

TOWN OF LLOYD
TOWN BOARD WORKSHOP MEETING
August 2, 2023

PRESENT:

| | |
|---------------------------------|---|
| Supervisor David Plavchak | Sean Murphy, Town Attorney |
| Councilmember Leonard Auchmoody | Wendy Rosinski, Town Clerk |
| Councilmember John Fraino | Margaret O’Halloran, Confidential Secretary |
| Councilmember Joseph Mazzetti | |

ABSENT:

Councilmember Michael Guerriero

4:00 PM – Open meeting and Pledge of Allegiance

PROCLAMATION

WHEREAS August 21, 2023 is National Senior Citizen Day; and
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 past generations;
NOW, THEREFORE, I, David Plavchak, Supervisor of the Town of Lloyd, Ulster County, New York, do hereby recognize August 2023 as “Senior Citizen Month” in the Town of Lloyd and ask all citizens to give them the honor they justly deserve.

The **Supervisors Annual Senior Citizens Breakfast** will be on Thursday, August 24th, from 9:30 a.m.to 11:00 a.m. at the Bob Shepard Highland Landing Park.

1. REPORTS

Assessor – Gerardo Feo

Budget – Margaret O’Halloran

Building & Zoning Department – David Barton

| | | |
|---------------------------|--|-------|
| | | |
| Permits | Building Permits Issued | 57 |
| | Total CO & CC Issued | 37 |
| | SFD Permits/ -CO’s Issued | 2/4 |
| | Permits in Water/Sewer District <small>(new)</small> | 2 |
| | Burning Permits | 6 |
| Total Inspections | (Includes Field, Final, Fire, Stormwater) | 108 |
| Complaints | Total Complaints | 11 |
| | Complaints Resolved | 8 |
| | Order to Remedy issued/Resolved | 1/3 |
| | Stop Work Orders issued/Resolved | 0/0 |
| | Appearance Tickets/Resolved | 0/0 |
| | Unsafe Structures | 2 |
| Stormwater | Complaints/Resolved | 0/0 |
| C.O. & Violation Searches | Received/Completed | 12/14 |

| <u>Building Dept.</u> | |
|--|--------------------|
| Building Permit Fees (A2115) | \$21,427.20 |
| Burn Permits (A2121) | \$50.00 |
| Public Assembly / Multiple Dwelling Fire Inspections (A2123) | \$760.00 |
| Certificate of Occupancy & Violation Search (A2125) | \$1,800.00 |
| Map Copies | \$100.00 |
| Parking Fees | \$0.00 |
| Building | \$24,137.20 |
| Planning Board | \$2,100.00 |
| ZBA | \$215.00 |
| Recreation Fees | \$5,000.00 |

| | | |
|--|--------------------|--------------------|
| | Grand Total | \$31,452.20 |
|--|--------------------|--------------------|

Dog Control – Andrew McKee

18 calls including 3 calls to service from the New York State

Police and Ulster County Sherriff.

4 active complaints and/or cases that are now closed or resolved

3 open cases or complaints.

0 dogs impounded

0 appearance tickets were issued this month

1 dog bite

Some of the Hottest days of summer are still ahead. Please be careful not to leave pets outside in this hot weather and be extra cautious of asphalt and concrete surface temperatures when walking your dogs.

Finance – Kendra Minard

Highway – Superintendent Richard Klotz

Historian – Joan Kelley

Queries:

1) Judy Green requested early photographs of her house on 611 Chodikee Lake Road. I found photographs from 1956 and 1974 in the assessor’s files. The photos will help her in the restoration of the property.

2) Paul Lalley requested information about the death of his grandfather, Andrew Lalley who was killed in a trolley car accident in Highland on 14 Aug 1902. I learned Andrew, walking home from an evening of partying at the races in New Paltz, had fallen asleep on the trolley tracks. The conductor didn’t see him in time and he was decapitated. I sent the clippings to Paul.

3) Susan Pascal requested the address of her grandmother’s house: Myra Ball Van de Mark lived on Pancake Hollow; she was a Town of Lloyd Historian. Piecing together facts supplied by many people at town hall with maps and deeds, I determined she owned a large boarding house, built in 1835 on what is now 165 Pancake Hollow. The house has been torn down, but the assessor’s files contained photos. I sent her all the documentation.

4) Nichole Nightfall requested information about Father Devine and Krum Elbow for a documentary she is creating.

Donations:

1) Carol Johnson, coordinator of the Haviland-Heidgerd Historical Collection at the Elting Library, gave us 15 old issues (1913-1925) of the Highland Post.

Rail trail signage:

1) I saw the two completed signs in the caboose at the Walkway, which is now open to visitors on Sundays. The signs look great. Hopefully, they will be erected this fall. Franny Reese Park

1) I am working on my presentations. I found newspaper articles about the fire which destroyed the Herrman mansion in 1969. I am working with Philip Herrman’s gr-granddaughter to get more photographs of the original buildings.

2) The tax sale has been postponed and Palisades Parkway is working with the Ulster County Real Property department.

3) I visited the Marist College Archives. They copied a photo I found of regatta spectators on the Highland side. I copied a couple of their photos associated with Fanny Reese Park.

I attended a meeting of the Ulster County Historians and the Ulster County 250 Rev War Committee. The 250 Rev War funding, originally earmarked for individual counties, has now been reallocated to 8 statewide regions; the Hudson Valley region consists of 8 counties which are now focused on setting up a 501-C corporation to handle all the finances. I resigned from the committee.

Police – Chief James Janso

PATROL ACTIVITIES:

CALLS FOR SERVICE-----1127

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ACCIDENTS-----31 (5 personal injury) (26 property damage)
TICKETS (PARKING/UTT'S) -----51 (2 parking/ 49 UTT's)
ARRESTS-----17
FOOT PATROL-----HAMLET (OFFICER/SGT) -----Approx. 150 hrs.
SCHOOL (OFFICER/SGT) -----Approx. 00 hrs.
FOOT PATROL-----HAMLET (CHIEF/LT.) -----Approx. 1 hr.
SCHOOLS (CHIEF/LT.) -----Approx. 0 hr.

July 1st-Town Fireworks in the Hamlet took place. Lloyd Police patrolled the event on foot and ATV to provide safety.

July 4th -Independence Day fireworks on the Walkway Event. Lloyd Police patrolled the event on foot and ATV to provide safety.

July 22nd -Downtown Business Association in the Hamlet. Patrols did foot patrols during the event.

Overdoses: 0 Narcan Use: 0

Recreation/Buildings & Grounds – Frank Alfonso

-Youth Football started this past Monday at Tony Williams.

- New Paltz softball league was also using Tony Williams on Monday.

-Tony Williams has also been busy with games and parties. The UV system at Tony Williams was replaced due to loss of power during a recent storm. Will look into possibly putting in a surge protector.

-In the town field, 3 trees came down with the recent storm. Two were near the backstop and one was near the bleachers. Bakers came in the next day and took care of all three trees.

-Pickleball lines at Berean Park will be done within the next couple of days. There has been some vandalism at Berean Park and with there is some consideration of installing cameras at different parks in different areas throughout the town.

- Swimming at Berean Park will go to August 20th.

-The new gator has a 60-gallon water tank that helps water the plants three or four times a week.

-Frank had a meeting with Mike from Eagle Scout and two people from Scenic Hudson regarding the kiosks on the sign. They are in the process of finishing the sign.

-Summer fun revenues are over \$30,000.

Town Clerk – Wendy Rosinski

July is a slow month, so we use it to clean files and organize.

Supervisor – David Plavchak

Water & Sewer – Adam Litman

Water Department

1. River water, is making up 90% of daily production, the remaining 10% comes from the wells.

2. Production time is averaging 10 & 12 Hrs. per day.

Road Crew.

1. Onsite for projects, Tillson, the Villages, prepping for the new tank.

2. The crew continues sewer flushing and inspections.

Sewer Department

1. Sewer plant operations are going very well.

2. Paul Frasc is cross-training at the water plant.

Tillson Ave. Update

8/2 The water department has begun running reservoir water and will continue until 8/9 (Wednesday)

A-Colarusso the site contractor will make the new raw water line connections 8/3 (Thursday).

We are allowing additional time for them to complete connections, and to start on the connection of the 18" water main.

Villages

Corewood Ventures, the site contractor, completed the sewer extension along 9W South and it's in service. They have begun the water extension.

Tank

Arold Construction has given a mobilization date for the new two-million-gallon tank. 8/14

2. OLD BUSINESS

A. Tillson/Toc Project

Supervisor reported the water is being moved to the new lines. Footings for the piers are being poured. Piers should be done by mid-September.

B. Pavilion Grant

Supervisor reported we have been awarded \$100,000 Grant through Ulster County Parks and Recreation Recovery and Resilience ARP Division. We now have \$225,00 in grant money for the project.

3. NEW BUSINESS

A. Hepworth Growers Showcase Event at Minard's Family Farm

Jason Minard, Counsel to Hepworth Ag. Inc. requested a letter of support from the Town Board for the New York Cannabis Grower's Showcase Event to be held in November at Minard's Family Farm, 250 Hurds Road, Clintondale, NY 12515. The event will operate in full compliance with the guidance released by NYS OCM.

MOTION by Fraino, seconded by Auchmoody to authorize Supervisor to sign letter of support.

Four ayes carried

Councilmember Mazzetti asked why there are two Town of Lloyd websites, an old one that is still active. Wendy Rosinski, Town Clerk said there are not, the Town of Lloyd has always been what it currently is. Possibly someone was speaking about the Rail Trail. They have a new and an old site, which is still active.

Councilmember Mazzetti asked Sean Murphy, Attorney, to send a letter of opinion to the Ethics Board to review concerning Councilmember Fraino, abstaining but from a vote but not giving a written statement for his reason for abstaining on the vote taken at the April 19, 2023 to hire NUGENT & HAEUSSLER to do the Town's AUD. Mr. Fraino's wife works for the accounting firm.

4. PRIVILEGE OF THE FLOOR

Jim McCarver, 71 North Road discussed his concerns with the property at 69 North Road that is covered in trash.

Supervisor told him, they are aware of it and will follow up with the Code Enforcement officers.

5. MOTIONS & RESOLUTIONS

- A. **MOTION** by Auchmoody, seconded by Fraino to close the town parking lot next to Sal's Place on August 6, 2023 from 11am - 1pm for the Remembrance Celebration of Natty Trapani.

Four ayes carried

- B. **RESOLUTION** moved by Mazzetti, seconded 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 had requested that the Town amend the Agreement to extend time set forth in the first sentence in Paragraph Eight for an additional "thirty (36) months from the execution of the Sixth Amendment to Road Improvement and Drainage Agreement;" and,

WHEREAS, the Town Board, by resolution dated May 4, 2022, had approved said extension but it appears from the Town's records that the Sixth Amendment to Road Improvement and Drainage Agreement was never executed by the parties; and

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WHEREAS, the Town wishes to ratify said Resolution and Sixth Amendment to Road Improvement and Drainage Agreement effective as of the date of said Resolution, May 4, 2022.

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 effective date of the Sixth Amendment to Road Improvement and Drainage Agreement" which said effective date shall be May 4, 2022.

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, abstain, Auchmoody stated this is his son.; Mazzetti, aye

Three ayes carried

C. BOND RESOLUTION OF THE TOWN OF LLOYD, NEW YORK, ADOPTED AUGUST 2, 2023, APPROPRIATING \$8,837,400 FOR THE INCREASE AND IMPROVEMENT OF FACILITIES OF THE HIGHLAND WATER DISTRICT, AND AUTHORIZING THE ISSUANCE OF BONDS OF SAID TOWN IN THE PRINCIPAL AMOUNT OF \$8,837,400 TO FINANCE SAID APPROPRIATION

Offered by: Auchmoody

Seconded By: Fraino

RESOLVED BY THE TOWN BOARD OF THE TOWN OF LLOYD, IN THE COUNTY OF ULSTER, NEW YORK (by the favorable vote of not less than two-thirds of all the members of said Board) AS FOLLOWS:

Section 1. The Town hereby appropriates the amount of \$8,837,400 for the increase and improvement of facilities of the Highland Water District (the "District"), consisting of various improvements to the Water Filtration Plant of the District and any and all necessary furnishings, equipment, machinery, apparatus, installations, appurtenances, accessories and related engineering and other costs in connection with the foregoing. The estimated total cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$8,837,400. The plan of financing includes the issuance of bonds of the Town to finance said appropriation, the collection of charges from water metering and/or the assessment, levy and collection of assessments upon the several lots and parcels of land within the District in the same manner and at the same time as other Town charges. The Town expects that grant and/or other funds will be available to pay all or a part of the cost of the project. Any funds received from grants and/or other sources are hereby authorized to be applied toward the cost of said project or redemption of the Town's bonds or notes issued therefor, or to be budgeted as an offset to the taxes to be collected for the payment of the principal of and interest on said bonds or notes. All or part of the cost of the project may be financed through the State of New York Environmental Facilities Corporation pursuant to the Water Infrastructure Improvement Act (WIIA), or any other source of funding. The Supervisor or his/her designee is hereby authorized to submit any necessary applications on behalf of the Town and/or perform any and all acts necessary or required to arrange for financing of the project through bonds, notes, loans, grants or any other sources.

Section 2. Bonds of the Town are hereby authorized to be issued in the principal amount of \$8,837,400 pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law"), to finance said appropriation.

Section 3. The following additional matters are hereby determined and stated:

(a) The period of probable usefulness of the object or purpose for which said \$8,837,400 bonds are authorized to be issued, within the limitations of Section 11.00 a. 1 of the Law, is forty (40) years.

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(b) The proceeds of the bonds herein authorized and any bond anticipation notes issued in anticipation of said bonds may be applied to reimburse the Town for expenditures made after the effective date of this resolution. The foregoing statement of intent with respect to reimbursement is made in conformity with Treasury Regulation Section 1.150-2 of the United States Treasury Department.

(c) The proposed maturity of the serial bonds authorized by this resolution will exceed five (5) years.

Section 4. Each of the bonds authorized by this resolution and any bond anticipation notes issued in anticipation of said bonds shall contain the recital of validity prescribed by Section 52.00 of the Law and said bonds and any notes issued in anticipation said bonds shall be general obligations of the Town, payable as to both principal and interest by a general tax upon all the taxable real property within the Town. The faith and credit of the Town are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and any notes issued in anticipation of the sale of said bonds, and provision shall be made annually in the budget of the Town by appropriation for (a) the amortization and redemption of the bonds and any notes issued in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Section 21.00 relative to the authorization of the issuance of bonds with substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and Section 50.00 and Sections 56.00 to 60.00 and 168.00 of the Law, the powers and duties of the Town Board relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized, and the renewals of said bond anticipation notes, and as to executing contracts for credit enhancements and providing for substantially level or declining annual debt service, are hereby delegated to the Supervisor, the chief fiscal officer of the Town.

Section 6. The validity of the bonds authorized by this resolution, and of any notes issued in anticipation of said bonds, may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the Town is not authorized to expend money, or
- (b) the provisions of law which should be complied with at the date of the publication of such resolution, or a summary thereof, are not substantially complied with, and

an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

- (c) such obligations are authorized in violation of the provisions of the constitution.

Section 7. This resolution shall take effect immediately and the Town Clerk is hereby authorized and directed to publish the foregoing bond resolution, in summary, in the "*South Ulster Times*" a newspaper having a general circulation in said Town, which newspaper is hereby designated as the official newspaper of the Town for such publication, together with the Town Clerk's statutory notice in the form prescribed by Section 81.00 of the Local Finance Law of the State of New York.

The adoption of the foregoing Resolution was duly put to a vote on roll call, which resulted as follows:

| | |
|------------------------------|----------------------|
| Supervisor David Plavchak | voting <u>AYE</u> |
| Councilman Lenny Auchmoody | voting <u>AYE</u> |
| Councilman Mike Guerriero | voting <u>ABSENT</u> |
| Councilwoman Joseph Mazzetti | voting <u>AYE</u> |
| Councilman John Fraino | voting <u>AYE</u> |

The Resolution was declared adopted.

MOTION by Mazzetti, seconded by Fraino to go into Executive session at 5:04 PM to discuss litigation.

Four ayes carried

MOTION by Fraino, seconded by Auchmoody to come out of Executive session at 5:11 PM.

Four ayes carried

RESOLUTION moved by Faino, seconded by Mazzetti

WHEREAS, BANTA REALTY 2001 has brought proceedings to review the assessed value of their premises located at 3423 Route 9W in Highland, Town of Lloyd, New York

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for Tax Years 2023/2022, 2022/2023 and 2023/2024; whereas, the Town Board desires to appoint SEAN MURPHY, of Di Stasi Moriello & Murphy Law PLLC., to represent the Town in said proceedings.

NOW, THEREFORE, it is resolved as follows:

1. The firm of Di Stasi Moriello & Murphy Law PLLC is hereby appointed counsel to represent the Town of Lloyd in the proceedings entitled “In the Matter of the Application of BANTA REALTY 2001, Petitioners, against TOWN OF LLOYD, a Municipal Corporation, its ASSESSOR, and its BOARD OF ASSESSMENT REVIEW, Respondents”, index nos. EF2021-2063, EF2022-1398 and EF2023-1596, now pending in the Ulster County Supreme Court.

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

Four ayes carried

RESOLUTION moved by Auchmoody, seconded by Fraino, seconded by

WHEREAS, VINEYARD HIGHLAND ASSOCIATES has brought a proceeding to review the assessed value of their premises located at 260-266 Vineyard Avenue in Highland, Town of Lloyd, New York for Tax Year 2023/2024; and

WHEREAS, the Town Board desires to appoint SEAN MURPHY, of Di Stasi Moriello & Murphy Law PLLC., to represent the Town in said proceeding.

NOW, THEREFORE, it is resolved as follows:

1. The firm of Di Stasi Moriello & Murphy Law PLLC is hereby appointed counsel to represent the Town of Lloyd in the proceeding entitled “In the Matter of the Application of VINEYARD HIGHLAND ASSOCIATES, Petitioners, against ASSESSOR OF THE TOWN OF LLOYD, BOARD OF ASSESSMENT REVIEW OF THE TOWN OF LLOYD, AND THE TOWN LLOYD, ULSTER COUNTY, NEW YORK, Respondents”, index no. EF2023-1684, now pending in the Ulster County Supreme Court.

MOTION by Auchmoody, seconded by Fraino to adjourn at 5:15 PM.

Four ayes carried

Respectfully submitted,

Wendy D. Rosinski
Town Clerk

