

TOWN OF LLOYD TOWN BOARD

WORKSHOP MEETING

DECEMBER 5, 2018

Absent: Supervisor Paul Hansut
Councilmember Leonard Auchmoody*

5:05 PM – Councilmember Michael Guerriero opened the meeting and led the Pledge of Allegiance.

Councilmember Guerriero asked that everyone please stand for a moment of silence in memory of the 41st President of the United States George H.W. Bush.

1. REPORTS

Finance – Karen McPeck, Bookkeeper to the Supervisor

Assessor – Jennifer Mund

Building & Zoning Department – David Barton

Barton reported that the Planning Board is sending the change of the Law on Accessory Apartments back to the Town Board. The Board can review and call for a public Hearing at the January meeting.

His department responded to an electrical fire at the Super 8 Motel on Route 9W at the corner of Route 299. They worked with Highland Hose, Town of Lloyd Police and NYS Police. The fire occurred in the attic on the north end of the building. The building is closed and will be for a few weeks.

Highbridge Developer is not following their site plan and are requesting site plan amendments which will not be received well by the Planning Board. He told them last week that they could not have a CO because they have not followed their site plan.

There are new SEQRA regulations starting January 1st. There is an article about the regulations written by Rob Stout in the new Towns & Topics.

There has been a lot of back and forth on the purchase of a new vehicle for his department. Yesterday he had to cancel three inspections, therefore, three contractors were brought to a halt. The reason he had to cancel was that he had only 2 vehicles and he and Anthony were at the investigation at Super 8.

Mazzetti stated that process and procedure were not followed. The purchase was for a pick-up truck. It changed to a small SUV and then Mr. Barton requested a Tahoe. He asked if the vehicle was going to fit the Building Department's needs.

Barton said the Building Department has unexpended funds that can be used to purchase the vehicle. His department is part of the emergency response team; a Tahoe would make more sense. It allows for storage of equipment and a jump bag which is what they bring to a fire with supplies they may need. They often take the Planning and Zoning Board members out for field inspections and site visits.

Mark Reynolds, reporter, asked if the fence at 201 New Paltz Road has been removed.

Barton said that they sent a "soft" letter to 'please comply'; an appearance ticket would be next. The resolution said to move the fence and that will not happen until spring because of the weather.

Reynolds asked about the Highbridge project's noncompliance of the site plan.

Barton said one issue is the pedestrian access to the Rail Trail. The Planning Board required the continuation of access from the Rail Trail to Vineyard Avenue. There is no access as of now except a staircase up the hill. People with strollers, bicycles or who are handicapped cannot climb those steps. The original plan called for the path to go where the storage building is and then to the sidewalk on Vineyard Ave. The plan they are presenting is to put the people on the driveway which the Planning Board does not want.

The other issue is that they built 8ft patios which are too small. They want to have grills on them but the code states no closer than 10 feet for combustibles. They want to build a community area for outdoor grilling between the bridge and the storage units. Trail View Apartments has one and it worked out very well.

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Barton said that they hand delivered a letter to Mountainside Woods demanding they remediate the Rail Trail water issue. The sewer is deeper than the drainage so they were waiting for a go ahead from the Engineer and they started digging today.

Reynolds asked if Barton was looking at the 10% requirement for Affordable Housing at High Bridge. It is required and it is in the Town Code.

Barton responded he was not looking at it as he is not the administrator. The code calls for an administrator and if there is no administrator it goes to the Town Board.

Reynolds asked the Town Board if they are going to require it.

Mazzetti asked Barton what other towns did.

Barton said other communities apply to RUPCO to manage their properties. An administrator is a piece of government that requires a lot of time and he recommends that the Attorney look into what is required and make recommendations to the Board.

Murphy said there is no plan of action now but the issue will be addressed.

Reynolds asked if Barton was going to hold back issuing a Certificate of Occupancy to Highbridge because of the Affordable Housing issue.

Barton responded that he will withhold a CO because of other issues such as not following the site plan but not because of Affordable Housing as it is not part of the site plan, the approval or any discussion. His job is to enforce what was approved; he does not have jurisdiction to enforce Affordable Housing as it was not part of the approval.

He has advocated to have a Comprehensive Plan Legislative Committee that would review the Comprehensive Plan every year and make suggestions to the Town Board so that the Town Code and Comprehensive Plan reflect the actions of the Town. He suggested a small committee of five members.

Peter Bellizzi said that Mountainside Woods called and said they would be digging in the trail tomorrow. They are not following safety guides; he told them they need to put up safety fencing, divert the trail traffic and have a flag person.

Barton said that he and Richard Klotz, Highway Superintendent, will go to the job site in the morning.

Councilmember Guerriero stated that newly elected Assemblyman Johnathan Jacobs was present and asked him to say a few words.

Assemblyman Jacobs said that he is visiting all the municipalities and meeting the officials. He wants to see what is going on and learn what the hot topics are. He is here to listen and learn. He has been sworn in already as there was a vacancy caused by the untimely death of Assemblyman Frank Skartados. He is following up on grants that have been in limbo and looking at having an advisory committee. He added that he looks forward to working with everyone.

*5:35PM Councilmember Auchmoody arrived

Dog Control – Andrew McKee

Highway – Superintendent Richard Klotz

Klotz said they are finishing picking up leaves, patching holes and crack sealing. He is preparing his road list for next year.

He spoke with Nick Hvozda from Ulster County Department of Environment and asked him about solar panels. He had a US Environmental Protection Agency solar plan study done for the Town of Lloyd Landfill. Klotz said that NYSERDA recommended that if the Town puts solar on the landfill, it should lease the land out.

He had some pamphlets for the Town Board to look at and to decide if it is worthwhile. The Towns of Ulster and Esopus have installed panels and New Paltz is starting their project. The Town has 18 acres and can put the panels on 7 acres.

The Town would send out RFP's to solar companies. The landfill on Lily Lake Road is two miles from Central Hudson's main feeder line. If the Board wants to follow up, it could send out RFP's and evaluate the responses they receive. He felt that it could help offset the cost of the Transfer Station.

Mazzetti commented that the Town Board looked into it a few years ago.

Klotz said that he is getting prices for the pumps for the leachate. Good-sized pumps are needed because it is 500 feet to the tank and a 120-foot lift. The pumps will cost \$1200 and workers will be there a couple days. He felt it would be cheaper to put in the road that would allow easier access to the well.

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Councilmember Winslow said the Highway Department works hard and it is difficult to plow. The phones ring off the hook and sometimes they get complaints. They had a complaint during the past snow storm that a person was snowed in. She asked if there is a lot of snow and it piles up in front of someone's driveway does the town send someone out to move the snow.

Klotz said that his responsibility is to the edge of the road. He would help if it were an emergency and he could get a driver there.

Mazzetti asked Klotz and Chief Waage if they had met and collaborated on the proposed legislation for snow removal that is on the agenda tonight.

Chief Waage said they both met with Sean Murphy, Town Attorney.

Winslow said residents need to know that the Highway employees that are out in the middle of the night doing their best to get the road clear.

Justice – Eugene Rizzo/Terry Elia

Police – Chief Daniel Waage

Chief Waage reported

PATROL ACTIVITIES:

CALLS FOR SERVICE-----910
EMERGENCY MEDICAL SERVICE-----911

OTHER/PUBLIC SERVICE-----318
ACCIDENTS-----52

ACCIDENTS-----70
FIGHTS (FIGHTING/ATTACKS)-----3

TICKETS (PARKING/UTT'S) -----85 (15 parking)
(70 LITTERS)

(70 UTT'S)

ARRESTS-----38
FOOT PATROL----- HAMLET (OFGC)

FOOT PATROL-----HAMLET (OFFICER/SGT) ----- Approx. 190 hrs.
SCHOOLS (OFFICERS/SGT) ----- A S.1

SCHOOLS (OFFICERS/SGT)-----Approx. 8 hrs.
HAMILTON (CHIEF/LT) -----A 71

FOOT PATROL-----HAMLET (CHIEF/LT.)-----Approx. 7 hrs.
SCHOOLS (CHIEF/LT.)-----A-31

SCHOOLS (CHIEF/LT.)-----Approx. 3 hrs.

Nov. 8th - Chief Waage instructed on the topic of Civilian Response to an Active Shooter to daycare employees at Stepping Stones at the Park.

Nov. 13th- Cops and Coffee took place at Vignetto Café.
Nov. 14th- Lt. James Soto, Police 1 Sgt. Kelli

Nov. 14th - Lt. Janso, Sgt. Roloson and Sgt. Kalimeras presented information about recent scams, crime prevention and our Alzheimer's program to residents at Vineyard Commons.

Nov. 15th- Chief Waage held a table top exercise with the administration of the Highland Central School district on a response to a serious bus accident.

Nov. 15th -Members of the police department and their families filled shoe boxes full of gifts and toys to be sent to children ages 2 thru 14 who are in need throughout the world as part of Samaritan's Purse "Operation Christmas Child". This project is in conjunction with the Highland Calvary Church.

Nov. 19th- The Town of Lloyd Police Department Thanksgiving Food Drive concluded. Members of the department boxed up the food (approx. 25 boxes) donated from the community and provided it to St. Augustine's for their Free Community Thanksgiving Luncheon.

Nov 22nd-members of the police department assisted the St. Augustine's Thanksgiving Community Luncheon by supplying rides to those members of the community that needed it and also delivered meals to members of the project care program.

Nov. 27th-“Operation Christmas” started .The police department will be collecting new and unwrapped toys to be distributed to those children in need in the Town of Lloyd. The event ends Dec.15 with an open house at the police station and a visit from Santa.

Recreation/Buildings & Grounds – Frank Alfonso

Frank Alfonso reported that last Saturday was the first day of Youth Basketball for 1st - 8th grade. The program runs for 10 Saturdays. Seventy-five players registered. The charge is \$30; the players get a T-shirt and the counselors are paid. Adult Basketball is on Tuesdays and is open to anyone in the Town of Lloyd. The over 35 Adult League is on Thursday. It is a combination of New Paltz and Highland; they use the Highland Middle School and Lenape School in New Paltz. Youth Wrestling starts January 3rd at the High School and is for 6 Thursdays.

They are still doing leaf removal at Berean Park. Tony Williams Park is in good shape.

The Parks are winterized; the water has been shut off. The equipment, snowblower, field groomer, gator and mowers have all been serviced.

They are looking forward to seeing Tony Williams Park and the Rail Trail in the Spring when all the new plantings turn green.

There is water running under the basketball court towards the concession stand at Tony Williams Park. There has always been a slight problem but it has gotten worse and they will monitor it.

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The raft at Berean Park was installed in 1999/2000. They refurbished it a couple of years ago but it is still leaking. Muskrats put holes in the floats and inside the plastic floats they found matchboxes, kid's toys and golf balls. They will put in a new raft in the Spring that will cost around \$10,000-\$15,000 but will last 20 years.

The other big expense is the Tennis Court and Basketball Court at Tony Williams Field. The company they have used in the past will give a quote which will still be good in the Spring.

He and Steven Delmar will paint the upstairs and downstairs bathrooms at Town Hall.

Town Clerk – Rosaria Peplow

Rosaria Peplow stated that she attended the Ulster County Town Clerks' and Tax Collectors' meeting November 8, 2018 in Gardiner. They discussed various situations that have come up in the Town Clerk offices and how each Clerk handles it. The Town of Lloyd is one of two Towns along with the city of Kingston that has electronic filing of death certificates (EDRS) in Ulster County. Lloyd was put on line because of the two nursing homes. The other Towns will go on line shortly and the Clerks asked questions about how it is handled in Lloyd.

Hunting license sales generated a town commission \$53.47. On November 1st the NYSDEC reopened sales of Doe permits in certain DMU's that had not filled the quota allowed. Several hunters took advantage of the extra doe permits available in DMU 3M which is the southern tip of the Town of Lloyd into Marlborough.

Six hundred fourteen Transfer Station permits have been issued to date. Transfer station receipts were \$4,470.00 and \$220 for tires.

Tony Williams Park baseball field rental was \$800 from Hudson Valley NABA. She sent a Certified copy of the adopted 2019 Town of Lloyd Budget to the Office of Real Property Department of Finance.

Tax collection

Ulster County Information Services sent a sample of the 2019 County and Town Tax bill for approval.

Water & Sewer – Adam Litman

Litman reported that the water production has been primarily from reservoir water since mid-September; they have used river water only two and a half months this year. Since November they are 100% on Reservoir water, the 10-15% that normally comes from the wells is not utilized due to the excess reservoir water. Reservoirs are at 100% capacity.

The pump station was not painted due to weather; they will try to paint it next summer. October and November are historically quiet months for Water and Sewer Departments. Employees take vacations, they do clean up and prepare for winter. This year they did over 80 meter up-grades. Most were in the Bridgeview area. Many are in crawl spaces which are very difficult to work in. They moved the raft at the reservoir for the Polar Plunge.

He gave Sean Murphy a copy of a fee schedule for A-1 Communications last month and their request for the renewal of their lease.

Murphy said they talked about this last month. The owner had asked for a slight decrease in rent. He spoke with someone who negotiates lease agreements with Verizon and they felt Adam's request for an increase of 3% per year for 10 years was reasonable and a good starting point. He felt they should send a proposal to A-1 Communications.

Litman said he believed they requested a decrease to save money. They had requested the same several years ago and John Jankiewicz, former Administrator, allowed it. They reason that radio communications aren't used as much as they had been in the past. Litman said he disagreed.

Supervisor – Paul Hansut

2. OLD BUSINESS

A. Bus Turnaround – Elizabeth Wildstein-Hart

Not present

Peter Bellizzi said he was at the Walkway Amenities meeting and they said they don't have the money to do the Bus Turnaround. Morris Associates had done a design. There was a grant of \$100,000.00 from NY Markets. The Town of Lloyd Highway Department did the first part of the work. the purpose of the bus turnaround is so the buses don't have to go into the 75 Haviland Road parking lot where the cars are parked then park on the road.

Winslow wanted to know how much the grant was, who got the money and how much was spent.

3. NEW BUSINESS

- A. The Reis Group – liability & casualty insurance
Not present

- B. Illinois Mountain Trail – Tim Kleeger, Fats in the Cats

Pete Nimmer, Fats in the Cats Mountain Bike Organization, said they were based in the Hudson Valley. They work with NYSDEC and Scenic Hudson and are here to discuss putting in an additional 2 miles of trails on Illinois Mountain. The six miles of trail that are on Illinois Mt. are well used. They do not connect to Walkway Over the Hudson but hope to in the future.

Dave Barton said that Phase II of Mountain Side Woods is started and they will have a trail that will connect Illinois Mountain to the Rail Trail.

Nimmer said the current trails were put in by volunteers and are maintained by volunteers. Parking is at Berean Park. There is no cost to the town. There are no trails up there now and it would open up new areas of Illinois Mountain for the public to enjoy and have views that can't be accessed from anywhere else at this time.

Tim Kleeger, Trail Architect, said the new trail will give visitors a view of the western mountains, which include the Shawangunk and some of the Catskills. It is a four-mile loop and visitors will look east and see the highland range and go around the mountain and see the Shawangunk. The east side is gentle and the west side is very rocky. They are fully insured to build trails and supply all the materials including trail markers. They have been building trails on Illinois Mountain for 10 years and are excited about the prospect of this new trail. It will be an amazing addition to the other outdoor recreational possibilities in Lloyd.

Guerriero asked if the trails would be near any of the reservoirs.

Nimmer responded that the trails would not be near but would be above the reservoirs and stand alone. The trails don't go to the peak but users will have the feeling that they are on the peak. All the land is public land below the towers and above the reservoirs. The service road is allowable but not by vehicle. The new trails can be accessed either from the service road or around the tennis courts and start on the red trail. The Town of Lloyd owns half the land and Scenic Hudson owns the other half. There has been co-existence on the mountain for about 10 years. There have been no incidents with the trails, service road or reservoirs. There is plenty of signage warning hikers and bikers and vehicles that it is shared areas. There are asking for the Town Board's approval to build the trails. They can go in anytime and start pruning trails.

Sean Murphy said they will do a resolution at the next meeting.

Nimmer said this is one part of a trifecta of outdoor recreational allure; kayaking, walking trails and now more hiking trails.

- C. ECC – Neil Curri, ECC Chairperson

Neil Curri said a few weeks ago the ECC planted about 20 trees at the Rt. 299 kayak launch at Black Creek. NYSDEC Hudson Valley Estuary provides free trees through the *Trees for Tribs Program* so there was no cost to the Town. ECC submits an application. They talk about the site and NYSDEC gives them guidance about planting and then volunteers go out and plant the trees. The trees help stabilize the stream bank and prevent erosion. The ECC has been involved in a group of municipalities that use the Hudson River as a water source and they entered into an intermunicipal agreement a couple years ago. The towns are organized to protect the Hudson River as a drinking water source. There are groups that have protected the river as a habitat and recreational source for decades but not as a drinking source. This group is able to speak to NYS as a consolidated voice on issues that may affect the Hudson River as a drinking source. It can pursue projects that participating communities may need to upgrade their systems as there is money available for that from New York State. The Town signed the agreement and the Supervisor assigned Councilmember Mike Guerriero as the representative from the Town Board and unfortunately Guerriero has not been able to make the commitment to attend the meeting and he would like to ask the board to consider appointing a representative from the town to participate in the group.

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Winslow said she believed the Supervisor or Adam Litman, Water and Sewer Administrator, should be the one to attend the meetings.

Curri referred to the letter he handed out to everyone concerning a power plant proposal in the Town of Ulster. He explained that it is a small plant designed to supply power to the grid during peak times. The Town of Lloyd could also face this possibility. It is a complex issue. The New York State independent operator that manages the grid to New York State is required to provide power during peak times. The State is broken into smaller zones and the Mid-Hudson region is in the G zone which incorporates New York City. There is excess power upstate and not enough power downstate. The demand for power is growing in NYC and it is decreasing in the Mid-Hudson Valley. Rather than work on transmission issues and move that power downstate there is an attempt to spur the development of small power plants in the Mid-Hudson Valley which is not something that is needed. The ECC and other communities are concerned about the environmental, land use and scenic impacts to the Hudson Valley. He spoke with Peter Brooks, Planning Board Chairperson, and he was recently quoted as saying that "because these power plants are small, they don't come under state regulation that triggers state level review, therefore, it is up to the Town to regulate where the plants are to be sited and the code that they should adhere to." The Town of Lloyd does not have the zoning code to regulate these plants. Curri said he spoke with other communities and an Attorney for Scenic Hudson to see if there is a model law that they could use to develop a code in Lloyd and there is not. The ECC is asking the Town Board to pass a moratorium on power plants until language can be developed for the Town of Lloyd Code.

Mazzetti asked Dave Barton if Mr. Curri has spoken to him concerning this.

Barton said that at the Planning Board meeting they discussed preparing a law as it is likely a proposal for one of these small plants will come to Lloyd.

Mazzetti said he felt the Town needed a moratorium.

Barton said that Murphy would work on the moratorium but a group has to put together to develop the code. The Town can have a moratorium if it is working on something.

Murphy said that he will prepare a resolution for December 19th to set a Public Hearing in January 2019 on a proposed local law declaring a moratorium.

Winslow asked Neil Curri if he would be interested in working on the law.

Curri said the operator only has to show that he has the capacity to run power if there is a demand. The plants don't have to run for the operator to make money.

Barton said the language they develop would regulate these plants; they cannot forbid them as that is exclusionary zoning.

Curri said while there is not a model for the language there are suggestions from people who have experienced this issue. He wanted to make full disclosure that he is a member of Fats in the Cats and that his wife is the president and that he is in full support of the trail on Illinois Mountain. Fats in the Cats know how to build trails and do them sustainably, friendly for hikers as well as bikers.

4. PRIVILEGE OF THE FLOOR

Charlie Meuser asked Sean Murphy where it states in the law that a family member cannot be on the same volunteer board as another family member.

Murphy said he did not know if there is such a rule but it is a digressionary of the Town Board.

Meuser asked Councilmember Winslow what her problem is with him.

Winslow said she does not have a problem with him but it is her personal opinion that they shouldn't have relatives on a board. She does not know what party he belongs to and it did not matter as he thought. She works for the good of the Town and leaves her party at the door. They will be interviewing after the first of the year

Mazzetti said he will be interviewed. The Board of Assessment Review has three openings and anyone interested can submit a letter to Jennifer Mund, Assessor.

5. MOTIONS & RESOLUTIONS

- A. **MOTION** made Mazzetti, seconded by Winslow to close Main Street from Church Street to Vineyard Avenue and a portion of Vineyard Avenue from Milton Avenue to Woodside Place on Friday, December 14th from 5 PM to 10 PM for the *Light Up the Hamlet* event.

Four ayes carried.

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B. RESOLUTION made Mazzetti, seconded by Winslow

WHEREAS, the Town of Lloyd Town Board set up a Retirement Reserve on December 30, 2008 with surplus funds in the amount of \$96,357.00

WHEREAS, the sole purpose of this reserve was to offset the future increases in the contribution rate the Town of Lloyd must pay to fund the New York State Retirement fund for its employees,

WHEREAS, a portion of this reserve was used by resolution on December 7, 2011 to help pay the Retirement fund,

WHEREAS, the contribution to the New York State Retirement System that is due December 15, 2018 is greater than what was budgeted for in the 2018 budget,

NOW, THEREFORE, IT IS RESOLVED AS FOLLOWS: \$56,813 will be taken from the retirement reserve and applied to the amount due to the New York State Retirement System.

Roll call: Winslow, aye; Mazzetti, aye; Guerriero, aye; Auchmoody, aye.

Four ayes carried.

C. RESOLUTION made by Mazzetti, seconded by Winslow

WHEREAS, a proposed local law has been drafted as Local Law J - 2018, and is hereby introduced at this meeting as follows:

A Local Law to Amend Chapter 96 of the Town Code entitled "Vehicles and Traffic" Article III "Parking, Stopping, Standing and Truck Traffic", Article IV "Emergency Regulations", Article V "Removal and Storage of Vehicles from Streets and Public Places" and Article VII "Penalties; Miscellaneous Provisions" (copy of Local Law attached); and,

WHEREAS, this Board will hold a public hearing on the adoption of the said local law attached hereto.

NOW, THEREFORE, IT IS RESOLVED AS FOLLOWS:

1. A public hearing will be held at the Town Hall, 12 Church Street, Highland, New York, at 7:00 P.M. on the 19th day of December 2018 with respect to the adoption of the aforesaid local law;
2. The Town Board of the Town of Lloyd has determined that the within local law is a Type II action pursuant to the State Environmental Quality Review Act (SEQRA) and is exempt from further proceedings under such act; and
3. The Town Clerk is directed to publish and post a notice of said public hearing in accordance with law and circulate, pursuant to the Town of Lloyd Code and the New York State General Municipal Law, to the Town of Lloyd Planning Board, the Ulster County Planning Board, and any other interested agencies for response prior to the public hearing.

Local Law J-2018

A Local Law to Amend Chapter 96 of the Town Code entitled "Vehicles and Traffic", Article III "Parking, Stopping, Standing and Truck Traffic", Article IV "Emergency Regulations", Article V "Removal and Storage of Vehicles from Streets and Public Places" and Article VII "Penalties; Miscellaneous Provisions"

Be it Enacted as follows:

Section 1.

Article 96 Article III of the Town of Lloyd Code is hereby amended as follows:
§ 96-5 is amended to add the following:

Name of Street	Side	Location
Troy Lane	Both	Entire Length

Section 2.

Chapter 96 Article IV of the Town of Lloyd Code is hereby amended as follows:
Section 96-8 is hereby deleted and replaced with the following:

"Section 96-8 Snow Regulations.

- A. In order to facilitate the removal of snow and ice from roads in the town maintained by the Town of Lloyd, parking of any motor vehicles is prohibited on all town maintained roads, streets, or highways in the town from October 15th of each year through April 15th of the following year from twelve (12:00) midnight to seven (7:00) am, except in the Hamlet of Highland on Church Street, Main Street between Vineyard Avenue and Church Street and Vineyard Avenue between Grand Street and Church Street, where the parking of any motor vehicle is prohibited from October 15th of each year through April 15th of the following year from three (3:00) am to

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seven (7:00) am. Parking by merchants and businesses and the parking of their delivery trucks immediately in front of their places of business for temporary purposes is excepted from the prohibitions contained herein so long as such parking does not interfere with snow removal procedures.

- B. All free-standing basketball hoops will be removed from the roadside during the period between October 15th through April 15th of the following year. All garbage containers will be a minimum of five feet (5') from the shoulders of the road during this period.
- C. The Town of Lloyd Highway Department and the Town of Lloyd Highway Superintendent are hereby authorized to post temporary signs at locations along roads, streets or highways throughout the town prohibiting the parking of vehicles from twelve (12:00) midnight to seven (7:00) am except in the Hamlet of Highland on Church Street, Main Street between Vineyard Avenue and Church Street and Vineyard Avenue between Grand Street and Church Street between October 15th of each year to April 15th of the following year. The Town of Lloyd Highway Department and the Town of Lloyd Highway Superintendent are hereby authorized to post temporary signs at locations along roads, streets or highways within the town prohibiting the parking of vehicles from three (3:00) am to seven (7:00) am in the Hamlet of Highland on Church Street, Main Street between Vineyard Avenue and Church Street and Vineyard Avenue between Grand Street and Milton Avenue between October 15th of each year to April 15th of the following year.”

Section 3.

Chapter 96 Article IV of the § 96-9 is hereby deleted and replaced with the following:

Section 96-9 Declaration of Emergency.

The Supervisor of the Town of Lloyd may declare a State of Emergency in cases of snow/ice storms, flood, serious fire or other extreme public emergency whenever conditions resulting therefrom create a dangerous driving condition within the town. During the existence of such emergency, no vehicle shall be parked or abandoned upon any public highway or highways affected by the conditions resulting from snow- ice storms, flood, serious fire or other extreme public emergency.”

Section 4.

Article 96 Article V of the Town of Lloyd Code is hereby amended as follows:

§ 96-11 is hereby deleted and replaced by the following:

“Section 96-11 Removal Authorized

- A. Any vehicle parked or abandoned on any street or highway within the town during a snow storm/ice storm, flood, fire or other public emergency or found unattended on any street or highway where said vehicle constitutes an obstruction to traffic or is impeding the removal of snow, or the salting or sanding of the public highway or found unattended on any such street or highway where stopping , standing or parking of vehicles is prohibited may be removed by any codes enforcement officer or police officer, or by any employee or agent of the Town. Such removal by the Town shall be done without incurring any liability for damages to the vehicle, provided that reasonable care has been taken in its removal. The town’s Code Enforcement Officer, Police Officer or any employee or agent of the town duly designated by the Supervisor may engage the services of a towing company listed on the town’s “Towing List” pursuant to Chapter A 110 of this Code.
- B. The owner or operator of any vehicle removed pursuant to this article shall be responsible for the payment of reasonable charges for its removal and storage.
- C. The vehicle so removed may be retained under the custody of the storage facility until such time that the removal and storage charges have been paid.”

Section 5.

Article 96 Article VII is hereby amended as follows:

“§ 96-17 A. is hereby deleted and replaced by the following:

Any person or persons, association or corporation committing an offense against Articles I through V of this chapter of the Town of Lloyd Code which is not a violation of any part of the New York State Vehicle and Traffic Law shall be guilty of a violation punishable by a fine not to exceed \$50.00.

§ B. Shall be re-lettered §C. and a new § B. shall be inserted as follows:

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Any person or persons, association or corporation committing an offense against Articles VI of this chapter of the Town of Lloyd Code shall be guilty of a violation punishable by a fine of an amount up to \$1,000.00, or imprisonment for a period not exceeding 15 days, or by both such fine and imprisonment. Each week of continued violations shall constitute a separate, additional violation."

Section 6.

SUPERSESSION.

This local law shall supersede all prior inconsistent local laws.

Section 7.

EFFECTIVE DATE.

This local law shall take effect upon filing with the Secretary of State.

Roll call: Winslow, aye; Mazzetti, aye; Guerriero, aye; Auchmoody, aye.

Four ayes carried.

D. **MOTION** made Mazzetti, seconded by Winslow to declare the Town Board lead Agency in the SEQRA review for Local Law J.

Roll call: Winslow, aye; Mazzetti, aye; Guerriero, aye; Auchmoody, aye.

Four ayes carried.

MOTION made Winslow, seconded by Mazzetti to go into executive session to discuss contract with David Barton, Code Enforcement Officer at 6:50PM.

Four ayes carried.

MOTION made Winslow, seconded by Guerriero to come out of executive session at 7:13 PM.

Four ayes carried.

Mazzetti asked if the Supervisor had read Dave Barton's contract. He had not seen it until today.

RESOLUTION made by Winslow, seconded by Guerriero to approve the contract with David Barton. Code enforcement Officer. (See attached)

Roll call: Winslow, aye; Mazzetti, aye; Guerriero, aye; Auchmoody, aye.

Four ayes carried.

Respectfully submitted,

Rosaria Schiavone Peplow
Town Clerk