**Present:** Supervisor David Plavchak **Also present:** Sean Murphy, Attorney

Councilmember Leonard AuchmoodyWendy D. Rosinski, Town Clerk

Councilmember Michael Guerriero Margaret O’Halloran, Secretary

Councilmember John Fraino Maribel Gabiger, Deputy Town Clerk

Councilmember Joe Mazzetti

Live in Town Hall, WebEx, live stream access channel 22.

**4:00 PM – Supervisor** opened meeting with Pledge of Allegiance led by Eagle Scouts Dimitri and Taki Bakatsias

A meeting in April 1963 between President John F. Kennedy and members of the National Council of Senior Citizens led to designating **May** as 'Senior Citizens Month,' the prelude to 'Older Americans Month’.

**PROCLAMATION:**

**WHEREAS** our senior citizens deserve every benefit due to them by reason of their age and service to our community, state and nation, and

**WHEREAS** they are the forefathers of this generation and future generations,

**NOW, THEREFORE,** I, David Plavchak, Supervisor of the Town of Lloyd, Ulster County, New York, do hereby proclaim May 2022 as “Senior Citizens’ Month” in the Town of Lloyd and ask all citizens to give them the honor they justly deserve.

The Recreation Department/Programs for the Aging is having a box lunch for our Senior Citizens on Thursday, May 19 at 12 Noon at Highland Landing Park.

Recognition of Dimitri and Taki Bakatsias, brothers from Highland High School, were awarded Eagle rank, the highest achievement attainable in the Boy Scouts of America program, during an Eagle Court of Honor on April 30. Dimitri, a senior, and Taki, a junior, completed the scouting program as members of Highland’s Troop 70.

Collectively, the boys experienced 21 years of scouting. Their final Eagle projects were completed on the campus of their church, Kimisis Greek Orthodox Church of Poughkeepsie. Dimitri’s project involved the renovation of the concrete entrance to the church’s community center, which had deteriorated during the pandemic. He replaced the concrete and refreshed the surrounding landscaping. Taki’s project installed a 30-foot walkway with three flag poles on the church’s campus. The new space will give Fr. Jason Dickey (a war veteran) a place to host memorials and veteran’s prayer services. Funding for the project was provided in memory of a Parish Council member, who passed away from COVID-19.

Dimitri and Taki’s parents, Mike and Eleni Bakatsias, are proud of their sons for persisting in scouting all these years. “We feel there is a great need to balance today’s busy, technology infused life with skills and experiences outdoors,” said Mike. “The boys were fortunate to have a strong program like the Boy Scouts of America and Troop 70 so active and close to home.”

Supervisor presented Dimitri and Taki Bakatsias “Outstanding Citizens Awards” with the Town of Lloyd seal.

**Public Hearings opened February 16, 2022 remain open**

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

**Public Hearings opened April 20, 2022 remain open**

* **Amend Sewer Rates**
* **Amend Water Rates**
* **Amend Agriculture Buffer Definition**
* **Package Plants**

**1. REPORTS**

**Assessor –** Ann Feo

Supervisor gave the update on behalf of Feo that she has filed the 2022 tentative assessment role on May 1st. The County will be posting all Ulster County Town roles on their website, and then the Town of Lloyd’s role will go on the Town of Lloyd website’s home page.

Grievance day is Tuesday, May 24th, and the Board of Assessment Review set their hours from 4 PM to 8 PM on May 24th by appointment only.

**Budget –** Margaret O’Halloran

**Building & Zoning Department –** David Barton

|  |  |  |
| --- | --- | --- |
|  |  |  |
| Permits | Building Permits Issued | 42 |
|  | Total CO & CC Issued | 17 |
|  | SFD Permits/ -CO’s Issued | 0/0 |
|  | Permits in Water/Sewer District (new) | 0 |
|  | Burning Permits | 0 |
| Inspections | Field inspections (Regular) | 34 |
|  | Field Inspections (Final)- CC/CO | 27 |
| Fire | Fire Safety Inspections | 39 |
| Stormwater | Field/Yearly | 3 |
| Total Inspections | (Include-Field, Final, Fire, Stormwater) | 103 |
| Complaints | Complaints | 9 |
|  | Complaints Resolved | 5 |
|  | Order to Remedy issued/Resolved | 0/2 |
|  | Stop Work Orders issued/Resolved | 0/0 |
|  | Appearance Tickets/Resolved | 0/0 |
|  | Unsafe Structures | 0 |
| Stormwater | Complaints/Resolved | 0/0 |
| C.O. & Violation Searches | Received/Completed | 17/14 |

|  |  |
| --- | --- |
| **Building Dept.** |  |
| Building Permit Fees (A2115) | $4,943.40 |
| Burn Permits (A2121) | $0.00 |
| Public Assembly / Multiple Dwelling Fire Inspections (A2123) | $4,895.00 |
| Certificate of Occupancy & Violation Search (A2125) | $2,550.00 |
| Map Copies | $20.00 |
| Parking Fees | $0.00 |
| **Building** | **$12,408.40** |
| **Planning Board** | **$2,600.00** |
| **ZBA** | **$0.00** |
| **Recreation Fees** | **$0.00** |
|  |  |
| **Grand Total** | **$15,008.40** |

Barton reported that he just finished phase three of the Municity buildout. They have started phase IV, and are beginning to develop their own policies and procedures related to the new software.

Every time they complete one of these phases, they get a discount on whatever that phase billing period is and they have been ahead of the game, saving the Town money.

The planning board is continuing to work on the cannabis zoning and short-term rental zoning. He received a link - New Paltz is now working on a site plan for a dispensary. No licenses have been issued. He thinks it’s important they have no zoning on the ground yet.

New York State amended NYCRR part 1203, which is enabling legislation on the executive law for building departments across the state. They have updated that. It goes into effect December 2022. The language is already in the New York State register.

Barton crafted an amendment for their local Chapter 42 which is Building Administration.

He had a good meeting with Adam Litman, Water and Sewer Administrator, the other day about Mountainside Woods. Barton, Litman, and Kevin Klotz, from the Water & Sewer department, are going to meet again next week about the GIS device. They will set up the types of data that they would like to have collected so he could put it into a table. Then whoever goes out to collect the data will have it in a drop-down format. They can just point and click on the tablet and they collect the data.

Barton said he and John Fraino aren’t much farther along with the Bridgeview lights project. They are still working on it.

**Dog Control –** Andrew McKee

Total of 12 calls this month including 1 call to service from the New York State Police and Ulster County Sherriff.

1 active complaint and/or cases which are now closed or resolved

2 open cases or complaints.

0 dogs Impounded.

0 appearance tickets were issued

0 dog bites

**With warm weather, tics are on the move. Tics also use our dogs as vehicles to enter our homes. Please consider flea/tic preventative for your pets and check them for tics regularly.**

**Finance –** Kendra Minard

Supervisor stated that he received a letter this month from their two Town Justices, Gene Rizzo and Terry Elia, signed by both of them. The letter is in regard to the 2021 Annual Justice Court Audit and it was addressed to him. Rizzo and Elia.

“Dear Dave”, “On behalf of the Town of Lloyd Justice Court please commend Kendra Minard for the exemplary job she performed in this year’s annual audit of the Justice Court

records. This year’s audit report is by far more extensive, comprehensive and complete

than any prior reports of any municipal or private entities which performed

the Justice Court audit in the past, and far exceeded both their expectations”.

Supervisor said that the significance of that, and the reason he brings it up, is that last year they paid UHY, a vendor they hired to do the audit, and the price for that was going to be between $4,500 and $5,000 this year, so they don’t have to spend that because Minard did the audit. She’s also doing the Revolving Loan Fund and the PARIS report which is between $7,500 and $10,000 per audit. In total they are saving between $12,000 and $16,000 on audits.”

Supervisor advised that the Board members thank Minard when they see her.

**Highway –** Superintendent Richard Klotz

Klotz reported that they are cleaning ditches and doing some odds and ends around town.

He is hoping to do main paving, probably early June. There’s a lot of repairs they have yet to do.

**Police –** Chief James Janso

*PATROL ACTIVITIES:*

CALLS FOR SERVICE---------------1014

ACCIDENTS-------------------------------28 (4 personal injury) ( 24 property damage)

TICKETS (PARKING/UTT’S) ---------50 ( 0 parking)

(50 UTT’S)

ARRESTS----------------------------------14

FOOT PATROL------------HAMLET (OFFICER/SGT)------Approx. 150 hrs.

SCHOOL (OFFICER/SGT)------Approx. 12 hrs.

FOOT PATROL------------HAMLET (CHIEF/LT.)-----------Approx. 1 hr.

SCHOOLS (CHIEF/LT.)----------Approx. 1 hr.

**April 05th**- Cops and Coffee took place at Vignetto’s Cafe

**April 12th**- Town of Lloyd Police Youth League was held. Officers, parents and children had relay racers and there was even a visit from the Easter Bunny.

**April 20th-** Officer Miller and Officer McGaw joined Mrs. Fasano’s and Mrs. McCracken’s class for a game of kickball at the Highland Elementary School.

**April 24th** -Lloyd Police assisted the Adonai Masonic Lodge with traffic control at

their semi-annual roadway cleanup on Rt 299. Chief Janso and Lt. Roloson took part in the cleanup with lodge members.

**April 25th** -Ulster County Law Enforcement Academy had an open house and was attended by Lt. Roloson.

**April 27th** –Lt. Roloson and Officer Lembo gave a class on Evidence and Forensics to Cub Scout Troop# 70

**April 28th**- Chief Janso attended a press conference with New York State Senator Hinchey and Ulster County Executive Pat Ryan about the state and county gas tax cut starting in June.

**April 20 thru 30th**- Lloyd Police were giving away free gun locks and safety brochures to Town of Lloyd residents to help our residents safeguard their firearms.

**Narcan**

(1) use - subject revived

**Training**

Officer Miller attended Taser Instructor Course (Electronic Control Devices)

All members took an on-line course on “Harassment in the Workplace”

**Recreation/Buildings & Grounds –** Frank Alfonso

Alfonso reported that Tony Williams Park water is on. The bathrooms are open. The water fountain is not connected yet, but it will be as soon as testing is done on the water.

The water will be turned on later this week at Berean Park. They are going to get the bathrooms cleaned and then the concession cleaned in the next week or two to be ready to go for Memorial Day weekend.

On the Town field, Central Hudson was there moving two poles over. The way the lights went up, the parking lot lights are on the inside and then the other side going towards the field, they are the two bigger lights. According to the gentleman that was there, those lights will come on every night but he doesn’t know how bright they are going to be. That’s something they might need to adjust if they are too bright. The reason they wanted to do this was for events. He thinks that’s what they talked about last year.

Whether it’s the events committee or fireworks, or anything else that’s going on there, they are able to turn the lights on so people can leave that field safely.

Alfonso will take a look tonight.

Also, the two existing poles in the parking lot need to be removed, and get the electric boxes transferred to the other poles.

There are two existing poles that Central Hudson was able to cut down to the point where the electric boxes are still there.

Part of the plan with the pavilion, was that those electric boxes would be moved over to the new polls.

Murphy added if it’s under $5,000 you get three verbal quotes. But if it’s over $5,000, it will have to go out to bid.

Alfonso stated that they have to clean that up and also there was a cable.

Auchmoody stated the cable has that thing on it. They have to get hold of Altice to move that over to the pole that was moved over to the right side of the Frank Lombardi Memorial sign. Central Hudson wouldn’t move that.

Alfonso stated that has to get moved and if they get the electric box moved, then those poles can be cut down and that’ll clean up the parking lot.

Auchmoody added that he believes the electric that would go to the pavilion could come off the boxes that are all the way over on the left by the fence. The lights shining in the field were actually supposed to be able to turn off and on, but the person doing the work had only what they gave him. It was either stop everything, or let him do what he could and see about Brag looking into running the wires down so they can have a switch.

Alfonso said he needs to see how bright it is first.

The rental schedules at the parks, thanks to Rosinski and the staff, are filling up with people calling and booking events. It’s pretty busy. There’s not a lot of open weekends. They have three events coming in the next week or two.

On May 17th, Tony Williams will be hosting the MHAL softball championships which they have done every year before COVID. They haven’t had it the last two years, but there are two softball games up there on Tuesday, the 17th. One game is at the High School and the championship games will be at Tony Williams.

On the 19th is the senior luncheon. That’ll be down at the Highland Landing and anything you guys need for that he will take care of.

Summer fun flyers went out. He and the Town Clerk’s office have been fielding phone calls and emails, so they are moving forward with that.

They do have a decent number of applications for lifeguards at Berean Park, but they still need a lot more.

A woman in Marlborough is going to be doing a life-saving class. It will be June 2nd, 3rd and 4th. He just has to coordinate the names of the applicants who are attending. Chris Hammond and Alfonso are going to talk tomorrow and get those people signed up for that class and then, hopefully after that on the 4th, they will have 8 to 12 certified lifeguards that they can move forward with.

Once the water is turned on up there, they are going to make sure that the concession stands are nice and clean.

Regarding the broken light post by M & T, he talked to Bragg’s Electric last week and they turned that light off.

Alfonso added that it was probably a connector. It has to be replaced and then be reconnected.

**Town Clerk –** Wendy Rosinski

Town Clerk

The building department is now accepting credit cards for all of their fees, which are turned over to the Town Clerk at the end of the day.

Taxes

My office has sent out the final bills for unpaid taxes, which include an additional $1.00 fee.

Unpaid as of this date …

2021 $ 673,262.43

2022 $1,189,235.40

Record Management

We’re hosting the Ulster County Town Clerk’s Association meeting on May 12th and we are having Michael Martin from State archives to talk to us about digitizing records, e- mail records, migration plans, preservation of paper records, etc.

**Supervisor –** David Plavchak

Supervisor stated that he sent all the Board members a resolution for Tillson & Toc. They are still working on the funding and making progress. They are getting a lot of support, thanks to everybody who’s been talking to different people. He knows Guerriero reached out to Assemblyman Jacobson who has been very helpful. Supervisor met with Senator Hinchey when he and the Police Chief were at the press conference. They are starting to make progress, and are getting closer to moving forward. His intent is to put a resolution on the agenda for the meeting on the 18th. They will continue to move forward with that.

He has noticed that there are a ton of grants out there from all the infrastructure bills, and it may not be a bad idea for them to start looking at a dedicated grant writer from one of these firms. One assigned to us, not one that’s doing consulting, engineering and grant writing - just a very specific grant writer, so that if they see transportation grants, Klotz could use. There’s a lot of water grants out there, and Litman can’t wait to jump into upgrading his plant. He is going to look at some different grant writers. If they can get one on retainer, to him it would be the best thing to do, because some of these firms you pay by the grant and then the hours become billable hours. He is trying to stay away from that. He will get back to the rest of the Board on that.

His last update is on the front steps. They knocked them out again, and Atlantic Concrete came in and poured them last Friday. Barton, Giangrasso and Supervisor were out there looking at the steps the other day, and Johnny from Atlantic drove by. He took one look at the steps and said he didn’t like them. They talked about ways to remediate it and Johnny said he would rather start over. Thanks to Klotz, they knocked them out again today and they are going to get Atlantic concrete back here the end of this week to start reforming them and repouring them next week. They want to do them right and he does appreciate the fact that he was worried about the quality of their steps.

**Water & Sewer –** Adam Litman

**Water Department**

1. As of the 25th of February reservoir water has been making up 90% of daily production, and the wells are making up the remaining 10%.

2. Daily production time is varying between 8 to 10 Hrs.

**Update**

Over the past few months, we have sat with Brinnier and Larios, Westech and Trident in review of the water plant up-grade.

Westech has proposed two options for the three units we currently have. (Replace or rehab) The structures of our units remain in good condition and can be rehabilitated.

We are also going over the other items within the facility that need to be upgraded. This project will be proposed in phases, possibly three or more.

The new two-million-gallon tank is nearing bid ready.

**Road Crew**

Mid-March we purchased and picked up the new Vermeer vac trailer, this is a very welcomed new piece of equipment. This unit will save many man hours of work during excavations and this unit has multiple uses.

1. The crew has fitted the unit with all the necessary hand tools and have made an assortment of different suction nozzles that will be used for excavating. The use of this unit will greatly reduce the size of the excavated areas and increase the efficiency of the repairs.

2. In April the crew started working with this unit and is getting accustomed to its capabilities. It has proven to reduce excavation times significantly.

3. They have been servicing and repairing all the equipment and vehicles.

4. They have installed the flagpole at the JPHRPS (John Passante Hudson River Pump

Station).

5. The mowing season has begun.

**Sewer Department**

1. Daily operations continue as usual.

2. Cleaning and maintenance.

3. Paul Frasch & Thomas McGovern are doing an excellent job at the wastewater plant; they have dialed in the sludge digestion & disposal process. Over the past 4 months they have managed to reduce the amount of sludge that is disposed of by 20 – 30 tons compared to previous years. That’s an average of 25 tons x $105.00 per ton = a

savings of $2,625.00 so far this year.

**2. OLD BUSINESS**

**A. Falcon Ridge Subdivision**

Andy Gilchrist, Project Attorney for the Falcon Ridge Subdivision. Dan Garan who’s the principal of ADC Ulster is here with Justin Dates, who is the Project Engineer. He started by asking if the Board members are generally familiar with the project.

It has been pending in front of the Town for many years - 166 proposed residential lots off Upper North Road. They have been bouncing this project between a number of Boards in the Town. They are here today to talk about the issue of waste water.

The project proposal originally was for additional lots, with the extension of sewer and what the Board did at the time was to say they wanted a sewer extension study done.

His client did pay the cost to do that, and it resulted in a report on extending sewer to the entrance of the project site. The cost came back, and these are 2019 cost figures, between nearly two and a half million and three and a half million dollars. It was not economically feasible to be part of this project. In light of that, the developer went back and took another look at the project, and reduced the number of lots for a conservation subdivision under the Town of Lloyd zoning law and the subdivision regulations – that’s the current 166 layout proposal. They have been working on this proposal for several years now. In conjunction with reducing down the number of lots, and not having public sewer extended to the project, the proposal includes the private wastewater treatment plant.

He knows the Board introduced the local law to prohibit what it calls the “private package plants” in Town and that’s still pending.

This project does include the proposed wastewater treatment plant.

The project had been in front of the Planning Board as part of the subdivision review.

Two things have occurred at the Planning Board which have delayed the Planning Board review. One was the issue of the private wastewater treatment plant proposal. What the Planning Board asked the applicant to do, and they have done this, is to go to the Town’s water and sewer committee. They have been there on a few occasions to talk about the concept of a wastewater treatment plant in conjunction with this proposed project. They haven’t made much progress there. The second thing that occurred here was there was a determination by the Town building department that the two access roads off Upper North Road, the proposed subdivision roads, violated the zoning law. They have been through the Zoning Board of Appeals process. That issue has been resolved and the access roads are now consistent with the zoning law and are part of the subdivision proposal.

When they were in front of the Zoning Board, the project applicant did confirm the location of the wastewater treatment plant would be within the appropriately zoned area. That still remains part of the project. Once they were done with the Zoning Board process, they proceeded back to the water and sewer committee.

The concept here, so the board is aware, is these types of private wastewater treatment plans are allowable generally under the New York law. They have our local law pending and they have submitted their comments on that.

They are recognized under the law in New York, there is a way to legally own, operate and maintain those plans. The DEC obviously deals with them on a wastewater discharge permit basis. They understand that and they need to comply with the department’s regulations on that and there’s a mechanism to do it. Ultimately though, in order to create the entity to own and operate that kind of system, they need the Town Board’s consent to the creation of what’s called the Transportation Corporation. They own and operate these private plants. He is aware that the water and sewer committee is well aware that his client does own and operate and maintain a private wastewater treatment plant for a large subdivision project in the Town of Poughkeepsie - a little bit in the Town of Pleasant Valley, but primarily in the Town of Poughkeepsie and has been doing so for several years. It’s operated properly and has been well maintained and continues to be operated and maintained. Stratford Farm Subdivision in the Town of Poughkeepsie on the municipal border off Route 44 in the Town of Pleasant Valley.

That’s the proposal that’s in front of the Town. They wanted the opportunity to come to the Board because when they are in front of the water and sewer committee, they got into a little bit of a catch-22.

The water sewer committee was asking for specific details. They wanted to know what exactly would be built.

They are really at the concept stage. They need input and maybe they have already gotten it through your proposed local law, but that’s not been acted upon yet.

What they asked to do was to come to the Town Board which ultimately needs to consent to the creation of the Transportation Corporation and on a concept basis with the presumption that his client, from an engineering perspective and an investment perspective, would build the plant that the Town wants to see.

What they said to the water and sewer committee is presume they are going to build the Mercedes-Benz of private wastewater treatment plants. They will build what the Town wants and would require for this project.

Presume that that’s done and they meet their specification goals. Conceptually, is this something that the Town Board would approve in terms of consent to the Transportation Corporation.

The water and sewer committee said you need to go to the Town Board that generated the request to come a couple of months ago. Obviously in the interim, you introduced your local law to prohibit those.

They are back at the stage now where the Town does need to understand that this project can only move forward with a private wastewater treatment plant. An extension of public sewer does not make this project at all economically viable.

They are requesting that the Town Board consider the conceptual approval - the approach of a private wastewater treatment plant on the project.

They are really at that stage of the project.

If a private wastewater treatment plan is not approvable this project cannot financially proceed.

They have 500 acres of appropriately zoned property with a 166 acre subdivision being proposed which cannot move forward in light of the infrastructure.

Any developer, any property owner starts with the proposition of how is the property zoned and in light of the subdivision regulations and other applicable regulations, how many lots are allowable on the property. This Town has already made the legislative determination that 166 lots are appropriate on the property. It’s a 500-acre lot and in order to do that, the only way to do that is with the private wastewater treatment plant. So, if the Board ultimately determines they don’t want anyone to construct a private wastewater treatment plant, then it doesn’t make economic sense for this project to proceed.

It's not simply about not getting enough lots out there, it’s the economic viability of developing that parcel in a manner that’s consistent with the Town’s zoning and subdivision regulations.

Supervisor stated that he understands where they are. As a Board, they have been talking with their Town attorney and land use attorney. They put that law out there because they want to get public input. Which is what they normally do. There are also risks on their side that they have to consider, and they are going to continue to discuss it and then decide how to move forward.

Murphy stated the procedural background, how they got to this point, and he agrees with what Gilchrist said. They were looking to see if they build a plant if the Town has any inclination to approve it. He thinks the Town Board has to consider the comments to the local law, consider the comments that they received from the project, and from the public. And then the Board has to decide how to proceed.

Gilchrist added that he appreciates where they are as a Board. If the Town ultimately determines that this land is better left as undeveloped open space, let the property owner know there’s a mechanism for the Town to proceed in that direction and they will deal with that. That’s just a valuation issue. That’s okay if the Town looks at that parcel and decides it should not be developed despite their regulations. There’s a procedure to deal with that and as he said, it’s just a valuation issue.

But secondly, think about this conceptually on this project. This is a proposed 166 lot subdivision. If a private wastewater treatment plant is allowed to proceed, who ultimately would pay for the ownership, operation and maintenance of that facility.

Initially, it’s going to be my client. That would be one option. That’s continuing at the Stratford Farm subdivision.

Another option he would like to pursue with Murphy and with the land use attorney, is that there would be 166 lot owners. There is the opportunity that they own and operate through a homeowner’s association. They are the ones that would benefit from the operation. They would have the vested interest in making sure that plant runs properly, because they own the lots that are dependent on it. He knows the Town, and many Towns, are concerned. What happens after five years if someone walks away, do we have to take it over? Understood. But there are mechanisms to deal with that which is a sewer district.

Supervisor said the sewer district is what was giving you the conservation subdivision eligibility. They are trying to assess because there is risk. They had that same issue with water plants in the past, and they may have another one coming up right now. Where residents no longer want to pay that fee. They are looking at their benefits, which a comprehensive subdivision also should have benefits to the Town, that they have to assess. That’s one of the reasons they give them out. If they see this large risk, they may choose not to do it. It’s not just a wastewater plant that may be an issue. It may also be what the benefits are for the Town approving a conservation subdivision in that space. There’s more to your entire project than that, but he understands the wastewater plant is the first thing on your priority list, and that’s what they have been discussing.

Gilchrist suggested, currently it would be a private wastewater treatment plant, but ultimately became a public owned wastewater treatment plant. You still would create a sewer district for that subdivision and who would pay to own and operate and maintain it - the Town, through billing the lot owners.

Murphy added that he thinks what he is suggesting is two different things, two options. One would be to have it privately owned and operated by the HOA. There will be a management company that would manage it through the HOA, and the fees would be paid through the individual property owners. The second option is to actually build a plant to Town specs and then dedicate it to the Town.

Gilchrist confirmed that if they do build a plant, it will be owned by his client or ultimately, privately by the lot owners. He thinks the municipal concern is what happens whether it’s five years or 50 years and people walk away and say they we are not going to maintain it. Then the Town comes in and takes it over. And he will go one step further, the concern at that point is hey, wait a minute, I don’t have a brand-new plant, I have a 20, 30, 40-year-old plant, what do I do?

Justin Dates, with Colliers Engineering and Design. The current plan, the 166 lots, has a 15,000 square foot minimum or .34 acres.

The New York State environmental code does limit septics. A subdivision that is serviced by septic fields can have 49 lots. Anything above 49 they have to have a community sewage system. That could be connected to municipal, or like they are proposing, the on-site plant.

Supervisor stated once you hit 50 you need to go back to the Board of Health. There are rulings above 50.

Fraino brought up that at the March meeting, the question came up about the building department vehicles and where they are parked in the evenings. Nothing was discussed in April about it.

Mazzetti stated that Dave Barton, the Building Director has a take-home vehicle that he can take home. There are two other vehicles that are used during the day by the safety inspectors. They are supposed to remain here at the building. The only time they are supposed to take them home is if there’s a fire emergency that they went on, then they would go home with it and bring it back the next day.

They don’t have a resolution. They take them home when they are on call. We have to pass that resolution that they would take them home.

Fraino added that it doesn’t make logical sense if there’s something in western Lloyd and it’s Anthony Giangrasso, Building Inspector, that would respond. Giangrasso would have to drive from western Lloyd, pick up the vehicle, and then drive back to the scene in western Lloyd.

Mazzetti asked if Fraino is proposing that they take both vehicles home at night.

Fraino said if someone is on call for 24/7 coverage. He thinks they should have the vehicle with them. It makes logical sense to him. We are asking them to be available but we are not doing anything to make it a little easier for them.

Mazzetti added that as a Board, they have to put a resolution forward if they want them to take the vehicles home. Then they have to vote on it to allow them to take the vehicle home. Right now, it’s not in their contract that they each get a vehicle to take home if they are going to be on call.

Supervisor added that people who are normally on call, for the value and safety and convenience of it, that person or those couple of people should be allowed to take a vehicle home. Fraino feels strongly about it, and he knows some of us have opinions, then he would ask Fraino to work with Murphy to write a resolution and bring it to the Board.

Mazzetti requested Fraino to provide the number of calls that they have responded to, each of them in the last five years, per year, so then can logically say if it’s three calls then it doesn’t really make sense.

Supervisor proposed that Fraino writes the resolution, and if there’s data you need to answer the resolution, you should go get it.

Mazzetti then stated if Fraino’s got this proposal, you want us to vote blindly on it, because I wasn’t given any data. You are a data guy Supervisor. You are going to burden the taxpayers with wear and tear on a vehicle, burden taxpayers at $5.00 a gallon, to bring two vehicles home. One person that lives out of Highland in Marlborough. Bringing it back and forth and then tell us it’s my responsibility when you are bringing this proposal up to say how many calls they go on each year after their contractual day ends. He thinks that’s information needed for them to make a logical decision. If you are saying to me that you want this person to be allowed to bring the vehicle home because they have responded to calls after 4 PM, when the day ends - a hundred calls a year makes sense, if it’s three calls, it doesn’t make sense. You want us to vote on something, but you don’t want to supply the data, and then you have the audacity to ask me to supply it. I am not writing the proposal. If I was doing the proposal, I would give you the data.

Supervisor then stated, like any proposal Mazzetti, somebody puts together a proposal and if you feel you need data to vote on that proposal, then you should get it. I get it when I need it, and this is one where he feels he doesn’t need it because he is here every day and he sees what they go through. When I need data to answer a question, I go get it. Let Fraino write the resolution, work on why he wants to pass it and if part of that needs data, he’s sure Fraino will get it. Fraino will bring forward a resolution with whatever supporting documents you want to bring forward, he can do. If they feel there’s not enough data then you should vote accordingly. If you see it on the agenda on Friday, and there’s not enough data you should ask him or me.

Guerriero then added it would be fair to all the Board members to know what they are going to vote on when the resolution comes up.

**3. NEW BUSINESS**

**A.** **Open Development request Knoll Luxe Properties LLC**

Barton stated that the gentleman who owns Applewood South apartments put a petition into the Town Board requesting an open development area for 87.4-3-13. It is a lot that has no road frontage. It’s the lot on the maps that he gave with a big red arrow on it. He owns the other larger lot which is bisected by the rail trail which is a single lot according to the county. He knows everybody downloaded 280-A before this meeting. He can’t give a building permit for a lot without frontage on an approved state, county or town road where the law reads” a lot building permit cannot be issued for any building structure or use unless the street or highway giving access to such proposed structure has been duly placed in the official map or plan”. The law then clarifies for the purposes of this section – “the word access shall mean that the plot on which the structure is proposed to be erected directly abuts on such street or highway and has sufficient footage thereon to allow ingress and egress for fire trucks”.

If any of you have ever been to John Indelicato’s property, which is directly behind this, he was issued an open development many years ago. He accesses his property through Applewood South’s driveway which has recently been paved, SBL: 87.4-3-13 will do the same.

What he’s looking for is relief from 280-A which is called an open development area.

To me this is sort of an easy one because he has good access to the property. He owns a property right next door that grants access. They would have to do some sort of maintenance condition easement for access.

Murphy inquired if it is a deeded right-of-way.

Barton answered that he doesn’t know.

Murphy stated that he would want to see a deeded right-of-way with adequate access and a maintenance agreement that this gentleman would have the right of way. Before we act, we want to make sure that he has access from the road to his property. We have to see what the facts are.

Barton stated that he might come off Mountainside Woods. Phase three, that they are building now, with power, that’s probably the cheapest route, but he would have to make a deal with them to make that connection. If you have ever been up to those apartments, he’s done a magnificent job making them beautiful again.

Supervisor stated the next step is for an open development agreement to be written.

Barton stated that the Board could actually vote on the fly to do this, but he thinks what he will do is reach out to the applicant. The trooper that they know, they have a good relationship with. He will give the data in terms of deeds if he can pull them from Feo, they will check for easements. They will circulate them through you for clarification.

Murphy said Barton will take a look because he needs access to the property, so he thinks the Board wants to confirm access, and as Barton indicated, it’s a good idea to get a maintenance agreement. With the right-of-way, there are certain rights that you have to maintain the property, but generally the Town Board likes to actually see an agreement in writing outlining the main purpose of an ODA is that these landlocked properties can be developed and people can use these properties.

Supervisor concluded that we can wait until the next meeting. They will have all the information and they can decide how to move forward at that time.

**B**. **REALTERM ENERGY; Steve Harriman**

Fraino stated that when they talked about the lighting district in general, obviously one of the first things he wanted to do was see what it cost them and if there’s any opportunity and he knows there’s been a lot of efforts in the past with energy savings. Harriman is representing the company “RealTerm Energy”. There’s some energy savings but it’s actually cost savings and it’s a different way of looking at managing the cost of the lighting district in the Town. He met with Harriman initially, then with the Supervisor. They have collected some data, had several video calls, and they got to the point that they really need to bring this to the Board Workshop and allow Harriman to present his case to them and see what you think.

Harriman, Senior Director, stated that the ongoing theme tends to be they have to control costs and that’s really why he is here to talk about the street lights.

Right now, Central Hudson owns the majority of the street lights. They own 766 of your 847 street lights and they are charging a king’s ransom for those lights. Especially on the maintenance side of things.

By switching to LED, savings will be considerable energy costs, energy consumption costs, but more importantly, by acquiring the street lights from the utility you will save the maintenance. Two-thirds of the bill is maintenance and if you had just the utility do it for you, you will still have to pay most of those maintenance fees. You will save energy but you wouldn’t save nearly the cost savings you would save by acquiring and having a company like RealTerm Energy upgrade the street lights.

You have 847 lights total. 81 that are owned by the town, and 766 that are owned by Central Hudson. There are 450 that need to be upgraded. All 766 need to be purchased for this to work for us to save the Town 70% of your total savings.

If you turn to page 10, when you look at all of the different line items, your number of fixtures, the consumption utility energy costs, maintenance costs - right now your current baseline spending is just over $191,000. By acquiring and upgrading the street lights, you are going to reduce that to just over $57,000. You are going to be saving $133,000 annually, which represents a 70% savings.

He said if you look the table just above that, you can see the current HID. That’s what you currently have. You can see the wattages; they range anywhere from 86 watts to as much as 496 watts. By replacing them with LED fixtures you would be much more efficient. Most of the fixtures are the 86-watt fixtures. We are going to go from 86 watts to 25 watts. That represents a 71% savings. What you are spending on the street lights right now you can use to pay for the upgrade.

Supervisor said saving are based on an annual basis, but he wanted to know when the savings begin. He doesn’t think the Board wants to wait 15 to 20 years to start recognizing a savings.

Harriman responded by going to the last page. If you look at the cash flow, in year one you’re cash flow negative or your cash flow neutral, meaning that you are not paying any more than you are paying right now for the street lights. If you acquire all the street lights and you upgrade them to LED you are paying the same as you are paying right now. When you get into the second year, you’re cash flow positive, and each subsequent year you’re cash flow positive. And depending on the way you want to amortize it, he would suggest over five years - a shorter term, less interest - you are at $114,000 in cumulative savings over the five-year term. So the savings are going to begin in year one. It takes about six months to get the new fixtures up and running and work with the utility to get the new tariffs in order. There are savings in the first year but they are about six months of savings.

If you are interested in doing this, from the time you sign on with a professional services agreement to the time the project’s done, we are probably looking at about nine months. It takes some time.

We are working with municipalities in Dutchess County right now; in Orange County; Rockland County; Nassau County. They are working with about eight to ten communities right now doing their streetlight upgrades. They are all looking at controlling these costs because like he said you are spending a tremendous amount of money every year on your street lights.

Mazzetti asked Harriman who fixes the lights when they go out. Right now, Central Hudson fixes them. He wanted to know if the Town has to pay to have them come fix them.

Harriman confirmed that they do have a maintenance program, post upgrade. If you continue to let Central Hudson upgrade the street lights to LED, you are going to be a paying a considerable amount of money for maintenance of those fixtures.

Mazzetti then asked, if we go with you to upgrade the system, we have no maintenance unless we go with you for maintenance. He asked what their maintenance cost is compared to Central Hudson’s maintenance.

Harriman answered by saying that their maintenance cost is about $2.50 a light per month.

Murphy said that on page 10, you have an operating cost analysis, and you have a baseline, and then you have the post LED upgrade, where do those numbers come from?

Harriman said that the baseline comes from the utility bills that were provided to them.

Murphy said, so actually this shows that the overall savings is less, but the actual annual maintenance cost is going up.

Harriman responded by saying you are not paying maintenance right now. You are paying Central Hudson. You are getting a bill every month. Maintenance is built into the price.

Guerriero asked if they need to lock in so many years with RealTerm Energy?

Harriman said you could pick whatever term - five, seven, 10-year term - and then once the term is over you pay RealTerm Energy a dollar and you will own the streetlights. If you wanted to go with their maintenance program, what they do is canvas the local market for local electrical contractors and they basically tender that out. Same with all the material, they work on the specifications, they do all the design work and they submit that to all the manufacturers in North America.

Mazzetti said he knows an employee contract can’t be entered into for longer than the present Board serves. He wanted to know if they can enter into a contract with this company which would tie the hands of future Boards.

Murphy said you can enter into a contract for longer terms.

Harriman said, right now they only own the street lights. RealTerm Energy takes on all the risk.

Murphy then asked, how about the polls, if somebody knocks a pole down?

Harriman said the poles are owned by Central Hudson. If you have a pole knockdown as part of their maintenance package, they will take care of that for you but if there’s power outage, Central Hudson will have to take care of that. Central Hudson will have to also replace that pole, but as far as a fixture goes or an arm goes, they will take care of that. Typically, a municipality will run that through their insurance. This is an example of a tax-exempt lease purchase. If you elect to go with the tax-exempt lease purchase, those rates are usually 150 basis points since March. They are still looking at low interest rates so it makes this affordable and it’s a tax-exempt lease purchase. It wouldn’t show up on your books as debt.

Harriman concluded that you can get proper street lighting designs done. When you upgrade with them, there’s design work that goes into that and if there’s any future smart city enhancements like public wi-fi deployment, sensors, smart parking, smart garbage, if you ever wanted to add some of those elements, you can do that when you own the streetlight assets.

Harriman concluded since they are reducing the consumption so much, they are also reducing that annual cost tremendously in this case by 83%.

Harriman added that they are going to design two RP8 guidelines, which is the illuminating engineer society guidelines. Each of these street lights is going to be designed. They are going to look at regional characteristics like what’s the traffic pattern, how much pedestrian traffic, vehicular traffic, intersections, hospitals, and they are going to just design around those parameters.

The first thing they do is come to the Town and they audit every single one of the street lights, and they are not just looking at the light. They are looking at the setback from the curb, they are looking at that road classification, they are looking at parking, they are looking at fixture mounting height, they are recording all this information and then they are basing that information on their designs and they do some more design work than any other company out there. That’s one of the reasons that they are able to get these wattages down where they need to get them to. They are maximizing the savings here and by designing properly and designing to RP8 standards, using your existing pole spacing, your existing assets, they are designing around that, they are not adding poles.

**C. Move bus stop**

Supervisor reported that people who bought the bank building at 71-79 Vineyard Ave. are thinking about doing a café courtyard and continuing the theater studio. Their office is in there now, but one of the things they learned, and he didn’t even know, is that there’s a bus stop right in front of the building. The UCAT (Ulster County Area Transit) bus stop. People waiting for the bus sit on the steps in front of the bank building. When you buy a business, you would rather not have people sitting on your steps when you have patrons walking through. It made sense to him to call UCAT and today they told him it’s up to them. If they want to move the bus stop across the street where the Methodist Church is, it’s okay with the County. They told him to get back with them with what they want to do.

**4. Privilege of the Floor**

Mark Reynolds asked if the issue with the sidewalk with High Bridge has been resolved.

Murphy answered that they have an agreement in principle. What the developer has agreed to do is to donate $10,000 to the Town to be used for sidewalk purposes. He’s agreed to grant an easement to the Town from Vineyard Avenue, through his property, up to the Rail Trail. The Town would pay for the inspections of the bridge every five years. If there’s any future maintenance or replacement, the Town would pay for the cost associated with the pipes under the bridge. The maintenance of the bridge is not the Town’s responsibility.

When you provide access to a walkway, there’s a statute that provides insurance for it, and bottom line, people are using that anyway. His option would be to fence it off and he thinks he doesn’t want to do that, but the insurance probably is a big factor.

Murphy will get hold of the High Bridge attorney, who is in the process of drafting the easement agreement, and contribution agreement, which is a lot simpler than an easement agreement. Hopefully they will have a draft of something by the next workshop meeting. It will be two separate resolutions - the contribution agreement, which is pretty straightforward, and then the easement agreement. He is going to grant an easement for the public from Vineyard Ave. through his property to the trail.

Supervisor added that the maintenance of the bridge would be High Bridge’s responsibility. If the Town pays for an inspection and there’s a problem with the bridge that has nothing to do with our pipes, the Town wouldn’t pay for that. Keith Libolt, the High Bridge developer, would pay. Right now, if somebody walks through there, Libolt has the liability. It benefits him to give the Town the right-of-way to get to the Rail Trail because then he would be covered under New York State Parks.

**5. MOTIONS & RESOLUTIONS**

1. **MOTION** made by Auchmoody, seconded by Fraino, to approve the minutes of April 6, 2022.

**Five ayes carried**

1. **RESOLUTION** made by Guerriero, second by Fraino,

**WHEREAS**, Indian Ridge, LLC and Leonard J. Auchmoody entered into an agreement with the Town of Lloyd to allow the construction of a roadway with the signing of the subdivision map to build the road instead of bonding it; and,

**WHEREAS**, Indian Ridge, LLC and Leonard J. Auchmoody, in paragraph 8 of the said Road Improvement and Drainage Agreement dated November 5, 2005, set forth a completion date of thirty (30) months from the commencement of construction; and,

**WHEREAS**, the developer, Leonard J. Auchmoody and Indian Ridge, LLC wishes to amend the agreement to provide, in paragraph 8, that the time set forth in the first

sentence shall be "thirty-six (36) months from the execution of the Sixth Amendment to Road Improvement and Drainage Agreement;"

**NOW, THEREFORE, IT IS RESOLVED AS FOLLOWS:**

1. The Agreement of November 5, 2005 is amended as set forth in the "Sixth”

Amendment to Road Improvement and Drainage Agreement" to provide, in paragraph 8, that the developer shall complete the road within "thirty-six (36) months of the date the Sixth Amendment to Road Improvement and Drainage Agreement;"

2. The Building Department is advised that no permits other than the one allowed

under the first amendment to this agreement are to be issued in this subdivision until the road is completed and approved by the Town's Highway Superintendent and engineer, and dedicated to the Town of Lloyd, without further agreement between the Town, Indian Ridge, LLC and Leonard J. Auchmoody.

3. The Developer may not obtain permits or C.O.' s or sell any lots without dedicating

or bonding the road.

4. The Supervisor is authorized to sign the "Sixth Amendment to Road Improvement

and Drainage Agreement" as set forth in Exhibit A attached hereto.

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

**Four ayes carried**

1. **RESOLUTION** made by Mazzetti, seconded by Guerriero, to hire Chris Hammond as Waterfront Director for the Summer Season of 2022 at Berean Park.

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

**Five ayes carried**

1. **MOTION** made by Mazzetti, seconded by Fraino, to close 3 parking spaces in the Town parking lot next to Sal’s Place on May 9, 2022 from 12 noon to 4PM for Jimmy Relyea Scholarship Golf Tournament.

**Five ayes carried**

1. **RESOLUTION** made by Guerriero, seconded by Fraino,to accept the resignation of Frank W. Palmateer, III from the Highway Department as of May 11, 2022 at the request of Highway Superintendent Richard Klotz.

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

**Five ayes carried**

*Auchmoody said with a heavy heart, he is a good worker.*

1. **RESOLUTION** made by Auchmoody, seconded by Mazzetti, to authorize the supervisor to sign the Fireworks contract with July 4Ever Fireworks, Inc. for the Town of

Lloyd’s July 2nd Fourth of July display in the amount of $10,000.00

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

**Five ayes carried**

1. **RESOLUTION** made by Mazzetti, seconded by Fraino, to authorize the Supervisor to approve the audit of the Justice Courts completed by Town of Lloyd Bookkeeper,

Kendra Minard, at the request of Judge Eugene Rizzo.

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

**Five ayes carried**

1. **RESOLUTION** made Mazzetti, seconded by Fraino, to close Main Street, from Church

Street to Vineyard Avenue, from 7am-6pm, and Vineyard Avenue, from Milton Avenue

to Woodside Place, from 7am-9pm, for SpringFest on Saturday, May 14, 2022. There will

be no parking on the above-mentioned streets from 7am-9pm for SpringFest.

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

**Five ayes carried**

1. **Motion** made by Auchmoody, seconded by Fraino, to approve and file the Annual MS4

Report for Year 20 (March 10, 2021 to March 9, 2022) as prepared by Anthony Giangrasso,

Deputy Building Inspector, and dated May 4, 2022.

**Five ayes carried**

1. **MOTION** made by Guerriero, seconded by Auchmoody,to close 75 Haviland

Road parking lot on Sunday, May 15, 2022, from 1 PM to 4 PM, for the Ronald

McDonald House Footsteps for Families event.

**Five ayes carried**

**MOTION** made by Mazzetti, seconded by Guerriero, at 6:05 PM to adjourn.

Respectfully submitted,

Wendy D. Rosinski

Town Clerk