

TOWN OF LLOYD
TOWN BOARD WORKSHOP MEETING
NOVEMBER 4, 2020

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

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

5:00 PM – Supervisor opened meeting with Pledge of Allegiance led by Councilmember Auchmoody.

PROCLAMATION
“Pancreatic Cancer Awareness Month”

WHEREAS Pancreatic Cancer is the 3rd leading cause of cancer deaths in the United States; and

WHEREAS Pancreatic Cancer has the lowest 5-year survival rate of any major cancer, 8%; and

WHEREAS more people will die from Pancreatic Cancer than Breast Cancer this year; and

WHEREAS so many close to us in our community, such as former Supervisor Paul Hansut and Darlene Plavchak, have been affected by this cancer;

NOW, THEREFORE, I, Frederick B. Pizzuto, Supervisor of the Town of Lloyd, Ulster County, New York, do hereby proclaim November 2020 as “Pancreatic Cancer Awareness Month” in the Town of Lloyd; a month of empowerment, education and inspiration for our community who have been touched by pancreatic cancer. It is our opportunity to shine a light on this disease, to elevate our voices to raise awareness.

PROCLAMATION
“Mary J. Gardner”

WHEREAS, “Mary J. Gardner”, a lifelong resident of Highland, was taken from our midst on October 24, 2020, and

WHEREAS, “Mary J. Gardner” was born in Highland on September 19, 1928 to late parents, Benny and Aurora Lombardi, and

WHEREAS, “Mary J. Gardner” married Roger Gardner at St. Augustine Roman Catholic Church on December 5, 1959, and

WHEREAS, “Mary J. Gardner”, as a young girl, worked at several dress factories in Highland and

WHEREAS, “Mary J. Gardner”, had a 30-year career at IBM, followed by co-operating the Lombardi Construction company, with her brother Frank, and

WHEREAS, “Mary J. Gardner”, had a 20-year career with the Town of Lloyd Highway Department, and

WHEREAS, “Mary J. Gardner” was a beloved and essential part of this community, and

WHEREAS, “Mary J. Gardner” dedicated countless hours of community service and volunteering to dozens of organizations and causes, and

WHEREAS, “Mary J. Gardner” will be deeply missed by her community, friends, family and former co-workers; and

NOW, THEREFORE, BE IT RESOLVED that this November 4, 2020 Meeting of the Town of Lloyd Town Board be opened in memory of Mary J. Gardner; and

BE IT FURTHER RESOLVED that a certified copy of this resolution be delivered to her husband, Roger Gardner, with the deepest sympathy of this Town Board of the Town of Lloyd.

MOTION made by Winslow, seconded by Mazzetti, at 5:04 PM to open the Public Hearing on the 2021 Town of Lloyd Budget

Five ayes carried

1. REPORTS

Finance – Supervisor
Assessor – Supervisor
Building & Zoning Department – David Barton
Highway – Superintendent Richard Klotz
Police – Chief James Janso
CALLS FOR SERVICE-----2179
ACCIDENTS-----41
TICKETS (PARKING/UTT’S) -----(2 parking)
36 UTT’S)
ARRESTS-----17
FOOT PATROL-----HAMLET (OFFICER/SGT) ----- Approx. 150 hrs
SCHOOLS (OFFICERS/SGT)-----Approx. 10 hrs
FOOT PATROL----- HAMLET (CHIEF/LT.)-----Approx. 1 hr
SCHOOLS (CHIEF/LT.)-----Approx. 1 hr

- Oct. 01st**- 82 pounds of medication taken from the Medbox return and destroyed at Dutchess County Resource Recovery.
- Oct.02nd -03rd** -Walktoberfest took place at the Rail Trail/Walkway. Officers patrolled inside the event and outside and the roadways.
- Oct. 06th** -School reopened. Patrols followed and monitored bus routes.
- Oct. 07th**-**Officer Paradies responded to a medical call at the Ulster Inn on Rt 9W of a report of a 3-week-old infant unconscious and not breathing. Officer Paradies administered life saving techniques ultimately saving the infant’s life.**
- Oct 08th**-Chief Janso, Lt. Roloson and Officer Lembo assisted Town Officials with their annual senior citizens lunch at the Highland Landing.
- Oct 15th**-Police Reform and Reinvention Collaborative Committee meeting took place
- Oct. 27th**-after a lengthy joint investigation between the Town of Lloyd Police, the Town New Paltz Police, the Town of Plattekill Police, the Town of Marlborough Police and the New York State Police into a dozen residential burglaries over the past several months in the Town of Lloyd, New Paltz, Plattekill, Marlborough and Gardiner. Police arrested Eric J. Morgan, age 30 of Modena NY. Morgan was charged by Lloyd Police with Burglary 2nd degree, Grand Larceny 4th degree, Criminal Mischief 3rd degree, Criminal Mischief 2nd degree (all felonies). Morgan is accused of entering a residence on Half Moon Road in Highland and stealing approximately \$2,500 in copper pipe from the residence and causing extensive damage. Morgan, who is on parole for a previous burglary, was also charged by New Paltz Police, Plattekill Police and Marlborough Police for burglaries in their respective jurisdictions. Morgan was arraigned before Town of Plattekill Judge Murphy and remanded to the Ulster County Jail, without bail.
- Oct. 28th**-Lloyd Police assisted the URGENT task force in the arrest of a 26-year-old Highland man for sale of heroin, fentanyl and pills in the Highland area.
- Oct. 31st**-Lloyd Police and Highland Fire Dept. hosted “Cops and Candy, Firefighters and Frights” a drive thru trick or treating event at the parking lot of the fire house and police station. Over 150 cars with numerous children attended the event. The department handled 8 New York State PAUSE Complaints.

Training

Procedural Justice - Officer Roberto and Officer Schafer
Crisis Intervention Team - Officer Day, Officer Paradies

Recreation/Buildings & Grounds – Frank Alfonso
Town Clerk – Wendy Rosinski
Water & Sewer – Adam Litman
Supervisor – Frederick Pizzuto

2. OLD BUSINESS

Councilmember Mazzetti inquired about the Berean Park project. He thought we had the greenlight to go ahead but it turns out we cannot use the proposed company because of the bidding process.

Sean Murphy, Town Attorney, explained that he looked into the bid process and his first evaluation was that it wasn't wise to use it, after he did some research. He also spoke to someone at the Attorney General's office. He spoke with Supervisor and Alfonso and told them he didn't feel it was proper to use the company.

Murphy stated that he was given additional materials by Alfonso that he will review at the end of this week.

Supervisor said there are school districts and towns that have used this process of piggybacking and Murphy is looking into it.

Murphy explained that piggybacking on certain things, for example, if Highway wants to buy a truck or Buildings and Grounds wants to buy a lawn mower, they can purchase through the NY State bid list, that is the same everywhere. If you want to build a Town Hall and want to piggyback on another municipality, that is different. This is a hybrid, they are buying materials, but they are also doing some contracting. He feels more comfortable if it goes out for bid.

Mazzetti wants to showcase great things in the town. Everybody is working really hard to make this project better. He doesn't want, as time goes on, for things to become more expensive and have prices go up. We need to get moving on this stuff.

Supervisor Pizzuto added that as we move forward, we need to get on next year's schedule as soon as we can.

Winslow added that Alfonso needs to narrow down a time to complete the project; the tennis, pickleball and basketball courts.

Murphy responded that Alfonso is waiting for him.

3. NEW BUSINESS

4. PRIVILEGE OF THE FLOOR

BUDGET DISCUSSION

Margaret O'Halloran, Budget Officer reviewed the proposed amendments (see below).

Mazzetti thanked Sadie Becker, Margaret O'Halloran and Kendra Minard for their hard work on the budget. He knows the budget process was very difficult and really appreciates the hard work, but the reality was to protect the taxpayers.

Mark Reynolds, Reporter, inquired about the number listed in the budget for sidewalks, if it includes that piece of the sidewalk that Libolt, the developer, is supposed to do on the Commercial Ave. Ext.

Supervisor Pizzuto said the amount is purely for the sidewalk grant for the rehab of the sidewalks in the Hamlet. The Town's share of the project is \$180,000.

Mazzetti added that the piece of sidewalk going up Commercial Ave. Extension is in fact figured into the proposal for new sidewalks.

Supervisor Pizzuto added that his understanding for the new sidewalk grant coming will go around Vineyard Avenue through town, up to Commercial Ave. and up Commercial Avenue Extension to the Rail Trail. That is in the sidewalk grant.

Reynolds then asked why this issue is in that grant because this is a private situation.

Supervisor Pizzuto claimed that this was already in the grant long before the agreement was made with Libolt, and couldn't elaborate further on Reynold's inquiry for the agreement happened three years ago when he wasn't here.

Mazzetti replied to Reynolds by adding that he fought this round and round and was highly vocal. He had a special meeting in the Town Hall when they were building the project and invited Reynolds and concerned citizens. The developer proposed that he would build a sidewalk from the Rail Trail to the street, which he did not. He proposed putting cantilevers on, which he did not. Then he did not put the balcony's on because he would have had to rip the roof off the building. And he put a shed up that wasn't on his site plan. Libolt then said he would build a sidewalk from the Rail Trail to Commercial Ave. Mazzetti said he wanted him to go all the way to Vineyard Ave., and they said no. They were supposed to pay for the entire project. The first time Mazzetti heard that they were only paying \$5,000 was at the last meeting.

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Mazzetti said he didn't want to make a big stink about it. He was going to bring it up later. The developer has had long enough to get that section of sidewalk done. He feels that we should ask the company the Town hires to do the sidewalks, for the cost of that specific section that the developer is obligated to provide, and have the developer pay that amount, not just \$5,000 towards that amount.

Mazzetti asked Murphy if they can take legal action against them if they decide to renege? Murphy claimed that he wasn't involved and wants to look at the agreement.

Supervisor Pizzuto claimed that there's an agreement in the building department that allows this to go forward and it listed conditions of approval.

Mazzetti advised Murphy to ask for a copy of the agreement.

Peter Bellizzi, President, Hudson Valley Rail Trail, said when Ethan Jackman sold the property to Keith Libolt there was an agreement to make a trail to Vineyard Ave.

Supervisor Pizzuto claimed that there was never an agreement between Ethan Jackman and the Town of Lloyd. It was a handshake agreement for that particular piece. And when the property changed ownership that handshake agreement did not continue. The planning board dealt with this.

Winslow said we should have a letter and minutes to go back to.

Mazzetti claimed that the CO should never have been issued until this was straightened out, and Dave Barton claimed it was straightened out. He never saw the letter.

Supervisor Pizzuto said that when Peter Brooks was the Chairman of the Planning Board, they had a meeting upstairs attended by about 8 of us, and that is when they agreed to these conditions. That has to be in the records/minutes.

Mazzetti stated that the money could be used now to extend the sidewalk further down Commercial and get it to St. Augustine's. Then we would have a completed sidewalk.

Reynolds asked if Libolt sells, what would Murphy do to ensure the Town receives a check for approximately \$26,000.

Murphy replied that he doesn't know. He would need to look at the agreement as he is not familiar with it - he wasn't involved in the approval process. If it's a condition of his approvals that would run with the approvals.

Reynolds also asked if Libolt sells, is the next guy going to be responsible?

Murphy replied that he has to look into the agreement.

Mazzetti answered that regardless if he sells or not, he has an agreement. Can we attach it to his taxes and get the money from him that way. They want the \$26,000.

Winslow said, before he sells it.

Murphy stated that he doesn't believe we could attach it to his taxes. He needs to look into it, and also look into the agreement.

Auchmoody added that Mazzetti said \$26,000, but nobody really knows.

Mazzetti wasn't sure of the exact amount, and suggested they get a correct amount.

Reynolds said that he had a conversation with Ted Kolankowski, from Barton and Loguidice, because he was curious how much the sidewalk was going to cost. Kolankowski informed him that for every 1 foot by 5' wide it would be about \$100. So, the estimated 260' would cost approximately \$26,000. This amount may not include curbs.

Auchmoody claimed that 5' wide wouldn't be wide enough for 2 wheelchairs to pass each other. It may require 39 inches for each.

Supervisor asked if the Events Committee is going to come into the meeting.

Winslow reported she heard one person say fireworks will be \$8,800, and then another person said the cost will be about \$20,000.

Supervisor Pizzuto stated that they had approximately \$8,800 on the line, and just as COVID-19 was hitting they were having the conversation with the fireworks company and the estimate was \$17,500. That's where the number came from. They had \$9,000 set aside and it was going to cost almost \$18,000.

Winslow said that when she had the conversation with Paul Hansut, he told her he had a conversation with the fireworks person, who said that it was going to go up only a couple of dollars. He didn't know where they got their numbers from. Winslow inquired if they have the numbers written down.

Margaret O'Halloran, Budget Officer and Confidential Secretary for Supervisor, confirmed that they have the contract they sent.

Winslow stated the Events Committee had a problem with the discrepancy.

Auchmoody inquired if we asked for fireworks on the 4th of July? This is how Hansut got the discount, by not having them on the 4th.

O'Halloran stated it was going to be after July 4th.

Winslow then stated that this is the communication breakdown.

Mazzetti inquired if it was written down. We don't know what the guy said to Paul. O'Halloran does have a contract and spoke to the guy, who claimed this year is going to be this price, but next year, because of COVID-19, the prices are going to go up. Winslow said we should call him again and tell him this is what the Supervisor told us, have him confirm and send us a new bid. We are a little shy of what we have allowed. She discussed with Supervisor Pizzuto that if it does come to pass, and we are good for fireworks, we need to come up with the money for it.

Mazzetti claimed that we were over \$1,000,000.00 on this budget, and to get it there was a lot of work. That doesn't mean we are going to cut this or that, for there was a lot of sweat and many of painful decisions, and it hit every department. But the main thing is, we had to do what was right for the entire town. There are things that we all wished we could still have, but unfortunately, we had to make tough decisions. If COVID-19 starts to lighten up, fees and other revenues will start opening up. Sales tax will probably be coming back. Maybe we will save money by having a mild winter. Then we may then have funds for the fireworks. It can be reexamined then. Mazzetti also stated that we have a good relationship with the Walkway, and maybe we could piggybank with them to save money on fireworks for they buy lots of fireworks, and maybe they get a discount.

Peter Bellizzi, President, Hudson Valley Rail Trail, stated the walkway does it on the 4th. It is never on the 4th in the Town of Highland.

Mike Guerriero contributed that maybe we could partner with Poughkeepsie.

Winslow said we got under the tax cap, and this was the year we should have gone over but, with COVID-19, she understands staying under the cap. Going forward, we really have to reevaluate, because we can't continue to rob Peter to pay Paul. The town eventually will get a fat tax bill and we don't want that to happen. She urged everyone on this board to really consider going over the cap next year, because it might just be only \$25.00 on a \$200,000 home as opposed to \$125.00 if we continue to put it off. We all really have to dig deep next year and take a look at it.

5. MOTIONS AND RESOLUTIONS

A. RESOLUTION made by Mazzetti, seconded by Winslow,

WHEREAS, the Town Board has recognized the community benefit of extending water and sewer service to Bob Shepard Park, and has previously received information from the Water and Sewer Administrator and the Town Engineer indicating that the Highland Water and Sewer Districts in the areas of River Road need to be extended to provide such services that include the installation of a new water and sewer main under the Railroad tracks; And,

WHEREAS, CPL, Architecture, Engineers, and Surveyor, has prepared bid documents, along with proposed request for proposal documents, and have delineated the project labeled as the Bob Shepard Park Water and Sewer Line Construction; AND,

WHEREAS, the Town properly noticed and received formal bids on or before July 7, 2020 from contractors for the construction of the work as called for by the bid documents; AND,

WHEREAS, the Town Board has reviewed the bid price and the apparently low bidder's qualifications; AND,

WHEREAS, the Town of Lloyd received formal correspondence from the apparent low bidder, Roehrs Construction, dated October 8, 2020, stating that they cannot perform the work and have withdrawn their bid and award on the project; AND

WHEREAS, the Town has met with the only other bidder on the project, Green Meadows Enterprises, regarding their ability and willingness to undertake the project construction, AND

WHEREAS, the Town received a recommendation from CPL, Architects, Engineers, Planners and Surveyor, regarding the award of the bid to Green Meadows Enterprises as the only other bidder on the project,

1. The Town Board accept the request by Roehrs Construction, Inc that their bid and award be withdrawn without prejudice and that no claims be brought against them;
2. This Town Board award the contract for the horizontal boring (contract #19-010BC) associated with the project known as the Bob Shepard Park Water and Sewer Line Construction, for the installation of new horizontal borings under

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the Railroad tracks in the area of Bob Shepard Park, along River Road, to Green Meadows Enterprises, Inc., the only other bidder on the project, for the amount of \$ 282,300.00, and authorizes the supervisor to sign the Notice of Award and enter the Town into contractual obligations;

3. The project underwent a SEQRA review as an unlisted action, and was provided with a negative declaration, indicating that the project did not result in an adverse environmental impact;
4. CPL, Architecture, Engineering and Surveyor, be, and they hereby are, authorized to oversee and inspect the construction for compliance with the contract documents.
5. The project shall be funded from a grant received by the Town specifically for this project.

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

B. RESOLUTION made by Mazzetti, seconded by Winslow,

WHEREAS, the Town of Lloyd sent out requests for written quotations and put a legal notice in the newspaper for lawn care, including mowing, weed whacking, disposal of clippings, fertilizing and spring and fall cleanup for the Town's Tony Williams Field and Village Field for a three-year season contract; and,

WHEREAS, the Request for Quotation advised potential bidders that the Town of Lloyd Recreation Director would be available for questions from potential bidders regarding properties referred to in the Request for Quotation; and,

WHEREAS, five (5) sealed quotations were submitted and opened on October 2, 2020, and

WHEREAS Baker & Sons Landscaping quote \$300 per cut for Tony Williams Field/\$70 per cut for the Village Field; \$37.50 per hour for extra work; \$850 per application for fertilizing Tony Williams Field/\$265 per application for fertilizing the Village Field, and

WHEREAS a certificate of insurance and non-inclusion certification were submitted, per the Request for Quotation; and,

WHEREAS, the Town's Recreation Director, Frank Alfonso, and the Town Board Agree that awarding the bid for all of the necessary lawn care, including fertilization, would optimize the cost and efficiency of the contract, and the quote for fertilizing submitted by Baker & Sons Landscaping is reasonable and appropriate, and the Town desires to award the bid to Baker & Sons Landscaping, which bid provided for all of the requested services at both Tony Williams Field and the Village Field.

NOW, THEREFORE, IT IS RESOLVED AS FOLLOWS:

The contract for the Town of Lloyd lawn care for a three-year season ending December 31, 2023 for Tony Williams Field and the Village Field is awarded to Baker & Sons Landscaping as their bid is considered by the Town Board to be the "best value" for the Town of Lloyd as recommended by Recreation Director, Frank Alfonso.

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

Mazzetti asked if we are positive this will solve our audio problem.

Supervisor said they will have another meeting with Hudson Valley Audio Visual and they will make the guarantee it will work.

Mazzetti said I would like them to let us use it once and make sure the people at home can hear us.

Winslow said the money was budgeted for 2020.

Mazzetti asked if they should approve it tonight or wait and have a demonstration to make sure it works.

Rosinski said they did a demonstration last year.

Mazzetti responded they didn't put it on TV and the presenter made a comment that the microphones will work but he couldn't guarantee it would work with the box.

Rosinski said they can guarantee the microphones and speakers and sound in the room will work but the camera and live stream are a whole different thing.

Winslow said we need to move forward with this.

Mazzetti said why can't he just come back but he needs to wire into our system and test it.

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Winslow said there is a six-week lead time on the equipment.

Supervisor said to table it and meanwhile they will speak with the company.

C. TABLED RESOLUTION made by Winslow, seconded by Mazzetti, to approve the contracts with Hudson Valley Audio Visual (HVAV) dated 10/21/2020 to (1) install new microphones and sound system and (2) install a 70" interactive display in the meeting room at Town Hall, 12 Church Street, in the amount of (1) \$18,939.00 and (2) \$4,939.00 for a total of \$23,878.00.

MOTION made by Mazzetti, seconded by Winslow, to **TABLE**

Five ayes carried

D. RESOLUTION made by Winslow, seconded by Auchmoody, to make the following budget amendments:

Building & Grounds	1630.40	+8,900
Programs for the Aging	7310.41	-8,900
Parks Capital Improvements	7110.50	+16,354.93
Youth Program Contractual	7310.40	-16,354.93

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

Five ayes carried

E. MOTION made by Auchmoody, seconded by Winslow, to appoint Charles Glasner to the Revolving Loan Fund Committee.

Five ayes carried

2021 Budget Amendments discussed.

GENERAL

- 1 Reduced 1110.4 Justices Contractual line to \$25,000 from \$37,000 (-\$12,000)
- 2 Reduced 1320.4 Finance/Accounting/Auditing to \$19,000 from \$20,000 (-\$1,000)
- 3 Increased 1355.4 Assessor Contractual line to \$21,225 from \$1,225 (+\$20,000 for Reval)
- 4 Reduced 1410.4 Town Clerk Contractual Exp line to \$3,250 from \$5,000 (-\$1,750)
- 5 Increased 1620.4 Town Hall Contractual Expense line to \$40,000 from \$35,000 (+\$5,000)
- 6 Increased 5140.4 Sidewalks Contractual Expenses to \$45,000 from \$15,000 (+\$30,000)
- 7 Reduced 7020.4 Recreation Admin Contractual Expenses to \$3,000 from \$3,300 (-\$300)
- 8 Increased 7110.4 Parks CE to \$47,000
- 9 Increased 7550.5 Celebration/Events to \$7,500 from \$0 (+\$7,500)
- 10 Increased 8260.1 Transfer St Personal Services to \$38,160 from \$22,160 (+\$16,000)

GENERAL REVENUES

- 11 Increased 2110 planning/zoning fees to \$45,000 from \$40,000 (+\$5,000)
- 12 Increased 2125 Research Fees to \$25,000 from \$20,00 (+\$5,000)
- 13 Increased 2130 Transfer Station Revenue to \$92,000 from \$87,000 (+\$5,000)
- 14 Increased 2610 Fines & Bails to \$280,000 from \$260,000 (+\$20,000)
- 15 Increased 3005 Mortgage Tax \$255,000 from \$245,000 (+\$10,000)
- 16 Removed 2024 Rec - House Apt fees of \$40,000 (-\$40,000)

HIGHWAY

- Reduced 5110.4 Highway General Repairs Contractual Expenses to \$415,000 from \$420,000 (-\$5,000)
- 17

WATER

- 18 Reduced 8310.3 Professional Services to \$40,000 from \$50,000 (-\$10,000)

WATER REVENUES

- 19 Increased 2140 Metered Sales to \$800,000 from \$780,000 (+\$20,000)

SEWER

- 20 Reduced 8120.4 Sewage Collecting System to \$48,000 from \$50,000 (-\$2,000)
- 21 Reduced 8130.4 Sewage Treatment/Disposal to \$155,235 from \$160,235 (-\$5,000)

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SEWER REVENUES

- 22 Increased 2120 Sewer Rentals to \$650,000 from \$645,000 (+\$5,000)

MOTION made by Mazzetti, seconded by Winslow, to extend Public hearing on the 2021 budget to November 18, 2020.

Five ayes carried

MOTION made by Mazzetti, seconded by Winslow, to go into executive session at 5:40 PM for Attorney Client Privilege to discuss contracts.

Five ayes carried

MOTION made by Mazzetti, seconded by Winslow, to come out of executive session at 6:00 PM.

Five ayes carried

Respectfully submitted,

Wendy D. Rosinski
Town Clerk

