

TOWN OF LLOYD

TOWN BOARD MEETING

September 15, 2021

Present: Supervisor Frederick Pizzuto **Also present:** Margaret O'Halloran, Secretary
Councilmember Leonard Auchmoody Wendy D. Rosinski, Town Clerk
Councilmember Michael Guerriero
Councilmember Joseph Mazzetti

Absent: Councilmember Claire Winslow
Sean Murphy, Attorney

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

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

PROCLAMATION **Benjamin Alan Bragg** **Memorial Resolution**

WHEREAS, Benjamin A. Bragg, a lifelong resident of the Town of Lloyd, was taken from our midst on September 13, 2021; and
WHEREAS, Benjamin A. Bragg, was born June 11th, 1949 to Benjamin and Rosalie Bragg in Poughkeepsie, NY and;
WHEREAS, Benjamin A. Bragg, attended Highland High School and graduated in June of 1967 and;
WHEREAS, Benjamin A. Bragg, married the love of his life, Kathleen “Kat” (Ellis) on October 4th, 1970 and;
WHEREAS, Benjamin A. Bragg, joined his family business as an electrician at Bragg’s Electrical Service, Inc. and;
WHEREAS, Benjamin A. Bragg, was a boys Little League Coach and a dedicated husband and father, and;
WHEREAS, Benjamin A. Bragg, became a member of the Highland Fire Department in 1969, and swiftly became a driver, Lieutenant, Assistant Chief, Deputy Chief and finally Chief in 1982 and;
WHEREAS, Benjamin A. Bragg, became a Commissioner of the Highland Fire Department alongside many of his lifetime friends and;
WHEREAS, Benjamin A. Bragg, loved to travel and was the biggest Disney fan, the glow that appeared on his face every time his family gathered at the Magic Kingdom will never be forgotten, and;
WHEREAS, Benjamin A. Bragg, will be deeply missed by his loving wife Kathleen; two sons Benjamin (Heather) and Michael (Nicole); 4 grandchildren, Ashley (Alex), Jordan (Alisa), Maison and Myla; and his great grandson Hudson and his siblings Dennis (Patricia) and Patricia (Brad) and Robert Bragg, and;
WHEREAS, Benjamin A. Bragg will be deeply missed by his community, friends and fellow firefighters and;
NOW, THEREFORE, BE IT RESOLVED that this Regular Meeting of the Town of Lloyd Town Board be opened in memory of Benjamin A. Bragg; and
BE IT FURTHER RESOLVED that a certified copy of this resolution is delivered to Kathy Bragg, his wife, with the deepest sympathy of this Town Board of the Town of Lloyd.

Scenic Hudson Presentation Emily Haug.

Haug gave a brief background. They are a non-profit land trust and environmental advocacy group. They have been in the Hudson Valley for several decades. They work to protect the important natural resources of the valley and connect people to the river and to each other. They have conserved over a thousand acres in the Town of Lloyd, mostly along Black Creek and on Illinois Mountain and along the Hudson Valley Rail Trail. A lot of their properties are open to the public which is something they work really hard to offer.

Haug explained her two reasons for being here: To request formalized access to their property on Illinois Mountain, and to discuss a communications tower on their property, which she believes the town has services on.

Haug presented pictures of the top of Illinois Mountain. They own about 351 acres and it contains public trails that are accessible from Berean Park. It goes all the way up adjacent

to the Water Department property. She added that the last 13-years of their ownership, their staff has had access via the property road extension. They now want to formalize a permanent easement to their land, which would be consistent with the 2008 recorded lease - an access agreement between Garrity Associates, LLC, who bought the property, and the Town. She believes it was negotiated with the Town Board at that time, and the Town leased a small area, of what was then Garrity property - now ours, for the communications tower. The lease also granted Garrity Associates a permanent easement on the road up the Mountain, and allowed the Town an easement across Garrity's land. It was a mutual easement. That lease has expired. But it is clear the intent was really to create a permanent easement to both parties over the Town's land and over their land. They really feel the lease was necessary and the right tool for a permanent right. They came to this meeting to suggest that they enter into a mutual recorded easement that formalizes the arrangement that they all have been operating under for some time now. Their attorney has been in communication with the Town's attorney and they will be drafting that for review if the Town is amicable to that.

The second reason Haug was at the meeting was concerning the A-1 Communications tower that is on the land they now own. Their understanding is that the Town built this some time ago and leases it to A-1 Communications and other parties. They are not party to that lease, but they understand the lease might have expired. They also don't know who is using the tower, but they understand from other users of the Mountain that it may have some local emergency services on it. Based on their conversations with other landowners they understand there's an opportunity to relocate the infrastructure that's on that tower, which happens to be relatively short, to the nearby tower by the AT & T property, a few hundred feet away. A sale to a local company is pending. They are bringing this to our attention because they inherited the tower and the arrangement for whatever infrastructure was on it when they purchased the land. But it's not really consistent with their mission and their land use goals up there, which are primarily as a park. They are here to request respectfully that the Town consider removing its equipment and hopefully relocate it to another tower up there so they can arrange for the tower to be removed.

Haug added that they could probably negotiate this directly with the party that is theoretically purchasing the AT & T tower, in which, they understand, AT&T is looking to invest.

Lastly, Haug brought to their attention the last part of the presentation. They did take a look at the comprehensive plan just to see if there was anything specific about Illinois Mountain. They found that it really does seem to focus on the scenic values of the mountain, both looking at it and from it, and also on the important natural resources of that area. They feel that what they are requesting is in keeping with that intent. They are looking forward to working with the Town on this, and will enjoy partnering to manage the land on this beautiful resource.

Supervisor said that Sean Murphy, Town Attorney, couldn't be at the meeting, but he didn't want to delay this presentation. As far as the legal side, they'll have to do that with Murphy. They now have the foundation of what's going on and what is being requested.

Mazzetti asked if the easement that has expired involved any compensation by either party?

Haug answered by stating that her limited understanding of the 2008 lease was that there was a consideration of \$10.00. That's all that she's aware of.

Mazzetti asked if they can access their property without the easement.

Haug responded, technically, the way that lease was worded, it was a perpetual easement but it was within a lease that expired. They are looking to Murphy and their own attorney for interpretation. They are looking for a permanent right of access.

Supervisor added that Murphy will contact their attorney so they can move forward.

1. REPORTS – Town Board Liaisons

Highland Central School District – Councilmember Mazzetti

Mazzetti reported that the High School just finished its capital project new roof on a media center; climate controls in the elementary school; and new lighting in the high school. They are requesting input from the community regarding capital projects they would like to be considered. Residents can go to the school's website and fill out a form to voice their opinions

They have a new Superintendent, Joel Freer, who was the elementary school principal. Matthew Darling, the elementary school assistant principal, became the principal of the elementary school. They also have a new principal at the Middle School, Meghan Coburn; and two new assistant principals, Andrew Carnright at the middle school, and Tulani Samuel at the elementary school.

There are now electronic signs at the middle school and the elementary school to post

upcoming events and important messages that parents can see while driving by. Auchmoody added that the high school football team is 2-0. They have a home game Friday night at Highland. An invitation was sent out to anyone that played on any of the championship teams, from the 50's up to the present, to please attend at 6:30 PM, and those people will be recognized - even the ball boy from 1959 or manager. So, it will be great to have anybody that played on any of the Highland championship teams to come out and be recognized.

Highland Landing Park – Councilmember Auchmoody

Auchmoody reported that they are considering putting in some more benches, and are trying to finish up the monument for Bob Shepard. He went to pick up the plaque and it wasn't correct. They are supposed to have the dedication on the 13th of October and he is not sure if they will have the plaque by then. October 13th would have been Bob Shepard's 80th birthday. Everything else is in order for the presentation, but the plaque is important. The water line is under the railroad tracks. The fire hydrants are in place on the corner and the one-inch line to the building is across the street and into the basement. The pump station has already been installed next to the building. They'll tie into the sewer by Lloyd Landing Apartments.

Lights – Councilmember Auchmoody

Auchmoody reported Colin Nikc, from the New York Power Authority (NYPA), is dealing with him and he's got some other guy that needs to be involved. They are trying to get a grant to replace the lights that are up at Bridgeview. There are 33 lights. They really don't have an estimate to do it yet. He's working on that through the NYPA. There have been complaints regarding light outages in the Hannaford parking lot and along Argent Drive from 9W to the beginning of Bridgeview. The management company is working on it. They believe it's an underground problem. The Red Cross blood drive that was supposed to be at the firehouse on Friday has been moved to American Legion. They plan on being ready to go at 10 o'clock in the morning.

Police – Chief James Janso

Chief introduced Matthew Sudol as a part-time Officer and hopes that he will be appointed full-time. He would have been the third one on patrol, but they had a resignation and a transfer to City of Poughkeepsie, so hopefully, with the blessings of the Town's vote, he will be added to the department roster.

Hudson Valley Rail Trail – Peter Bellizzi, President

Bellizzi reported that this past Sunday at the 101 New Paltz location, they had a Health and Wellness Fair. There were many vendors there and it went well. They didn't advertise a lot, but still got a good crowd.

The 2nd Walktoberfest will be held on the eastern most section of the trail on October 2 and 3. It's a joint venture with the Walkway.

Bellizzi reported that the Walkway received a grant to help improve their environment around the parks which includes the Town of Lloyd parking lot. So, they are working with that grant to get the \$75,000 paid, some gardening and a few other things.

Mazzetti inquired about how is it going with the parking meters?

Bellizzi replied that the signs are up, the kiosk is in, but they have to make sure that charging for parking doesn't mess up the grant for 75 Haviland Road. We might just do Haviland Road to start. He has to work with the Town Clerk, Wendy Rosinski and he has to get the information out to the residents. Parking will be free for them. They just have to register with their license plates.

Mazzetti stated that they have received a couple complaints about electric bicycles on the Rail Trail. Some people are nervous about getting hurt by them. He is recommending that Chief Janso help come up with some type of plan.

Janso replied, absolutely. He suggested that he bring a safety flyer. We have to educate the families first. The Police will be on patrol.

Bellizzi added that recently he has been on the Rail Trail with a golf cart and he gets a better reception than when he is in the truck. He does sporadic visits up and down the trail, weekends and weekdays, just to show a presence there. And it's educating everybody.

Mazzetti asked about the murals.

Bellizzi said that he is working with the art department in the High School, and there is someone on the school board who wants to help also.

Water and Sewer – Councilmember Auchmoody

Auchmoody reported that at the meeting they discussed the extension of the water line for Stewart's on the corner of 9W and Chapel Hill Road. The water line will come directly under 9W from near the fire hydrant in front of Walgreens, and the sewer line will come under 9W and will enter Stewart's property approximately on the corner of Chapel Hill Road and 9W South. Peter Miller, Fire Chief, originally wanted the water line to go all the way to Chapel Hill extension and have the fire hydrant located there. Then Chief Miller asked to have another fire hydrant put out by 9W. That's being worked on as we speak.

Zoning Board of Appeals – Councilmember Guerriero

Guerriero reported that Falcon Ridge is seeking an appeal because of the town code. To get to Falcon Ridge property, which is the old Altamonte Farm, they have to pass through a light industrial zoned area and that's against the code, so they are seeking an appeal. There will be a public hearing at the next ZBA meeting.

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

Highland Fire District – Supervisor

Planning Board – Councilmember Winslow

Hudson Valley Rail Trail – Councilmember Auchmoody

Water and Sewer – Councilmember Auchmoody

2. OLD BUSINESS

- A. Supervisor spoke about the progress being made with affordable housing. He spoke with Kevin O'Connor, Chief Executive of RUPCO (Rural Ulster Preservation Company). He requested a list of all applicants that this law affects, both current and for the past five years. Supervisor will be meeting with O'Connor once he receives that information.

3. NEW BUSINESS

A. Police Department Contract with Highland Fire Department

Supervisor shared that the Police Department Lease expired with the Fire District. It was a 15-year term at a fee of \$60,000 per year, and an additional \$1,000 per month for maintenance. John Fraino, one of the Commissioners, will speak about the new lease. It's a 10-year lease that starts out at \$60,000 a year, and there could be some incremental adjustments, which may exceed the cap.

Supervisor stated that they will pick this up in 2-weeks at the workshop meeting when Murphy is present so he can answer the questions they have.

Fraino reminded everyone that the old Grand Union was purchased to convert into a fire station. The space in the building that is currently occupied by the Police Dept. was vacant for five to seven years. The bond was to convert the police area to what they needed to function as a fully operational unit. And as the Supervisor pointed out, since the Town did not own the building, the Fire District had to take the bond because the town can't take a bond on something they don't own. The agreement that was in the lease was that we would pay the bond and there would not be any rent. We would pay the bond, and a \$12,000 a year maintenance fee. That's how that came into place. Now the bond has been paid off and the bond was for the renovation not the purchase of the building.

Fraino stated the \$47,000 is for equipment. It's a revenue to the Fire District, it's a revenue line. Just like they get \$12,000 from Mobile Life, that appears in their budget. It's a \$12,000 income that offsets their operating budget, which is about one point one million. There's several hundred thousand in the apparatus reserve.

Fraino asked why the Fire district doesn't let the Town have the space rent free or for a dollar a year. The Town and the Fire District are two separate entities. They are not allowed to cut sweetheart deals because they have a fiduciary responsibility to taxpayers. They pay to rent fire hydrants. This is a line item and the reason for that is because the Water District is its own entity, and they have a fiduciary responsibility to report income and expenses. They actually rent their fire hydrants so they can use them to put fires out. Murphy agreed when they sat down to discuss this.

Fraino added that the rate has to be competitive. It can't be lower than what they could get on the open market.

It's a wash. They are not double taxing taxpayers if the town is paying rent. That rent comes to the Fire District. That income is applied against their budget one way or the other. They are going to need those expenses. It's not that they add it to their existing budget. It's applied to it so they have to raise less tax.

4. PRIVILEGE OF THE FLOOR

Mark Reynolds, reporter for *Southern Ulster Times*, asked if Stewart's is paying for the water and sewer, and all that work being done?

Auchmoody answered that Stewart's is paying for the work, and for all the engineering.

Reynolds asked Supervisor about the ZBA coming before the Town Board. He stated that it was in the code, but Supervisor thought they could substitute with having triad meetings?

Supervisor responded that, if he said that, he misspoke. What he meant, since we were going back to having triad board meetings, and since they know a quarterly memo or update is required from ZBA – is that they could present a three-month report. He asked Rosinski if they have a three-month report from the last meeting?

Rosinski responded that she does.

Supervisor stated that he has not seen the report yet, and they have not had the triad meeting due to the bad weather from the hurricane.

Mazzetti stated that since they are doing it for the ZBA, and he thinks it's a good practice as there's a reason to have these checks and balances, he recommends that they do the same thing for the Planning Board.

Supervisor stated that they will take that under advisement. They will talk to Murphy and see if that can be moved forward. He is not opposed to the idea.

Rosinski added that they do currently receive monthly reports.

Mazzetti interjected by stating that it should be the same. They should have uniformity in the department. If the Zoning Board is presenting this detailed quarterly report, then the Planning Board should be doing the same.

David J. Plavchak, 135 Vineyard Ave., addressed the board stating that he has been reading all the updates that Mr. Reynolds provides on the Libolt property, and it spurred a thought in his mind. About three years ago, the Town Board repealed the adaptive reuse law and he knows it was rewritten. He thinks the Supervisor was on the Planning Board when they rewrote it. Has the Board ever thought about reinstating it? He knows the problem was with density. He thinks it was rewritten to solve some of that, maybe not totally, but it was right around town and you look at these properties that were on that list and they are an absolute eyesore. They have people fussing over digging new ground for development when they have these sites that look like eyesores to the community. His question is what are they doing to encourage the owners of those properties to fix their buildings, since they no longer have that adaptive reuse law?

Supervisor answered that since that time they have spoken with Barton and Scott McCarthy, Chair of the Planning Board, and some other members of prior Planning Boards. He thinks part of the old problem was that it looked at adaptive reuse and the understanding, at the time, was that they had to reuse the building. Some members thought that. He has spoken with members of the community and other towns, about bringing that back up as an adaptive reuse/repurpose piece of legislation. That would deal with those other properties. There's probably about a dozen of them.

Plavchak said there are 15 of them. He thinks the prior law did not require reusing any of the buildings. He thinks we knew that. When people came in, they said they were going to reuse it and they didn't, and that caused an uproar. But they really didn't have to reuse it. There is a rewritten version which he still has on his computer, if anybody wants it, from three-years ago. It fixes the density and it renames it from adaptive building reuse to adaptive site reuse. He offered to give them what he wrote three years ago, if they want it.

Supervisor concluded that he will share this with Barton and McCarthy tomorrow and thanked Plavchak.

5. MOTIONS AND RESOLUTIONS

A. MOTION made by Auchmoody, seconded by Guerriero, to approve the minutes of the August 4, 2021 Town Board Workshop meeting and August 18, 2021 Regular Town Board meeting and the September 10, 2021 Special Board Meeting.

Four ayes carried

B. RESOLUTION made by Guerriero, seconded by Auchmoody, to authorize the payment of vouchers as audited by the Audit Committee.

GENERAL	G - 778	to G - 859	\$ 29,503.86
HIGHWAY	H – 279	to H -316	\$ 98,154.20
MISC	M –181	to M- 197	\$ 59,352.21
PREPAYS	P – 586	to P - 637	\$ 234,707.67
SEWER	S – 309	to S -333	\$ 8,094.41
WATER	W –313	to W- 343	\$ 60,816.34
TOTAL:			\$ 480,628.69

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

Four ayes carried

C. RESOLUTION made by Auchmoody, seconded by Guerriero, to accept the resignation of full-time Dispatcher Jaiden Barnhart, effective September 7, 2021 at the recommendation of Chief Janso.

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

Four ayes carried

D. RESOLUTION made by Auchmoody, seconded by Guerriero, to establish the following standard workdays for the titles listed below and report the officials to the New York State and Local Retirement system based on their record of activities:

TITLE	Standard Work Day (Hrs/day) Min 6 hrs Max 8 hrs	Name (First and Last)	SSN (last 4 digits)	Registration Number	Tier 1 (check only if member is in Tier 1)	Current Term Begin and End Dates (mm/dd/yy-mm/dd/yy)	Record of Activities Result	Not Submitted (check only if official did not submit their record of Activites)
Elected Officials								
Councilmember	6	Michael F. Guerierro				1/1/19-12/31/23	5.64	
Councilmember	6	Joseph Mazzetti				1/1/19-12/31/23	5.64	
Councilmember	6	Leonard Auchmoody				1/1/17-12/31/21	5.64	
Councilmember	6	Claire Winslow				1/1/17-12/31/21	5.64	
Highway Superintendent	8	Richard Klotz				1/1/17-12/31/21	40	
Appointed Officials								
Dog Control Officer	1.5	Andrew McKee				1/1/16-12/31/21	12	

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

Four ayes carried

E. RESOLUTION made by Mazzetti, seconded by Guerriero, to hire Matthew Sudol as full-time Police Officer effective 9/15/21 at a salary of \$45,238.00 per year at the recommendation of Chief James Janso.

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

Four ayes carried

F. RESOLUTION made by Guerriero, seconded by Mazzetti, to accept the resignation of part-time Dispatcher Michael Janeiro effective 8/30/21.

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

Four ayes carried

- G. MOTION** made by Auchmoody, seconded by Mazzetti, to accept the resignation of Marisa McClinton from the Ethics Committee.

Four ayes carried

- H. RESOLUTION** made by Auchmoody, seconded by Mazzetti, to amend the working hours of the Town of Lloyd Highway Department from the current summer hours of 6am to 2:30pm to the Regular hours of 7am to 3:30pm effective 9/6/21, at the recommendation of Highway Superintendent, Richard Klotz.

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

Four ayes carried

- I. RESOLUTION** made by Auchmoody, seconded by Guerriero, effective 10/4/21 to hire Keith J. Wildrick as MEO at the rate of \$20.83 per hour, pending physical with screening results, which is budget supported at the recommendation of Richard Klotz, Highway Superintendent.

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

Four ayes carried

- J. RESOLUTION** made by Auchmoody, seconded by Guerriero, effective 10/4/21 to hire Barron D. Rockwell as MEO at the rate of \$20.83 per hour, pending physical with screening results, which is budget supported at the recommendation of Richard Klotz, Highway Superintendent.

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

Four ayes carried

- K. RESOLUTION** made by Auchmoody, seconded by Guerriero, to approve the following budget amendments:

POLICE

2680 & 2685 Insurance Recovery -\$18,867.00 to 3110.40 +\$18,867.00

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

Four ayes carried

- L. RESOLUTION** made by Auchmoody, seconded by Guerriero, to approve the following Budget Amendments for 2021 CHIPS Projects:

HIGHWAY

5110.40 - \$10,075.36

5112.33 + \$10,075.36 Halfmoon Road

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

Four ayes carried

- M. RESOLUTION** made by Auchmoody, seconded by Guerriero, to approve the following budget amendments for Street Signs:

General 00-01-1990-40 - \$2000.00 to General 00-02- 3120.40 + \$2000.00

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

Four ayes carried

Mazzetti stated Paul Hansut, God rest his soul, great supervisor - would never not let people speak. He supports the public hearing. He is not really feeling marijuana lounges in the town, but it's worthless.

Supervisor added that they generally feel the same. It's a law that's out there now and if they do nothing, it stands. If they want to do something, whatever that may be - because there are different options, they have until December 31st of this year to do it. They'll look forward to the public hearing next month.

- N. MOTION** made by Auchmoody, seconded by Guerriero, to set a public hearing for MRTA (Marijuana Regulation & Taxation Act) to opt-in or opt-out as to whether the Town of Lloyd would like to allow cannabis retail dispensaries and/or on-site consumption lounges within the Town of Lloyd.

SEPTEMBER 15, 2021

Four ayes carried

MOTION made by Mazzetti, seconded by Auchmoody, to go into executive session at 8:00 PM to discuss contracts.

Four ayes carried

MOTION made by Auchmoody, seconded by Mazzetti, to come out of executive session at 8:50 PM.

Four ayes carried

MOTION made by Auchmoody, seconded by Guerriero to adjourn at 9:15 PM.

Four ayes carried

Respectfully submitted,

Wendy D. Rosinski
Town Clerk

TOWN OF LLOYD
TOWN BOARD MEETING
September 15, 2021