 20th day of April 2022 at which time all interested persons were given an opportunity to be heard thereon and after which the Public Hearing was closed.

**NOW, THEREFORE**, be it is resolved that Local Law “A” of 2022 be enacted in the form attached hereto as Schedule “A” as fully as if set forth herein, being a local law to repeal the definition of “Adaptive Reuse Building” in the current section 100-8 and to enact a new section 100-8 adding a new term and definition for “Adaptive Reuse Project” and adding section 100-23.3 entitled “Adaptive Reuse Overlay District”.

**Roll Call:** Fraino, aye; Plavchak, aye; Auchmoody, aye; Guerriero, nay; Mazzetti, recuse  
**Three ayes carried**

**C. RESOLUTION** made by Mazzetti, seconded by Fraino, to authorize the payment of vouchers as audited by the Audit Committee.

GENERAL	G - 271	to G - 362	\$ 109,738.59
HIGHWAY	H – 144	to H - 179	\$ 122,448.28
MISC	M –056	to M- 061	\$ 117,256.60
PREPAYS	P – 237	to P - 308	\$ 246,941.32
SEWER	S – 097	to S - 151	\$ 43,199.11
WATER	W –122	to W – 175	\$ 46,085.99
		TOTAL	\$ 685,669.89

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

**D. RESOLUTION** made by Mazzetti, seconded by Guerriero, to accept the resignation of Joan Korey, as part-time Police Officer, effective April 23, 2022.

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

**E. RESOLUTION** made by Guerriero, seconded by Mazzetti,

**WHEREAS** the Town of Lloyd recognizes the importance of accurately locating and tracking various Town owned assets, and

**WHEREAS** the Town of Lloyd desires to maintain records of existing and new assets, related to Water/Sewer/Highway/Building/Stormwater and so forth, and

**WHEREAS** the Town Board recognizes the cost savings to the Town of having the means to generate highly accurate mapping by Town employees rather than hiring an outside firm to collect and map those assets, and

**WHEREAS** after following the procurement policy of the Town of Lloyd and collecting three written quotes for the purchase, now therefore be it

**RESOLVED** that the Town of Lloyd will purchase a Leica GG04 Plus Ultimate Smart antenna package from Maine Technical Source for an amount of \$9,950.00

April 20, 2022

with monies coming from 8010.2.

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

**Five ayes carried**

**F. RESOLUTION** made by Mazzetti, seconded by Fraino, Authorizing the Submission of an Application for a Hudson River Valley Greenway Planning Grant Program to support the Town of Lloyd Comprehensive Plan Update

**WHEREAS**, the Town of Lloyd has a Comprehensive Plan was last updated in 2013; and

**WHEREAS**, it is recommended that Comprehensive Plans, in general, be updated at least every 10 years, and

**WHEREAS**, the Town of Lloyd has identified the Hudson River Valley Greenway Planning Grant Program to assist with funding the development of an update of the Town's Comprehensive Plan, and

**WHEREAS**, the Town of Lloyd is a Greenway Community and seeks to apply to the Hudson River Valley Greenway for a grant under the Hudson River Valley Greenway Planning Grant Program for a project entitled "Town of Lloyd Comprehensive Plan Update" to be located in the Town of Lloyd.

**NOW, THEREFORE**, be it resolved that the governing board of the Town of Lloyd hereby does approve and endorse the application for a grant under the Hudson River Valley Greenway Planning Grant Program, for a project known as the "Town of Lloyd Comprehensive Plan Update" and located with this community.

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

**Five ayes carried**

**G. RESOLUTION** made by Mazzetti, seconded by Guerriero, to purchase the following equipment: **2022 John Deere** 5100M Utility Tractor \$72,366.60 w/ a **2022 Alamo** Machete 3 Mower \$72,795.72, **2022 Falcon** 4 Ton Hot Box Dump Trailer \$36,655, which total \$181,817.32. Financing will be provided through the use of Highway's 2021 unexpended funds at the recommendation of Richard Klotz, Highway Superintendent effective immediately.

All items are being purchased through *Sourcewell* or *NYS OGS* contracts.

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

**Five ayes carried**

**H. PROPOSED RESOLUTION** made by Auchmoody, seconded by Fraino, for the restoration project of our currently owned 2006 International 7600 Dump to be replaced with a new stainless-steel body (\$73,675.) and new paint (\$5000.) at a total cost of \$78,675.00

Financing will be provided through the use of Highway's 2021 unexpended funds at the recommendation of Richard Klotz, Highway Superintendent. All work is pending the *Orange County Bid* proposal number which we will piggyback to.

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

**Five ayes carried**

**MOTION** made by Auchmoody, seconded by Mazzetti, at 8:45 PM to adjourn.

**Five ayes carried**

Respectfully submitted,

Wendy D. Rosinski  
Town Clerk