

TOWN OF LLOYD

REGULAR MEETING AGENDA

November 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
Wendy D. Rosinski, Town Clerk

7:00 PM – Open meeting and 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.

2025 REORGANIZATIONAL MEETING

This is in accordance with the Opening Meeting Law.

Date: Thursday, January 2, 2025

Time: 4:00 PM

Place: Town Hall Meeting Room

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

1. The Snowman Event that was held last year will not be held this year. It will possibly be held next year.
2. Hanging baskets have been purchased for the rest of the lamp posts in the hamlet. They will be decorated with flowers in the spring.
3. Frank and Baker Brothers have decorated the lamp posts for the Holiday season. The banners will be up by Monday. The committee will be decorating the fountain area in the first week of December.

Highland Central School District – Councilmember Rizzo

1. Melissa Chester was hired as the new Assistant Principal at the Elementary School.
2. Students at the Elementary School participated in a Turkey Trot this past Friday. They raised \$2,500 for Type 1 Diabetes.
3. On October 29th, the Middle School students were able to participate in a hands-on learning experience during a field trip to the Firehouse to learn about fire safety. We would like to thank our Highland Hose Co for give the students that opportunity.
4. At the Middle School, students drew pictures and wrote letters to Veterans
5. The High School Student Council hosted breakfast for the Veterans.
6. The High School will be hosting a Financial Aid Night on December 11th at 6PM in the library.
7. Shamiel Gary, a former professional football player and now inspirational speaker was a guest at the High School to speak with students on how to achieve their goals and be the best version of themselves.
8. The school board seems to be getting closer to adopting new cell phone policies and procedures at the High School.

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ECC (Environmental Conservation Committee) – Supervisor Plavchak

1. There is a Vassar student in the process of completing the greenhouse gas inventory.
2. Neil Curry gave a presentation to Christine Sailor’s civics class in October to have more of a tie between the town Environmental Council and the civics class. We would like the ECC to be more involved in the town as we see that they are doing more things in New Paltz.
3. On November 10th they did a trail clean up at Berean Park. The scouts and other volunteers helped with the cleanup.
4. Next month they will be reviewing the comp plan and some of the reviews that were said in public hearing.

Lloyd Community Development Committee – Supervisor

No new news. There are still four outstanding loans which are all up to date.

Highland Fire District/ Ambulance – Councilmember Fraino

Fire alarms dispatched 47
Average firefighters per call 9 (highest was 18)
Total Number of apparatus responses 113
Manhours for alarms 352
Manhours for meetings 47
Manhours for training 68
Manhours for misc. events. 279

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**TOTAL manhours 746 October 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.

Ambulance – Councilmember Fraino

1. Calls still remain high.
2. 186 Calls
3. Average Response stayed about the same. 6 mins and 53 seconds
4. There were about five times that we had to dispatch from New Paltz due to multiple calls.
5. New Paltz response times were a little higher. Between 10-11 minutes because they were leaving from calls at the hospital.

Lights – Councilmember Fraino

1. There are two incidents that have been in the system with Central Hudson for about 10 days.
2. Councilmember Fraino has received a couple of complaints from people on Woodside Place. The lights we put up in the fields light up their backyard.

Events Committee – Councilmember Fraino

1. December 13th is the tree lighting in the village.

The Pavilion – Councilmember Fraino

1. The block work that we were hoping to be completed on Friday with all the walls but with the rain expected tomorrow may not be completed till early next week.
2. Councilmember Fraino met with Shawn the architect. They have some ideas on the framing. Tom Burke is going to donate the garage door.
3. Ribbon cutting is set for December 3rd at 11a.m.
4. The two plaques that have been ordered should be here by the ribbon cutting.

Hudson Valley Rail Trail – Councilmember Auchmoody

Peter Bellizzi spoke on behalf of Councilmember Auchmoody

1. Events on the rail trail have slowed down.
2. Traffic on the rail trail is still decent due to the warmer weather.
3. Zoe Chatterly worked on her Eagle project which is the bicycle repair stations on the rail trails. The stations are on Commercial Ave, 101 New Paltz Road and Tony Williams.
4. There were some complaints regarding 299 by Highland Woods. The complaint is because it is a dangerous intersection the bikes on the rail trail do not pay attention to the stop signs. The supervisor and the chief have been looking at ways to resolve this issue and one idea is to put a stop sign where they come out. The other idea is to use plastic bollards that could be lined up diagonally and cause the bike

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riders to slow down. Hopefully in the next couple of weeks we will have a plan to help with this situation.

Planning Board – Councilmember Auchmoody

1. The last meeting was Oct. 24th.
2. Public hearing for 15 Dogwood Knolls is closed.
3. Short-term rentals on 40 Carly drive was approved.
4. 10-12 Bell Dr. STR was approved

Highland Landing Park – Councilmember Auchmoody

Zoning Board of Appeals – Councilmember Guerriero

2. OLD BUSINESS

A. Taso Bakatsias Eagle Scout Presentation to the Board

3. NEW BUSINESS

A. Payroll Company Proposals

Payroll	Based on 90 Employees			Summer Fun 40 additional Employees			W2 Processing	One Time Set up	Total Est Annual
	Per Payroll	Per Employee	Annual	10 weeks	Annual				
Paychex	\$ 481.33	\$ 4.00	\$ 12,514.58	\$ 4.00	\$ 160.00	\$ 800.00	\$ 833.50	\$ 325.00	\$ 14,473.08
ReCalibrate	\$ 664.62	\$ 16.00	\$ 17,280.00	\$16.00	\$ 640.00	\$ 1,600.00	\$ 945.00	\$ 2,500.00	\$ 22,325.00
Benetech	\$ 830.77	\$ 20.00	\$ 21,600.00	\$10.00	\$ 400.00	\$ 2,000.00	\$ 1,000.00	\$ -	\$ 24,600.00

4. PRIVILEGE OF THE FLOOR

Peter Maroldt, 145 Pancake Hollow Road, asked for clarification on his taxes going up even though he is not in the water and sewer district.

5. MOTIONS AND RESOLUTIONS

A. MOTION by Rizzo, seconded by Guerriero to approve the minutes of the Regular Town Board meeting of September 18, 2024.

Five ayes carried

B. RESOLUTION moved by Auchmoody, seconded by Guerriero 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 Guerriero, seconded by Rizzo

WHEREAS the Town of Lloyd has **4 EV Charging Stations**, and

WHEREAS, the Town currently pays for the electricity for those charging stations.

NOW THEREFORE, The Town wishes to enter into an agreement with DVM Industries.

DVM will furnish and install (4) Level II EV charging stations with no upfront cost to the Town. DV will own and operate the units for 10 years upon activation, licensing the units to the Town of Lloyd for usage. After a period of 10 years, the EV charging stations and associated hardware will be transferred to the Town of Lloyd as the owner at no cost.

The EV users will pay \$3 plug-in fee and a charge of \$0.35 per kWh for electric vehicle charging. Payments will be processed through software that accepts credit cards, with a 10% fee deducted from the total to cover credit card processing and reporting to Central Hudson with the balance of the fee being turned over to the Town as a Franchise Fee to offset the cost of electricity for these charging stations.

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

Five ayes carried

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- D. RESOLUTION** moved by Auchmoody, seconded by Fraino to authorize the Supervisor to sign an agreement with CPL to do Engineering Services for design, bidding and construction administration of the proposed **Water Treatment Plant Generator**

Prepare Construction Plans and Details: \$50,000.00

Prepare Specifications and Bid Documents \$19,975.00

Bidding Assistance: \$3,000.00

Construction Inspection & Administration \$30,000

Total: \$72,975.00

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

Five ayes carried

- E. RESOLUTION** moved by Auchmoody, seconded by Fraino

BOND RESOLUTION OF THE TOWN OF LLOYD, NEW YORK, ADOPTED NOVEMBER 20, 2024, AUTHORIZING THE ISSUANCE OF BONDS IN A PRINCIPAL AMOUNT NOT TO EXCEED \$450,000 TO FINANCE, IN PART, THE ACQUISITION OF TWO TRUCKS FOR USE BY THE HIGHWAY DEPARTMENT, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$540,000 AND APPROPRIATING SAID AMOUNT FOR SUCH PURPOSE, INCLUDING THE EXPENDITURE OF \$90,000 IN AVAILABLE FUNDS TO PAY A PART OF SAID COST

THE TOWN BOARD OF THE TOWN OF LLOYD, IN THE COUNTY OF ULSTER, NEW YORK, HEREBY RESOLVES (by the favorable vote of not less than two-thirds of all the members of said Town Board) AS FOLLOWS:

Section 1. The Town of Lloyd, in the County of Ulster, New York (herein called the "Town"), is hereby authorized to issue bonds in a principal amount not to exceed \$450,000 pursuant to the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law"), to finance the acquisition of two trucks for use by the Highway Department.

Section 2. The estimated maximum cost of the project described herein, including preliminary costs and costs incidental thereto and the financing thereof, is \$540,000 and said amount is hereby appropriated for such purpose. The plan of financing includes the expenditure of \$90,000 in available funds to pay a part of said appropriation, the issuance of bonds of the Town in the principal amount of \$450,000 to finance the balance of said cost, and the levy and collection of taxes on all the taxable real property in the Town to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 3. The following additional matters are hereby determined and declared:

(a) The period of probable usefulness applicable to the objects or purposes for which said bonds are authorized to be issued, within the limitations of Section 11.00 a. 28 of the Law, is fifteen (15) years.

(b) The proceeds of the bonds herein authorized and any bond anticipation notes issued in anticipation of said bonds may be applied to reimburse the Town for expenditures made after the effective date of this resolution for the purpose for which said bonds are authorized. The foregoing statement of intent with respect to reimbursement is made in conformity with Treasury Regulation Section 1.150-2 of the United States Treasury Department.

(c) The proposed maturity of the bonds authorized by this resolution will exceed five (5) years.

Section 4. Each of the bonds authorized by this resolution and any bond anticipation notes issued in anticipation of the sale of said bonds shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds and any notes issued in anticipation of said bonds shall be general obligations of the Town, payable as to both principal and interest by general tax upon all the taxable real property within the Town. The faith and credit of the Town are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and any notes issued in anticipation of the sale of said bonds and

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provision shall be made annually in the budget of the Town by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Section 21.00 of the Law relative to the authorization of bonds with substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and Section 50.00 and Sections 56.00 to 60.00 and Section 168.00 of the Law, the powers and duties of the Town Board relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized, and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, and as to the execution of agreements for credit enhancements, are hereby delegated to the Supervisor, the chief fiscal officer of the Town.

Section 6. The validity of the bonds authorized by this resolution, and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the Town is not authorized to expend money, or
- (b) the provisions of law which should be complied with at the date of publication of such resolution, or a summary thereof, are not substantially complied with,

and an action, suit or proceeding contesting such validity commenced within twenty days after the date of such publication, or

- (c) such obligations are authorized in violation of the provisions of the constitution.

Section 7. This bond resolution is subject to a permissive referendum and the Town Clerk is hereby authorized and directed, within ten (10) days after the adoption of this resolution, to publish or cause to be published, in full, in the official newspaper of the Town, having a general circulation within said Town, and posted on the sign board of the Town maintained pursuant to the Town Law, a Notice in substantially the following form appearing in Exhibit A hereto.

Section 8. The Town Clerk is hereby authorized and directed, after said bond resolution shall take effect, to cause said bond resolution to be published, in summary, in the official newspaper of the Town, having a general circulation within said Town, together with a Notice in substantially the form as provided by Section 81.00 of the Law.

* * *

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

Five ayes carried

F. RESOLUTION moved by Auchmoody, seconded by Fraino

WHEREAS, OHIOVILLE SOLAR B LLC intends to construct operate and maintain a 8 megawatt ground mounted large scale solar energy system on property located at 139-145 Crow Hill Rd., which parcel is partially located within the Town of Lloyd and partially within in the Town of Plattekill; and

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

WHEREAS, the Town and **OHIOVILLE SOLAR B LLC** desire the that the stormwater control measure be built in accordance with the approved site plans, including the **Stormwater Pollution Prevention Plan (“SWPPP”)** contained in the site plans and thereafter be monitored, maintained, cleaned, repaired, replaced and continued in perpetuity in accordance with the SWPPP, as more particularly set forth in the Stormwater Control Facility Maintenance Easement Agreement attached hereto and made a part hereof as Exhibit “1” in order to ensure optimum performance of the improvements.

NOW, THEREFORE, IT IS RESOLVED AS FOLLOWS:

1. The Stormwater Control Facility Maintenance Easement Agreement by and between OHIOVILLE SOLAR B LLC and The Town of Town of Lloyd, annexed hereto as Exhibit A, be, and the same hereby is, approved.
2. The Supervisor, David Plavchak, be, and he hereby is, authorized to sign said Stormwater Control Facility Maintenance Easement Agreement.

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3. Upon the signing of the Stormwater Control Facility Maintenance Easement Agreement representative and the Town of Lloyd representatives, one complete copy of the **Stormwater Control Facility Maintenance Easement Agreement** is to be filed with the Town Clerk.

ROLL CALL: Fraino, aye; Plavchak, aye; Auchmoody, aye; Guerriero, aye; Rizzo, aye
Five ayes carried

G. RESOLUTION moved by Guerriero, seconded by Auchmoody

WHEREAS, OHIOVILLE SOLAR B LLC intends to construct operate and maintain a 8 megawatt ground mounted large scale solar energy system on property located at 139-145 Crow Hill Rd., which parcel is partially located within the Town of Lloyd and partially located in the Town of Plattekill; and

WHEREAS, the Special Use Permit and Site Plan Approvals are contingent upon the preparation by **OHIOVILLE SOLAR B LLC and acceptance by the Town of a decommissioning plan** for the project which includes adequate financial security to guarantee restoration of this site to its condition prior to the clearing of the site and construction of the project thereon; and

WHEREAS, OHIOVILLE SOLAR B LLC in consultation with the Town engineer and legal counsel has developed said plan in accordance with the Special Use Permit and Site Plan Approvals in the form attached hereto and made apart hereof as Exhibit 1; and

WHEREAS, the Town wishes to accept and approve said plan as set forth in Exhibit 1. **NOW, THEREFORE, BE IT RESOLVED THAT** the Solar Pannel System **Decommissioning Plan** prepared by Carson Power Renewable Energy dated January 30th, 2024 annexed hereto as Exhibit “1” be, and the same hereby is, accepted and approved.

ROLL CALL: Fraino, aye; Plavchak, aye; Auchmoody, aye; Guerriero, aye; Rizzo, aye
Five ayes carried

H. RESOLUTION moved by Auchmoody, seconded by Fraino

APPROVING OPERATION AND MAINTENANCE PLAN

At a regular meeting of the Town Board of the Town of Lloyd, held at the Town Hall, Thomas Shay Square, 12 Church Street, Highland, New York on the 20th day of November, 2024 at 7:00 p.m

WHEREAS, SIXTEEN ACRES, LLC, TOLOMS HOLDINGS, LLC and THE VILLAGE IN THE HUDSON VALLEY, LLC (hereinafter referred to as the “Developers”)

WHEREAS, Sixteen Acres, Toloms and a related entity, The Village in the HV, (collectively referred to as the “Developers”) have obtained Final Conditional Subdivision Approval from the Town of Lloyd Planning Board via resolution dated September 23, 2021 to create a new 14.67 acre lot, known as Lot 2 on a certain subdivision map to be filed in the Ulster County Clerk’s Office entitled “Map of Lot Line Adjustment of Lands of The Village in the Hudson Valley, LLC”, prepared February 5, 2021, last revised August 2, 2021; and

WHEREAS, the Developers have also obtained Final Conditional Site Plan and Special Use Permit Approval from the Planning Board via resolution dated September 23, 2021, to allow construction and operation of an Assisted Living Facility and an Adult Day Care Center; and

WHEREAS, the Planning Board has placed certain conditions on the Developers’ subdivision, site plan and special use permit approvals; and

WHEREAS, the Developers desire to address impacts and conditions set forth from the development and operation of the Project; and

WHEREAS, pursuant to the Subdivision Approval Resolution, the Developer and Town must memorialize their agreement concerning the maintenance and operation of the Project with respect to: (1) routine inspections, (2) infrastructure maintenance. (3) exterior maintenance, (4) landscaping and groundskeeping, (5) safety and security, (6) waste management, (7) tenant communication, (8) contractor management, (9) documentation, (10) feedback and improvement, (11) homeowners; and

WHEREAS, representatives of the Developers have met with the Town Building Department, the Town’s engineers, the Town’s attorneys and other representatives of the Town, and there has been an Operations and Maintenance Plan drafted to address the issues set forth above, a copy of which is annexed hereto as Exhibit “A”; and

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WHEREAS, the Operations and Maintenance Plan shall be utilized by all parties to facilitate the improvements and other conditions required in the Planning Board’s approval; and

WHEREAS, the Town Board desires to approve such Agreement.

NOW, THEREFORE, IT IS RESOLVED AS FOLLOWS:

1. The Operations and Maintenance Plan proposed by SIXTEEN ACRES, LLC, TOLOMS HOLDINGS, LLC and THE VILLAGE IN THE HUDSON VALLEY, LLC as “Developers, annexed hereto as Exhibit A, be, and the same hereby is, approved.

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

Four ayes carried

I. RESOLUTION moved by Rizzo, seconded by Auchmoody

WHEREAS, 180 SOUTH STREET, LLC intends to construct, operate and maintain a 24,500 square foot addition on the premises in conjunction with the existing Warehouse Facility on the Premises at 180 South Street 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 measures, as depicted in the site plans; at their own expense; and

WHEREAS, the Town and 180 SOUTH STREET, LLC desire the that the stormwater control measure be built in accordance with the approved site plans, including the Stormwater Pollution Prevention Plan (“SWPPP”) contained in the site plans and thereafter be monitored, maintained, cleaned, repaired, replaced and continued in perpetuity in accordance with the SWPPP, as more particularly set forth in the Stormwater Control Facility Maintenance Easement Agreement attached hereto and made a part hereof as Exhibit “1” in order to ensure optimum performance of the improvements.

NOW, THEREFORE, IT IS RESOLVED AS FOLLOWS:

1. The a Stormwater Control Facility Maintenance Easement Agreement by and between 180 SOUTH STREET, LLC and The Town of Town of Lloyd, annexed hereto as Exhibit A, be, and the same hereby is, approved.

2. The Supervisor, David Plavchak, be, and he hereby is, authorized to sign said Stormwater Control Facility Maintenance Easement Agreement.

3. Upon the signing of the **Stormwater Control Facility Maintenance Easement Agreement** representative and the Town of Lloyd representatives, one complete copy of the Stormwater Control Facility Maintenance Easement Agreement is to be filed with the Town Clerk.

ROLL CALL: Fraino, aye; Plavchak, aye; Auchmoody, aye; Guerriero, aye; Rizzo, aye

Five ayes carried

RESOLUTIONS J through Q moved by Fraino, seconded by Guerriero

J. RESOLUTION to approve the following funds to be moved from Recreation Reserves for Berean Park.

Recreation Reserves	-\$1,814.53
Capital expenditure 50-06-7320-40	+\$1,814.53
For capital electrical improvement to park.	

K. RESOLUTION to approve the following funds to be moved from Recreation Reserves for Berean Park.

Recreation Reserves	-\$3,722.00
Capital expenditure 50-06-7320-40	+\$3,722.00
For capital improvement – New Locks.	

L. RESOLUTION to approve the following funds to be moved from Recreation Reserves for Tony Williams Park.

Recreation Reserves	-\$42,001.97
Capital expenditure 50-06-7310-40	+\$42,001.97
For capital improvement – Parking.	

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M. RESOLUTION to approve the following funds to be moved from Recreation Reserves for Tony Williams Park.

Recreation Reserves	-\$4,205.00
Capital expenditure 00-06-7110-50	+\$4,205.00

For capital improvement – Painting Bathrooms, Concession Stand and Storage.

N. RESOLUTION to approve the following funds to be moved from Recreation Reserves for Village Field Park.

Recreation Reserves	-\$3,820.00
Capital expenditure 00-06-7110-50	+\$3,820.00

For capital improvement – Village Field Installation New Lawn.

O. RESOLUTION to approve the following funds to be moved from Recreation Reserves for Berean Park.

Recreation Reserves	-\$5,140.00
Capital expenditure 50-06-7310-40	+\$5,140.00

For capital improvement – Berean Park Installation New Lawn.

P. RESOLUTION to approve the following funds to be moved from Recreation Reserves for Berean Park.

Recreation Reserves	-\$2,900.00
Capital expenditure 50-06-7310-40	+\$2,900.00

For capital improvement – Tony Williams Park Installation New Lawn.

Q. RESOLUTION to approve the following funds to be moved from Recreation Reserves for Park Security Cameras

Recreation Reserves	-\$1641.19
Capital expenditure 50-06-7310-40	+\$1641.19

For capital improvement – Tony Williams Park Security Cameras

Combined Recreation Improvements - \$65,244.69

ROLL CALL: Fraino, aye; Plavchak, aye; Auchmoody, aye; Guerriero, aye; Rizzo, aye

Five ayes carried

R. RESOLUTION moved by Auchmoody, seconded by Rizzo to hire of Molly Erichsen as part time dispatcher at \$19.82 per hour. Start date of November 20, 2024 at the recommendation of Chief James Janso.

ROLL CALL: Fraino, aye; Plavchak, aye; Auchmoody, aye; Guerriero, aye; Rizzo, aye

Five ayes carried

S. RESOLUTION moved by Fraino, seconded by Guerriero

Town of Lloyd Town Board approves the adoption of the preliminary budget, as amended, as the final 2025 budget.

ROLL CALL: Fraino, aye; Plavchak, aye; Auchmoody, aye; Guerriero, aye; Rizzo, aye

Five ayes carried

T. RESOLUTION moved by Rizzo, seconded by Auchmoody

WHEREAS, a Project for Tillson Avenue: Route 44/55 (Vineyard Avenue) to Route 9W in the Town of Lloyd, Ulster County, identified as **PIN 8757.81** (the "Project") involves the reconfiguration of the intersection of Tillson Avenue, Toc Drive and Route 44/55, culvert replacement, pedestrian accommodations, drainage improvements, sight distance improvements, roadway grade reduction, sidewalk installation and replacement, pedestrian enhancements, Americans with Disabilities Act (ADA) compliant elements, drainage design, utility relocations, curb installation, pavement striping, retaining wall construction, and landscaping; and

WHEREAS, the Consultant provided preliminary design, detailed design, and construction services as outlined in Sections 1 through 9 of the original project scope and Supplemental Agreements No. 1 through No. 8; and

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WHEREAS, construction extension into the 2024 season due to the contractor's means, methods, and 2023 weather related events have resulted in additional construction support and inspection service-related costs; and

WHEREAS, construction inspection and administration services are a requirement of the federal funding to receive appropriate reimbursement through the New York State Department of Transportation and Federal Highway Administration; and

WHEREAS, the provisions of the original project agreement and Supplemental Agreements No. 1 through 8, remain in effect except as modified under Supplemental Agreement No. 9; and

WHEREAS, Supplemental Agreement No. 9 is for a total sum of \$257,029.00; and

WHEREAS, the Project is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs of the program to be borne at the ration of 80% Federal funds and 20% non-federal funds; and

WHEREAS, the Project is eligible for New York State Marchiselli Aid (15%) related to work completion not associated with a New York State highway; and

WHEREAS, the Town of Lloyd is committed to 100% of the non-federal share of the costs of design, construction, and construction inspection work for the Project; and

NOW, THEREFORE, the Lloyd Town Board, duly convened does hereby **RESOLVE**, that the Lloyd Town Board hereby approves Supplemental Agreement No. 9 for the additional out of scope work not included as part of the original agreement and Supplemental Agreements No. 1 through No. 8; and it is hereby further

RESOLVED, that an authorized representative of the Town of Lloyd is hereby authorized to execute Supplemental Agreement No. 8 on behalf of the Town of Lloyd, and it is further

RESOLVED, this Resolution shall take effect immediately.

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

Four ayes carried

U. RESOLUTION moved by Fraino, seconded by Rizzo to approve the following Budget Amendments for General:

Code:	-\$3331.87	
1630.40	\$728.79	
1630.10	-\$1875.68	
1220.10	\$3073.37	
1315.40	\$89.94	
1440.50	-\$4799.41	
7110.40	\$7177.43	
7110.41	\$276.02	
7110.42	\$1456.52	
7110.50	-\$8025.00	
7310.40	\$261.92	
1690.40	\$4067.90	
1680.40	\$3568.20	
5182.40	\$10000.00	
3120.40	\$2486.85	
3120.11	\$12000.00	
3120.14	-\$14486.85	
1990.40	-\$12000.00	
1620.40	-\$4000.00	

ROLL CALL: Fraino, aye; Plavchak, aye; Auchmoody, aye; Guerriero, aye; Rizzo, aye

Five ayes carried

MOTION by Rizzo, seconded by Fraino to go into Executive session at 7:56 PM to discuss Personnel Contract and Litigation.

Five ayes Carried

MOTION by Fraino, seconded by Auchmoody to exit Executive session at 8:18PM.

Five ayes carried

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RESOLUTION moved by Guerriero, seconded by Rizzo

WHEREAS, a tax petition has been filed by VINEYARD HIGHLAND ASSOCIATES relating to the Hudson Valley Rehabilitation & Extended Care Center located at 260-266 Vineyard Avenue within the Town (Tax Map No. 95.2-2-18.100); and,

WHEREAS, the Town has received a proposal from Sterling Appraisals Inc. to do a preliminary/restricted appraisal for the sum of \$4,250.00 for use in the pending litigation; and

WHEREAS, the Town Board wishes to retain the services of Sterling Appraisals Inc. for use by the Assessor, Town Board and Town Attorney for negotiations and eventual submission to a Court if necessary.

NOW, THEREFORE, IT IS RESOLVED AS FOLLOWS:

1. The proposal submitted by Sterling Appraisals Inc. to prepare a preliminary/restricted appraisal in the pending tax petition brought VINEYARD HIGHLAND ASSOCIATES is hereby approved at a fee of \$4,250.00 in a from attached hereto and made apart hereof as Exhibit 1;

2. The Supervisor is authorized to sign the proposal on behalf of the Town.

ROLL CALL: Fraino, aye; Plavchak, aye; Auchmoody, aye; Guerriero, aye; Rizzo, aye.

Five ayes carried

MOTION by Auchmoody, seconded by Rizzo to adjourn at 8:25 PM.

Five ayes carried

Respectfully submitted,

Wendy D. Rosinski
Town Clerk