

**TOWN OF LLOYD**  
**TOWN BOARD WORKSHOP MEETING**  
AUGUST 18, 2021

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

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

**Absent:** Councilmember Joseph Mazzetti

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

**7:00 PM** – Supervisor opened meeting with Pledge of Allegiance led by Councilmember Auchmoody

**PROCLAMATION**

**WHEREAS** our senior citizens deserve every benefit due 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, Frederick Pizzuto, Supervisor of the Town of Lloyd, Ulster County, New York, do hereby proclaim August 2021 as “Senior Citizen Month” in the Town of Lloyd and ask all citizens to give them the honor they justly deserve.

The **Annual Senior Citizens Breakfast** will be on Tuesday, August 31<sup>st</sup>, from 9:30 a.m. to 11:00 a.m. at the Bob Shepard Highland Landing Park.

**Public Hearing continued on CSC (Altice) Contract**

Brief overview of current contract and upcoming changes to Altice by John Dullaghan.

Dullaghan explained the reason for the agreement is to renew their existing franchise agreement. The agreement is based on a previous agreement approved by the board in the CSC in 2009. It expired in January of 2020 but they are on temporary operating authority until it is approved. The franchise is for a term of 10-years and becomes effective upon confirmation by the Public Service Commission. The franchise governs video service only, the other services are regulated by the Federal Communications Commission (FCC). The service area does include the entire town. Their hybrid fiber system is completely built through the area with no construction required at this time.

Dullaghan pointed out they are building out a fully fiber network, it's a five-year plan. They got delayed last year due to the pandemic. But they are ramping up now and that means they are going to have 10 gigs to everyone's house by the time it's complete. They have fiber in their main corridors. They are going down to every single home. The agreement provides for free cable service at 12 specified municipal buildings, public safety buildings, schools and libraries throughout the town as well as free internet service to one municipal building. They are also giving a Public Education Grant (PEG) for public education and government access and that is to be used for capital funds to help improve the town, improve its communications. The agreement provides for a franchise fee of 5% gross revenue which goes to the town and that is the cap of the (FCC) so they cannot offer any higher than five percent.

Dullaghan confirmed that there's been a lot of discussion over the last year, from the pandemic and the storm-related issues that happened last summer, with customer service. They are making significant investments in those fronts of CSC. They made commitments to the Public Service Commission, and not just them, but all utilities, resulting from the aftermath of the superstorm last summer. It is in the neighborhood of their own personal investment of over \$70 million that they have to put into storm preparedness and customer service, so he just wants to make that known. CSC heard their customers on that front and they are doing their best to build on that.

No comments from the public or Councilmembers.

AUGUST 18, 2021

**MOTION** by Winslow, seconded by Auchmoody to Close Public Hearing at 7:10 PM.

**Roll call:** Pizzuto, aye; Winslow, aye; Auchmoody, aye; Guerriero, nay

**Three ayes carried**

**RESOLUTION** made by Winslow, seconded by Auchmoody AUTHORIZING THE TOWN OF LLOYD TO RENEW A CABLE FRANCHISE AGREEMENT WITH CABLEVISION OF WAPPINGERS FALLS, INC., TO OPERATE A CABLE SYSTEM IN THE TOWN OF LLOYD

**WHEREAS**, the Town of Lloyd (the “Town”) is a “franchising authority” in accordance with Title VI of the Communications Act of 1934, (the “Communications Act”), and is authorized to grant one or more nonexclusive cable television franchises pursuant to Article 11 of the New York Public Service Law, as amended, and Title 16, Chapter VIII, Parts 890.60 through 899, of the Official Compilation of Codes, Rules and Regulations of the State of New York, as amended (collectively the “Cable Laws”);

**WHEREAS**, the Town, executed a franchise renewal agreement with Cablevision of Wappingers Falls, Inc. (the “Franchisee”) on November 3, 2008, which was thereafter confirmed and made effective by the New York State Public Service Commission on January 28, 2010 for a term of ten (10) years (Case No. 09-V-0273), and

**WHEREAS**, said franchise agreement thereafter expired on January 28, 2020; and

**WHEREAS**, Franchisee has submitted a proposed franchise renewal agreement (the “Franchise Renewal Agreement”) to continue operating said cable system within the Town; and

**WHEREAS**, The Town and Franchisee have mutually agreed to the terms of said Franchise Renewal Agreement; and

**WHEREAS**, the Town has determined that the Franchisee is and has been in substantial compliance with all terms/provisions of its existing franchises and applicable law; and

**WHEREAS**, the Town has determined that Franchisee has the requisite legal, technical and financial capabilities to operate cable systems within the Town and that Franchisee’s proposals for renewal of the franchises meet the cable related needs of the Community; and

**WHEREAS**, a duly noticed Public Hearing, affording an opportunity for all those interested parties within the Town to be heard on the proposed Franchise Renewal Agreement was held before the Town on May 19<sup>th</sup> and continued each month until August 19, 2021.

**NOW, THEREFORE, be it RESOLVED**, that the Town Board determines that it is in the best interest of the public to award the Franchise Renewal Agreement to the Franchisee; and

**BE IT FURTHER RESOLVED** that the Town Board hereby authorizes the Town Supervisor to enter into the Franchise Renewal Agreement with Cablevision of Wappingers Falls, Inc., and to execute any other documents necessary to effectuate the granting of the franchise renewal on behalf of the Town of Lloyd.

**Roll call:** Pizzuto, aye; Winslow, aye; Auchmoody, aye; Guerriero, nay

**Three ayes carried**

## **1. REPORTS – Town Board Liaisons**

### **Assessor - Supervisor**

**Audit – January 1 – June 30, 2021: Councilmembers Auchmoody and Mazzetti**

**July 1 - December 31, 2021: Councilmembers Winslow and Guerriero**

### **Building Department – Supervisor**

### **EDC (Economic Development Committee) - Councilmember Auchmoody**

Charles Glasner has been attending the meetings.

### **Highland Fire District – Supervisor**

Pizzuto reported that they have a proposed contract between the Town of Lloyd Police Department and the Fire District. Over the next couple of days, they are going to have an internal meeting to discuss the contract and then start to move it forward. He has put it out to the Councilmembers and they hope to have a resolution soon.

### **Highland Central School District – Councilmember Mazzetti**

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

Auchmoody informed that the contractor is trying to secure the water pipe for the water/sewer lines to the education building. He is hoping that it may happen by the end of the month.

The plaque, for the rock, for Bob Shepard’s dedication is being manufactured. The sidewalk

going around that rock has been poured. He's trying to get all the plaques off the bulkhead and put them on each side of the rock. That's the plan for the dedication to Bob Shepard, which will be held on October 13<sup>th</sup>. He recommended that everybody mark their calendars to attend. He hopes to get as many people to attend the dedication as possible. Auchmoody pointed out that Mr. Shepard deserves it. He added that they are going to start cleaning out and working on the inside of the building.

**Lights – Councilmember Auchmoody**

Auchmoody reported that Bragg Electric is working on getting a lift so he can fix the six streetlights that are out at Bridgeview. Evidently the lights belong to the Town now. He will follow up with Bragg to fix those six lights.

**Planning Board – Councilmember Winslow**

Winslow reported that there are 11 items on the agenda for tomorrow. The meeting will be at 5:30 PM.

**Police – Chief James Janso**

Janso reported that on Monday, August 16 at about 8 PM, they had a major drug bust at the Highland Motel on Route 9W. "This was probably one of the bigger ones that we've had in a couple of years," Janso said. It's the third one this year since his department rejoined URGENT. Three individuals were arrested. There was a large number of narcotics and a large amount of money seized at the hotel.

Janso also added that just prior to Wednesday's Town Board meeting, his department was called to the same hotel for a drug overdose. The individual was saved after the police administered Narcan. He said his department is in need of additional supplies of Narcan. Each car contains a packet of Narcan which has two vials. They usually keep a supply of 20 and they are out. That shows us how things are escalating in the community and across our state.

**Hudson Valley Rail Trail – Councilmember Auchmoody**

**Water and Sewer – Councilmember Auchmoody**

Auchmoody said Falcon Ridge was going to come in to the water, sewer and drainage committee meeting, but they didn't. Basically, the meeting consisted of a conversation about the water plant filtration system. They do need a new tank. If they go with this new filtration system, which they had tested last summer, it's going to decrease the back flush by 25% to 30%, which will increase the capacity of the sewer treatment plant. Most of the people that are saying we are at capacity are incorrect. They still have ways to go before they are at capacity, and if they do this filtration change, it will give them quite a bit more capacity all the way around.

**Zoning Board of Appeals – Councilmember Guerriero**

Guerriero reported they had the public hearing for Stewart's area variance at the corner of 9W and Chapel Hill Road. Originally, they were asking for 40% more coverage and he guesses it was agreed upon that they only received 19 % additional coverage.

**2. OLD BUSINESS**

**A. Keith Libolt, Highbridge Place easement.**

Pizzuto reported that he spoke with Sean Murphy, Attorney, who has been having some ongoing discussions with Libolt. Hopefully by their next meeting they will start to come to some resolution or bring some proposal to the Board.

**3. NEW BUSINESS**

**A. Fawn Tantillo, Clerk, Ulster County Legislative Offices – 15-minute presentation regarding Commission of Reapportionment; redistricting the County after new census numbers come in.**

Andy Monk introduced himself as one of the seven commission members of the Citizens on Reinforcement for the Ulster County Legislature. Their task is to redraw the voting districts for the Ulster County legislators. They have been waiting to base it on the new census data, which was just recently released. They are preparing that data for their use now and will begin the process shortly. They are going to each town meeting in the County just to introduce themselves and to talk about the commission and to see if there are any questions.

Their purpose tonight is mainly to receive input from the Town Board. As he mentioned, there are seven commissioners who have been appointed to the commission. There were four that were initially appointed by the majority leader and the minority leader, and then the four of them appointed the remaining three to further remove the influence of politics in their work. This is a process that takes place every 10 years after the census is completed. When they did this 10 years ago, they went from 33 multi-member districts to 23 single member districts, which was a huge effort. Luckily, this time around, they are keeping the number of districts the same and are just basically modifying the boundaries to account for any differences in population since the last census. The Town of Lloyd is in districts 9 and 10. District 9 includes parts of Plattekill, and District 10 includes parts of Marlborough. This is the map which you can also see on our website. Basically, we will see it's unlikely that the districts will change massively, but we will see adjustments based on changes in population from town to town. The main thing that they are required to stick to is that all districts should be more or less even. They have a variance of plus or minus five percent in terms of population numbers per each district. Which is why we will see, for example, District 22, with Shandaken, Denning and Hardenburgh, is enormous because the population is fairly spread out. The other rule that we have to follow is to avoid gerrymandering at all costs. It's part of why being part of a citizens' independent redistricting commission is so important, because the legislators can't draw their own district lines to ensure their own partisan victory. Instead, they are just trying to keep the towns whole, trying to make sure the populations are the same.

Pizzuto asked what is the difference in the district sizes, plus or minus.

Monk replied that they are plus or minus 5 %. He also added that they are really excited that this year they have partnered with a mapping software company so as they do the work, the board will actually be able to see the maps they are creating, and in addition, the board can make their own maps by going to their website and logging on. That's not quite available yet, but they can go onto the County website and find all that information.

#### **B. Scenic Hudson Illinois Mountain Easement agreement.**

Sean Murphy, Town Attorney, reported they have a lease agreement with Scenic Hudson for them to access the properties they own on Illinois Mountain, through the water district properties. The lease has expired, so they are looking to renew. They are in discussions and a representative from Scenic Hudson will be talking to Pizzuto about it. They are planning on attending the workshop meeting the 1<sup>st</sup> week of September. Murphy wants everybody to be aware that they are going to come. They will be ready to answer any questions and discuss renewing the lease agreement for access.

#### **4. PRIVILEGE OF THE FLOOR**

Mark Reynolds, Reporter, wanted to follow up on two things. He asked for an update on RUPCO.

Supervisor stated that he received a message from Kevin O'Connor and he wants to come down for a meeting in the next week or so. They are running behind because of Covid-19. He will keep everybody posted as that moves forward and will move it along as fast as they can.

Reynolds asked if O'Connor will bring a plan?

Supervisor replied that he didn't speak to him, he just got a message.

Reynolds also asked about a phone call Pizzuto made to him concerning the ZBA being scheduled to appear before the Town Board.

Pizzuto replied that he spoke to Murphy. He thinks one way to handle that going forward is to go to back to our tri-board meetings. That does two things. It gives them that report every 3 months, as stated in the law, and it lets us go back to having our tri-board meetings, which we haven't had in over a year.

Reynolds asked if Pizzuto has scheduled the four annual meetings, and what the first date is.

Pizzuto replied that they expect to do that in the next week. Since they are all here at the workshop the first Wednesday of the month, it would be the most likely day to have the meeting on. He has to reach out to the other boards.

Robert Pardy, 4 Tina Dr.; Anthony Ascione, 24 Tina Dr., and Greg Maddalena, 19 Tina Dr. came to let the Town Board know that our ambulance service response time of 24 minutes is unacceptable.

5. MOTIONS AND RESOLUTIONS

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

GENERAL	G - 688	to G - 777	\$ 63,349.48
HIGHWAY	H - 332	to H - 278	\$ 18,629.86
MISC	M - 168	to M - 180	\$ 40,346.44
PREPAYS	P - 520	to P - 585	\$ 230,096.59
SEWER	S - 277	to S - 308	\$ 23,201.76
WATER	W - 285	to W - 312	\$ 6,945.02
TOTAL:			\$ 382,569.15

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

**Four ayes carried**

B. **RESOLUTION** made by Winslow, seconded by Auchmoody, to accept the resignation of Part-time Dispatcher Donald Yonta effective 8/11/21.

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

**Four ayes carried**

C. **RESOLUTION** made by Auchmoody, seconded by Guerriero, to accept the resignation of Officer Nicholas Paradies effective 8/23/21.

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

**Four ayes carried**

D. **RESOLUTION** made by Winslow, seconded by Guerriero, to accept the resignation of Dispatcher Cole Nicolis effective 8/18/21.

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

**Four ayes carried**

E. **RESOLUTION** made by Auchmoody, seconded by Winslow, to hire Cole Nicolis as part-time Police Officer effective 8/18/21 at a rate of \$21.20 per hour at the recommendation of Chief James Janso.

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

**Four ayes carried**

F. **MOTION** made by Winslow, seconded by Auchmoody, to grant special permission to the Highland & Esopus Business Associations to serve wine and beer at the Highland Landing Park under the pavilion on Monday, August 23 at 6:00 PM for a period of two hours for their Business Mixer as per Town Code Chapter 32, Section 32-4.

**Four ayes carried**

G. **RESOLUTION** made by Winslow, seconded by Auchmoody, to authorize the purchase of Muncity 5 upgrade, the Town's parcel tracking software for properties, zoning, planning and enforcement, in the amount of \$39,775.00, budget supported, which includes installation, training and support, and authorizes the Supervisor to sign the contract with ICC Community Development Solutions (formerly General Code).

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

**Four ayes carried**

H. **RESOLUTION** made by Winslow, seconded by Auchmoody, to make the following Correction to Budget Amendment 7/21/21 Resolution F.

<del>5140.10</del>	<del>Brush &amp; Weed</del>	<del>+\$20,000.</del>
<del>5142.40</del>	<del>Snow</del>	<del>-\$20,000</del>
5140.40	Brush	+\$10,000.
5142.40	Snow	-\$10,000.

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

**Four ayes carried**

AUGUST 18, 2021

**MOTION** made by Auchmoody, seconded by Winslow, to adjourn at 7:40 PM.

**Five ayes carried**

Respectfully submitted,

Wendy D. Rosinski  
Town Clerk

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