

TOWN OF LLOYD

TOWN BOARD MEETING

March 20, 2024

Present:

Supervisor David Plavchak
Councilmember Leonard Auchmoody
Councilmember John Fraino
Councilmember Tiffany Rizzo
Councilmember Guerriero

Also Present:

Sean Murphy, Attorney
Margaret, O'Halloran, Secretary
Maribel Gabiger, Deputy Town Clerk

Meeting was held live in Town Hall, Live on WebEx and live streamed on Optimum Channel 22.

All meetings are available on You Tube Town of Lloyd.

Most current meeting is replayed on Optimum Channel 22 Monday 7pm, Wednesday 9 am, Friday 7 pm and Saturday at 9 am.

7:00 PM – Open meeting and Pledge of Allegiance

Basil Metz, Eagle Scout Achievement, Troop 70

Basil is a Junior at Highland High School. For his Eagle Scout Project he built a playground at his church in Wappingers Falls.

Supervisor awarded Basil the Outstanding Citizenship Award from the Town of Lloyd. Legislator Gina Hansut present him with The Ulster County Legislature Award.

Public Hearing Local Law D-2023

Local Law No. D – 2023, a Local Law to revise Chapter 100 of the Town Code Entitled “Zoning” to revise Section 100-42.1 of the Town Code entitled “Short-term Transient Rentals (STR)”.

MOTION by Auchmoody, seconded by Fraino to Close Public Hearing **Local Law D -2023**.

MOTION to Close Public Hearing **Local Law D -2023**
(**Motion to adopt Resolution E.**)

MOTION to Open Public Hearing for Local Law A-2024

Local Law A-2024, a Local Law to amend the zoning map to rezone property at 111 Weeds Mill Road, Highland, NY 12528 (SBL# 87.2-1-10) from property owner Anthony Prizzia Sr.

1. REPORTS – Town Board Liaisons

A. Town Board Liaisons

Audit – January 1 – June 30, 2024: Councilmembers Auchmoody and Rizzo

July 1 - December 31, 2024: Councilmembers Fraino and Guerriero

Beautification – Councilmember Rizzo

Rizzo reported the new shed has been delivered, the spring flags have been hung. They have scheduled the Scarecrow Event for October 5th with a rain date of October 6th. They are hoping the new Pavilion at the Town Field will be ready by then, if not they will find an alternate location.

ECC (Environmental Conservation Committee) – Supervisor Plavchak

No meetings yet this year.

Received a grant for \$19, 500 to study species in Chodikey Lake.

Events Committee – Councilmember Fraino

Highland Fire District/ Ambulance – Councilmember Fraino

Fire alarms dispatched 28

Average firefighters per call 11 (highest was 41)

Total Number of apparatus responses 56

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Manhours for alarms 351
Manhours for meetings 44
Manhours for training 339
Manhours for misc. events. 45

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**TOTAL manhours 683 February 2024

** Total manhours do not include the officer's administrative work, planning for training and/or the attending of the Highland Fire District Commissioners meetings by Officers and members.

Highland Central School District – Councilmember Rizzo

The school has released their preliminary budget and had to make a lot of difficult decisions and it looks like they will be making approximately 20 budgetary cuts to staff, administration, supplies and teachers.

The School District is still hoping the governor will restore aid to the district. There is a link on the school website to voice your concerns to the Governor.

The Middle School had a kitchen fire in the cafeteria snack room. They are waiting for the Insurance adjuster before they can begin clean up. The students will continue remote learning until further notice.

The Elementary School has exceeded their goal of \$10,500.00 and raised \$13,000.00 for the American Heart Association. They have now raised their goal to \$15,000.00.

Supervisor added that, he, John Fraino, Maribel Gabiger, Gina Hansut, Chief Janso and Jenn Acosta went to the Elementary school to read for the 4-H, books about why I love Strawberries.

Highland Landing Park – Councilmember Auchmoody

The time lock is still not operating properly.

The north dock is in.

Over the winter someone stole the two pipes for the South dock that go from the bulkhead to the dock. He needs to get them replaced.

Lights – Councilmember Fraino

Fraino and Central Hudson Field Engineers wen out to Windsor Hill Road to look at the location for the two new street lights.

Lloyd Community Development Committee - Supervisor

Planning Board – Councilmember Auchmoody

Planning Board was slow. Applicant that is turning garage into accessory apartment was approved.

67 Black Creek Road was seeking a special use permit to create 2 apartments above an artist's studio was approved.

STR's at 65 Hawley's Corners Road and 241 Chapel Hill Road were approved.

Hudson Valley Rail Trail – Councilmember Auchmoody

The Clover Classic was last weekend, last year they had 140 runners, this year it was 231.

A dozen State Troopers ran with a little boy. It was a wonderful event.

Zoning Board of Appeals – Councilmember Guerriero

First Presbyterian Church is applying for an area variance. They want 8' relief for the rear set back.

John Conte is applying for an area variance for an accessory apartment. He is requesting 860 sq ft for the apartment and only 650 sq ft is currently allowed. ZBA sent him to the Planning Board because it is new construction.

2. OLD BUSINESS

A. Auchmoody, Open Development

There is a resolution on for tonight.

3. NEW BUSINESS

A. Infiltration and Inflow

One of the things the Town has noticed this year, specifically with all the rain, Infiltration is where ground water seeks cracks in old pipes and gets into our sewer lines. When it gets in the sewer lines, we are treating water that doesn't need treating, this wastes capacity at our sewage plants.

Inflow is if someone has their storm drain or sub pump hooked into our sewer line, which is illegal. We have found a few instances and we believe it is more widespread.

So we are putting a message out to residents to make sure their storm drain or sub pump are not hooked into the sewer system. We will give people 3-4 months to correct it, if it is and then we will test for it. If they fail the test we have no choice but to give out violations and the issue will need to be corrected.

On infiltration, we know we still have clay pipes which were installed back in the 30's to 60's. About 10 years ago, the town lined Vineyard Ave from Brescia down toward the sewage plant.

We know we have bigger problems on New Paltz Road, North Road and Hillside and Woodside. Those areas would need to be lined. It is very expensive, \$50 per foot. Prior they test the lines and use a camera, which if rented, costs \$5.00 per foot to check if the line is broken or collapsed, that has to be fixed first. We are currently putting a plan together.

We started a Drainage Committee and we have found that some problems are collapsed pipes but also, we have problems that go through people properties where we do not have easements.

We determined we need a camera that can be utilized by the Drainage Committee, Water and Sewer. We will have something by the Workshop for the purchase of a camera.

This is not a new problem; we are trying to fix our infrastructure and this is part of that.

4. PRIVILEGE OF THE FLOOR

5. MOTIONS AND RESOLUTIONS

A. RESOLUTION moved by Fraino, seconded by Rizzo to authorize the payment of vouchers as audited by the Audit Committee.

MARCH 2024				
GENERAL	G.112		G.185	\$102,106.63
HIGHWAY	H.50		H.86	\$86,785.62
MISC	M.37		M.59	\$69,352.80
PREPAYS	P.270		P.400	\$626,054.79
SEWER	S.31		S.57	\$11,763.48
WATER	W.32		W.55	\$26,864.76

\$922,928.08

Roll Call: Fraino, aye; Plavchak, aye; Auchmoody, aye; Guerriero, aye; Rizzo, aye
Five ayes carried

B. RESOLUTION moved by Auchmoody, seconded by Fraino to authorize the Supervisor to request Ulster County Civil Service to approve a NPDS for Senior Water Plant Operator – Type IA be added to the Town of Lloyd positions listing at the recommendation of Adam Litman, Water/Sewer Administrator.

Roll Call: Fraino, aye; Plavchak, aye; Auchmoody, aye; Guerriero, aye; Rizzo, aye
Five ayes carried

C. RESOLUTION moved by Guerriero, seconded by Rizzo to authorize the Supervisor to approve the 2023 audit of the Justice Courts completed by Town of Lloyd Bookkeeper, Kendra Minard at the request of Judge Eugene Rizzo.

Roll Call: Fraino, aye; Plavchak, aye; Auchmoody, aye; Guerriero, aye; Rizzo, aye
Five ayes carried

D. RESOLUTION moved by Auchmoody, seconded by Rizzo to hire Henry Norris as part time dispatcher at a rate of \$19.82 per hour with a start date of March 21, 2024 at the recommendation of Chief James Janso.

Roll Call: Fraino, aye; Plavchak, aye; Auchmoody, aye; Guerriero, aye; Rizzo, aye
Five ayes carried

E. RESOLUTION moved by Auchmoody, seconded by Fraino

WHEREAS, the Town of Lloyd has introduced Local Law No. D – 2023, A LOCAL LAW TO REVISE CHAPTER 100 OF THE TOWN CODE ENTITLED “ZONING”, TO REVISE SECTION 100-42.1 OF THE TOWN CODE ENTITLED “SHORT TERM TRANSIENT RENTALS (STR)”; and

WHEREAS, New York State Environmental Quality Review Act (SEQRA) requires the Town Board to make a determination on every project that is not a Type II action; and

WHEREAS, said local law constitutes a Type I action under SEQRA; and

WHEREAS, after reviewing Part I and Part II of the Full Environmental Assessment form and considering the factors, as contained in 6 NYCRR Section 617.7(c), and considering the environmental effects of Local Law No. D – 2023, A LOCAL LAW TO REVISE CHAPTER 100 OF THE TOWN CODE ENTITLED “ZONING”, TO REVISE SECTION 100-42.1 OF THE TOWN CODE ENTITLED “SHORT TERM TRANSIENT RENTALS (STR)”, the Town Board of the Town of Lloyd has determined that the adoption of the local law will have no significant environmental impact.

NOW, THEREFORE, it is resolved by the Town Board of the Town of Lloyd that Local Law No. D – 2023, A LOCAL LAW TO REVISE CHAPTER 100 OF THE TOWN CODE ENTITLED “ZONING”, TO REVISE SECTION 100-42.1 OF THE TOWN CODE ENTITLED “SHORT TERM TRANSIENT RENTALS (STR)”, as set forth above will have no significant environmental impact, and the Board hereby issues its negative declaration pursuant to Part 617 of the New York State Environmental Quality Review Act.

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

Four ayes carried

F. RESOLUTION moved by Fraino, seconded by Auchmoody
to adopt Local Law D

WHEREAS, a local law, being proposed as Local Law No. D – 2023, A LOCAL LAW TO REVISE CHAPTER 100 OF THE TOWN CODE ENTITLED “ZONING”, TO REVISE SECTION 100-42.1 OF THE TOWN CODE ENTITLED “SHORT TERM TRANSIENT RENTALS (STR)” was introduced at a meeting held on the 20th day of December, 2023 at 7 PM; and

WHEREAS, a Public Hearing was scheduled for the 17th day of January, 2024 at 7 PM and the Town Clerk published and posted a notice of said public hearing in accordance with law and circulated pursuant to the Town of Lloyd code, New York State municipal law, New York State general municipal law, the town planning board, the Ulster County Planning Board, and any other agency for response prior to the public hearing; and

WHEREAS, the Town’s Planning Board is recommending that the Law be enacted as proposed; and

WHEREAS, the Ulster County Planning Board provided a response to the Town which recommended that the Town reserve to itself the right to cap the number of units issued in the Town annually to 2% of the total housing stock to help further reduce the impacts of converting the available housing stock into short-term rentals, which said recommendation the Town has complied by revising sections M and T(3) of the proposed local law; and

WHEREAS, the County further recommended that the language contained in 100-42.1 C be revised to remove “no STR may occur on a vacant parcel” and replaced with “To apply for a permit, a parcel must contain a residential dwelling unit” and that 100-42.1 sections C and E provide that multi-family dwellings be prohibited from use as short-term rentals; and

WHEREAS, the Town Board feels that limiting usage to single-family and two-family dwellings and prohibiting use of multi-family dwellings and further prohibiting the use of parcel utilized for commercial and industrial purposes is appropriate and allows for the use of properties within the Town for short-term rentals in a manner consistent with the best interests of the Town and its residents; and

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WHEREAS, the Ulster County Planning Board further recommended that the Board review recent case and consider alternative qualifications for regulating short-term rentals; and

WHEREAS, the Town Board is aware of recent case law and notes that the Town law does not restrict the location of the principal residence of a property owner and is of the opinion that the law is enforceable as written; and

WHEREAS, the Ulster County Planning Board further reiterated its previous recommendation for an administratively-handled annual license process for short-term rentals rather than special permits; and

WHEREAS, the Town Board feels that the current process of mandating special permits allows for continued review of short-term rental uses within the Town and annual review of same; and

WHEREAS, the Town Board desires to adopt said local law as revised in the form attached hereto; and

WHEREAS, a public hearing has been held thereon on the 17th day of January, 2024 at 7 PM and continued on the 21st day of February, 2024 at 7 PM and further continued on the 20th day of March, 2024 at 7 PM, at which time all interested persons were given an opportunity to be heard thereon and after which the public hearing was closed.

NOW, THEREFORE, BE IT RESOLVED, that Local Law D-2023 be enacted in the form attached hereto as Schedule "A" as set forth herein as A LOCAL LAW TO REVISE CHAPTER 100 OF THE TOWN CODE ENTITLED "ZONING", TO REVISE SECTION 100-42.1 OF THE TOWN CODE ENTITLED "SHORT TERM TRANSIENT RENTALS (STR)".

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

Five ayes carried

G. RESOLUTION moved by Rizzo, seconded by Fraino

WHEREAS, Leonard J. Auchmoody, 500 Crescent Avenue, Highland, NY 12528 is the owner of three parcels of land located off Mountain View Lane in the Town of Lloyd, said parcels being described on the tax rolls as SBL 87.3-4-10.248, containing 3.6 acres, more or less, 87.3-4-10.249, containing 4.6 acres, more or less and 87.3-4-10.250, containing 36.9 acres, more or less; and

WHEREAS, said parcels are accessed off of Mountain View Lane by way of a right-of-way or easement; and

WHEREAS, Leonard J. Auchmoody has requested that the Town establish an open development area pursuant to New York State Town Law section 280-a, where permits may be issued for the erection of structures to which access is given by right-of-way or easement; and

WHEREAS, pursuant to Town Law section 280-a, the Town Board, before establishing any such open development area, must refer the matter to the Planning Board for its advice.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board hereby refers the request of Leonard J. Auchmoody for the establishment of an open development area, including lots 87.3-4-10.248, 87.3-4-10.249 and 87.3-4-10.250, is hereby referred to the Town of Lloyd Planning Board and directs the Town Planning Board to provide its input and advice on such request and provide same prior to the Town Board's next regular meeting, scheduled for April 17, 2024.

Roll Call: Fraino, aye; Plavchak, aye; Auchmoody, Recused; Guerriero, aye; Rizzo, aye

Four ayes carried

H. RESOLUTION moved by Guerriero, seconded by Rizzo

WHEREAS the Town of Lloyd has received quotes for 320' of 3" Schedule 80 PVC Conduit and fittings for the Electrical work at the Louis DiStasi Pavilion at the Town Field and;

WHEREAS, the quotes came in as follows:

Company	Price	Comments
Grainger	2766.72	Plus Shipping
Ace Hardware	2399.68	Pick Up

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Lowes	2803.84	Out of Stock
Eastern Supply	1908.80	Can't guarantee Pricing or delivery OUT of Stock
HZ Supply	2217.47	In Stock Deliver to Job Site
Zoro Supply	2402.88	Plus Shipping

and

WHEREAS, the lowest priced supplier (Eastern) can't guarantee the price or availability of the product, and

THEREFORE, the Town will purchase 320' of 3" Schedule 80 PVC Conduit and fittings from HZ Supply in Poughkeepsie at a cost of \$2217.47; product is in stock, the price will hold for 10 days (March 26, 2024) and cost includes delivery to job site.

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

Five ayes carried

I. RESOLUTION moved by Fraino, seconded by Rizzo to authorize Supervisor to sign ARPA Intermunicipal Agreement with the County of Ulster for ARPA-PARKS - \$100,000.00 for the Louis DiStasi Pavilion, Improvement to Village Field.

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

Five ayes carried

J. RESOLUTION to accept the resignation of Anthony Weed, Part-time Police Officer, effective March 18, 2024.

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

Five ayes carried

K. RESOLUTION to authorize the Supervisor and Councilmember John Fraino to request to have Central Hudson install an additional streetlight at the 9W entrance into Argent Drive.

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

Five ayes carried

MOTION by Auchmoody, seconded by Fraino to adjourn at 7:55 PM.

Five ayes carried

Respectfully submitted,

Wendy D. Rosinski
Town Clerk