

TOWN OF LLOYD TOWN BOARD

WORKSHOP AGENDA

AUGUST 4, 2021

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

Also present: Sean Murphy, Attorney
Vera Lawrence, Deputy Town Clerk

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

4:00 PM – Supervisor opened meeting with Pledge of Allegiance led by Councilmember Guerriero, and a moment of silence and proclamation for Linda Marie Auchmoody read by Justice Terry Elia

Proclamation

Linda Marie Auchmoody Memorial Resolution

WHEREAS, Linda Marie Auchmoody, a longtime resident of the Town of Lloyd, was taken from our midst on July 28, 2021; and

WHEREAS, “Linda”, was born in New Jersey and raised in Marlboro and;

WHEREAS, “Linda”, married her love, Leonard Auchmoody, on Valentine’s Day, and together they created a beautiful, loving family for their two sons Ricky and Willy and;

WHEREAS, “Linda”, worked in the Highland School District which allowed her to keep a close eye on her precious sons and all their friends, and;

WHEREAS, “Linda”, worked for HO Penn Machinery in Poughkeepsie, where she made lasting friendships that she cherished.

WHEREAS, “Linda”, affectionately known as “Aunt Linda”, “Momma Linda” or simply “Ma” was a true matriarch of her own family; and a willing honorary matriarch to all those who would have her, forever expanding her brood and;

WHEREAS, “Linda”, always had room around her table, no one left her house hungry, nor did she ever arrive at a friend’s home empty handed and;

WHEREAS, Linda Marie Auchmoody will be deeply missed by her loving husband Lenny, our devoted Councilmember, her precious sons Ricky and Willy, daughter-in-law Rebecca, grandchildren, sister and brother, nieces and nephews, and dear, devoted friend Barbara, as well, and her community and friends.

NOW, THEREFORE, BE IT RESOLVED that this August 4, 2021 Meeting of the Town of Lloyd Town Board be opened in memory of Linda Marie Auchmoody; with the deepest sympathy of this Town Board of the Town of Lloyd.

NEW BUSINESS

Presentation by Alex Ides, from Blink Communications, on possible new phone system to replace Magna5/Manchester Communications. An approximate cost of \$12,221.40, savings of \$203.69 a month. 5-year guarantee.

There will be other presentations from different vendors.

Dog Control – Andrew McKee

21 calls this month including 5 calls to service from the New York State Police and Ulster County Sherriff
5 active complaints and/or cases which are now closed or resolved
2 open cases or complaint

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0 stray dogs this month
 0 appearance tickets were issued this month
 1 dog bite reported this month

Building & Zoning Department – David Barton

Barton reported that Giangrasso worked with the owner of 180 South Street LLC who brought in a new security person for smoke and carbon detectors. They believe that they are now in compliance and can occupy the building. They have more work to do. Giangrasso is still working with them to make those things happen. But we believe the building is safer than it was the last time we were there as a group.

1 Grove Street is still closed. Barton sent them a final letter stating that they will be mowing the grass in the front. He gave them 7-days to comply from the date of receipt. It will probably be a week from tomorrow. They should get the letter tomorrow. If they don't reply he will get the town crew to mow it for a cheaper and quicker job. Then they will generate an invoice with Frank that will include the hours, the prevailing wages for their work performed. If the owner refuses to pay or doesn't pay in a timely manner, they will levy it.

Ali (9 Commercial Avenue) put the fence up and he paid for it with his credit card. Ali will have to make some adjustments to the fence. They are going to call him later this week to make sure he understands that the rest of the debris needs to get cleaned up and taken off site. He has a window of one week to get a dumpster and start loading it, because there's still a mess there.

Building, Planning and Zoning Departments Monthly Report July 2021

To: Supervisor and Town Board

From: Dave Barton, Director of Planning, Building and Code Enforcement

Permits	Building Permits Issued	53
	Total CO & CC Issued	38
	SFD Permits/ CO's Issued	1/0
	Commercial New Construction CO	1
	Permits in Water/Sewer District <small>(new)</small>	1
	Burning Permits	5
Inspections	Field inspections (Regular)	47
	Field Inspections (Final)- CC/CO	49
Fire	Fire Safety Inspections	3
Stormwater	Field/Yearly	0
Total Inspections	(Include-Field, Final, Fire, Stormwater)	99
Complaints	Complaints	15
	Complaints Resolved	17
	Order to Remedy issued/Resolved	2/0
	Stop Work Orders issued/Resolved	0/0
	Appearance Tickets/Resolved	0/0
	Unsafe Structures	1
Stormwater	Complaints/Resolved	0/0
C.O. & Violation Searches	Received/Completed	28/23

Fees Collected

<u>Building Dept.</u>	
Building Permit Fees (A2115)	\$8,487.10
Burn Permits (A2121)	\$45.00
Public Assembly / Multiple Dwelling Fire Inspections (A2123)	\$100.00
Certificate of Occupancy & Violation Search (A2125)	\$4,200.00

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Map Copies	\$0.00
Parking Fees	\$0.00
Building	\$12,832.10
Planning Board	\$1,300.00
ZBA	\$2,077.00
Recreation Fees	\$2,500.00
Grand Total	\$18,709.10

Highway – Superintendent Richard Klotz
Klotz reported that they are patching holes and cutting brush. Paving is supposed to start on the 8th of August. They had to push back the paving. They hope to finish the paving for the year in the next two to three weeks. They have the machines to start the milling.

OLD BUSINESS

Highbridge

Murphy stated that Keith Libolt offered to give an easement through his property at 128 Vineyard Ave. to the Rail Trail but he is looking for the Town to contribute toward the inspections of the bridge, that crosses the Twalffskill Creek, every 5-years and for maintenance costs.

Keith Libolt introduced himself as one of the owners of Highbridge Place on Vineyard Ave., and he introduced Patty Brooks as his engineer. It was his understanding, from Brooks, that the project on Commercial Ave. did not move forward and no one gave him clearance to install that sidewalk. He met with the Town on several occasions. He was asked to build the sidewalk in front of two addresses, which he agreed to do. He priced it out, and it was around \$5,000. He didn’t hear from anybody for over a year and a half, and the project hasn’t move forward.

Libolt stated that this was the first time he was invited here to speak with the Town Board. Auchmoody added that when Libolt started this project, he was the one person that was on his side. You took a building and brought it back up to standards and made something that when the people walk by on the Rail Trail everybody would appreciate. Before you took the project over, we were supposed to have an easement from the Rail Trail down, what is now your driveway, to Vineyard Ave. to help those people try to get into town to support our small businesses. That’s what he has been told over and over. He also stated that he, Brooks, the Supervisor and Barton went up there and walked the driveway and talked about how it could work. Auchmoody would rather have the easement coming down the driveway to get the people in town. He thinks that’s a better option than building a sidewalk. Libolt would not have any liability because it’s part of the New York State Rail Trail. They cover the liability for accessibility to the Trails. Auchmoody feels that access to the village is much more valuable than a sidewalk on Commercial Avenue Extension.

Libolt stated that originally there was an easement agreement between Ethan Jackman and the community, which was at Jackman’s pleasure, and which ended when he bought the property.

Libolt agreed, during the planning phase, to put a gravel path along one side of the property and down the hill. He thought since there were so few people a day using the path that it was no big deal. When they widened the road, it changed the slope of the hill, and it made the trail too steep to pass. They talked about doing a small easement on part of the roadway but were concerned for people’s safety.

He was there three Saturdays ago, for three hours, visiting the residence. He counted 94 people going down the road, 10 vehicles enter in, 2 of which parked in his visitors’ spaces, 2 in the parking lot, the other six dropped people off and left. This is not a small number of people.

He once tried locking the gate to slow it down; people were passing their bikes under the gate, and passing their bikes over the split rail fence.

People want to traverse that area into the community and it’s a lot of people. It’s not what he had planned on.

So, as a community we have a situation. He encouraged the board to take a seat up there,

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at the parking lot, with a cocktail one evening and just sit and watch it for an hour. There are a lot of people, there are people bringing cars in; he doesn't mind the cars parking in the visitors' spots, because although the parking is tight there, there's room for it and it's okay. Generally speaking, nobody has complained. There are a few people that have complained about people coming through the property, but nobody has really complained about the cars using the visitors' spots. He is more than happy to give a permanent easement through the whole width of that area up to the Rail Trail. Even use of the visitor parking. All he is asking for is some consideration from the community to help with maintenance in those areas along that easement in some form or another. He is stepping up and being reasonable. That's a large financial commitment, not just a one-time thing, like here's \$5,000 for the sidewalk.

Libolt said he can't speak for the concerns about the Commercial Ave. Ext. project, but what was asked from him and was shown to him was only a couple hundred linear feet, this is not in line with what the board is telling him.

Patty Brooks stated that she wants to touch on a couple of things with regard to what Libolt has given to the community so far, because to say that he has come in here and just taken, and given nothing in return is not necessarily giving a clear picture to the general public of what has really occurred at the site as part of the process of the planning board. Libolt paid \$15,086.00 in escrow fees. He paid \$10,675.00 for a building permit. He paid \$1,700 for parking space fees and \$47,500 in recreation fees. The recreation fees are paid when an applicant does not have an opportunity to provide a recreational provision. That \$47,500 basically was paid in lieu of him creating any kind of a recreation facility. They read the code and that's what it says. Libolt is now proposing to provide an opportunity for the residents and non-residents of this community to be able to access the Rail Trail through an easement. That's worth something. That's a burden on the property that will be on the deed forever, so that also has a value. In addition to that, the taxes being paid on this property, prior to Libolt developing it, were \$4,200 a year, school and town taxes combined. Libolt, this year, paid \$70,016.30, so to say that he has not brought a benefit to this community is ludicrous. It's really unfortunate that we still have the eyesore next door (Vintage Village). If the Town Board hadn't rescinded the adaptive reuse regulations, they probably would have a similar facility there generating the same type of taxes.

Auchmoody said there is no easement at this time and the liability of anyone walking on your property, or parking on your property, is 100% your liability. If we do an easement, that liability goes away. He said that is some consideration also. He wants to do what is best for both Libolt and the community and it is his personal feeling that the easement to Vineyard Ave. is much more valuable than the sidewalk on Commercial Ave. Ext.

Libolt stated that he has tried to be a good community member and not put a fence up, which the Building Department says is within his rights.

Auchmoody asked Libolt if he was certain? Don't you have to have an opening in the back so fire trucks can get through.

Libolt responded that he has to have a type of swing gate that can be locked but he has not done that because he wants to have this conversation. Let's just formalize something and work together. He really wants to be a partner with the town. We can share in the inspection fees and share the cost of the repairs.

He thinks that even if you put the sidewalk on Commercial Avenue Ext. down to Commercial Ave., people are still going to want to cut down his driveway.

If Ethan Jackman still owns the Antique Village, you could approach him about a license agreement to have access through there. Maybe he'll grant it to you and maybe he won't. But Libolt is just saying that that's where the traffic wants to be. He doesn't know how many people are going through his driveway, he is just stating that in the time he was watching, he couldn't believe how much traffic he saw.

Auchmoody asked Libolt if the bridge belongs to him?

Libolt answered, correct, it does right now.

Brooks added yes, it was built and designed by the Town of Lloyd and it was in compensation for the water and sewer easement in 1993.

Auchmoody stated that being that it belongs to Mr. Libolt, we can't spend any money as a town.

Murphy replied if you had a quid pro quo, he thinks he'll probably work out some arrangement where you are basically paying compensation for the easement. You

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don't have to maintain the bridge, but the integrity of the bridge has to be maintained to maintain the integrity of the water and sewer lines.

Auchmoody commented that when the integrity of the bridge fails, the town has to close it.

Murphy added you would have to close it, but you have a water and sewer going through there. What if your water and sewer lines collapse? Right now, the town does have an interest in that bridge being maintained because the water and sewer lines cross the creek underneath the bridge, but right now the town has no responsibility to maintain it. Right now, an easement allows the water and sewer lines to run underneath the bridge.

Libolt added that the bridge was reinforced three years ago, after the engineering report.

Supervisor added that that was part of the concrete abutment structure.

Murphy added that there are two issues here, one is the inspections of the bridge, which are every five years, and right now they cost about \$2,500. Then, Libolt is looking for a contribution toward any necessary maintenance.

Mazzetti said that right now the town has no liability or responsibility to take care of the bridge and he doesn't think we should, at a cost to the taxpayers. He said people are using the bridge to get to the Rail Trail now so why pay for an easement.

Supervisor said because they are trespassing.

Mazzetti said that is beside the point.

Supervisor stated, no, that is the point.

Winslow stated that the sidewalk is nothing compared to what we need to have people be able to walk downtown, so the sidewalk is, to me, a moot point. The point is that this is his property. He has his property and the people are trespassing. If the deal becomes a right-of-way, to me, that's a better deal. I am sure that I understand, legally, if something goes awry, he's got to pay for it. The customary thing to do is to pay a fee.

We either just pay a flat fee every year and be done with it, and then he has the expense of anything that goes wrong. That is normally what happens. Winslow asked Brooks if that is correct.

Auchmoody said he could go with paying for engineer reports but he is not in favor of maintenance.

Libolt said he has people coming on his property and using his car chargers, etc. He said he lives in Gardner, where they also have a rail trail. They have discussions all the time about the rail trail people using private property. People are coming here to recreate and spend money. As a property owner please show me some consideration for this right-of-way.

Supervisor said that what he would like to do tonight, since this is the first time we've had the opportunity to speak with Libolt and Brooks, the door is now open and we can have an ongoing dialogue with the developer, let's table this discussion and put it on the agenda in two weeks. In the meantime, we can have some internal and some external conversations, both among ourselves, with our attorney and with our engineers.

MOTION made by Auchmoody, seconded by Winslow, to table this discussion.

Four ayes carried; Mazzetti, nay

REPORTS CONT

Finance – Kendra Minard

Budget – Margaret O'Halloran

Assessor – Ann Feo

WE STARTED TO COMPILE BUILDING PERMITS TO ORGANIZE NEW CONSTRUCTION FOR NEXT YEAR'S ROLL.

THIS MONTH WAS SPENT TAKING PHOTOS OF NEW HOMES.

ESTIMATING VALUES FOR NEW COMMERCIAL PROJECTS IN THE WORKS.

WILL BE CLEANING UP OUR ROLL BY DOING EXTRA DATA COLLECTION THIS SUMMER FOR A POSSIBLE TOWN-WIDE REASSESSMENT IN THE FUTURE.

Police – Chief James Janso

PATROL ACTIVITIES:

CALLS FOR SERVICE-----1760

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ACCIDENTS-----53 (8 personal injury)
(45 property damage)
TICKETS (PARKING/UTT'S) -----(4 parking) (68 UTT'S)
ARRESTS-----19

FOOT PATROL-----HAMLET (OFFICER/SGT)-----Approx. 155 hrs.
SCHOOL (OFFICER/SGT)-----Approx. 0 hrs.
FOOT PATROL-----HAMLET (CHIEF/LT.)-----Approx. 1 hr.
SCHOOLS (CHIEF/LT.)-----Approx. 0 hr.

July 06th- Cops and Coffee took place at Highland Landing Bob Shephard Park.

July 07th- Officer Jacob Nielson graduated from the UCLETG Police Academy.
Congratulations Officer Jacob Nielson!

July 19th- The Town's annual old-fashioned fireworks took place. The police dept was on scene to assist in public safety.

July 13-Youth Rec League took place. Approximately 12 local children played various games such as kickball and relay races. At the end of the night all the children enjoyed ice cream. Thank you to the Rotary for their support.

July 14th- Lt. Rolson held training for town employees on workplace violence

Officer of the Month: Officer Nick Paradies

Officer Paradies started his career with the Town of Lloyd Police Department in 2014 as a part time dispatcher, and in 2017 graduated the academy and was hired as a part-time police officer. In December of 2017, Officer Paradies was promoted to full time and has since become our department's warrant officer and assists with training our new members as a Field Training Officer. In 2020, Officer Paradies was awarded a Life Saving Award for saving an infant. Congratulations Officer Nicholas Paradies!

Narcan Use: 1

(Total Narcan use for 2021 is ten)

NYS Pause Complaint: 0

Recreation/Buildings & Grounds – Frank Alfonso

Town Clerk – Wendy Rosinski

Water & Sewer – Adam Litman

Water Department

1. River water is making up 90% of daily production.
2. The wells are on timers and making up the remaining 10%.
3. Daily production time is ranging between 10 & 11 Hrs. per day.
4. The past few weeks were taxing on the facility, excessive rainfalls in the upstate area had increased the river turbidities. Thanks to Alex Cacchio for jar testing, it has produced great results and has increased run times between clarifier flush cycles. Lesser flush cycles saves much finished water and production time.

Repairs & projects:

I am still waiting on the final price quotes to have one of our sludge pumps repaired.

We have an outdated turbidity meter that is not functioning normally and may require an upgrade. The cost has come in at around \$5,000.00.

The crew is working on the drive system for the backwash tank. Provided we can make and or keep the needed repair in-house or local, the savings would be significant. This is yet to be determined. A replacement of this unit could exceed \$9,000.00.

The retaining system for clarifier #3 may have to wait. This will be the last of the three units to be repaired.

Road Crew

1. They have been busy with maintenance & repairs, and utility mark outs.
2. Hydrant maintenance and painting.
3. Sewer pump station cleaning and maintenance increases in the warmer weather.
4. They are in the process of finishing the windows at the John Passante, Hudson River Pump Station.
5. They are assisting other departments when needed.

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6. Yard care.

7. Mountainside Woods water extension between Hilltop & Toc Drive was completed by the contractor and we have taken control of that extension.

Sewer Department

1. Daily operations continue as usual.

2. Cleaning and maintenance increases in the warmer weather.

3. Maintenance on the Ultra Violet system increases with the growth of algae.

4. The UV system cover has been ordered.

Historian – Joan Kelley

The number of active Covid-19 cases in Ulster County has increased; there were 112 active cases on July 31 (compared to 19 a month ago). Thankfully, the COVID related deaths have not shown a comparable increase; they rose from 265 to 287. The % of total population of Ulster County now totally vaccinated rose from 56% to 58%. 80% of those over 65 are totally vaccinated.

I received two inquiries this month:

- 1) Jill Doppel, friend of the owner of 354 Pancake Hollow Road, asked about the age and history of the stone building on the property. The Assessor's records estimated a construction date of 1940; the house had been gutted in 1970 and then work stopped. Based on photographs of the Tomato Cannery and the Dance Hall in Franny Reese Park, I think the stone cottage may have been built around 1920-30, possibly by one of the Italian masons that built the larger buildings. I suggested Jill contact the Hudson Valley Vernacular Architecture for their opinion.
- 2) After noticing an article in "Google News" about a building in Highland, <https://wpdh.com/what-was-this-eyesore-on-route-9w-in-ulster-county/>, I researched the building and passed the information on to the Town Supervisor, who will work with the building departments to clean up the graffiti.

Franny Reese Park

- 1) I found a box of Dr. Charles Roberts' papers. I plan to go thru the papers and, for a start, create a finding aid.
- 2) The town clerk put photographs of my display on Facebook. Hopefully, more people can view the display in person soon.

Tillson Ave.

I reviewed the draft of the Archeological Survey Report prepared by Archeological Historic Research Services. I submitted corrections and comments to the Supervisor and saved a copy of the draft which had a lot of information about houses on Tillson Ave.

I provided pictures for accountant's office from our collection of historic photographs

Still anticipating an archeological "dig" this fall at the Abram S. Elting Cemetery (aka the Slave Cemetery). I had the Highway Department correct the lot number for the Abram S. Elting Cemetery on their list of Town Cemeteries.

I wrote an article on Dating in Highland in the 1860s which was sent to the TOLHPS and posted on their website.

I attended a meeting of the TOLHPS. -- Joan Kelley - Town Historian

Supervisor – Frederick Pizzuto

1. REPORTS

2. OLD BUSINESS

3. PRIVILEGE OF THE FLOOR

4. MOTIONS & RESOLUTIONS

- A. MOTION** made by Winslow, seconded by Auchmoody, to approve the July 7, 2021 Town Board Workshop Meeting minutes, and the July 21, 2021 Town Board Regular Meeting minutes.

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Five ayes carried

B. RESOLUTION made by Winslow, seconded by Guerriero, to move funds from recreation reserves to the capital expenditure line 50-06-7320-40 for 2021 in the amount of \$9,895.00 for fencing contracts JL9355 and Field Turf \$135,826.00.

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

Five ayes carried

C. RESOLUTION made by Winslow, seconded by Guerriero, to approve the following budget amendments for 2021 CHIPS Projects:

5110.40	- \$117,000.
5112.33	+ \$30,000. Halfmoon Rd.
5112.34	+ \$52,000. Upper Grand St.
5112.35	+ \$35,000. Lumen Ln.

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

Five ayes carried

D. RESOLUTION made by Winslow, seconded by Guerriero, to purchase a 2021 TYMCO Model 600 Regenerative Air Sweeper at a cost of \$285,875. Financing will be through TYMCO, Inc. Municipal Lease/Purchase Program with an A.P.R. of 2.8%, annual payment of \$74,455.86. The first payment due upon delivery will be made through our 2019 unexpended funds. This purchase is budget supported and at the recommendation of Highway Superintendent, Richard Klotz, effective immediately.

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

Five ayes carried

E. RESOLUTION made by Winslow, seconded by Guerriero, to purchase a 2021 Hyundai HL-940 Loader at a cost of \$133,845. Payment to be made in full utilizing our 2019 unexpended funds, which is budget supported and at the recommendation of Highway Superintendent, Richard Klotz, effective immediately.

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

Five ayes carried

Auchmoody thanked everyone for their thoughtfulness during this very difficult time.

MOTION made by Winslow, seconded by Auchmoody, to adjourn meeting at 5:24 PM.

Five ayes carried

Respectfully submitted,

Vera E. Lawrence
Deputy Town Clerk