

TOWN OF LLOYD

TOWN BOARD MEETING

September 20, 2023

Present:

Supervisor David Plavchak
Councilmember Leonard Auchmoody
Councilmember John Fraino
Councilmember Joseph Mazzetti
Councilmember Guerriero

Also Present:

Sean Murphy, Attorney
Margaret, O'Halloran, Secretary
Wendy D. Rosinski, Town Clerk

Meeting was live in Town Hall, WebEx, and Access Channel 22.

7:00 PM Supervisor opened the meeting with the Pledge of Allegiance led by Councilmember Guerriero

MOTION by Auchmoody, seconded by Fraino to Open Public Hearing

Public Hearing for the increase and improvement of facilities of the Highland Water District (Phase I), pursuant to Section 202-b of the Town Law.

Five ayes carried

1. REPORTS

A. Town Board Liaisons Audit –

January 1 – June 30, 2023: Councilmembers Auchmoody and Mazzetti

July 1 - December 31, 2023: Councilmembers Fraino and Guerriero

Beautification – Councilmember Auchmoody

Community Scarecrow making is October 7th. He thanked Jeff Paladino for donating straw and Jimmy Anzelone for donating Corn Stalks. The scarecrows will be hung up in the village until Thanksgiving.

The mums were purchased from Lowes.

Darlene Plavchak and Patty Scott donated large planters for some of the empty spots around the hamlet.

The holiday garland has been ordered for the light poles.

Auchmoody reminded everyone to please Do Not put any sort of signs in the fountain.

ECC (Environmental Conservation Committee – Councilmember Guerriero

Neil Currie reported the ECC has been trying to manage invasive species on Chodikee Lake and Black Creek for over 10 years. They have been working with biologists and DEC received a grant, thanks to Dave Jenkins.

They pulled 160 pounds of water chestnuts and then did the same again on the second pull. He thanked the town for the Grant writer, it has made a huge difference.

They are working with Fats in the Cats Bike Club and Scenic Hudson on new trails on Illinois Mountain. They are discussing making some connectors and re-routes. They want Bard College to do a Habitat study, they applied for another grant, so they can do trail planning in a smart way.

They have been communicating with Highland Landing Park Association and Schooner Appolonia, which is a real schooner that has been restored and is shipping freight up and down the Hudson River, business to business. He thought it would be great if they land in Highland. One of the conditions of them docking is that they deliver freight.

They continue to work with Scenic Hudson and Town of Esopus on the Black Creek corridor.

Town is registered with the state as a Climate Smart Community and are working on Clean Energy Community. If you do one, you mind as well do both as they are set up the same. The more points we get the more grants we become eligible for as far as infrastructure, etc.

Events Committee – Councilmember Fraino

Fall night out is this Saturday, there will be music, a beer and wine tent by the Rotary and vendors for food and shopping. Event is geared to adults, there won't be children's activities.

Highland Fire District/ Ambulance – Councilmember Fraino

Ambulance RFP is out to bid and due back on September 27, 2023.

Fraino reported the towns displeasure with Empress Ambulance who took over for Mobil Life. They have been very late on calls, had no shows, and that they were pulling units from Highland to backfill Kingston.

September 20th, 2023

Fire alarms dispatched 42
Average firefighters per call 12 (highest was 21)
Total Number of apparatus responses 89
Manhours for alarms 613
Manhours for meetings 38
Manhours for training 140
Manhours for misc. events. 38

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TOTAL manhours 829 August 2023
HFD untangled the flag at the Robert Shepard Park
** Total manhours do not include the officer's administrative work, planning for training and/or the attending of the Highland Fire District Commissioners meetings by Officers and members.

Highland Central School District – Councilmember Mazzetti

Mazzetti reported fall sports are under way.
PTSA is having a fundraiser using Brooks BBQ on October 30th, make sure you order ahead of time.
Schools have had their school pictures done.
School is closed on September 25th for Yom Kippur.
There is a School Board meeting September 27th at 7:00 PM
Be sure to communicate with your child, make sure they are doing their homework.
If you have question please reach out to their teachers. Be proactive in your child's life.

Highland Landing Park – Councilmember Auchmoody

Auchmoody noted they are waiting for the time lock for the bathroom door.

Lights – Councilmember Fraino

The final light in Bridgeview is operating.
Central Hudson has made a repair at Mountainside Woods.
They are working with Hannaford land lord concerning the lights on Argent. 50% of the time they were out and they have now upgraded them to LED and it is lit much better at the Hannaford entrance and up Argent Drive.

Lloyd Community Development Committee – Supervisor

The supervisor reported they have sent out applications to the Rotary Club and the Highland Business Association. Hopefully people will start utilizing the program.

Planning Board – Councilmember Auchmoody

Auchmoody reported there is not a lot right now, a lot line revision, ground solar installation, special use permit, Villages site plan has been approved. DOT permit for streetlight and sidewalks have been approved.
Auchmoody and Plavchak the preconstruction meeting with NYSDOT and the Village making sure everything was in place to start work. The underground work will be done by December and the Traffic light will be installed in the Spring because of the long lead time getting parts.
STR's were approved.

Hudson Valley Rail Trail – Councilmember Auchmoody

Peter Bellizzi reported the Community Art project is completed.

Zoning Board of Appeals – Councilmember Guerriero

Councilmember was unable to attend the meeting.

2. OLD BUSINESS

A. Pavilion Update

Councilmember Fraino reported the 4 corners are staked. He meets weekly with Barn Raisers, Sean Williams and Rich Klotz. Patty Brooks will take out for the 18 footings, Highway will start the excavation. They are bringing fill down from Tony Williams.
They have contacted 3 concrete contractors so they can get 3 bids for the concrete deck, then the building should go up in mid-November.

B. Tillson/Toc

Supervisor reported all the Councilmembers have received the schedule of what is left to be done. Our objective is to open before the winter. Of course, we have to always be aware of weather delays.

They are making great progress; you can actually see where the new road is going. It has been a lot of inconvenience and a long haul.

Vineyard Ave is scheduled to open 12/1/23 and Tillson two weeks after on 12/15/23. Assuming the asphalt plants will close by Thanksgiving. They will have to come back in the Spring to put the finishing 2 inches of asphalt on as well as the markings and landscaping.

C. Tower Point

D. 69 North Road

Supervisor said we are waiting on estimates to come in for this.

E. There were some water issues brought up at the last meeting.

One was a customer who said they had brown water. He spoke with Adam Litman and he said it was one customer whose plumber nicked their service line. Adam and Kevin were on site to make sure the line was fixed correctly.

The loss of pressure was from the Tillson project switching from the 18” main to the 12” main. There probably was some brown water because they had to flush the lines. The Town received the certification of the 18” main.

The subject of town board members being present for an interview during the hiring and he did some research and over the last 4 years, there has never been a town board member present.

3. NEW BUSINESS

A. Neil Curri, Environmental Conservation Committee present the Climate Smart Task Force initiative.

Climate Smart is run out of the DEC and Clean Energy is a program with NYSERTA. He explained Benchmarking, the process of measuring and comparing buildings energy use over a time period.

He said that doing any 4 actions will mean Lloyd will be designated a Clean Energy Community and NYSEDA will award you with a \$5,000 grant.

4. PRIVILEGE OF THE FLOOR

5. MOTIONS AND RESOLUTIONS

A. MOTION by Auchmoody, seconded by Guerriero to approve the minutes August 16, 2023 Town Board Regular meeting and September 6, 2023 Workshop meeting.

Five ayes carried

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

SEPTEMBER 2023				
GENERAL	G. 603		G.651	\$43,059.10
HIGHWAY	H.234		H. 255	\$18,870.44
MISC	M.150		M.164	\$170,569.49
PREPAYS	P.1007		P.1165	\$753,915.98
SEWER	S.170		S.193	\$8,919.26
WATER	W.198		W.215	\$9,777.46

\$1,005,111.73

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

Five ayes carried

C. RESOLUTION by Guerriero, seconded by Fraino

WHEREAS, the **Ulster County Sheriff's Office** (hereinafter referred to as "USCO") has proposed an Agreement between the USCO and all local and state law enforcement agencies operating within Ulster County allowing all law enforcement agencies to utilize the Ulster County Jail in prearranged circumstances as outlined in a Memorandum of Agreement attached hereto and made a part hereof; and

WHEREAS, the intent of said Agreement is to allow the use of the Ulster County Jail by all law enforcement agencies for holding arrestees who require an arraignment in Ulster County, and;

WHEREAS, pursuant to said Agreement, the UCSO agrees to accept arrestees at the Ulster County Jail in custody of law enforcement to be temporarily housed within the Ulster County Jail and to safely and securely maintain custody of these individuals under the terms of the attached agreement, and

WHEREAS, Police Chief James Janso has advised the Board that he recommends the Town enter into said Agreement, and

WHEREAS, the Town of Lloyd and its Police Department desire to be parties to the memorandum of agreement attached thereto.

NOW, THEREFORE, IT IS RESOLVED AS FOLLOWS that David Plavchak, Supervisor of the Town of Lloyd, is authorized to execute the Memorandum of Agreement between the Ulster County Sheriff and local and state enforcement agencies attached hereto and made a part hereof, and to provide a fully executed copy of same to the Town of Lloyd's Police Department and the Town Clerk.

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

Five ayes carried

D. RESOLUTION by Fraino, seconded by Auchmoody

WHEREAS, The Town is in the process of soliciting proposals for emergency medical services/ambulance provider for the **Town of Lloyd/Highland Ambulance District**; and

WHEREAS, the Town intends to make application for a municipal certificate of need and EMS operating certificate; and

WHEREAS, the Town Board, as commissioners of the Highland Ambulance District, wish to authorize the Supervisor to make application and file any necessary documents to obtain a municipal certificate of need, an EMS operating certificate or other certificates and/or approvals as deemed necessary to enter into a contract with a provider for emergency medical/ambulance services for the Town of Lloyd/Highland Ambulance District.

NOW, THEREFORE, IT IS RESOLVED AS FOLLOWS:

David Plavchak, Supervisor of the Town of Lloyd is authorized to submit any request, applications or other documents as are necessary to obtain a municipal certificate of need, EMS operating certificate or other approvals or certificates as are necessary for the Town of Lloyd/Highland Ambulance District to enter into a contract with a qualified provider for emergency medical/ambulance services for the Town of Lloyd/Highland Ambulance District.

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

Five ayes carried

E. RESOLUTION by Auchmoody, seconded by Fraino

At regular meeting of the Town Board of the Town of Lloyd, in the County of Ulster, New York, was held at the Town Hall, 12 Church Street, Highland, New York, on September 20, 2023.

There were present:	Hon. David Plavchak, Supervisor; and
Board Members:	Lenny Auchmoody, Councilman
	Mike Guerriero, Councilman
	Joseph Mazzetti, Councilman
	John Fraino, Councilman

There were absent:

Also present:	Wendy Rosinski, Town Clerk
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The Supervisor stated that a public hearing had been called for this meeting at the Town Hall, 12 Church Street, Highland, New York, at 7:00 o'clock P.M. (Prevailing Time) to

September 20th, 2023

consider the increase and improvement of facilities of the Highland Water District, at the estimated total cost of \$4,689,500, consisting of various improvements and upgrades to the Water Filtration Plant of the District (Phase I) and any and all necessary furnishings, equipment, machinery, apparatus, installations, appurtenances, accessories and related engineering and other costs in connection with the foregoing, as further described in the Report and other costs in connection with the foregoing, at the estimated maximum cost, including preliminary costs and costs incidental thereto and the financing thereof, and to hear all persons interested in the subject thereof concerning the same and for such other action on the part of the Town Board with relation thereto as may be required by law. The Town Clerk presented affidavits showing that the Notice of said public hearing had been duly published and posted pursuant to the provisions of Article 12 of the Town Law;

The Supervisor stated that the hearing in the said matter was now open and asked if there were any interested persons present who desired to be heard. The following persons appeared in favor of such increase and improvement of facilities of said District:

The following persons appeared in opposition to such increase and improvement of facilities: NONE

The Supervisor inquired as to whether there were any other persons present who wished to be heard. No one appeared, whereupon the Supervisor declared the public hearing closed.

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

Four ayes carried

F. RESOLUTION AND ORDER AFTER PUBLIC HEARING motioned by

Auchmoody, seconded by Fraino

WHEREAS, the Town Board of the Town of Lloyd (herein called the “Town”), in the County of Ulster, New York, on behalf of the Highland Water District (herein referred to as the “District”), has caused Brinner and Larios, P.C., Kingston, New York, engineers duly licensed by the State of New York (the “Engineer”), to prepare a map, plan and report dated March 2023 (the “Report”), which report is on file in the office of the Town Clerk, for the increase and improvement of facilities of the District, consisting of various improvements and upgrades to the Water Filtration Plant of the District (Phase I) and any and all necessary furnishings, equipment, machinery, apparatus, installations, appurtenances, accessories and related engineering and other costs in connection with the foregoing, as further described in the Report (the “Project”); and

WHEREAS, the Engineer has estimated that the cost of such increase and improvement of facilities shall be \$4,689,500 and said map, plan and report have been filed with the Town Board; and

WHEREAS, the Town expects that all or part of the cost of the project may be financed through the State of New York Environmental Facilities Corporation pursuant to the Water Infrastructure Improvement Act (WIIA), or any other source of funding. Any such grant and/or other funds are hereby authorized to be applied toward the cost of said Project or redemption of the Town’s bonds or notes issued therefor, or to be budgeted as an offset to the taxes to be collected for the payment of the principal of and interest on said bonds or notes; and

WHEREAS, the Town Board, acting as lead agency, has given due consideration to the impact that the Project described herein may have on the environment, and has determined that such projects constitute Type II actions pursuant to the State Environmental Quality Review Act (SEQRA), constituting Article 8 of the Environmental Conservation Law, and 6 N.Y.C.R.R., Regulations Part 617.5 (c), and therefore no further environmental review is required; and

WHEREAS, the Town Board adopted an Order describing in general terms the proposed increase and improvement of such facilities, specifying the estimated cost thereof, and stating the Town Board would meet to hear all persons interested in said increase and improvement of facilities on September 20, 2023 at 7:00 o’clock P.M. (Prevailing Time) at the Town Hall, 12 Church Street, Highland, New York; and

WHEREAS, a Notice of such public hearing was duly published and posted pursuant to the provisions of Article 12 of the Town Law; and

WHEREAS, such public hearing was duly held by the Town Board on September 20, 2023 at 7:00 o’clock P.M. (Prevailing Time) at the Town Hall, 12 Church Street, Highland, New York, with considerable discussion on the matter having been had and all persons desiring to be heard having been heard, including those in favor of and those in opposition to said increase and improvement of such facilities; and

Now, therefore, be it

September 20th, 2023

DETERMINED, that it is in the public interest to increase and improve the facilities of the District as hereinabove described, at the estimated total cost of \$4,689,500; and it is hereby

ORDERED, that the facilities of the District shall be so increased and improved and that the Engineer shall prepare plans and specifications and make a careful estimate of the expense of said increase and improvement of such facilities and, with the assistance of the Town Attorney, shall prepare a proposed contract for such increase and improvement of facilities of the District, which plans and specifications, estimate and proposed contract shall be presented to the Town Board as soon as possible; and it is hereby

FURTHER ORDERED, that the expense of said increase and improvement of facilities shall be financed by the issuance of \$4,689,500 bonds of the Town, and the cost of said increase and improvement of facilities, including payment of principal of and interest on said bonds, shall be paid from charges collected through water metering and/or the assessment, levy and collection of assessments upon the several lots and parcels of land within the District in the same manner and at the same time as other Town charges; and it is hereby

FURTHER ORDERED, that the Town Clerk record, or cause to be recorded, a certified copy of this Resolution and Order After Public Hearing in the office of the Clerk of Ulster County within ten (10) days after adoption thereof.

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

Five ayes carried

G. RESOLUTION By Guerriero, seconded by Mazzetti

WHEREAS, the Town of Lloyd and Scenic Hudson Land Trust, Inc. (“Scenic Hudson”) have previously completed the John Burroughs Black Creek Trail plan; and

WHEREAS, the Town currently holds a Hudson River Valley Greenway Grant for the John Burroughs Black Creek Trail (Greenway Grant 2017-U-14); and

WHEREAS, the Grant has supported the Town’s efforts to assess the impact of an on-road bicycle route as part of the multimodal John Burroughs Black Creek Trail plan; and

WHEREAS, the Town had awarded Barton & Loguidice a contract to address three of the five tasks identified in the grant’s scope, including bicycle route traffic impact analysis, Ose Road Bridge reuse assessment and NYS Route 299 crossing and parking lot expansion concepts; and

WHEREAS, Barton & Loguidice determined that it would require full replacement to utilize the Ose Road Bridge to allow for continued public access utilizing the Bridge; and

WHEREAS, the Town, in conjunction with Scenic Hudson, has determined that it would be proper to request a scope modification to extend the project deadline and to reallocate the same project effort and task to an adjacent segment of the John Burroughs Black Creek Trail instead of at Ose Road, which will allow the funding and in-kind match budget items to remain essentially the same and edited to reflect actual cost of the work already completed; and

WHEREAS, Scenic Hudson has prepared a request to Hudson River Valley Greenway to approve the scope modification as set forth above; and

WHEREAS, the Town wishes to approve the request for scope modification and that same be submitted to Hudson River Valley Greenway by Scenic Hudson on behalf of the Town.

NOW, THEREFORE, IT IS RESOLVED AS FOLLOWS, that the Town Board of the Town of Lloyd hereby approves the request to modify the project scope and extend the project deadline prepared by Scenic Hudson and hereby joins in said request to be submitted to Hudson River Valley Greenway, as attached hereto and made a part hereof.

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

Five ayes carried

MOTION by Auchmoody, seconded by Guerriero to go into executive session at 8:25 PM to discuss contracts.

Five ayes carried

MOTION by Fraino, seconded by Guerriero to come out of the executive session at 8:45 PM.

Five ayes carried

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MOTION by Auchmoody, seconded by Fraino to adjourn at 8:50 PM.

Five ayes carried

Respectfully submitted,

Wendy D. Rosinski
Town Clerk