

# TOWN OF LLOYD TOWN BOARD

## REGULAR MEETING AGENDA

SEPTEMBER 16, 2020

**Meeting will be held LIVE in the Town Hall meeting room.**

**Space is limited and will be first come first serve. Masks MUST be worn and Social Distancing practiced. It will also be live streamed on Channel 22.**

**If anyone has questions or comments you can email: [comments@townoflloyd.com](mailto:comments@townoflloyd.com) prior to the meeting and during the meeting.**

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

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

**7:03 PM** – Supervisor opened meeting with Pledge of Allegiance lead by Councilmember Auchmoody.

**Presentation:** Walktoberfest

Elizabeth Waldstein-Hart, Walkway Executive Director, thanked the Town Board and others for their public service. Many take time to complain but don't step up and serve.

She discussed the Walktoberfest being held on the rail trail and by the visitor's center in partnership with Hudson Valley Rail Trail, and the benefit these events are to the community. The basic concept is an Essential Farmer's Market, and they will be following the necessary guidelines and protocols.

Jami Anson, Walktoberfest Project Coordinator, discussed vendors and social distancing.

There will be children's activities, jewelry, pottery, art work, antiques and not for-profits.

There will also be a chef's demonstration stage, tastings of food, wine, brews and hard ciders, and kinetic sculptures.

John Storyk, Chairman of the Board, thanked Peter Bellizzi for all his help. There will be a virtual Gala this year.

**Presentation:** Eagle Scout project

Will Maier, Eagle Scout, presented his Eagle Scout project for the Hudson Valley Rail Trail.

His grandfather, Frank Maier, was an admirer of trains and he collected signs, whistles, and many other items relating to trains. Most of the items came from the Hudson Valley.

Will has a plan so his grandfather's collection won't go to waste. He wants to create a small park with a bench and signage surrounded by these artifacts that will be bolted to the old existing railroad ties.

**MOTION** made by Pizzuto, seconded by Winslow, to approve Will Maier, Eagle Scout, to proceed with his project on the Hudson Valley Rail Trail.

**Five ayes carried**

**MOTION** made by Winslow, seconded by Auchmoody, to open Public Hearing Local Law E-2020 to amend Chapter 100 entitled "Zoning" of the Code of the Town of Lloyd to create the Waterfront Business District.

**Five ayes carried**

**MOTION** made by Winslow, seconded by Auchmoody to continue the public hearing for Local Law E-2020 to October 21<sup>st</sup>.

**Five ayes carried**

Town of Lloyd, Ulster County, New York  
Local Law E of the Year 2020

A local law to amend Chapter 100, entitled "Zoning" of the Code of the Town of Lloyd to create a Waterfront Business District.

Section 1. Purpose

The purpose of this local law is to amend Chapter 100, entitled “Zoning” of the Code of the Town of Lloyd to create a Waterfront Business District, and to amend the Zoning District Map.

Section 2.

Section 100-9 of the Code is hereby amended by the addition of the following district to the list of district classifications in subsection A.

<u>District label</u>	<u>Zoning District</u>
WB	Waterfront Business District

Section 3.

The current Zoning District Map is hereby amended to incorporate the addition of the Waterfront Business District in the Zoning Map, as set forth on the map attached hereto and made a part hereof as Exhibit “A”. The parcels to be included in the Waterfront Business District was previously zoned R-2 and contains the following Parcels:

SBL	ADDRESS	OWNER
88.17-3-2	4 Willow Dock Rd., Highland, NY 12528	John Werner and Laura Werner
88.17-3-3	2 Willow Dock Rd., Highland, NY 12528	Abraham Fruchter
88.17-3-13.200	Willow Dock Rd., Highland, NY 12528	Town of Lloyd
88.17-3-4	42 River Rd., Highland, NY 12528	Town of Lloyd
88.17-3-14.100	River Rd., Highland, NY 12528	James Relyea
88.17-3-13.112	48 River Rd., Highland, NY 12528	The Landing on the Hudson LLC
88.17-3-14.200	52 River Rd., Highland, NY 12528	Hudson Highland Apartments LLC
88.17-3-14.300	Oakes Rd., Highland, NY 12528	Hudson Highland Apartments LLC

Section 4.

The invalidity of any word, section, clause, paragraph, sentence, part or provision of this local law shall not affect the validity of any other part of this local law, which can be given effect without such part or parts.

Section 5.

This local law shall supersede all prior inconsistent local laws.

Section 6.

This local law shall take effect when filed with the Secretary of State of the State of New York under the Municipal Home Rule Law.

1. **REPORTS** – Town Board Liaisons

**ECC (Environmental Conservation Committee)** - Councilmember Guerriero

**EDC (Economic Development Committee)** – Councilmember Auchmoody

**Highland Fire District** – Supervisor Pizzuto

Pizzuto reported the Fire District has ordered a new ladder truck and sold an old ladder truck. The manufacturer of the new truck loaned the department a truck while they are waiting for their new truck.

**Highland Central School District** – Councilmember Mazzetti

Mazzetti encouraged everyone to go to the school website regularly for the most up to date information. All teachers are working from the school. The best way to get in touch with your teacher is through email. Bus drivers are working maintenance.

**Hudson 7** – Deputy Supervisor, Russ Gilmore

Gilmore reported Hudson 7 is made up of all the towns that get drinking water from the Hudson River.

Central Hudson is dredging on the Poughkeepsie side of the river and will be for the next four years. This process requires a water treatment plant to clean the water before it is returned to the river. The location of this plant has not yet been identified. Hudson 7 is also putting together a GPS plan to look at intake and outtake pipes, at no cost to the towns. They will be meeting with the Supervisors of each town to discuss equipment sharing.

NYS Dept. of Health will be sponsoring classes so water and sewer plant operators can maintain their licenses.

**Lights** – Councilmember Auchmoody

Auchmoody reminded everyone to call him to report a street light that is out, or a link is also available on the town website.

**Planning Board** – Councilmember Winslow

Winslow reported there are public hearings for 30 Church Street Highland, LLC, where medical offices and medical administrative offices are being proposed;

Terra Group is proposing a single-family dwelling on Bellevue Road in the Waterfront Bluff Overlay District;

Villages ALF submitted a plan on August 26<sup>th</sup>, and will be submitting a new plan on September 24<sup>th</sup>.

**Police** – Supervisor Pizzuto

James Janso, Police Chief, introduced two part-time officers, Dave Schaefer and John Lembo, whom he is recommending to fill two full-time vacancies in the department. They are both residents of the Town of Lloyd with outstanding qualities, and will be long-term employees.

**Water and Sewer** – Councilmember Auchmoody

Auchmoody reported that the engineers are waiting for reports on the Microfiltration Pilot Plant project. Data was collected for six months, rather than the initial three months. When that information is received, they will be able to make a decision about how to proceed.

Water and sewer staff are making preparations for the winter.

Mr. Campala has retired, and it will be very difficult to replace him.

*Mazzetti stated that during Central Hudson's digging along Vineyard Avenue to install gas lines, they inadvertently crushed some laterals causing problems with customers' sewer lines. Any residents having this problem, where Central Hudson was digging, should contact Adam Litman who will put them in touch with the foreman to arrange someone to come take a look. Some residents have incurred expenses already.*

*Mazzetti recommends passing a resolution to require any company doing a project of this size in the Town of Lloyd, to pay for a third party, hired by the town, to oversee the project.*

*Sean Murphy, Attorney, said he will look into it. He stated that Central Hudson is a utility, and is regulated by the Public Service Commission. They have a right of way allowing them to do the work.*

*Supervisor informed the Board that the State will begin paving Route 44/55 on September 23<sup>rd</sup> beginning at the intersection of Rt. 208 and continuing east to Van Wagner Road in the Town of Lloyd.*

**Zoning Board of Appeals** – Councilmember Guerriero

Guerriero reported New Business: Groves, Robert & Victoria Stockard, 27 Oak Crest Dr. SBL#87.2-3-13.1 in R-1 zone. Applicant is seeking to construct a 10x10 raised deck with stairs for which they are requesting a setback;

Thompson, Daniel, 536 New Paltz Road. SBL#87.11-3-39 in R ½ zone. Applicant is seeking an area variance to have a pre-fab 24' x 24' shed in the front yard;

Old Business: John Fanelli, 26 Gabriety Road, Highland NY (#95.4-2-26.210) is seeking a residential area variance for an accessory building in the front yard.

**REPORT** – Peter Bellizzi, President, Hudson Valley Rail Trail

Bellizzi reported that paving on the original section of the Rail Trail, between Commercial Avenue and Tony Williams Park, will begin on September 28<sup>th</sup>.

The kiosk for the paid parking on Haviland Road and the two parking lots on Haviland Road have been ordered. Resident sign-up for free parking will be online and they will be given plenty of notice.

**REPORT** – Leonard Auchmoody, Manager, Bob Shepard Highland Landing Park Auchmoody will be picking up the remainder of the lights on September 17<sup>th</sup>. He is waiting for the blacktop to be cut so the conduit can go in for those lights.

The boring contractor backed out of the job. There have been a few suggestions, but the cost increases with distance. He has spoken to the 2<sup>nd</sup> lowest bidder on two occasions, and has asked the engineer to contact CSX to see if the diameter of the casing can be increased.

**RESOLUTION** made by Mazzetti, seconded by Guerriero

**WHEREAS**, the Town Board of Lloyd has previously awarded a Contract for the horizontal boring (Contract #19-010BC) associated with the project known as “Bob Shepard Park Water and Sewer Line Construction” for the installation of new horizontal borings under the rail road tracks in the area of Bob Shepard Park along River Road to Roehrs Construction inc., for the amount of \$187,150.00 and authorized the Supervisor, Fred Pizzuto to sign the Notice of Award and enter the Town into contractual obligations;

**WHEREAS**, Roehrs Construction Inc. has not signed a Contract to perform said work pursuant thereto and has notified the Town verbally that it does not intend d to enter into said Contract and perform said work; and,

**WHEREAS**, the Town wishes to withdraw its award of said Contract.

**NOW, THEREFORE, IT IS RESOLVED** the Town Board hereby withdraws the previous awarded for the Contract for the horizontal boar (Contract #19-010BC) awarded to Roehrs Construction, Inc. and same will be of no further force in affect.

**Five ayes carried**

## **2. OLD BUSINESS**

### **A. Zoning Amendments**

**MOTION** made by Mazzetti, seconded by Guerriero, to adopt the original PRRD amendments, as written by the Comprehensive Plan Committee.

**(A super majority is required).**

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

**Motion Failed 3 nay, 2 ayes**

*Mazzetti stated that he has listened to many suggestions, and has visited Woodland Pond, which has eight units per acre and is a beautiful project. The Town of Lloyd also went with eight units per acre, but the Villages has proposed 12 units per acre, and they don't want to follow our proposed setbacks.*

*Mazzetti said we made campaign promises, worked together to come up with a plan that would benefit our community, and now some members of the Board are going in a different direction. The board had a vision which now seems to have been abandoned. It's mindboggling.*

*He said we have spent a great deal of money on attorney's fees, and never once has our land attorney told us that the plan we are submitting through PRRD had to match the Comprehensive Plan. This is why the County had a problem with the plan. And yet, the land use attorney had no problem charging the Town \$54,000 in fees.*

*Mazzetti doesn't believe the Town's plan should be revised based on a developer's wishes or desires. The developer didn't come to Highland with the perspective....he has owned this land for many, many, many years. He knew he could make money when he bought it over a decade ago. Why should we now bend over backwards? The developer did not buy this property contingent upon this project. There is no hardship – it's self-created hardship. This is about maximizing profits. Do we want to sell our soul to every developer, or do we want to have a community we're proud of.*

*There are problems with this development. The intersection should be lined up, but they don't want to hear about it. There was supposed to be a turning lane and a traffic light, and now that's not happening.*

*Mazzetti stated that he is very uncomfortable with this project, and very uncomfortable with changing the zoning plan the way it is set forth in the PRRD.*

*He reiterated that the County does not tell the Town what to do, and he is requesting we start interviewing for a new land use attorney because he feels they are incompetent. They were paid \$54,000 without telling us that the PRRD must match the Comprehensive Plan.*

*Winslow replied that the reason the attorney bills were so high was because Mazzetti insisted on changing a lot of the things the Comprehensive Review Committee wrote, making it so stringent that the County wouldn't hear of it. That figure also included the cost of the moratorium. So, we met in the middle on some areas so we could get approval and move out of the moratorium and start developing some of the property in our Town, reasonably and respectfully, for our residents.*

*Winslow shared that she has attended most Comprehensive Plan Committee meetings and Planning Board meetings. She encourages all Board members to attend these meetings to have a better understanding of what goes on at these meetings to help make our town a better place. She feels the current land use attorneys are doing a great job. They respond to questions at any hour and have explained all the items that must be looked at.*

*Winslow also said she feels the Village project, which has been downsized considerably, is a decent project. The developer has accepted many of the suggestions put forth by Planning.*

*Board members. She stated again that if Mazzetti would attend the Planning Board meeting on the 17<sup>th</sup>, he would understand the process used to work with applicants.*

*Winslow and Mazzetti disagreed on the degree to which the Village project has been down- sized.*

### **3. NEW BUSINESS**

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

Mark Reynolds, reporter, asked why the Planning and Zoning Board minutes are not available. The Chairs of both Boards said they have minutes that were approved.

Scott McCarthy, Planning Board Chair, said meeting minutes have been voted on up to July.

It was thought that the Zoning Board minutes are available.

### **5. MOTIONS AND RESOLUTIONS**

**A. MOTION** made by Mazzetti, seconded by Guerriero to approve the minutes of September 2, 2020 Town Board Workshop minutes.

**Five ayes carried**

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

GENERAL	G-762 - G-867	\$ 37,914.85
HIGHWAY	H-333 - H-372	\$ 38,221.21
MISC	M-170 - M-184	\$ 33,523.01
PREPAYS	P-444 - P-524	\$ 115,387.27
SEWER	S-183 - S-227	\$ 23,004.64
WATER	W-316 - W-364	\$ 17,352.27

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

**Five ayes carried**

**C. RESOLUTION** made by Winslow, seconded by Guerriero to accept the resignation of 1<sup>st</sup> Deputy Town Clerk, Rena Rizzo effective October 2, 2020, due to retirement, with deep regrets, Wendy Rosinski, Town Clerk.

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

**Five ayes carried**

*Wendy Rosinski, Town Clerk, commented that in addition to working with Rena, they have been friends for over thirty years. She is deeply grateful to both Rena and Rosalie Peplow for bringing her on as Deputy Clerk three years ago. They have had a lot of fun working together these past three years, and will continue to be friends. She will deeply miss Rena, as Rena is truly one of a kind.*

*The Board agreed with Rosinski's assessment.*

- D. RESOLUTION** made by Winslow, seconded by Auchmoody to appoint Vera Lawrence to the position of 1<sup>st</sup> Deputy Town Clerk, effective October 5, 2020 at the recommendation of Wendy Rosinski, Town Clerk.

**Roll call;** Winslow, aye; Pizzuto, aye; Auchmoody, aye; Guerriero, aye; Mazzetti, aye  
**Five ayes carried**

- E. RESOLUTION** made by Mazzetti, seconded by Winslow to accept the resignation of Nathaniel Davis as MEO at the Town of Lloyd Highway Department effective 9/15/20, at the recommendation of Richard Klotz, Highway Superintendent.

**Roll call;** Winslow, aye; Pizzuto, aye; Auchmoody, aye; Guerriero, aye; Mazzetti, aye  
**Five ayes carried**

- F. ~~TABLED~~ RESOLUTION** to hire Patrick Davoli, Anthony Formisano, and Graham Griffin, Jr. as Court Officers for the Town of Lloyd Justice Court at a salary of \$25.00 per hour effective September 17, 2020 at the recommendation of Judge Rizzo and Judge Elia.

*Resolution was tabled pending approval from Civil Service for the addition of 2 Court Security Officers. Civil Service did approve on 9/25/2020. Whereas these hires will not affect the Court budget as there will still only be 1 Court Security Officer on at a time, the courts just need a bigger pool of security officers to call on. Whereas Judge Rizzo and Judge Elia would like this approved as soon as possible, the Town Board was asked to vote by email as the next meeting is not until October 7, 2020.*

**Roll call:** Pizzuto, aye; Winslow, aye; Auchmoody, aye; Mazzetti, aye; Guerriero, no response.

**Four ayes carried.**

- G. RESOLUTION** made by Winslow, seconded by Guerriero, to hire Dave Schaefer as full-time Police Officer pending passing the medical exam by Ulster County Civil Service at a salary of \$45,238.00 per year starting October 1, 2020 at the recommendation of Chief James Janso.

**Roll call;** Winslow, aye; Pizzuto, aye; Auchmoody, aye; Guerriero, aye; Mazzetti, aye  
**Five ayes carried**

- H. RESOLUTION** made by Auchmoody, seconded by Winslow, to hire Officer John Lembo as full-time Police Officer pending passing the medical exam by Ulster County Civil Service at a salary of \$45,238.00 per year starting October 1, 2020 at the recommendation of Chief James Janso.

**Roll call;** Winslow, aye; Pizzuto, aye; Auchmoody, aye; Guerriero, aye; Mazzetti, aye  
**Five ayes carried**

- I. RESOLUTION** made by Guerriero, seconded by Winslow, to approve and authorize the Supervisor to sign the contract for Town of Lloyd Police Chief James Janso for a contract term of February 1, 2020 through December 31, 2023.

**Roll call;** Winslow, aye; Pizzuto, aye; Auchmoody, aye; Guerriero, aye; Mazzetti, aye  
**Five ayes carried**

- J. RESOLUTION** made by Winslow, seconded by Guerriero to approve a request by residents of Grove St. for a street light to be installed on existing pole #17571 and existing pole #17573 for safety, and authorize Supervisor to request installation by Central Hudson.

**Roll call;** Winslow, aye; Pizzuto, aye; Auchmoody, aye; Guerriero, aye; Mazzetti, aye  
**Five ayes carried**

- K. RESOLUTION** made by Guerriero, seconded by Auchmoody,  
**WHEREAS**, the Highland Water District, is currently in the process of planning for the installation of a two-million-gallon water storage tank; and,  
**WHEREAS**, a geotechnical survey and report are required for the tank foundation design; and,  
**WHEREAS**, the Town has received a proposal from Daniel G. Loucks, P.E. Geotechnical Engineering to perform the necessary work; and,

September 16, 2020

**WHEREAS**, the Town Board, as Commissioners as the Highland Water District would like to accept said proposal for Daniel G. Loucks, P.E. Geotechnical Engineering to perform the necessary work.

**NOW, THEREFORE, IT IS RESOLVED AS FOLLOWS:**

The proposal/agreement between the Town and Daniel G. Loucks, P.E. Geotechnical Engineering to perform the necessary survey and prepare a report required for the tank foundation design be, and the same hereby is, approved by the Town of Lloyd.

The Supervisor is authorized to sign the agreement on behalf of the Town and the Highland Water District and duplicate copies of the agreement shall be furnished to Daniel G. Loucks, P.E. Geotechnical Engineering.

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

**Five ayes carried**

DANIEL G. LOUCKS, P.E.  
G E O T E C H N I C A L   E N G I N E E R I N G

26 August 2020

Town of Lloyd

Re: Proposal for Subsurface Investigation for Proposed Highland Water Tank  
Town of Lloyd, New York  
File No.3753

**INTRODUCTION:**

This proposal has been prepared to provide you with a description of the proposed investigation and the unit prices for performing the subsurface investigation. I have also included my understanding of the proposed building and site grading. An estimate of the number of units required to perform the services and an estimated total cost for the investigation has also been included.

I understand that a new steel water tank is proposed approximately as shown on the site plan provided. I understand that the tank will be 84 feet in diameter and 50 feet high. I understand that the bottom of the tank will be within 2 feet of the existing grade at the site.

The scope of my services will be limited to coordinating the boring and laboratory investigation, analyzing the soil information, and providing a geotechnical report with foundation recommendations as per the RFP. Site classification for seismic design as per the NYS Building Code Requirements will also be included. Any environmental aspects of the project should be performed by qualified others.

**DESCRIPTION OF PROPOSED INVESTIGATION:**

For this investigation, I recommend performing one boring to a depth of 50 feet or refusal to provide information for the seismic site classification. In addition, two more borings should be advanced to a depth of 17 feet or refusal. If rock is encountered within 5 feet of the ground surface, a 5 foot long rock core should be obtained

Soil index tests will be performed on representative samples after the field investigation has been completed.

Following the investigation and any laboratory testing, a geotechnical report with the results of the field investigation and laboratory testing along with geotechnical recommendations for the design of foundations and earthworks will be submitted to your office.

September 16, 2020

More of some units may be done and less of others. You will only be charged for the work performed. The budget will not be exceeded without approval. Payment is due within 30 days of the invoice date. An interest rate of 2% will be assessed for each month past the due date.

This agreement provides a final and complete understanding between the client and engineer. It supersedes all prior or concurrent communications, representations, or agreements, whether oral or written, relating to the subject matter of this agreement.

Acceptance of this agreement as provided for below signifies that the client has read the document thoroughly and has had any independent counsel and is satisfied. Client and engineer agree that modifications to this agreement shall not be binding unless made in writing and signed by an authorized representative of each party.

If there are any questions with regard to this proposal, please feel free to call.

Yours truly,



Daniel G. Loucks  
N.Y.P.E. 068389

ACCEPTED BY: \_\_\_\_\_ DATED: \_\_\_\_\_

**UNIT PRICES AND ESTIMATED COSTS:**

Allied Drilling Inc. of Sparkill, New York provided the unit prices for the drilling. The prices will be valid provided they are able to perform this portion of the work. The drilling company will bill separately. Truck access has been assumed if clearing or snow removal is required it should be provided by the owner. The driller also assumes on site disposal of soils and level D conditions. If an ATV is required there will be an additional cost of \$1500.00. Prevailing wage rates have been applied.

UFPO locating service will be notified to assist in the location of major utilities at the site. Final location of utilities within the property is the responsibility of the owner. If requested by the owner a locating service can be contracted to provide these services at an additional cost.

The following are the estimated amounts of services required with the unit prices, subtotals and totals:

**DRILLING:**

Mobilization & Drilling	1 at \$3000.00/day =	3000.00
Client Delay	at \$250.00/hour =	
Estimated Total Drilling		\$ 3000.00

**LABORATORY TESTING:**

Grain size w/o Hydrometer	2 at \$65.00 each =	130.00
Compressive Strength Rock	1 at \$75.00 each =	75.00
Estimated Total Testing		\$ 205.00

**ENGINEERING:**

Report and Recommendations		\$ 1350.00
Daniel G. Loucks, P.E.	at \$130.00/hour =	
Mileage (where applicable)	at \$.50/mile =	
Additional Consulting or Meetings at the above rates:		
Estimated Total Engineering		\$ 1350.00

<b>ESTIMATED PROJECT TOTAL</b>		<b>\$ 4555.00</b>
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**L. RESOLUTION** made by Winslow, seconded by Auchmoody,  
**WHEREAS**, on May 6, 2020 the Town Board: (1) introduced a proposed local law amending the Town of Lloyd Zoning Code (“Zoning Code”) with respect to (a) Continuing Care Retirement Communities and (b) upper floor apartments in the Highway Business District; and (3) referred a full statement of the proposed Zoning Code amendments designated Local Law B of 2020 to the Ulster County Planning Board (“UCPB”) pursuant to General Municipal Law § 239-m; and  
**WHEREAS**, the UCPB response to the May 6, 2020 referral of Local Law B of 2020 included numerous comments, recommendations and required modifications; and  
**WHEREAS**, revisions to proposed Local Law B of 2020 have been developed after consideration of the UCPB recommendations by Town staff and the Town of Lloyd Planning Board, as well as discussions with UCPB staff; and  
**WHEREAS**, the proposed adoption of the amendments to the Zoning Code is a Type 1 action pursuant to the New York State Environmental Quality Review Act and its implementing regulations in 6 NYCRR Part 617 (collectively, “SEQRA”) and the Town Board as lead agency has caused a SEQRA Full Environmental Assessment Form Part 1 to be prepared; and  
**WHEREAS**, the Town Board desires to seek comments on the revised Local Law B of 2020 from the UCPB (copy attached) by referral pursuant to General Municipal Law § 239-m.  
**NOW, THEREFORE, BE IT RESOLVED** that:  
The Town Board hereby directs that Local Law B of 2020, as revised, shall be referred to the Ulster County Planning Board for review and recommendations pursuant to General Municipal Law § 239-m; and  
The Town Board further directs that public notice of the proposed amendments to the Zoning Code be published, indicating the availability of the proposed amendments for public inspection and review, and encouraging written public comments on the proposed amendments.  
**Roll call;** Winslow, aye; Pizzuto, aye; Auchmoody, aye; Guerriero, nay; Mazzetti, nay  
**Three ayes, motion carried**

## **Town of Lloyd**

### **Local Law B of the year 2020**

A local law amending the Town of Lloyd Zoning Code as enacted by the Town of Lloyd Town Board on April 7, 2010 by Local Law 6-2010.

**Be it enacted by the Town Board of the Town of Lloyd as follows:**

### **SECTION I.** **SHORT TITLE**

This local law shall be cited as Local Law B of 2020 of the Town of Lloyd and is entitled the “2020 Zoning Code Amendments.”

### **SECTION II.** **LEGISLATIVE FINDINGS**

The Town Board seeks to regulate development throughout the Town to promote the public health, welfare and safety within the Town of Lloyd. The Town has evaluated its comprehensive plan and existing zoning to identify the need for any changes or improvements to the Town of Lloyd Zoning Code (“Zoning Code”). The goal of the comprehensive plan is to provide for the orderly development and redevelopment of properties located within the Town and to ensure that uses within the Town are appropriately located in relation to each other and consistent with the community character of the Town. The Town Board has further considered the cumulative impacts of increased development within the Town and its impact on surrounding uses. The Town Board finds that these amendments to the Zoning Code are consistent with the comprehensive plan and existing zoning and will promote the public health, welfare and safety within the Town of Lloyd.

### **SECTION III.** **AUTHORITY**

These amendments to the Zoning Code are enacted by the Town Board of the Town of Lloyd pursuant to its authority to adopt local laws under Article IX of the New York State Constitution and Municipal Home Rule Law Section 10, and its authority to adopt amendments to its Zoning Code pursuant to Town Law Section 265 and Zoning Code Article X.

### **SECTION IV.** **PROVISIONS REPEALED**

The following provisions of the Zoning Code are hereby repealed:

- (A) The definition of “Continuing Care Retirement Community” in section 100-8 of the Zoning Code shall be repealed.
- (B) Subparagraph (b) of paragraph (1) of subdivision (H) of section 100-24 of the Zoning Code shall be repealed and the remaining subparagraphs shall be renumbered.
- (C) Section 100-45 of the Zoning Code, entitled “Continuing Care Retirement Community,” shall be repealed.
- (D) The listing of Continuing Care Retirement Community in Appendix 1, Use Table, of the Zoning Code shall be repealed along with the “SP” notations in the R-2, R-1, R-1/2 and R-1/4 district columns.
- (E) The Dimensional Table, Appendix 2 of the Zoning Code is amended to repeal footnotes “h” and “i” to the building setback for the side-yard in the Highway Business District.

### **SECTION V.** **PROVISIONS AMENDED OR ADDED**

The following provisions of the Zoning Code are hereby amended or added:

- (A) The definition of “Assisted Living Facility” in section 100-8 of the Zoning Code is amended to read: A facility which provides or arranges for multi-room housing, on-site monitoring, and personal-care services and/or home-care services (either

- directly or indirectly), in a homelike setting, to five or more adult residents unrelated to the assisted living provider.
- (B) The definition of “Enriched Housing or Adult Home” in section 100-8 of the Zoning Code is amended to read: A [unit in a] facility which [is licensed to] provides multi-room housing and congregate dining and [to] assures that assistance with activities of daily living is available when needed to adult persons unrelated to the proprietor. Such units shall offer, as a minimum, one unfurnished room, a private bathroom, a kitchenette and a lockable door on the unit entrance. “Enriched housing or adult home” is a level of care between nursing care and independent living and includes a coordinated array of supportive personal and health services available 24 hours per day to residents [who have been assessed to need these services].
- (C) Section 100-8 of the Zoning Code is amended to add a term and definition to read: Memory Care Facility - A facility which provides multi-room housing and specialized care for people living with Alzheimer's and other forms of dementia.
- (D) The definition of “Nursing Home” in section 100-8 of the Zoning Code is amended to read: A facility, institution, or portion thereof, providing therein, by or under the supervision of a physician, multi-room housing, nursing care and other health, health-related and social services for 24 or more consecutive hours to three or more nursing home patients who are not related to the operator by marriage or by blood within the third degree of consanguinity, including, but not limited to, an infirmary section which is identifiable as a nursing home unit in a special area, wing or separate building of a public or voluntary home or of a general or special hospital.
- (E) Section 100-8 of the Zoning Code is amended to add a term and definition to read: Dwelling Unit - A single unit providing complete independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation.
- (F) Section 100-8 of the Zoning Code is amended to add a term and definition to read: Urgent Care Facility - A type of hospital providing medical care for illnesses or injuries which require prompt attention but are typically not of such seriousness as to require the services of a hospital emergency room.
- (G) The Use Table, Appendix 1 of the Zoning Code is amended to add a footnote for the permitted use “Upper Floor Apartments” in the Highway Business District to read: The square footage of the upper floor apartments shall not exceed 50% of the net square footage of the building.
- (H) The Use Table, Appendix 1 of the Zoning Code is amended to add Memory Care Facility as a Special Permitted Use in R-1, R-1/2 and R-1/4 zoning districts.
- (I) The Use Table, Appendix 1 of the Zoning Code is amended to add Urgent Care Facility as a type of “Hospital” use.
- (J) The Dimensional Table, Appendix 2 of the Zoning Code is amended to repeal and replace the Side - Each, Side-Total and Rear setbacks in the Highway Business District with 35 feet, 70 feet and 35 feet, respectively, and to add a footnote m to the amended setbacks to read: The setback area for buildings adjoining residential districts shall include dense vegetative screening intended to minimize visual impacts on the residential district in accordance with Zoning Code § 100-15(B)(12).
- (K) The Dimensional Table, Appendix 2 of the Zoning Code is amended to add a footnote l to the Maximum Building Height for the Highway Business District to read: Limited to 35 feet and two and one-half stories.
- (L) The Dimensional Table, Appendix 2 of the Zoning Code is amended to repeal and replace the Maximum Lot Coverage in the Highway Business District with 40%.
- (M) Section 100-15(B)(12) of the Zoning Code is amended to read as follows:  
Business buffer. Along all lot boundaries where a business or industrial use adjoins a residential district, a dense vegetative buffer area shall be established and maintained on the business or industrial property as set forth in the Dimensional Table found in § 100-13[2] and in full compliance with the following standards:
- (a) It shall be planted with evergreen plantings of such type, height, spacing and arrangement as, in the judgment of the Planning Board, will screen the activities on the lot from the adjoining residential area.
  - (b) The plan and specifications for such planting shall be filed with the approved plan for the use of the lot.
  - (c) Required planting shall be properly maintained throughout the continuance of the use on the lot.

(d) At the discretion of the Planning Board, a wall or fence of location, height and design approved by the Planning Board as providing equivalent screening may be substituted for the required planting.

(N) Article V of the Zoning Code is amended to add section 100-23.2 to read as follows:  
§ 100-23.2

Planned residential retirement development.

A. General regulations.

(1) Purpose and general description. The Planned Residential Retirement District ("PRRD") is intended to encourage flexibility and innovation in residential development and related services for persons 62 years of age and over in locations served by existing municipal water and sewer lines or where the applicant will pay the costs of any extensions of such lines. Access for a PRRD shall be direct to a county or state highway or by a new road designed to meet Town standards. PRRDs shall consist of a combination of principal uses that may include independent living units, enriched housing, adult homes, assisted living facilities, memory care facilities and/or nursing homes, and may include accessory uses as described in paragraph (D)(2) below. PRRDs shall comply with the affordable housing regulations provided in Zoning Code § 100-36. PRRDs should be designed with a traditional village neighborhood sensibility. Through careful planning, such districts will provide for the best use of the site consistent with the goals of protecting and embracing the natural environment. At the same time, it is intended that projects within any PRRD provide a compatible blending with surrounding development, minimizing such negative impacts as land use conflicts, traffic congestion, and excessive demands on existing or proposed public facilities.

(2) Establishment. A PRRD may be established by the Town Board either on its own motion or as a result of an application from the owner or owners of property complying with the standards and requirements set forth in this section for PRRDs. The Town Board may waive or modify any part of the requirements of this section.

(3) Eligibility requirements for residents. A PRRD shall, through its corporate association, association owners, or any other legal entity, consist of a parcel or parcels of land which shall be restricted in their use, occupancy, or ownership, or any combination thereof, by bylaws, rules, regulations, covenants or restrictions to permanent residents whose use, occupancy, or ownership shall be restricted as applicable to:

(a) Any person of the age of 62 years or over;

(b) A husband or wife, regardless of age, residing with his or her spouse, provided that the spouse of such person is of the age of 62 years or over; and

(c) Adults under 62 years where it can be shown that the presence of such person is essential to the physical care of a qualifying individual or individuals, by reason of their medical condition.

(4) The applicant shall demonstrate in its application how residency in the PRRD will be restricted to persons conforming with the eligibility requirements provided in § 100-23.2(A)(3)(a)-(c) and how these restrictions will be enforced.

(5) The person(s) responsible for operation of the PRRD shall certify to the Town, on a quarterly basis each year, the names and ages of the persons owning, using or occupying the residential units in the PRRD.

(6) Considerations. The Town Board shall consider the following factors when considering the establishment of a new PRRD, an amendment to an existing PRRD, or whether exceptions to PRRD standards should be allowed, particularly as regards the intensity of land use, and the Planning Board shall consider the following factors when reviewing proposed site plans that may be required:

(a) The need for the proposed land use in the proposed location;

(b) The availability and adequacy of municipal water service;

(c) The availability and adequacy of municipal sewer service;

(d) The availability and adequacy of transportation systems, including the impact on the road network;

(e) The pedestrian circulation and open space in relation to structures;

(f) The character of the neighborhood in which the PRRD is being proposed, including the safeguards provided to harmonize the proposed use with adjacent properties and with the neighborhood in general;

- (g) The height and bulk of buildings and their relation to other structures in the vicinity;
- (h) Potential impacts on local government services;
- (i) Potential impacts on environmental resources including, but not limited to, wetlands, surface water, flood plains, and plant and wildlife communities;
- (j) The general ability of the land to support the proposed development as well as the stormwater management for the development, including such factors as slope, depth to bedrock, depth to water table and soil type;
- (k) The potential for redevelopment of brownfield and other underutilized properties; and
- (l) Other factors as may be deemed appropriate by the Town Board.

B. PRRD preapplication consultation process; Town Board action.

(1) Prior to filing an application for a PRRD with the Town Board, the applicant shall participate in a pre-application consultation process with a committee comprised of the Code Enforcement Officer and a representative from each of the Town Board, the Planning Board and the Zoning Board of Appeals (the "Pre-application Committee"). The applicant shall submit to the Code Enforcement Officer a conceptual plan, including any drawings and/or architectural renderings, together with a narrative description of a proposed PRRD that conforms to the requirements of this section. The narrative shall also set forth any proposed waivers or modifications from any of the requirements of this section, including but not limited to use, density or area requirements, that would be needed for the proposed PRRD with justification for the relief sought.

(2) The Pre-application Committee and the applicant shall consult regarding the proposed PRRD for a period of 30 days following receipt of the conceptual plan from the applicant unless the applicant and the Committee mutually agree in writing to extend that period, following which the Committee shall provide in writing its recommendations regarding the proposed PRRD to the applicant and the Town Board. The Committee's recommendations shall include proposed findings based on the factors to be considered by the Town Board for establishment of a PRRD set forth in Zoning Code § 100-23.2(A)(6) and any waivers that would be needed for the proposed PRRD.

(3) After completing the pre-application process, the applicant may submit an application to the Town Board which includes:

- (a) A conceptual plan, including any drawings and/or architectural renderings, together with a narrative description for a proposed PRRD that conforms to the requirements of this section except for any waivers or modifications sought;
- (b) A request for any waivers or modifications from the requirements of this section that would be needed for the proposal with justification for the relief sought; and
- (c) An application fee based on the Town's Development Fee Schedule.

(4) Pursuant to Zoning Code § 100-57, the applicant may be required to deposit an initial sum of money into an escrow account to cover the reasonable and necessary costs of review of the proposed PRRD, including pre-application consultation, application review and any subsequent site plan review if the application for a PRRD is approved.

(5) Within 40 days of the date on which the Town Board accepts the application, the Town Board shall determine whether it will review the application and, if so, refer it to the Planning Board for any recommendations. If the Town Board determines not to review the application, no further action on the application will be taken and the application fee and any unused escrow funds will be refunded to the applicant.

(6) The Planning Board shall provide any recommendations on the application to the Town Board within 60 days of receipt of the referral from the Town Board. This time period may be extended with the consent of the applicant. The Town Board shall, within 45 days following receipt of any recommendations from the Planning Board (or expiration of the time for the Planning Board to comment), hold a public hearing on the proposal, with public notice as provided by law, as in the case of a zoning amendment. If, however, a positive declaration of environmental significance is issued, the hearing shall be held after the acceptance of the DEIS as complete, preferably at the same time as the hearing on the DEIS.

(7) The Town Board, after completion of the SEQRA process and any referrals required pursuant to General Municipal Law § 239-m, may then adopt a local law or local laws establishing the PRRD and amending the Town Zoning Map to define the

PRRD subject to the conceptual plan and any conditions imposed by the Town Board. Any decision by the Town Board to approve, approve with conditions or disapprove a PRRD application shall be supported by written findings based on the factors set forth in Zoning Code § 100-23.2(A)(6), any waivers sought for the proposed PRRD and any other considerations that the Town Board deems relevant. Such action shall have the effect only of granting the applicant permission to apply to the Planning Board for site plan review of the PRRD consistent with the conceptual plan approved and any conditions imposed by the Town Board.

(8) Any proposed modification to the requirements an approved PRRD, including but not limited to proposed changes to approved use, density or area requirements, may be considered by the Town Board pursuant to this section.

C. Site plan review process; Planning Board action.

(1) If the PRRD is approved by the Town Board, the Planning Board, within 45 days after the approval, shall schedule a meeting with the applicant to commence site plan review. The site plan review will be conducted in accordance with Chapter 100, Article VIII, § 100.53 of the Town Code (Site plan review). If necessary due to technical or engineering considerations, the Planning Board may reduce, but cannot increase, the maximum number of dwelling units or rooms and total square footage of buildings and other impervious surfaces approved by the Town Board.

(2) PRRDs shall be considered as a single parcel for the purpose of applying the regulations.

(3) In conducting its site plan review for the PRRD, the Planning Board shall consider, among other things, the standards listed in subparagraphs A(6)(a) through (l) above, as well as any conditions imposed by the Town Board.

(4) Any site plan approval issued by the Planning Board for a PRRD shall expire in accordance with the provision of Zoning Code § 100-53(F)(6).

(5) The tract or tracts of land under application for consideration for a PRRD may be owned, leased or controlled either by a single person or corporation or by a group of individuals or corporations. An application must be filed by the owner or jointly by the deeded owners or their agent of all parcels included in the project. In the case of multiple ownership, the approved PRRD plan shall be binding upon all the owners, and such owners shall provide written certification to the Town demonstrating that the approved plan is binding upon all owners. Written notice of any transfer of the lands comprising a PRRD, including the names of the new owner or owners, shall be provided to the Town within 30 days of transfer.

D. Permitted uses and buildings.

(1) Principal uses/buildings. Principal uses in a PRRD shall be limited to independent living units, enriched housing, adult homes, assisted living facilities, memory care facilities and nursing homes for persons 62 years of age and older.

(2) Accessory uses/buildings in a PRRD shall include the following:

(a) Buildings and/or facilities designed or intended for the administration or maintenance of the PRRD;

(b) Off-street parking facilities and utilities;

(c) Buildings and/or facilities designed or intended for storage of residents' vehicles, personal belongings or equipment for an approved use;

(d) Facilities/buildings for the sole use of the residents of the PRRD and their guests, including, but not limited to, the following: clubhouse, restaurant and/or snack bar, swimming pool, tennis and/or pickle ball courts, shuffleboard courts, picnic grounds, community gardens, community center and hiking trails, or any other amenities desirable for the implementation and development of the community. All such facilities/buildings, however, shall be subordinate and incidental to the residential character of the community;

(e) Maintenance-related storage sheds; and

(f) Such other uses/buildings as may customarily be accessory to this type of community.

(3) Uses/buildings permitted on review. Upon review and approval of the Town Board, the following additional uses may be permitted: urgent care facilities, adult day care buildings and other uses in the sole discretion of the Town Board deemed supportive of the special needs of a particular PRRD.

E. Prohibited uses and buildings: any use or building not specifically permitted.

F. Maximum density.

(1) For purposes of determining available acreage for calculating density in a PRRD, the buildable acreage shall be based on gross acreage less the square footage of non-residential buildings.

(2) The maximum permitted density for dwelling units (“du”) and rooms in a PRRD will be:

(a) For independent living units, 4 du/ac; and

(b) For enriched housing, adult homes, assisted living facilities, memory care facilities and nursing homes, 12 rooms/ac.

(3) The acreage proposed for allocation to independent living units at 4 du/ac shall be added to the acreage proposed for allocation to facilities providing multi-room housing at 12 rooms/ac and the combined acreage thus allocated shall not exceed the total amount of buildable acreage in a PRRD.

(4) The ratio of independent living units to rooms in a PRRD shall not exceed 1.5 to 1.

(5) Independent living units shall be clustered in the PRRD to promote a denser neighborhood design and to maximize open space.

#### G. Area and bulk regulations.

(1) A PRRD shall contain at least 25 contiguous acres of land.

(2) There shall be no minimum lot size applicable to dwelling units or other principal buildings in a PRRD, however, but the town board can impose minimum spacings and yard sizes in the approval process.

(3) Minimum building setbacks shall be:

(a) Front-yard building setback: 50 feet from lot line;

(b) Side-yard building setback: 50 feet from lot line;

(c) Rear-yard building setback: 50 feet from lot line; and

(d) Dense vegetative screening shall be required for side and rear setback areas to limit visual impacts on adjoining residential districts in accordance with Zoning Code § 100-15(B)(12).

(4) Maximum coverage: The maximum permitted coverage of gross site area on a PRRD site shall be 40% for buildings and other impervious surfaces.

(5) No parking areas shall be located within 50 feet of adjoining residential districts and the side or rear-yard setback area shall include dense vegetative screening in accordance with Zoning Code § 100-15(B)(12) to minimize visual impacts on the residential district.

(6) Height of buildings: The maximum building height for any building shall be 35 feet and two and ½ stories.

#### H. Spacing and design of buildings within a PRRD.

(1) The location of all buildings shall be as shown on the final PRRD site plan approved by the Planning Board, which must be consistent with the conceptual site plan approved by the Town Board.

(2) The proposed location of all buildings shall be in harmony with existing or prospective adjacent uses and to the existing or prospective development of the neighborhood.

(3) Buildings shall be clustered to reduce site disturbance, to promote an interconnected neighborhood character throughout the PRRD, and to encourage and protect open spaces, natural and environmentally sensitive areas.

(4) Building design shall avoid use of long, unbroken facades, and shall include use of balconies, offset walls, trellises and other design features.

(5) Building design, colors and materials shall generally correspond to the natural setting of the project site, and to any prevalent design styles that may occur in neighborhoods within the general project area.

I. Parking area requirements. Each required parking space in a parking area shall be 10 feet wide and 20 feet long with a minimum aisle width of 22 feet, in compliance with Americans with Disabilities Act access regulations. The slopes in parking areas shall be no more than 5%. The following minimum number of parking area spaces shall be provided:

(1) Unless accessory buildings or facilities in the PRRD provide an equal number of spaces for the storage of residents’ vehicles:

(a) One space per independent living unit;

(b) One space per two enriched housing, adult home or assisted living facility rooms; and

(c) One space per six memory care facility or nursing home rooms.

(2) One space per two independent living units for visitor parking.

(3) One space per employee on maximum shift.

J. Vehicular and pedestrian circulation system and traffic access.

(1) The arrangement of public and common ways for pedestrian and vehicular circulation in relation to other existing or planned streets in the area, together with provisions for street improvements, shall generally comply with standards set forth in Chapter 89, Streets and Sidewalks, of the Town of Lloyd Code. However, the uniqueness of each PRRD proposal may require that specifications for the width and surfacing of streets, public ways, public utility rights-of-way, curbs and other standards be subject to modification upon application from the developer and good cause shown. The Planning Board may permit changes or alterations of such standards that are consistent with the spirit and intent of this section, subject to approval by the Town Highway Superintendent.

(2) Pedestrian circulation system. In each PRRD, a pedestrian circulation system shall be designed and installed, in addition to the vehicular circulation system, which is sufficient for the needs of its residents. Such a system might be composed of a combination of paved and unpaved walkways and bikeways of appropriate width, design, and location to serve their intended function. Walkway widths shall be five feet minimum. Walkway slopes shall be 5% maximum. There shall be no steps in the walkways.

K. Utilities.

(1) The provision of underground utilities (including electricity, telephone and cable television) in both public and private extensions thereof shall be mandatory in every PRRD.

(2) Provisions shall be made for acceptable design and construction of stormwater facilities including grading, gutters, piping, and treatment of turf to handle stormwater and prevent erosion.

(3) Refuse collection. All collection facilities and containers shall be permanently screened in a manner that is sufficient to completely remove facilities from sight. If individual dwelling receptacles, such as garbage cans, dumpsters, etc., are part of the plan, those receptacles shall be placed in their locations of collection no more than 18 hours before the collection and shall be removed no more than 18 hours after collection.

(4) Streetlights shall be provided where practicable or for safety reasons. Streetlights shall be shielded and of appropriate wattage. The Planning Board should use its discretion to allow types of lighting that will complement the PRRD neighborhood.

L. Maintenance responsibilities.

(1) The applicant shall prepare and submit to the Town Board a proposed written program for the maintenance of all buildings and lands within the PRRD, including open space and recreation areas, landscaping, walkways, driveways, parking areas and other common utilities and facilities.

(2) The responsibility for the maintenance program shall be fixed on a legal entity and the terms of the maintenance program shall demonstrate, to the satisfaction of the Town Board, how such responsibility will be enforceable by the Town against such entity or any successor in interest.

M. Open Space

(1) At least 1/3 of the gross acreage of any PRRD shall be placed in a conservation easement, with deed restrictions against future development and delineated on a map for review and approval by the Town Board, and shall also be approved by the Town Attorney and Planning Board and filed with Ulster County.

(2) All areas designated as permanent open space in a PRRD shall conform to the following requirements: (a) Such areas shall be recorded directly on the site plan, and notes shall be added thereon excluding such open space areas from any other undeveloped area of the PRRD; and (b) A written agreement between the owner or his agent and the developer shall be approved by and filed with the Town Board. This written agreement shall cover the deed, title, and dedication, if any, of all such open space areas, as well as the provision for any developmental or maintenance costs. The Town may require that security be posted covering such cost items. The Town Attorney and the Town Board shall approve the amount, duration, form, and manner of execution of said security.

**SECTION VI.**

**SEVERABILITY**

The invalidity of any word, section, clause, paragraph, sentence, part or provision of this Local Law shall not affect the validity of any other part of this Local Law which can be given effect without such invalid part or parts.

**SECTION VII.**

**EFFECTIVE DATE**

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

**M. RESOLUTION** made by Auchmoody, seconded by Winslow

**WHEREAS**, the Town of Lloyd owns certain properties known as the Robert Shepard Highland Landing Park on River Road, outside the boundaries of the Highland Water District, which premises is currently used by members of the public as a public park; and,

**WHEREAS**, certain benefits will accrue to the Owner and members of the public who use the premises as a Public Park in the nature of clean water with sufficient pressure by the installation of improvements to connect the premises of the Owner to the Highland Water District, and the selling of the water by the Town Board to the Owner as an out-of-district user; and,

**WHEREAS**, the Highland Water District has sufficient capacity to furnish water to the premises of the owner for a term not to exceed forty (40) years.

**NOW, THEREFORE, IT IS RESOLVED AS FOLLOWS:**

1. The Town Board of the Town of Lloyd, as Commissioners of the said Special District, hereby approves the agreement annexed hereto as Exhibit A and authorizes the Supervisor to sign such agreement on behalf of the Town Board, approving the said sale of water to the owner, as set forth in the agreement annexed hereto.

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

**Five ayes carried**

**N. RESOLUTION** made by Winslow, seconded by Auchmoody to approve the following budget amendments:

**HIGHWAY**

5140.10 - Brush & Weed                    + \$11,000.

5142.10 – Snow Personal Svc.       - \$ 11,000.

**POLICE**

2705 – Donations                                -\$1,000.

3120.4 -Police                                    +\$,1000.

**SUPERVISOR**

1220.1    +\$9,500

**CONTINGENT**

1990.4    -\$9,500

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

**Five ayes carried**

**MOTION** made by Auchmoody, seconded by Winslow to go into Executive Session at 8:15 PM to discuss litigation and personnel.

**Five ayes carried**

Respectfully submitted,

Wendy D. Rosinski  
Town Clerk

September 16, 2020