

TOWN OF LLOYD

TOWN BOARD MEETING

JULY 15, 2020

Present: Supervisor Frederick Pizzuto
Councilmember Leonard Auchmoody
Councilmember Michael Guerriero
Councilmember Claire Winslow
Councilmember Joseph Mazzetti

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

Also Present: Paul Van Cott, Attorney, Whiteman, Osterman and Hanna

7:35 PM – Supervisor opened meeting with Pledge of Allegiance led by Councilmember Auchmoody.

A roll call was done and all Town Board Councilmembers were present.

☐ **Public Hearing on Local Law C-2020 “signs” *continued***

MOTION at 7:40 PM made by Mazzetti, seconded by Auchmoody, to close Public Hearing on Local Law C-2020 “Signs”.

Five ayes carried

☐ **Open Public Hearing Local Law D-2020 “2020 Temporary Moratorium Law”**

MOTION made by Winslow, seconded by Auchmoody, to open Public Hearing on Local Law D-2020 “2020 Temporary Moratorium Law”.

Five ayes carried

Paul Van Cott gave an overview of Proposed Local Law D-2020.

Mazzetti asked since this is a new moratorium in a new area, will it be for six months with the ability to extend for two additional three-month periods.

Van Cott replied that you have the discretion to make it six months. When you get to the end of the three-month period, you can extend it another three months, by resolution of the board, explaining why it is necessary.

Mazzetti said since it is a brand-new moratorium shouldn't it be six months.

Supervisor responded that it is the same moratorium, which is about to expire, so they are doing a three-month extension, and the County has allowed them to narrow the scope.

Mazzetti said he agrees with narrowing the scope, but as far as the County making suggestions, we don't need to do what they say. We are Highland, not the County, and we have a super majority and can bypass anything they say. We do what's best for our community.

Public Comment

Alec Gladd, Attorney from Cuddy and Feder, on behalf of The Views, gave an overview of the project. They submitted a letter commenting on Proposed Local Law B-2020 “Zoning Code Amendments”, and Proposed Local Law C-2020 “Extension of Moratorium”. (see attached). He reviewed the comments concerning Local Law C.

The proposed moratorium extension appears to be a continuation of the Town's bold attempt to frustrate development in the recently revised Highway Business District based on anti-development and generalized comments from the community, and more specifically, to this zoning compliant project.

He requested that the moratorium extension be withdrawn.

MOTION made by Mazzetti, seconded by Winslow to close Public Hearing on Proposed Local Law D-2020 “Extension of Moratorium”.

Five ayes carried

Town of Lloyd PROPOSED Local Law D of the year 2020

A local law temporarily suspending certain development

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 2020 of the Town of Lloyd and is entitled the “2020 Temporary Moratorium Law.”

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SECTION II.
LEGISLATIVE FINDINGS

The Town Board seeks to regulate development throughout the Town to promote the public health, welfare and safety within the Town of Lloyd. The Town is in the process of evaluating and updating the Zoning Code of the Town of Lloyd ("Zoning Code"). Proposed amendments designated Local Law B of 2020 were developed during a temporary 6-month moratorium ("2019 Temporary Moratorium Law") on "development approvals" (as defined in the 2019 Temporary Moratorium Law) in the Town that expires on July 16, 2020. Proposed Local Law B of 2020 was referred to the Ulster County Planning Board ("UCPB") for recommendations on May 6, 2020. Anticipating the potential need to extend the existing moratorium for a 3-month period to allow consideration of comments from the UCPB and the public on the proposed amendments, by resolution of May 20, 2020 the Town Board sought recommendations from the UCPB concerning a possible extension of the 2019 Temporary Moratorium Law. On June 24, 2020, the UCPB responded to the Town's referral, recommending that any moratorium extension be limited to the uses addressed by proposed Local Law B of 2020. The Town Board concurs in the June 24, 2020 UCPB recommendation and has decided to adopt a new temporary moratorium by local law with a narrower scope as suggested by UCPB rather than to extend the full moratorium imposed by the 2019 Temporary Moratorium Law by resolution as provided in that local law. The proposed amendments in Local Law B of 2020, which were developed in response to the legislative findings for the 2019 Temporary Moratorium Law (incorporated by reference herein), address the following uses in the Town of Lloyd Zoning Code: (1) continuing care retirement communities; and (2) all uses in the Highway Business District. On June 30, 2020, the Town Board received the UCPB's recommendations on proposed Local Law B of 2020 in response to the Town's May 6, 2020 referral. In addition, the Town Board has sought and received public comment on proposed Local Law B of 2020 and will provide further opportunity for public comment on those proposed amendments including, prior to adoption of any amendments by the Town, a public hearing. With the expiration of the 2019 Temporary Moratorium Law on July 16, 2020, the 2020 Temporary Moratorium Law is necessary in order to temporarily prohibit development addressed by proposed Local Law B of 2020 in order to preserve the status quo while the Town Board considers all comments and recommendations from the UCPB and the public and, if it determines to do so, amends the Zoning Code after a public hearing.

SECTION III.
AUTHORITY

This moratorium is 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.

SECTION IV.
MORATORIUM

- (A) For a period of three (3) months from the effective date of this Local Law, no applications for development approvals for continuing care retirement communities or any uses in the Highway Business District shall be accepted or considered by officials or boards of the Town of Lloyd. The term "development approvals" shall mean any approvals required for land use development in the Town of Lloyd, including, without limitation, applications for subdivision approval, any special use permit, site plan approval, any variance, and/or any building or demolition permit. This local law is binding on all Town boards and officials and on all persons needing development approvals within the Town of Lloyd.
- (B) All actions on pending applications for projects within the scope of Section IV (A) above currently before officials or boards of the Town of Lloyd for the development approvals listed herein are hereby temporarily suspended during the period of this moratorium, and no decisions shall be made either approving or denying such applications during the period of this moratorium.
- (C) This moratorium may be extended by one (1) additional period of up to three (3) months by resolution of the Town Board upon a finding of the necessity for such extension, which finding of necessity shall summarize progress made to date.

SECTION V.
VARIANCES

The Town Board shall have the authority, after a public hearing, to vary or modify the application of any provision of this Local Law upon its determination that strict application of this Local Law would impose practical difficulties or extraordinary hardships

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upon an applicant and that the variance granted would not adversely affect the health, safety or welfare of the citizens of the Town or significantly conflict with the general purpose and intent of this Local Law. Any request for a variance shall be in writing and filed with the Town Clerk. All such applications shall promptly be referred to the Town Board, which shall conduct a public hearing on the application on not less than five (5) days public notice and shall make its decision within thirty (30) days after the close of the public hearing.

SECTION VI.
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 VII.
REPEAL OF OTHER LAWS

All local laws in conflict with provisions of this Local Law are hereby superseded and suspended for the duration of this moratorium and for any additional period that this Local Law is extended. This Local Law also supersedes amends and takes precedence over any inconsistent provisions of New York State Town Law under the Town's Municipal Home Rule powers, pursuant to Municipal Home Rule Law Sections 10 and 22. The Town Law provisions intended to be superseded include all of the Article 16 of the Town Law, Sections 261-285 inclusive and any other provision of law that the Town may supersede pursuant to the Municipal Home Rule Law and the Constitution of the State of New York. The courts are directed to take notice of this legislative intent and to apply such intent in the event the Town has failed to specific any provisions of law that may require supersession. The Town Board hereby declares that it would have enacted this local law and superseded such inconsistent provision had it been apparent.

SECTION VIII.
EFFECTIVE DATE

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

1. REPORTS – Town Board Liaisons

Beautification – TBD

ECC (Environmental Conservation Committee) - Councilmember Guerriero
Guerriero said their meeting is rescheduled for July 20th.

EDC (Economic Development Committee) – Councilmember Auchmoody

Highland Fire District – Supervisor Pizzuto

Highland Central School District – Councilmember Mazzetti

Mazzetti said the school is working on the new bus turnaround at the High School.

The district is working diligently on three different plans for the fall: 1) opening entirely, 2) opening with a hybrid plan, kids alternating attending and being home, 3) not opening at all. All over the state, districts are holding off on making a decision until they hear what the governor says in August.

Hudson 7 – Councilmember Auchmoody

Lights – Councilmember Auchmoody

Auchmoody said if you have a street light out on your road to please call him. He said he rides around at night looking for street lights that are out.

Mazzetti asked Auchmoody to explain how long the plaques take for the lights and benches at the park.

Auchmoody said because of Covid-19 the company has not made any plaques in several months. The plant is shut down due to Covid-19.

They have lights at the park available for sponsorship.

Planning Board – Councilmember Winslow

Winslow said that at the June 25th meeting, Bark Place submitted their site plan amendment for their building. Perilli on Mayer Drive is seeking approval for an accessory apartment. Jamal on Cassel Road is seeking a lot line revision.

Mazzella on Tricia Blvd. is seeking an addition of a two-car garage with an accessory apartment. Pedro is in preliminary review for a subdivision on North Elting Corners Rd. Sal Cusa is building on his North Road lot. There is an open public hearing for the

Torsone project.

Police – Supervisor Pizzuto

Janso said they had a few complaints from Berean Park that kids were getting out of control so they now do foot patrol on every shift, talking to the staff and walking through the crowds to show presence.

Water and Sewer – Councilmember Auchmoody

Auchmoody reported they have not had any meetings. The low bidder for the boring under the railroad tracks, for the water and sewer line to Highland Landing Park, was Roehrs Construction. The park doesn't have enough money to do anything other than the boring.

Mazzetti said they got a letter from the owner of the old Mariner's Harbor Restaurant requesting to be hooked up to water and sewer, what's the status of that request.

Auchmoody responded the installation that they are doing will end at the park's Frank Skartados Educational Building. To run the water and sewer lines from the building to the end of the park's property line is an additional \$149,000.00. The owner of the restaurant property would then have to extend it from there.

Mazzetti asked if the owner extends it, doesn't he have to extend it to the end of his property. He explained that a developer cannot just run it to their building, they have to run it the entire length of the property so the next property can do the same.

Mazzetti said we should set an example, if we are telling developers and homeowners that they have to go to the end of their property line, then we should follow suit and do the same. If that is what our code says, then that is what we need to do.

Auchmoody said we are not developers. If you want to go the other 350+ feet, and come up with the \$150,000 to run the line from the building to the end of our property line, he will applaud you.

Mazzetti said if that is our expectation of everyone else, then that is what we should do. That is his opinion.

Pizzuto said this is a work in progress.

Sean Murphy, Attorney, said Mazzetti is correct, the line must run the entire length of the property. But like Auchmoody said, we are the Town, we are not developers. It is the Town's choice. The restaurant owner would have to put in an application for extension of the sewer district. He has water there.

Auchmoody said the water system he has is inadequate for the fire suppression system that is going to be called for when he builds a new building.

Murphy said he needs an extension for sewer. He would need to apply to the Water and Sewer Committee, have a map, plan and report done by the engineers, and all the costs would be on the developer. The letter from the developer should be referred to the Water and Sewer Committee for recommendations, that is the normal procedure.

Supervisor added that the property needs to be rezoned first.

Auchmoody added that the bid for taking the water/sewer to the end of the property is an additional \$126,000-\$150,000. They are scrambling to get the line that far, but they do not have the money. If the town decides to extend it and pay for it, then every developer is going to want us to do the same thing for them, and their water lines might be a million or two.

Zoning Board of Appeals – Councilmember Guerriero

Guerriero reported they did not have a meeting.

REPORT – Peter Bellizzi, President, Hudson Valley Rail Trail

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

Auchmoody said the last two benches are installed. Selux said they won't get delivery on the lights for the parking lot until August 21st.

The pad is in for the garbage container. The rocks have been moved on the back wall and they will be putting bollard lights there.

The other dock will be installed tomorrow.

Mazzetti asked if they could push CPL for a design for the pavilion for the town field.

Auchmoody said at Bowdoin Park in Poughkeepsie, pavilion #6 is what they would like.

2. OLD BUSINESS

A. Local Law B-2020 Zoning Amendments

3. NEW BUSINESS

A.

4. PRIVILEGE OF THE FLOOR

Patty Pauli-Brooks, of Brooks & Brooks, said the downtown area is more vibrant than she has seen in 20 years. She asked if consideration could be made to close Vineyard Avenue from Main St. to Milton Ave., from Friday at 6:00 PM to Sunday at 6:00 PM, to allow local restaurants to put tables in the street.

Winslow said they set up a meeting with the restaurant owners and only a few showed up because they were busy. She spoke with Sal, from Sal's Place, and Eric, from Brennies Pizza, and they felt if you closed the street it would interfere with curbside pickup. They discussed the small parking lot next to Sal's restaurant, but some of the tenants in town park there. They also talked about putting tables on the town field but they did not want to do that.

Mazzetti said some did put tables on the sidewalks.

Mark Reynolds asked about the resolution that gave The Villages a waiver from the moratorium. The Assisted Living Facility requires only 2 parcels, but 6 parcels were listed in the resolution. These four additional parcels were part of the larger project; why were they included in the waiver.

Paul Van Cott said he would be happy to answer now or have a conversation off-line. He said the resolution was very specific about referring to a portion of the property of the original plan submitted to the Board. This is made clear by the site plan that accompanied the waiver request. But they needed to refer to all the parcels included in the original application.

Reynolds read the resolution, which states "a portion of the following tax parcels", and he asked why the 4 other parcels were included.

Van Cott suggested he would be happy to have a conversation off-line.

Mazzetti said he is perplexed because Van Cott and Stout work for the Town and yet Stout read a proposal for the Villages instead of their attorney, John Furst.

Reynolds said at the last meeting you said you forwarded Crystal Hammond's letter to the attorney; what was the resolution.

Pizzuto said that is a personal issue and not for a town board meeting.

Alec Glad asked about the meeting connectivity issue. He imagines others had difficulty logging on.

5. MOTIONS AND RESOLUTIONS

A. **RESOLUTION** made by Auchmoody, seconded by Winslow, to hire Nicholas E. Vazeos as part-time Police Officer at a rate of \$21.20 per hour effective July 16, 2020 at the recommendation of Chief James Janso.

Roll call: Pizzuto, aye; Winslow, aye; Mazzetti, aye; Guerriero, aye; Auchmoody, aye

Five ayes carried

B. **MOTION** made by Mazzetti, seconded by Auchmoody, to designate the following two council members, Claire Winslow and Mike Guerriero as signatories for vouchers from July 1-December 31.

Five ayes carried

C. **MOTION** made by Winslow, seconded by Auchmoody, to approve the minutes of May 20, 2020 Regular Town Board Meeting; June 3, 2020 Town Board Workshop; and June 17, 2020 Regular Town Board Meeting.

Five ayes carried

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

GENERAL	G-624 - G-687	\$ 47,780.00
HIGHWAY	H-236 - H-266	\$ 13,151.85
MISC	M-35 - M-155	\$ 441,829.10
PREPAYS	P-323 - P-374	\$ 36,175.14
SEWER	S-141 - S-158	\$ 8,733.28
WATER	W-234 - W-291	\$ 27,618.00

Roll call: Pizzuto, aye; Winslow, aye; Mazzetti, aye; Guerriero, aye; Auchmoody, aye

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Five ayes carried

- E. RESOLUTION** made by Winslow, seconded by Auchmoody, to authorize Anthony Giangrasso, Deputy Building Inspector, to manage and coordinate the Town's Stormwater Management program; prepare and file the Annual MS4 Report at an annual salary of \$4,500.00 per year at the recommendation of the Town Board, effective immediately as budgeted.

Roll call: Pizzuto, aye; Winslow, aye; Mazzetti, aye; Guerriero, aye; Auchmoody, aye

Five ayes carried

- F. RESOLUTION** made by Auchmoody, seconded by Guerriero, to authorize the Hudson Valley Rail Trail Association to host Walktober Fest along the Hudson Valley Rail Trail at 75 Haviland Road, including 75 Haviland Road parking lot and 100 Haviland Road parking lot, on Saturday, October 3rd and Sunday, October 4th at the request of Peter Bellizzi, President HVRTA.

Roll call: Pizzuto, aye; Winslow, aye; Mazzetti, aye; Guerriero, aye; Auchmoody, aye

Five ayes carried

- G. RESOLUTION** made by Mazzetti, seconded by Auchmoody,

WHEREAS, proposed Local Law "C" of 2020, a local law to amend Chapter 100, Zoning, Section 100-28 of the Code of the Town of Lloyd, was introduced at a meeting of the Town Board held on the 20th day of May, 2020, at 7:00 p.m.; and,

WHEREAS, the Town Board of the Town of Lloyd, having determined that this matter constitutes an Unlisted action under the State Environmental Quality Review Act (SEQRA), and a Short Form EAF having been prepared on behalf of the Town, and the Board having issued its declaration of non-significance in this matter; and

WHEREAS, a public hearing was opened on the 17th day of June, 2020, at 7:00 p.m., at which time all interested persons were given an opportunity to be heard thereon; and

WHEREAS, a public hearing was continued on the 15th day of July, 2020, at 7:00 p.m., at which time all interested persons were given an opportunity to be heard thereon; and

WHEREAS, the Town Board has circulated a local law pursuant to law to amend Chapter 100, Zoning, Section 100-28 of the Code of the Town of Lloyd as introduced at a meeting of the Town Board on May 20, 2020; and

WHEREAS, the Town Board has received and considered recommendations of the Ulster County Planning Board, and now wishes to proceed with the adoption of said local law.

NOW, THEREFORE, it is resolved that Local Law "C" of 2020 be enacted as in the form attached hereto as Schedule "A" as fully as if set forth herein, being a local law to amend Chapter 100, Zoning, Section 100-28 entitled "signs" subsection F(7) to revise the time for which non-conforming signs must be removed to ten years from the date of adoption of said local law.

Roll call: Pizzuto, aye; Winslow, aye; Mazzetti, aye; Guerriero, aye; Auchmoody, aye

Five ayes carried

- H. RESOLUTION** made by Auchmoody, seconded by Winslow,

WHEREAS, a local law, being proposed as Local Law D of 2020, was introduced at the Town Board's regular meeting on July 1, 2020 as follows:

Local Law D of 2020, a local law entitled the "2020 Temporary Moratorium Law," a local law to temporarily suspend certain development within the Town. The 2020 Temporary Moratorium Law will impose a moratorium for the period of three (3) months following the date of adoption on application for "development approvals" (as defined in the 2020 Temporary Moratorium Law) for any continuing care retirement community and any uses in the Highway Business District. This law will temporarily suspend all action on pending applications currently before officials or boards of the Town of Lloyd for such development approvals and no decisions shall be made either approving or denying such applications during the period of this moratorium. The law provides that the moratorium may be extended for a period of one (1) additional period of three (3) months by resolution of the Town Board upon a finding of the necessity for such extension.

WHEREAS, on January 15, 2020 the Town Board adopted a local law entitled the "2019 Temporary Moratorium Law" imposing a moratorium for a period of six (6) months on Town review of certain development approvals; and

WHEREAS, the Town Board adopted the 2019 Temporary Moratorium Law due to

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local concerns about current and anticipated development pressure and the impacts associated with such development, finding that a temporary suspension of development approvals would allow the Town of Lloyd a necessary, but limited period of time to evaluate and update its comprehensive plan and zoning laws in furtherance of the protection of the health, safety and welfare of the community; and **WHEREAS**, the Town Board established a Comprehensive Plan Review Committee in 2019 and by resolution of January 15, 2020 asked the Committee to make recommendations to the Town Board as expeditiously as possible regarding potential revisions to the Town of Lloyd Zoning Code; and

WHEREAS, after several public meetings and substantial time and effort, the Committee submitted its recommendations to the Town Board and the Town Board, on April 15, 2020, referred them, along with some additional proposed revisions, to the Town of Lloyd Planning Board for review and a report of recommendations as required by Zoning Code § 100-58; and

WHEREAS, on April 29, 2020 the Planning Board held a special meeting to consider the referral from the Town Board and developed its recommendations in response to the Town Board's referral of potential revisions to the Zoning Code. A written report of those recommendations was provided to the Town Board; and

WHEREAS, on May 6, 2020 the Town Board: (1) considered the recommendations of the Committee, the proposals by Town Board members and the report of the Planning Board; (2) introduced a proposed local law amending the Zoning Code; and (3) referred a full statement of proposed Zoning Code amendments designated Local Law B of 2020 to the Ulster County Planning Board ("UCPB") pursuant to General Municipal Law § 239-m; and

WHEREAS, without an extension the 2019 Temporary Moratorium Law will expire on or about July 16, 2020; and

WHEREAS, the Town's diligent efforts to develop and, if appropriate, consider and adopt amendments to the Zoning Code consistent with the purposes of the 2019 Temporary Moratorium Law have been unexpectedly slowed by the challenges of conducting public business during the Covid 19 pandemic; and

WHEREAS, the remaining process for Town Board adoption of amendments to the Zoning Code intended to achieve the purposes of the 2019 Temporary Moratorium Law including: (1) review of public comments and recommendations from the UCPB; (2) SEQRA review; (3) a public hearing; and (4) considering and making a final decision on amendments to the Zoning Code may extend a limited period of time beyond July 16, 2020; and

WHEREAS, the Town Board, by resolution of May 20, 2020, stated its intent to potentially extend the 2019 Temporary Moratorium Law and UCPB, in response to a referral of the Town's resolution, recommended that the scope of any moratorium be narrowed to only address the uses affected by proposed Local Law B of 2020; and

WHEREAS, the Town Board concurs in the UCPB recommendation and has decided to adopt a new temporary moratorium by local law with a narrower scope as suggested by UCPB rather than to extend the full moratorium imposed by the 2019 Temporary Moratorium Law by resolution as provided in that local law; and

WHEREAS, adopting a new temporary moratorium is necessary given the uncertainties of conducting government business during the Covid 19 pandemic and to provide the Town Board sufficient time to consider and adopt amendments to the Zoning Code consistent with the purposes of Local Law E of 2019 and to address the uses affected by proposed Local Law B of 2020.

WHEREAS, the Town Board of the Town of Lloyd has determined that this matter constitutes a Type II action under the State Environmental Quality Review Act (SEQRA), and is exempt from further proceedings under such Act; and

WHEREAS, the Town Board has held a public hearing with respect to the adoption of the 2020 Temporary Moratorium Law; and

WHEREAS, upon adoption, the 2020 Temporary Moratorium Law will become effective upon its filing with Secretary of State and, due to the effects of the Covid 19 pandemic on state operations there may be a minor delay beyond July 16, 2020, when the 2019 Temporary Moratorium Law expires and the effective date of the 2020 Temporary Moratorium Law; and

WHEREAS, the Town Board seeks to ensure the continuity of the moratorium with respect to continuing care retirement communities and uses in the Highway Business District consistent with the 2020 Temporary Moratorium Law.

NOW, THEREFORE, BE IT RESOLVED that:

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I. The 2019 Temporary Moratorium is hereby extended until the 2020 Temporary Moratorium is filed with the Secretary of State and becomes effective, after which time the 2019 Temporary Moratorium shall be deemed to have expired and have been supplanted by the 2020 Temporary Moratorium; and

II. The 2020 Temporary Moratorium is hereby adopted and directed to be filed immediately with the New York Secretary of State as provided by law.

Roll Call: Pizzuto, aye; Winslow, aye; Mazzetti, aye; Guerriero, aye; Auchmoody, aye

Five ayes carried

I. RESOLUTION made by Winslow, seconded by Auchmoody,

WHEREAS, on January 15, 2020 the Town Board adopted a local law entitled the “2019 Temporary Moratorium Law” imposing a moratorium for a period of six (6) months following the date of adoption on applications for certain development approvals; and

WHEREAS, the Town Board adopted the moratorium due to local concerns about current and anticipated development pressure and the impacts associated with such development, finding that a temporary suspension of development approvals would allow the Town of Lloyd a necessary, but limited period of time to evaluate and update its comprehensive plan and zoning laws in furtherance of the protection of the health, safety and welfare of the community; and

WHEREAS, the Town Board established a Comprehensive Plan Review Committee in 2019 and by resolution of January 15, 2020 asked that the Committee make recommendations to the Town Board as expeditiously as possible regarding potential revisions to the Town of Lloyd Zoning Code; and

WHEREAS, after several public meetings and substantial time and effort, the Committee submitted its recommendations to the Town Board and the Town Board, on April 15, 2020, referred them, along with some additional proposed revisions, to the Town of Lloyd Planning Board for review and a report of recommendations as required by Zoning Code § 100-58; and

WHEREAS, on April 29, 2020 the Planning Board held a special meeting to consider the referral from the Town Board and developed its recommendations in response to the Town Board’s referral of potential revisions to the Zoning Code. A written report of those recommendations has been provided to the Town Board; and

WHEREAS, on May 6, 2020 the Town Board reviewed the recommendations of the Committee, the proposals by Town Board members, and the report of the Planning Board. A proposed local law amending the Zoning Code was introduced as Local Law B of 2020 and referred to the Ulster County Planning Board (“UCPB”) pursuant to General Municipal Law § 239-m; and

WHEREAS, Local Law B of 2020 pertains to the Town’s regulation of retirement communities and uses in the Highway Business District; and

WHEREAS, on June 30, 2020 the UCPB provided comments and recommendations on Local Law B of 2020; and

WHEREAS, having review the UCPB’s June 30, 2020 comments and recommendations the Town Board wishes to obtain further recommendations from the Town of Lloyd Planning Board on Local Law B of 2020 that, at a minimum, respond to the UCPB’s comments and recommendations; and

WHEREAS, the Town Board has adopted the Temporary Moratorium of 2020 to temporarily suspend for a 3-month period any development approvals for retirement communities and uses in the Highway Business District in order to allow sufficient time for the Town to consider further Local Law B of 2020 and any amendments to the Town’s Zoning Code that the Town Board may determine to make.

NOW, THEREFORE, BE IT RESOLVED that:

I. The Town Board hereby refers Local Law B of 2020 and the UCPB’s June 30, 2020 comments and recommendations to the Planning Board for consideration and recommendations; and

II. The Town Board requests that the Planning Board provide any recommendations to the Town Board as soon as reasonably possible to allow the Town Board to consider them and to act upon them, if it deems appropriate, prior to the expiration of the 3-month 2020 Temporary Moratorium Law.

Roll Call: Pizzuto, aye; Winslow, aye; Mazzetti, nay; Guerriero, nay; Auchmoody, aye

Three ayes Resolution Passed

J. RESOLUTION made by Auchmoody, seconded by Mazzetti,

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WHEREAS, the Town Board has recognized the community benefit of extending water and sewer service to Bob Shepard Park, and has previously received information from the Water and Sewer Administrator and the Town Engineer indicating that the Highland Water and Sewer Districts in the areas of River Road need to be extended to provide such services that include the installation of a new water and sewer main under the Railroad tracks; And,

WHEREAS, CPL, Architecture, Engineers, and Surveyor, has prepared bid documents, along with proposed request for proposal documents, and have delineated the project labeled as the Bob Shepard Park Water and Sewer Line Construction; And,

WHEREAS, the Town properly noticed and received formal bids on or before July 7, 2020 from contractors for the construction of the work as called for by the bid documents; AND,

WHEREAS, the Town Board has reviewed the bid price and the apparently low bidder's qualifications; AND,

WHEREAS, the Town received a recommendation from CPL, Architects, Engineers, Planners and Surveyor, regarding the award of the bid,

NOW, THEREFORE BE IT RESOLVED

This Town Board award the contract for the horizontal boring (contract #19-010BC) associated with the project known as the Bob Shepard Park Water and Sewer Line Construction, for the installation of new horizontal borings under the Railroad tracks in the area of Bob Shepard Park, along River Road, to Roehrs Construction, Inc., for the amount of \$ 187,150.00, and authorizes the supervisor to sign the Notice of Award and enter the Town into contractual obligations;

The project underwent a SEQRA review as an unlisted action, and was provided with a negative declaration, indicating that the project did not result in an adverse environmental impact;

CPL, Architecture, Engineering and Surveyor, be, and they hereby are, authorized to oversee and inspect the construction for compliance with the contract documents.

The project shall be funded from a grant received by the Town specifically for this project.

Roll Call: Pizzuto, aye; Winslow, aye; Mazzetti, aye; Guerriero, aye; Auchmoody, aye

Five ayes carried

K. Resolution made by Mazzetti, seconded by Auchmoody,

WHEREAS, Peter S. Brooks and Frances A. Brooks own a parcel of land in the Town of Lloyd shown on the Ulster County tax rolls as SBL: 88.17-3-13.120, upon which parcel a portion of a Town road known as "Willow Dock Road" is located; and

WHEREAS, a portion of the parcel consists of land which Peter S. Brooks and Frances A Brooks feel will be better utilized by the Town of Lloyd for any of its purposes including the use as a Town Road, and the Brooks' wish to donate the land to the Town by gift that is not to be earmarked for any specific purpose; and

WHEREAS, an agreement has been reached between Peter S. Brooks and Frances A. Brooks and the Town of Lloyd regarding the gift of said land, and an Agreement document annexed hereto as Schedule "A" has been prepared; and

WHEREAS, the Town wishes to enter into said Agreement.

NOW, THEREFORE, IT IS RESOLVED AS FOLLOWS:

The Town Board of the Town of Lloyd hereby approves the Agreement set forth in Schedule "A" attached hereto, and the Supervisor Frederick Pizzuto is authorized to sign the Agreement, and is further authorized to sign any other documents as necessary to accept the transfer of said parcel.

Roll Call: Pizzuto, aye; Winslow, aye; Mazzetti, aye; Guerriero, aye; Auchmoody, aye

Five ayes carried

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

Five ayes carried

Respectfully submitted,

Wendy D. Rosinski
Town Clerk

