

TOWN OF LLOYD
REGULAR TOWN BOARD MEETING
NOVEMBER 20, 2019

Present: Councilmember Leonard Auchmoody
Councilmember Michael Guerriero
Councilmember Claire Winslow
Councilmember Joseph Mazzetti

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

Absent: Supervisor Paul Hansut

7:00 PM – Deputy Supervisor Lenny Auchmoody opened meeting and Supervisor Elect Fred Pizzuto led Pledge of Allegiance.

Auchmoody asked for thoughts and prayers for Supervisor Hansut who will be having a rough few months ahead, and he acknowledged all winners of the recent election on their successful campaigns.

7:08 PM – Lenny Auchmoody opened the Public Hearing Local Law E-2019

1. REPORTS – Town Board Liaisons

Audit –January 1 to June 30, 2019: Councilmembers Auchmoody and Mazzetti
July 1 to December 31, 2019: Councilmembers Winslow and Guerriero

ECC /Zoning Board – Councilmember Guerriero

Highland Central School District – Councilmember Mazzetti

The Highland Elementary School 3rd graders have collected 2,033 pairs of socks for the Neighborhood in Need program. 25 middle school 8th graders visited the fire house for a hands-on approach to fire safety.

Matt Barr, owner of TRC Auto, visited the high school and discussed the various career paths in the automotive industry. He also gave car care tips to the students attending the talk.

The high school will continue to offer events like this to acquaint students with different career paths.

On Friday, November 1st, the students in high school Spanish class showcased their knowledge of The Day of the Dead with a feast, colorful posters and traditional offerings.

The SADD club is celebrating Red Ribbon Week on Monday, November 18 through Friday, November 22. This week symbolizes commitment to a healthy, drug-free, and a destructive-free lifestyle, as well as awareness of problems caused by tobacco, drugs, alcohol, and texting while driving.

Planning Board – Councilmember Winslow

Winslow reported that there have been two Comprehensive Plan Review meetings so far. They are moving quickly on looking at the Rt. 9W and Rt. 299 zoning.

At the Planning Board meeting on November 21, public hearings for Glidepath, Joyful Moments and RTH Holdings (warehouse on Upper North Road) will be addressed.

Auto Zone is seeking commercial site plan approval for a land development project that will consist of a 6,816 sq. ft. single story structure for retail sale of auto parts.

They're waiting for Sal Cusa to meet with the water and sewer committee to discuss connections on North Road.

Police/Fire/Town Justice – Supervisor Paul Hansut

Water/Sewer/Drainage Committee and EDC –Councilmember Auchmoody

Auchmoody shared that it was decided at the Water/Sewer/Drainage meeting that separate crossings will be needed for each of the Sal Cusa lots on North Road.

REPORT – Peter Bellizzi, President, Hudson Valley Rail Trail

REPORT – Leonard Auchmoody, Manager, Bob Shepard Highland Landing Park

All but four lights are up and lit at the park. The entire walkway is lit. Lenny is very proud of how this has turned out, and he urged everyone to take a drive down to the river and see the lights. He has the last four lights left to install. The tall lights have been spoken for, but the shorter lights are available to have a plaque placed on them in memory of someone, or with

your name or a business name. The donation for this sponsorship is \$1,000, and includes the plaque. If all of the lights are sponsored the park will just about break even. Applications are in the Town Clerk’s office.

Public Hearing opened at 7:08

Sean Murphy, Attorney, informed everyone that the Ulster County Planning Board submitted recommendations late on Tuesday, which the Town Board has not had the opportunity to review. It is the board’s intention to listen to all public comments tonight, review those comments and the county’s suggestions, and hold the public hearing open until December.

Planning Board Ulster County

Wendy D. Rosinski, Town Clerk
Town of Lloyd
12 Church St.
Highland, NY 12528
REFERRAL NO: 2019-186
DATE REVIEWED: 11/6/2019

Re: Local Law #E of 2019 – Other Special Authorization

Summary

The Town of Lloyd has proposed a six-month moratorium on all development town-wide. The stated purpose is to halt the development process while the community evaluates and updates its existing comprehensive plan and subsequent needed amendments to the Town Zoning Law based on those updates. The proposed moratorium also includes the authority for two additional, three-month extensions. The exemptions provided in the moratorium are for residential subdivisions consisting of fewer than 10 lots or building permits for approved lots or structures to be used for residential purposes, including two-family dwellings, accessory apartments, accessory buildings, and manufactured homes and additions.

The following materials were received for review:

- Referral Form
- Resolution and Notice of Public Hearing
- Proposed local law #E of 2019

Discussion:

The use of moratoria to halt development during the comprehensive plan and zoning updates is not an uncommon practice as communities seek to win the race of diligence that can take place between landowners and the municipality during the adoption process. *“it would be a rather strict application of the law to hold that a city . . . cannot ... take reasonable measures temporarily to protect the public interest and welfare until an ordinance is finally adopted. Otherwise, any movement by the governing body . . . would . . . precipitate a race of diligence between property owners, and the adoption later of the zoning ordinance would in many instances be . . . like locking the stable after the horse is stolen (Downham v. Alexandria).”* There is however other case law that demonstrates an aversion of the courts to long time frames and to the lack of evidence that the community is actively engaged in the process of updating the comprehensive plan and the zoning. Here, the town has provided no evidence in the submittals that the Town has even begun or announced the plan to update its comprehensive plan.

In addition, the breadth of the proposed moratorium is sweeping providing few exceptions based on use and none based on geographic area. The latter omission is telling in that the community has adopted several recent changes to its zoning statute based on community goals articulated in various studies. These efforts have included the adoption of a gateway mixed-use and commerce district for the Rt. 9W corridor in Highland, extension of commercial zoning in the Rt. 9W corridor south of the hamlet of Highland, rezoning associated with the Wine Village Project, and recent changes to its laws regarding solar facilities and electric generation facilities.

Dennis Doyle, Director

RECOMMENDATION

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Finally, we would note that major portions of the Town are zoned for single-family homes (R-1 District) and agricultural uses (A District). A recent review of the building permits issued for single-family homes does not reveal a need for caution/concern regarding development pressure in these districts.

Recommendations

Timing

The Town has proposed a moratorium on almost all development in advance of evaluating and updating its comprehensive plan after which time it would then update its zoning statute to be consistent with the updated plan. The County Planning Board believes the proposed moratorium should be tied to a credible effort associated with the development of amendments to the comprehensive plan. None of the materials

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sent to the Board demonstrate any efforts such as the appointment of a committee, recommendations from the local planning board, or budgetary discussions regarding funding the work necessary to update a comprehensive plan.

Required Modifications

The Town should tie the establishment of a moratorium to a credible effort to review and change the Plan. This should include a clear outline of the steps the Town will use to move forward coupled with the recommendations from the local planning board and perhaps a public meeting that informs the community of the intent to make these changes prior to a meeting on the moratorium itself.

Previous Updates/Exemptions

As noted above, the breadth of the proposed moratorium is far-reaching. The Town has recently spent considerable time and effort updating its plans and zoning statute, which the Ulster County Planning Board supported. These updates included the Blue Point Overlay District so that the Hudson Valley Wine Village can proceed, also the Traditional Neighborhood Development and Mixed-Use Development Overlay Districts, as well as the Walkway -Gateway District. The Town recently adopted its Solar Energy facilities law which conforms to the policies of the UCPB. Finally, wireless telecommunication facilities are subject to federal regulations and timing rules and should not be included in any moratorium. Furthermore, the Town recently adopted standards to rehabilitate and reuse existing/blighted/underutilized structures for mixed-use.

Required Modifications

These efforts represent considerable investment by the community as to how development would occur along the Route 9W corridor with no indication in this proposed law that development proceeding in this manner needs to be reimagined as to the type of major corridor in the community and there has been no indication that this direction is now foreign to the community's goals.

Accordingly, the UCPB recommends that the breadth of the moratorium be reduced to exempt those recently created zones and districts as noted above and the more recent changes regarding solar facilities and blighted/underutilized areas. Finally, given the lack of development pressure seen in the A and R-1 districts, the application of the moratorium here should be limited to larger residential projects such as more than 10 lots or units.

Current and New Applications

The proposed moratorium is for all proposals currently going through the review process and for any new proposals as well.

Required Modification

The UCPB recommends, should this moratorium proceed, that it allows applications currently in front of the local planning board to proceed at their own risk, particularly if their project is likely to be in alignment with the goals of the Town/proposed zoning amendments. Allowing applicants to proceed

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at their own risk, should they choose to do so, offers the opportunity to receive shortened decision times once the moratorium lifts. The UCPB recognizes that the community has before it, or "waiting in the wings," several applications that may stretch the current transportation infrastructure along the Rt. 9W corridor, and although not mentioned, perhaps even the water or sewer system capacities in specific areas. Dealing with multiple projects in each geographic area, while complicated, does offer opportunities to consolidate reviews, particularly regarding specific infrastructure needs, and craft a way forward that can address in a comprehensive way the constraints and improvements that need to be imposed to allow development to proceed. This can be done using existing land use powers, the use of a targeted Generic Environmental Impact Statement or a "precise plan" for the area of concern. If this is the major impetus behind the moratorium then we would urge the recommendation to allow current projects to move forward be coupled with one of these approaches.

Moratorium Need and Length

In the past, the County has supported moratoriums where a demonstrated need has been clearly established. For example, with the advent of cellular telecommunications, the need to regulate this new land use in multiple communities was understood, given the volume of applications and impact these facilities would have. This moratorium, however, is unclear as to its urgency nor does there seem to be a clear link between a land use impacted and the scope of the moratorium. Accordingly, the purpose section of the moratorium should be clarified to clearly demonstrate the links between the concerns and land use and areas targeted by the moratorium.

Moratorium Purpose/Demonstration of Need – Required Modification

A demonstration of the need for a moratorium, especially as it relates to more specific use as opposed to a wider range of uses that may have similar demands and impacts on the Town, should be clearly stated within the purpose section of this proposed law.

Moratorium Length - Required Modification

If an extension is sought, a showing of progress will need to be submitted for re-referral that sheds clear light on the direction the Town is going with respect to regulating the types of use in question. This information should also be made available to the public and developers so that any proposed projects could be amended or adjusted to conform to the Town's goals.

Reviewing Officer

Robert A. Leibowitz, AICP

Principal Planner

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Cc: Paul Hansut, Supervisor
Scott McCarthy, UCPB

Mazzetti reminded the board that there is a three-minute time limit for each public comment.

Murphy instructed the public to state their name when they come to the podium, give any written correspondence to the Town Clerk so it can be included in the minutes, and as best as possible keep comments to two to three minutes so everyone has an opportunity to speak.

Erin Hazen, Glidepath, submitted and read a letter (see attached).

John Furst, attorney representing Mark Sanderson who has proposed The Villages in the Hudson Valley project, submitted and read a letter (see attached).

Taylor Palmer, attorney representing The Commons at Highland project, also known as The Views, submitted and paraphrased a letter (see attached).

Janeen McConnell, a Mayer Drive resident, stated that one of the proposed projects is located behind her house, and there is discussion about turning an easement, that is on the side of her house, into a roadway. She hopes this does not happen. It is not a single project that she objects to, rather the many projects proposed in such a concentrated area. She does want to make sure that any zoning changes will not allow the project behind her house to move any closer to her property line. Traffic is already heavy, and these additional projects will have an impact.

Ebony Cook, owner of Joyful Moments Day Care, is especially concerned that after searching for five years for a permanent home for her day care, the moratorium will prevent her from proceeding and meeting the state deadlines. That means displacing 65 children and 12 staff. In addition, the building she wants to move to is currently not paying any taxes, and she would be paying taxes. She is seeking an exemption.

Lindsay Decker, a resident of Highland Hills, spoke about why she and other community members support the moratorium. There are potentially six major projects proposed in the immediate vicinity of their development. With no change in traffic lights before any project begins, their ability to travel in and out of their neighborhood will be severely impacted. She understands that Urgent Care may go in before any new traffic lights are installed. Residents in the development signed three petitions in May, when there were only two projects: one for speed reduction, and to have stop signs installed; a second one expressed concern for safety and quality of life as a result of The Views project; and a third expressed concern for safety and quality of life as a result of The Villages project. The stop signs were installed, but the study regarding reducing the speed limit was deemed too costly. The other two petitions would be given proper consideration with the passing of the moratorium. The residents are not against growth in the town, but are requesting a serious look at more thoughtful development in consideration of the homeowners that already live here.

Kathy Hobbs, a resident of the community who owns property on Upper North Road, has proposed a green, passive warehouse, the first of its kind in North America, for her interior design and home staging company. She has purchased the property, and committed to the installation of the warehouse. To put this project on hold would be an intense hardship on her and her business which has operated in Highland for the past year, employing local people. She hopes the town board will give her an exemption as her location is not near the area of greatest concern.

John Fraino, a resident of and tax payer in Highland, stated that from January to the end of October 2019, the town has received \$430,000 in fees associated with building and development. In 2018 the amount was about \$107,000. He asked the board if they have factored in the loss of that revenue, as it represents approximately 5% of the town budget. A moratorium will put a freeze on that money for who knows how long. He attended the meeting where a moratorium was first proposed, and the issue of height restrictions was raised. He wonders if setting a height restriction of 35' eliminates the possibility of mid-range accommodations like a Hampton Inn, and invites the lower end such as a Motel 6, or even Section 8 Housing. His last concern is that the message a moratorium sends is that Highland is not open for business. Remember that New Paltz did not want Lowe's, and Lowe's moved down the road to the town of Lloyd, much to our benefit. Consider that the moratorium may push businesses down the road, where we'll still deal with the traffic, but will have none of the tax revenue to help with a solution. He thinks a blanket moratorium for the entire town is the wrong approach. There is a problem area and the focus should be on that area, and not throw a blanket over the entire town.

Gordon Hamilton, a resident of Mack's Lane, said that all the proposed development says a lot about the assets our town offers, and he does not see the attraction to Highland being diminished

by whatever decision is made regarding the moratorium. Highland is a nice place to live, and the building codes make it a desirable location to build. The lawyers have done a great job representing their clients' individual projects. Each project, on its own merit, presents advantages to our community. He keeps hearing dollar signs, dollar signs, dollar signs, but there are other things that also need to be considered, not only the bottom line – but members of our community. There are six major projects in a concentrated area, which is unprecedented for this board, and the planning board to try to tackle at the same time. There are individual advantages, and individual impacts for each project, but collectively it is imperative that the big picture is addressed. We would all like additional tax dollars to help offset our share, but development often brings increased costs rather than decreased taxes. He urges the board to keep in mind he is talking about quality of life, and to give serious consideration to these many projects. Once they are built, whether they have a positive or negative impact on the immediate vicinity, they will remain here.

Herb Litts, a lifelong Highland resident and current County Legislator, has served on nearly every Comprehensive Plan Committee except the current one. He thinks a blanket moratorium is not good for the town. The concept of the early plans for the town established Rtes. 299 and 9W as the commercial corridors. It is natural for businesses to gravitate to those areas. There is not a single home in this town that pays enough taxes to cover the cost of the amenities that that home utilizes; roads, lights, water, sewer, etc. Most residents are not happy with the taxes they must pay, and do not want their taxes to be raised. We need smart growth with a balance of commercial ratables and residential. That is the only way our town can progress, and our property owners can continue to afford the taxes. We need to look at the areas of most concern, and require those businesses that come before the board to do a corridor study. And the town can require them to mitigate any issues that arise as a result of their project in that corridor. Also, the Ulster County Transportation Council, that does traffic studies and corridor investigations, could be employed to look at the Rt. 9W and Rt. 299 corridors. This is free, it is what our tax dollars pay for. Before we agree to a moratorium, we should concentrate on those areas of concern, and then our town can progress with smart growth.

Mikki Meyer, from the Economic Development Committee, shared that for years they have worked to bring business to Highland and received comments like “it’s difficult to do business in Lloyd.” She can see the business coming and thinks we need to hold on to the businesses that are already approved, and watch what comes in next – then we’ll be in good shape. It’s DOT that we have to deal with as far as the roads and traffic. We should have projects that support themselves, as schools and the costs to run the town are very expensive. The town taxes are not that high compared to other communities. Smart planning is important, and we need to hold on to what we have.

Peggy Kramer, a resident of Upper Grand St., thinks the issue surrounding Mayer Drive is definitely a problem. She agrees with a moratorium until further investigation can be done, but not a total moratorium. Her concern is the proposed housing on North Road. Not all building has been well thought out. Since relocating the post office, and combined with the addition of Mike Artega’s Health and Fitness facility, the street she lives on has become a thoroughfare, and her complaints have not been addressed. She thinks attention should be paid to the people in the town who already pay taxes here. She also questioned whether our water and sewer department can handle all the proposed projects. The sewer does not extend to her street, even though Lower Grand Street does have a sewer connection, and she has to pay taxes for sewer. We should proceed with growth by looking at what we want the town to be and to look like. She would like Highland to be a showcase of a small hamlet that does well, but not at the expense of our current residents. The proposed green warehouse, and the daycare are good projects that will not impact the major corridors. The more building we do without thought, the more accidents and dissatisfaction we’ll have. Proceed with caution.

Dominick Roberto, a 68-year resident, said there are presently 168 houses in the Toc Drive development, with approximately 300 to 400 cars. We’ll have 72 apartments with another 150 more cars to exit onto a blind road. Everyone wants to be within a short distance to the bridge, which is already congested. There’s nothing wrong with growth and making money, but let’s look at what’s happening. 215 senior units are proposed. Think of all the traffic that will entail with visiting family, services, ambulances, etc. He thinks the moratorium is not forever, and it does offer an opportunity to really look at the impact these proposed projects will have on the community.

Ellen Heptinstall, asked the board how old the master plan is. The consensus was approximately seven years old, at a cost of thousands of dollars. She thinks we’re not living up to what we bought into. We have a liquor store that was supposed to be facing the road. We either live by

what we put together or revisit it as a community. She feels sorry for the residents of Hudson Hills. They did not buy into what is now happening. How much misery do we want to impact them? She came to this meeting hoping that there would be people offering solutions or ways we can approach this, and that's what she is charging the board to find out.

Jim Horan, attorney for Hudson Valley Wine Village, which has come before the board, and spent three years on an environmental impact process. They received a findings statement from the town, and as a result of that, they developed thresholds regarding traffic, density and all the things that would be included in a comprehensive plan. The developer spent a great deal of money on research for this project which includes a hotel facility, some light industrial, and some housing (which involves 800 units). There will be a twenty-year buildout. It is estimated that construction for this project will cost 249 million dollars, money that would be spent in the town of Lloyd. The increase in taxes would be paid by the project. They went through a very long review process with the town, the county, and the Army Corps of Engineers, and they are currently in talks with NYS Department of Transportation regarding making improvements to the Rte. 9W corridor. They are also trying to get approvals from DEC for expanding water and sewer to this project, and perhaps beyond. Ulster County has suggested that those projects that have already gone through the entire review process should be exempt from the moratorium. This is exactly what they are requesting from the board today.

Jeff Paladino, a resident of Highland, asked the board to tell the public what the county recommendations are regarding the moratorium. Members of the board let him know that there were copies located at the back of the room for anyone that wants to read the report. The town clerk let him know that it would be online as well. Palladino asked Murphy to explain what the process is from this point. Murphy explained that the board will take into consideration all the comments made at this public hearing, address the issues in the report, and then vote on the moratorium. If they do not accept all of the recommendations as written, they will need a super-majority, which is a majority plus one, to proceed. If the changes are substantial there will have to be another public hearing. The recommendations are actually required modifications.

Susan Lindauer wanted to express her gratitude to the board for formulating the moratorium, even though she does not understand what the terms are. Lindauer said she is not against building or construction, but she supports the moratorium because she thinks the building should be good for the people who are already living here, and moved here for purposes of living in a small town. She just wants smart building, and a moratorium provides time to look at everything. With six proposed projects, she thinks we need it.

Richard Bolstad asked the board how they factor in the impact of newer projects in an area where major projects have already been proposed. Auchmoody said they receive recommendations from the zoning and planning committees. Murphy repeated the information he gave earlier regarding the law moving forward; making changes and the super-majority. Murphy also stated that there is a provision in the law that allows exemptions. Mazzetti said it was important to the board to be able to provide an exemption if warranted. Bolstad asked if the board can tweak the language in the moratorium. Winslow stated that nothing gets changed without going through the attorneys. Bolstad expressed concern that some building that would be good for the town might not be able to proceed because of the moratorium. Mazzetti replied that the board has no intention of hurting anyone, and they do want to make sure that the quality of life is preserved for the townspeople and tax payers. They welcome businesses coming in, but not if they adversely affect quality of life. Winslow said the moratorium provides an opportunity to review the projects as a whole, and help to make the right decisions for the town. She conveyed that making sure the right decisions are made regarding this matter is an enormous responsibility, and they want to do it thoroughly. Murphy clarified that some have suggested that the law is overly broad, and that is something the board can consider revising.

Alan Barone, a lifelong resident of Highland who currently is a fire commissioner in the town, and serves on the school board. This past year the tax base has increased by \$32,000,000 in the Highland fire district, and \$40,000,000 in the Highland school district, which incorporates the towns of Plattekill, New Paltz, and Esopus. He encourages growth, but sometimes sides with the board that we have to have proper growth. We have a planning board and a zoning board in place, and they are charged with the duty of making sure that there is proper planning. He does not want to see these projects go away, because they will increase our tax base. The tax base is generally increased by commercial growth. Without growth, our school and land tax will go up. The Highland school system has lost 215 students since 2012, which means the schools can absorb additional students as a result of growth in the area. The town has stayed under the tax cap for the past six years, which has allowed homeowners to receive rebate checks.

He encourages proper planning, and encourages the board to charge both the planning board and the zoning board with making proper decisions.

Town Board agreed to leave the Public Hearing on Local Law E-2019, a local law temporarily suspending certain development, open until the December 18, 2019 Town Board Meeting

2. OLD BUSINESS

A.

3. NEW BUSINESS

A.

4. PRIVILEGE OF THE FLOOR

5. MOTIONS AND RESOLUTIONS

A. Motion made by Winslow, seconded by Mazzetti to approve the minutes of the October 16, 2019 Regular Town Board meeting, the October 22, 2019 Special Town Board meeting, and the November 6, 2019 Special Town Board meeting

Four ayes carried

B. Resolution made by Winslow, seconded by Mazzetti to authorize the payment of vouchers as audited by the Audit Committee.

General	G - 1050	to	G - 1144	\$ 62,681.20
Highway	H - 481	to	H - 4519	\$ 99,782.57
Miscellaneous	M - 242	to	M - 244	\$ 113.84
Prepays	P - 428	to	P - 477	\$ 144,998.73
Sewer	S - 314	to	S - 341	\$ 33,282.63
Water	W - 424	to	W - 474	\$ 42,692.36

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

Four ayes carried

C. RESOLUTION made by Winslow, seconded by Mazzetti **WHEREAS**, the Town Clerk is required by Town Law Sections 198(3)(d) and 198(1)(k), to report annually the statements showing the unpaid Water and Sewer charges in the Highland Water and Sewer Districts which have not appeared on any Such statement previously filed, and

WHEREAS, the Town Clerk has filed such statement dated November 8, 2019, annexed hereto, and requested that the Town Board, pursuant to Town Law Sections 198(3)(d) and 198(1)(k), the Town Code Chapter 98, on Water, Sections 98-22 and 98-23, the Sewer Use Code Chapter 85, Section 85-15 (D), Section 85-49(F) and (G), and General Municipal Law Sec. 452, levy a lien upon the real property benefited,

NOW, THEREFORE, it is RESOLVED AND ORDERED, that the water and sewer charges set forth in the annexed statement of the Town Clerk, along with any others added thereto prior to the date the same are forwarded to the County Legislature to be levied, be and they hereby are declared delinquent, and approval is hereby given to the Supervisor to transmit statements in compliance with Sections 198(3)(d) and 198(1)(k) to the County Legislature of Ulster County for levy in the sums as set forth in the annexed statement, against the properties liable, as set forth in the statement and the amounts set forth therein, to be levied as a tax in a separate column on the annual tax roll of the Town of Lloyd, under the name of "Water and Sewer Rents", and it is further

RESOLVED AND ORDERED that the Supervisor sign such necessary forms and documents to levy the lien for water and sewer charges as set forth in the annexed statement of the Town Clerk and when such charges are collected, that they be applied toward the maintenance, operation, enlargement and improvement of the water and sewer systems and for payment of the principal and interest of bonds issued for the purposes of each district, all as set forth in Town Law Sections 198(3)(d) and 198(1)(k). (See Attached)

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

Four ayes carried

D. Resolution made by Winslow, seconded by Mazzetti to accept the resignation of Lucy Davoli, Clerk to Town Justice Eugene Rizzo effective December 6, 2019.

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

Four ayes carried

E. Resolution made by Winslow, seconded by Guerriero to appoint Kelly Betters, Clerk to Town Justice Eugene J. Rizzo, and waiving the Town of Lloyd residential requirement for appointment. Appointment to be effective January 2, 2020 at the request of Eugene J. Rizzo.

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

Four ayes carried

F. Resolution made by Winslow, seconded by Mazzetti to accept the resignation of Sgt. Brian Scott effective November 25, 2019.

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

Four ayes carried

G. Resolution made by Winslow, seconded by Auchmoody to hire Christopher Miller as part-time police officer at the rate of \$21.20 per hour beginning November 21, 2019.

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

Four ayes carried

H. Resolution made by Winslow, seconded by Mazzetti for the approval to grant a leave of absence for a period of one year for Timothy Rhodes effective 8/8/19 per Civil Service Law, Section 72, at the recommendation of Richard Klotz, Highway Superintendent.

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

Four ayes carried

I. Resolution made by Winslow, seconded by Mazzetti to hire William R. Minard as a Temporary Employee as per Section 1.3.5 as per the CSEA Contract Agreement by and between the Town of Lloyd dated 1/1/17 – 12/31/19, at the hourly rate of \$20.83 for the position of MEO, which is budget supported, pending a physical with screening results effective immediately at the recommendation of Richard Klotz, Highway Superintendent.

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

Four ayes carried

J. Motion made by Mazzetti, seconded by Winslow that until such time as a personnel committee is discussed and established, any and all hires and promotions will be discussed with the Town Board with at least one (1) Town Board Member along with the Department Administrator being involved in the interview and candidate selection process prior to any names being placed on a town board agenda with the exception of elected officials.

Four ayes carried

K. Resolution WHEREAS, the Town, hereinafter “Grantee”, by agreement with William T. Halstead, hereinafter “Grantor” dated the 15th day of April 1998 obtained a Public Access Easement for ingress and egress and access by the public over and across the premises owned by Grantor located at 62 Vineyard Ave., (SBL: 88.69-7-10); and

WHEREAS, the Easement was established for non-motorized passive recreational purposes, such as viewing the Twaalfskill Creek, walking, hiking, jogging, running and public gatherings for community and recreational purposes; and

WHEREAS, the initial term of the easement was twenty-five (25) years, to be automatically extended for successive periods of twenty-five (25) years unless the Grantor (William T. Halstead) or his successor in interest provided notification to the Grantee not to extend the easement beyond the initial term; and

WHEREAS, the easement, currently is in its twenty-first (21) year; and

WHEREAS, the Grantor has notified the Grantee that he desires to terminate the easement effective immediately; and

WHEREAS, the Grantee has taken no action since the inception of the easement to further the initial purposes thereof; and

WHEREAS, the Grantee is agreeable to terminating the easement upon the filing of a Termination of Easement Agreement in the Ulster County Clerk’s Office.

NOW, THEREFORE, BE IT RESOLVED that

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The Town hereby agrees to terminate the Easement Agreement between William T. Halstead as Grantor and The Town of Lloyd as Grantee dated April 15th, 1998 and filed in the Ulster County Clerk's Office on May 28th, 1998 in book 2794 at page 154.

The Town hereby authorizes the Supervisor or Deputy Supervisor to sign all documents necessary to effectuate the termination of said easement and authorizes the filing of same with the Ulster County Clerk's Office.

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

Four ayes carried

MOTION made by Winslow, seconded by Mazzetti to adjourn at 8:35 PM.

Four ayes carried

Respectfully submitted,

Wendy D. Rosinski
Town Clerk

