

TOWN OF LLOYD

TOWN BOARD MEETING

June 26, 2024

Present:

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

Also Present:

Maribel Gabiger, Deputy Town Clerk
Margaret, O'Halloran, Secretary
Jennifer Acosta, Deputy Town Clerk

7:00 PM – Supervisor opened meeting with Pledge of Allegiance led by Councilmember Auchmoody.

Meeting will be 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 the next day.

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

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

Committee purchased flowers to hang along Vineyard by Sal's Place, the building owners will be responsible for watering them.

They have been weeding the parks and flower gardens.

Next meeting has been moved to July 1st due to the July 4th Holiday.

ECC (Environmental Conservation Committee) – Supervisor Plavchak

There is a resolution for the Climate Smart Task Force on the agenda. They are also looking for more volunteers.

Events Committee – Councilmember Fraino

July 6th is the Town Fireworks. All paperwork has been submitted.

Highland Fire District/ Ambulance – Councilmember Fraino

Fire alarms dispatched 39

Average firefighters per call 12 (highest was 2)

Total Number of apparatus responses 85

Manhours for alarms 420

Manhours for meetings 62

Manhours for training 138

Manhours for misc. events. 390

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**TOTAL manhours 1010 May 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.

They are trying to be proactive in recruiting new members and there is a program called Bunk In. A team of Fire Commissioners, County members, etc. visited several fire houses in Western NY that have implemented the Bunk In Program.

There is more to come on this program.

Commissioner Kevin Rizzo is leading the effort. No decisions have been made.

New Paltz Rescue 223 calls. That is very busy.

They had one miscommunication and ended up with 2 different ambulance companies on the scene.

As per our contract we must have biannual meetings. That was last week. They met with the President and one other. They were surprised how many calls they are getting.

They moved the 24-hour ambulance to Rt 299 instead of Station 2 Firehouse.

Highland Central School District – Councilmember Rizzo

Rizzo thanked the business owners and Town Hall employees for coming out for the Senior Walk and making it special.

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She Congratulated the Class of 2024.

Middle School is on schedule to open in September and the Capital project Fields are ahead of schedule.

She wished students, staff and teachers a wonderful summer.

Highland Landing Park – Councilmember Auchmoody

Councilmember commended Supervisor and O'Halloran for all the hard work they did to make the Fireworks happen.

Bathroom locks are fixed.

Supervisor asked if we have plans to do small events at the Landing. Many people have inquired.

Auchmoody responded they have Bluegrass music the first and third Wednesdays of the month, unfortunately for us, we are here at our meetings.

He said the Park is open to anything.

Supervisor said the Highland Landing Association and Events Committee should get together.

They are going to resecure all the plaques on the benches.

Lights – Councilmember Fraino

2 Lights which were reported out on New Paltz Road were fixed.

2 Poles in Bridgeview were not set as deep as they should have been, they are getting a crew together to create another hole and go deeper.

Lloyd Community Development Committee – Supervisor

Kendra Minard finished the audit for the committee and submitted it.

Planning Board – Councilmember Auchmoody No report

Hudson Valley Rail Trail – Councilmember Auchmoody

In May, they had Mayfest on the Rail Trail and Walkway. They were overwhelmed with the traffic and are working with the Police and Walkway concerning the volume.

Bike New York cancelled last Sunday due to the weather.

2 Police Officers on Bike's did a meet and greet and handed out information.

Auchmoody mentioned that a tree fell on the Trail last Sunday and Peter Bellizzi (a volunteer) went out to remove the tree. He was surprised that people complained that he was in their way.

Bellizzi said someone driving by, did stop and help.

Zoning Board of Appeals – Councilmember Guerriero

19-25 Vineyard Ave. has applied for an area variance for 2 apartments on the first floor.

This is part of the Central Business District so they have to get a variance.

2. OLD BUSINESS

A. Highland Hamlet Streetscapes

We have a contact from Central Hudson and will be working with Barton and Loguidice on burying the utilities.

We had changed the scope of the project due to rise in costs, etc. We were able to obtain a Grant for \$200,000 through the Ulster County Transportation Committee and received it via the Carbon Reduction Program so our budget has gone from \$777,000 to 977,000.

They will probably split the project into 2 phases, Main and Eltings Place first. This way we can bury the utilities before putting in the new sidewalks in the Hamlet.

B. Pavilion

The sewer lines are in. The water line is in. The electrician finished as far as he can go. They are waiting for the Electrical Inspector, then Central Hudson will hook up the transformer.

The Architect is working on the plans for the bathrooms and storage area.

We will go out to bid in July and once the structure is complete, the utilities will be hooked up.

The project is taking a bit longer because we are using town employees and have to work around their schedules, so it's taking longer but we are saving a considerable amount of money.

3. NEW BUSINESS

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4. PRIVILEGE OF THE FLOOR

Supervisor stated that as per our Re-Org meeting, we can set a time limit for people to speak.

Karen Angel said that Highland has a bullying problem and told the Board, they need to deal with it.

She talked about her moral code concerning her not standing for the Pledge of Allegiance. She talked about the previous meeting, people's behavior and her views and opinions of people and the town.

Supervisor told her that her 3 minutes are up.

Councilmember Auchmoody told Karen Angel that because she did not stand for the Pledge of Allegiance, he would never do a thing for her.

She screamed from the hallway calling him a nothing and he yelled back and called her a zero.

Supervisor explained that her comments were exaggerated and some not true. He stated he will not stoop to her level.

Guerriero stated she is still a citizen he doesn't want to discourage people from coming to our meetings because they are afraid, they will get yelled at.

The Board agreed.

Fraino stated he wish she would make a point that they can address instead of calling people names.

Fraino agreed with Guerriero that people should feel they can come to the Town Board without fear of being attacked.

Supervisor also agree and again stated this Board will not stoop to her level of name calling and criticism.

5. MOTIONS AND RESOLUTIONS

A. **MOTION** by Guerriero, seconded by Rizzo to approve the minutes of April 3, 2024, April 17, 2024, May 1st, 2024; May 15th, 2024 and June 5th, 2024.

Four ayes carried

(Fraino abstained as he was not present May 1, 2024)

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

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

Five ayes carried

C. **RESOLUTION** moved by Auchmoody, seconded by Rizzo

Whereas Romanino Colandrea, Court Officer, was still under probation, he has been released from his position of Court Officer effective June 11, 2024.

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

Five ayes carried

D. **MOTION** by Rizzo, seconded by Fraino to close Hudson Valley Rail Trail Closed from Walkway Over the Hudson to Tony Williams Park between the hours of 6:00 AM and 12 Noon July 13, 2024 for Bike NY Discover the Hudson Valley.

Five ayes carried

E. **RESOLUTION** moved by Rizzo, seconded by Guerriero

WHEREAS The Town of Lloyd adopted the NYS Climate Smart Communities Please; and

WHEREAS, the Town wishes to obtain certification under the Climate Smart Communities Program and its desirous of determining how climate change will affect the Town of Lloyd and has decided to take further steps toward reducing greenhouse gas emissions; and

WHEREAS, a task force or committee can provide climate smart initiatives, propose new ideas to its local government and can identify funding sources

WHEREAS, the Town of Lloyd has already taken a number of steps toward achieving Bronze Certification of the Climate Smart Communities initiative,

THEREFORE, BE IT RESOLVED, the Town of Lloyd's Environmental Conservation Committee to gather information on the Town and community's energy use, to formulate plans and targets to reduce energy use, and to guide the Town through significant energy use greenhouse gas reduction.

BE IT FURTHER RESOLVED, the Town Board officially designates ECC member Jeff Rieger as the Climate Smart Coordinator for the Town of Lloyd.

BE IT FURTHER RESOLVED, the Climate Smart Task Force shall have the following mission:

- develop a strategy and work plan for establishing a baseline for the Town’s and community’s current emissions,
- recommend energy reduction targets
- identify new strategies for reductions and energy efficiency
- recommend ways in which these strategies can be incorporated into the Town’s economic development and planning efforts, and recommend ways for the Town to implement these strategies

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

F. RESOLUTION moved by Auchmoody, seconded by Fraino to amend the Town of Lloyd Fee Schedule as follows

12.1	Lot Line realignment/revision	Initial Deposit: \$250 \$350 per lot / Minimum Reserve \$100	Upon application
12.2	Subdivision: per lot	Initial Deposit: \$250 \$350 per lot / Minimum Reserve \$100	Upon application
12.3	Special Use Permits	Initial Deposit: \$200 \$300 per lot / Minimum Reserve \$100	Upon application
	WBOD Site Plan Review for residential and non- residential accessory structures that would not trigger full site plan review	Initial Deposit \$200 \$300 / Minimum Reserve \$100	Upon application
12.3.1	Short Term Rentals	Initial Deposit: \$400 / Minimum Reserve \$100	Upon application

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

G. RESOLUTION moved by Rizzo, seconded by Fraino to hire Matthew Dubois as part time dispatcher at a rate of \$19.82 per hour with a start date of June 27, 2024, at the recommendation of Chief James Janso.

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

H. RESOLUTION moved by Guerriero, seconded by Fraino

WHEREAS, the Town of Lloyd has previously advertised for bids for the furnishing of all labor and materials necessary for the construction of the Hudson River Pump Generator, which said project generally consists of furnishing and installing an emergency generator, transfer switch, conduit, devices and wiring, gas service to the generator is included; and

WHEREAS, on May 30, 2024, the following bids were received for the aforesaid project: HVECM, Milton, NY - \$633,000.00; O’Connell Electric Company, Victor, NY - \$779,690.00; and Stilsing Electric - \$998,400.00 ; and

WHEREAS, the Town’s engineers, CPL Architecture, Engineering, Planning, has reviewed the bids and based on said review and the qualification statements as well as the history of working with HVECM on several past projects, has recommended that the contract be awarded to the low bidder, HVECM, Milton, NY.

NOW, THEREFORE, BE IT RESOLVED THAT the Town of Lloyd Town Board, as commissioners of the Highland Sewer District, hereby awards the contract for the construction and installation of the Hudson River Pump Generator to HVECM, Milton, NY, in the amount of \$633,000.00, and the Town’s engineers, CPL Architecture, Engineering, Planning, be and they are hereby authorized to oversee and inspect the construction and installation for compliance with the contract documents; and this project shall be funded as follows:

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

I. RESOLUTION moved by Auchmoody, seconded by Guerriero to authorize the supervisor to sign the Fireworks contract with July 4Ever Fireworks, Inc. for the Town of Lloyd’s July 6th Fourth of July display in the amount of \$11,000.00 plus additional

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\$5,600.00 to cover vendor insurance requirements of \$10,000,000.00 from HCSD/NYSID.

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

Five ayes carried

- J. RESOLUTION** moved by Rizzo, seconded by Fraino to authorize the Supervisor to hire Victoria Reid as Grant Writer at an hourly rate of \$100 per hour inclusive of any research, writing, and gathering of necessary materials. If grant work requires more than 60 hours charges will be capped at \$6,000. Evaluation of opportunities the Town may consider would be done at no charge unless it is a long process application in which was a flat fee of \$50 would be applied. Anything that would take more than 60 hours and the grant/award is less than \$50,000 would be reviewed before starting to make sure it is worth time and effort. For the NY Forward, so long as it includes childcare as a component of the application, will complete application for \$60/hour with a cap still at \$6,000 being maximum billed amount.

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

Five ayes carried

- K. RESOLUTION** moved by Auchmoody, seconded by Guerriero **WHEREAS**, MOUNTAINSIDE WOODS LLC, as developer, has offered for dedication certain roads located within the Mountainside Woods development known as Adam Way and Benjamin Drive; a

WHEREAS, the Town is requiring a maintenance bond for Phase 1B of the development in the amount of \$58,800.00 and is making the acceptance of the dedication of Adam Way and Benjamin Drive conditioned upon receipt of said bond.

NOW, THEREFORE, it is resolved as follows:

The Town's acceptance of the dedication of Adam Way and Benjamin Drive in the Mountainside Woods development is conditioned upon the developer, MOUNTAINSIDE WOODS LLC, providing a maintenance bond for Phase 1B of the development to the Town in the amount of \$58,800.00.

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

Five ayes carried

- L. RESOLUTION** moved by Fraino, seconded by Guerriero

WHEREAS the Town is in the process of accepting dedication of certain roadways within the Mountainside Woods development, set forth as Adam Way and Benjamin Drive; and

WHEREAS, it has come to Town's attention that NICHOLAS A. DeSTEFANO , an owner of a certain premises known as 43 Emerson Terrace, Highland, 12528, SBL 87.21-3-20, located within the Mountainside Woods subdivision located within the Town has constructed a retaining wall within the Town's right-of-way; and

WHEREAS, the Town and NICHOLAS A. DeSTEFANO wish to enter into an agreement setting forth the mutual rights and obligations of the Town and NICHOLAS A. DeSTEFANO regarding the continued existence and use of the retaining wall within the Town's right-of-way; and

WHEREAS, the parties have negotiated an Agreement setting forth their mutual rights and obligations in form attached hereto and made a part hereof; and

WHEREAS, the Town Board wishes to approve said agreement.

NOW, THEREFORE, it is resolved that the Town of Lloyd hereby approves the Agreement between the Town and NICHOLAS A. DeSTEFANO regarding the retaining wall located within the Town's right-of-way, setting forth the Town's and NICHOLAS A. DeSTEFANO's rights and obligations regarding the continued existence, use and maintenance of said retaining wall within the Town's right-of-way, and the Town's Supervisor is hereby authorized to execute same on behalf of the Town.

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

Five ayes carried

- M. MOTION** by Auchmoody, seconded by Rizzo to appoint Evan Pendleton as 2nd Alternate on the Planning Board.

Five ayes carried

N. RESOLUTION moved by Rizzo, seconded by Fraino

WHEREAS, The Commons at Highland, Inc. intend to construct, operate and maintain a mixed commercial and residential development on lands situate on New York State Rt. 9W in the Town of Lloyd; and

WHEREAS, the facility owner intends to and shall construct and undertake certain site development improvements on the premises, including detailed drainage stormwater control measures and erosion control facilities, as depicted on the site plans; and

WHEREAS, the Town and The Commons at Highland, Inc. desire the that the stormwater control measure be built in accordance with the approved site plans, including the Stormwater Pollution Prevention Plan (“SWPPP”) and thereafter be monitored and maintained, cleaned, repaired, replaced and continued in perpetuity in accordance with the SWPPP, as more particularly set forth in the Agreement attached hereto and made a part hereof as Exhibit “1” in order to ensure optimum performance of the improvements.

NOW, THEREFORE, BE IT RESOLVED THAT the Town Board hereby approves the stormwater control facility maintenance easement agreement annexed hereto as Exhibit “1” and authorizes the Town Supervisor, David Plavchak, to executed same and any related documents in order for same to be filed in the Ulster County Clerk’s Office.

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

Five ayes carried

O. RESOLUTION moved by Auchmoody, seconded by Fraino

WHEREAS the Town of Lloyd Town Board, per Town Law 272-a, appointed a Comprehensive Planning Committee with the task of overseeing the development of a new Town Comprehensive Plan to replace the previously adopted Town Comprehensive Plan, which was updated in 2013, and

WHEREAS, the Comprehensive Plan Committee held a public hearing on June 24, 2024; and

WHEREAS, this Plan sets out to protect and preserve agriculture businesses and ecologically sensitive areas in this community, and direct new development need into areas that can be efficiently served by municipal services and infrastructure; and

WHEREAS, the adoption of a new Comprehensive Plan is a Type I action under SEQRA, per NYCRR 617.4(b)(1), since it covers the adoption of the municipality’s land use plan; and

WHEREAS, the Town Board is the only entity that can legislatively adopt a Town of Lloyd Comprehensive Plan, thus, the Town Board seeks to serve as the lead agency for the new 2024 Comprehensive Plan; and

WHEREAS, the Town Board has prepared and reviewed Part 1 of a Full Environmental Assessment Form (“FEAF”) as part of advancing review of this action; and

WHEREAS, adoption of this local comprehensive plan would not involve a federal agency; and

WHEREAS, the Ulster County Planning Board is required to review the draft plan and this review is considered an advisory opinion under SEQRA and the agency is not considered to be eligible for lead agency status in this action; and

WHEREAS, the Town Board is required to refer the draft plan to the Ulster County Planning Board under GML 239-m; and

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Lloyd in regular session duly convened as follows:

1. The Town Board of the Town of Lloyd hereby determines that the Project is a Type I Action under SEQRA and declares itself lead agency pursuant to SEQRA and its implementing regulations at 6 NYCRR§617.6(b)(1) with respect to the proposed action to adopt a new 2023 Comprehensive Plan.
2. The Town Board of the Town of Lloyd hereby directs the referral of 2024 Comprehensive Plan to Ulster County Planning Board for review and recommendation pursuant to New York General Municipal Law §239-m.
3. The Town Board authorizes and directs the Town Clerk to notice the identified involved and interested agencies of this action classification and lead agency declaration; and
4. The Town Board hereby schedules a public hearing on the new Comprehensive Plan to be held before the Town of Lloyd Town Board on August 21 commencing at 7:00 PM, at the Town of Lloyd Town Hall, 12 Church Street, Highland, New York, 12528, and further directs that notice of such public hearing be posted and published in accordance with applicable law.

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

MOTION by Rizzo, seconded by Guerriero to go into Executive Session at 7:58 PM.
Five ayes carried

MOTION by Rizzo, seconded by Guerriero to come out of Executive Session at 8:15 PM.
Five ayes carried

MOTION by Auchmoody, seconded by Fraino to adjourn at 8:16 PM.
Five ayes carried

Respectfully submitted,

Wendy D. Rosinski
Town Clerk