

PATTERSON TOWN BOARD MEETING
PATTERSON TOWN HALL
1142 ROUTE 311
PATTERSON, NEW YORK 12563
January 29, 2014

MINUTES

PRESENT: MICHAEL GRIFFIN, SUPERVISOR
CHARLES W. COOK, DEPUTY SUPERVISOR
PETER DANDREANO, COUNCILMAN
ROBERT MCCARTHY, COUNCILMAN
ANTOINETTE KOPECK, TOWN CLERK
MICHAEL LIGUORI, TOWN COUNSEL

ABSENT: KEVIN BURNS, COUNCILMAN

Salute to the Flag and Roll Call.

Supervisor Griffin called the Patterson Town Board meeting to order at 7:00 p.m. with 12 in attendance.

AUDIT OF BILLS

Mr. Cook made a **motion** to accept Abstract No. 1 as written:

General Fund \$160,718.48, Highway Fund \$132,361.57, Putnam Lake Fire District \$68,896.00, Patterson Fire District \$103,344.00, Waste Water Treatment Plant \$17,271.05, Capital Fund \$82.50, Putnam Lake Light District \$2,130.18, Patterson Light District \$2,512.16, Putnam Lake Refuse District #1 \$20,454.55, Patterson Refuse District #2 \$86,473.10, Deerwood Drainage District \$18.37, Patterson Park District \$3,845.57, Putnam Lake Park District \$2,620.97, Alpine Water District \$3,194.93, Dorset Hollow Water District \$1,488.65, Fox Run Water District \$2,437.21, Trust & Agency \$600.00, Debt Service \$37,445.00, Grand Total Abstract \$645,894.29.

Seconded by Mr. McCarthy. Roll Call Vote: Mr. Cook, yes; Mr. Dandreano, yes; Mr. McCarthy, yes; Mr. Griffin, yes.

ROBERT MCCARTHY

GOLDEN AGE SENIORS' REQUEST(S)

Mr. McCarthy made a **motion** to approve the request from the Golden Age Seniors' for a trip to Mt. Haven on July 17, 2014 in an amount not to exceed \$1,050.00.

Seconded by Mr. Dandreano. All In Favor: Aye. Carried.

APPOINT ADMINISTRATOR OF GARBAGE DISTRICT No.'s 1 & 2 FOR A ONE YEAR TERM

Mr. McCarthy made a **motion** to Appoint Frank Farrell to Administrator of Garbage District No. 1 & 2 for a One Year Term.

Seconded by Mr. Dandreano. Roll Call Vote: Mr. Cook, abstained; Mr. Dandreano, yes; Mr. McCarthy, yes; Mr. Griffin, yes.

RECREATION REQUEST(S)

Mr. McCarthy made a **motion** to approve Matt Chibbaro's request to re-hire Mike Capra as Director of the Men's Softball Program keeping the rates the same at \$1,600.00 for the summer season and \$900.00 for the fall season.

Seconded by Mr. Dandreano. All In Favor: Aye. Carried.

MICHAEL GRIFFIN

THUNDER RIDGE – FOLLOW-UP

Mr. Griffin stated we have memos from the Town Planner and the Code Enforcement Officer. Since Bob has been working with the Conklin's to clean up some of the issues, I will let Bob give us the update.

Mr. McCarthy stated there is a controversy with the parking in front of Alpine and as of right now they have limited their parking. They are parking more on the south side to keep the north side open. This past weekend I noticed they are not parking where the bushes are. He is trying to make steps to clear this up.

Mr. Williams stated is there a time that he is going to come in and get a site plan approval.

Mr. McCarthy stated I spoke to him about it and we are taking steps on this. We do need a site plan approval for all the parking. What do we do about that blue triangle. That is basically in the courts hands. Whose property is that.

Mr. Williams stated as far as I know what is in front of the court is that driveway strip going through. It is not likely he is ever going to get parking approved being that strip is not. It is not wide enough. Regardless of whether the court says the property line is 25 feet one way or the other, it is not likely he is going to get parking. He does have the south lot that he has talked about for years. I would encourage him to do that. It would be a great place for parking. He needs to have a suitable surface to do it on. He can't do it on wood chips.

Mr. McCarthy stated I agree with you on that.

Mr. Williams stated he has that little triangle right up front. He needs to make sure the egress is appropriate.

Conversation ensued.

PATTERSON LIBRARY REQUEST – ANNUAL FUNDING

Mr. Griffin stated we have a letter from the library:

This letter serves as the Patterson Library's request for distribution of the annual funding in the amount of \$737,652.00. Kindly forward the funds as soon as possible.

Mr. Griffin made a **motion** to approve the library's request pending complete fulfillment of our tax warrant and the release of the funds by the Town Comptroller.

Seconded Mr. Cook. All In Favor: Aye. Carried.

SEWER EXTENSION – UPDATE

Mr. Griffin stated as you can see, there is digging and work going on out there weather permitting. Unfortunately, because of the temperatures a lot of the directional boring can't take place. I will ask the Town Planner if he would like to give us more of an update.

Mr. Rich Williams stated we are very close to having Patterson Commons connected in. The problem right now is that section that runs from Route 311 on the east side of the bridge coming back towards the library. We need to do that by directional boring under the river and the contractors can't do it because of the temperature. The sewer extension for the library and the Cartwright tent building we made significant progress on getting some of the issues resolved. We are in agreement that we need to structure an agreement as an out of district user. With the Board's approval, we are planning to take the agreement we have with

the Carmel Central Schools and tailor that for these two properties where there will be annual payments rather than a tax bill generated.

Mr. Liguori stated as an update, the attorney for Patterson Commons has committed to Friday at 11:30 a.m. to make himself available to me to wrap up the revisions to the agreement.

Mr. Cook stated Rich is it fair to say that Patterson Commons, Dunkin Donuts, Cartwright and the library would be connected this year.

Mr. Williams stated I am hopeful that all the properties will be connected this year. I would anticipate that Patterson Commons would be connected and on line in the early spring and the library and Cartwright won't be connected until late fall.

Conversation ensued.

LIGHT AT PUTNAM LAKE MONUMENT - REPAIRS

Mr. Griffin stated there is a problem with the light in Putnam Lake. Some years ago the Town donated the flag pole, still owns the flag pole and the lights need to be repaired, so we have done an extensive review of it and we got some price quotes.

Mr. Griffin made a **motion** that we award Wired Up Electric the contract to repair the lights in an amount not to exceed \$1,425.00.

Seconded by Mr. Cook. All In Favor: Aye. Carried.

MICHAEL GRIFFIN FOR KEVIN BURNS

PLPAB/WINTER GATHERING – UPDATE

Ms. Dede Lifgren stated the Winter Gathering is set for this weekend and the Advisory Board hasn't yet gone through on the forms and permitting process. We are asking that all fees be waived. The Advisory Board didn't want to charge them anything.

Mr. Griffin stated the recommendation is we waive the fees. The posting of the signs seems to be adequate for the attorneys which says "if you are entering the premises it's at your own risk, if you fall through the ice it is not our fault". I spoke to Dave Raines and he will be working on this with us. I don't think you will see the Fire Department, they don't want the liability either.

Ms. Lifgren stated but the bon fire can go in.

Mr. Griffin stated yes.

Mr. Griffin made a **motion** based on the recommendation of the Putnam Lake Advisory Board we waive the fees for the Winter Gathering.

Seconded by Mr. Cook. All In Favor: Aye. Carried.

Ms. Lifgren stated I have one additional request. With your approval we would like to send out post cards to the residents of Putnam Lake to advertise that we have a position open on the Advisory Board and also we are interested in hiring a maintenance person this year. Our lifeguard positions are opening up as well. The cost of the cards will be well under \$500.00 but I wanted you to know that we planned to do that.

Mr. Cook stated it's your budget.

Mr. Griffin stated it falls under the Procurement Policy Guidelines. Go right ahead. Antoinette there will be no issue with you running the postage on the meter downstairs.

Ms. Antoinette Kopeck, Town Clerk stated no, I don't think so.

Ms. Lifgren stated thank you.

BUDGET TRANSFER(S)

Mr. Griffin made a **motion** to approve 2013 Budget Transfer No. 59 and 2014 Budget Transfer No. 5:

Budget Transfer No. 59

From: RP.8160.402	Sanitation Contractual – Transfer Charges	\$111.00
To: RP.8160.400	Sanitation Contractual	\$(111.00)

Seconded by Mr. Cook. All In Favor: Aye. Carried.

Budget Transfer No. 5

From: A.1990.400	Contingent Account	\$(1,930.00)
To: A.3010.100	Public Safety Admin Personal Services	\$1,500.00
To: A.9010.800	Employee Benefits: State Retirement	\$315.00
To: A.9030.800	Employee Benefits: Social Security	\$93.00
To: A.9035.800	Employee Benefits: Medicare	\$22.00
	Expense Accounts	

Seconded by Mr. Cook. All In Favor: Aye. Carried.

BQ ENERGY – UPDATE

Mr. Griffin stated we have a memo from the Town Planner. There is a letter that needs to be approved by the Town Board and signed by me. It's a letter of authorization that will be going to the state. The second issue is the SEQRA and the third thing is they are out there surveying. I don't know if they can be out there in this weather.

Mr. Williams stated they were supposed to be out last week, I don't believe they made it out there.

Mr. Griffin stated they didn't make it through the first round of funding last spring.

Mr. Williams stated they didn't make it through the first round. What happened was the second round of funding they vetted it and moved it forward through the process which brings them to where they need to go to NYSEG to do the analysis to see if the wires can handle the (inaudible).

Mr. Griffin stated at what point do we need to take a SEQRA action.

Mr. Williams stated we are going to wait until my NYSERDA actually raises that issue. I do have the short form ready to go.

Mr. Griffin stated I thought that was already submitted by BQ.

Mr. Williams stated it was submitted by BQ to NYSERDA, but we are anticipating NYSERDA having someone else being lead agency. No one likes to deal with SEQRA, I don't understand why.

Mr. Griffin made a **motion** to authorize the Supervisor to sign the letter to Mr. Kauffman with Electric Transmission Services at NYSEG.

Seconded by Mr. Cook. All In Favor: Aye. Carried.

PETER DANDREANO

APPOINT ONE MEMBER TO THE BOARD OF ASSESSMENT REVIEW FOR A FIVE YEAR TERM

Mr. Dandreano made a **motion** to table the appointment of one member to the Board of Assessment review for a five year term until we look into issues with some of the applicants.

Seconded by Mr. McCarthy. All In Favor: Aye. Carried.

APPOINT ONE MEMBER TO THE ZONING BOARD OF APPEALS FOR A FIVE YEAR TERM

Mr. Dandreano made a **motion** to appoint Mike Carintha.

Seconded by Mr. McCarthy. All In Favor: Aye. Carried.

ALL HAZARDS MITIGATION PLAN WORKSHEET/IMA

Mr. Dandreano stated I have a memo from Rich Williams, Town Planner. He attended the All-Hazards Mitigation Plan meeting on January 17, 2014. I was unable to make this meeting, I was away at training. The memo states a couple of issues. Tetra Tech has been retained by the County to assist in preparation of the plan. Now that Tetra Tech is on board, a schedule can be prepared for completing the plan. The County Law Department has reviewed the memo of agreement between the Towns and the County. An initial asset inventory has been prepared and submitted to the County which includes Town structures, dams, and structures owned by non-profit organizations. Worksheets were distributed. Bob Lipton asked that worksheets be completed by February's meeting.

PUTNAM/MERCY EMERGENCY MANAGEMENT COURSE

Mr. Dandreano stated I wanted to let the Board know that the Putnam Mercy College Emergency Management course funds were approved to send me to the school and it has been postponed until the fall semester. The enrollment was too low to run course this semester. I will be more available in the fall.

CHARLES COOK

TOWN HALL GENERATOR – UPDATE/BID

Mr. Cook made a **motion** that the Town Board authorize the Town Clerk to advertise for bids to be opened on March 4, 2014 at 10:00 a.m.

Seconded by Mr. McCarthy. All In Favor: Aye. Carried.

APPOINT TOWN ENGINEER FOR 2014

Mr. Cook made a **motion** to approve the appointment of Ronald J. Gainer, 31 Baldwin Road, Patterson, New York to the position of Town Engineer for the year 2014.

Seconded by Mr. McCarthy. All In Favor: Aye. Carried.

PUTNAM LAKE DAM REPAIR - UDATE

Mr. Cook stated we have a report from Hunt Underwater Specialties Corp. who did a review of the Putnam Lake Dam and found certain deficiencies outlined in this report. I would ask Rich to comment on what would be the next steps to fix the problem.

Mr. Rich Williams stated as you know the goal in this whole project has been to have something ready for early spring so we can repair the gate. Time is running out. I contacted Rodney Hunt because everyone was under the impression this was a Rodney Hunt gate. They are certain it is not a Rodney Hunt gate, it is a Chapman gate and they think it can be repaired but they need to do further evaluation and they need to take a look at the interior seals. I will call them tomorrow morning and they will want to come down as soon as the weather warms up.

Mr. Cook stated so as far as this report goes you are comfortable with what you asked for. Mr. Williams stated I am. You will be getting the invoice and they have been very helpful in the last few weeks and working with Rodney Hunt in trying to identify the gate.

OTHER BUSINESS

Mr. Cook stated the Planning Department and the Building Department would like to replace a desktop scanner which is vital to the operation. Three price quotes were obtained.

Mr. Cook made a **motion** to approve the purchase of a Canon DR-5010C scanner for the Planning Department and Building Department from John W. Neubauer, AVP Business Products in an amount not to exceed \$1,388.00.

Seconded by Mr. McCarthy.

Mr. Griffin stated discussion. This is a refurbished model and it was half the price or less than half the price for a new one.

Mr. Williams stated that is correct. We have been looking around for the past 48 hours when we found out the existing scanner wasn't going to be compatible with some of the new software we purchased. We will be able to recapture some of the costs when we get rid of that scanner. This is apparently a high end scanner that we use for the OCR software to digitally convert all our records, which we have been doing now for some time. A new scanner runs in the ballpark of \$3,000.00. This refurbished one comes with a one year warranty.

All In Favor: Aye. Carried.

Mr. Griffin made a **motion** to authorize the Planning Department to recover the most amount of money possible on the sale of the current scanner.

Seconded by Mr. Cook. All In Favor: Aye. Carried.

Mr. McCarthy stated I was at the Recreation Center over the weekend, which pulls in a lot of people from 8:00 a.m. to 8:00 p.m., it's very packed there. They are throwing sand on the walkways, which is great for traction but it is tracking completely in the center. I was wondering if we could upgrade to a calcium chloride.

Mr. Griffin stated part of the issue is we would have to discuss it because it is all done by contract now. We have the same problem at Town Hall because they use a real gritty sand and it does a lot of damage to the floors when it gets tracked in. I will see if we can get this straightened out.

Mr. Cook stated I have a memo from the Planning Department requesting that the Town Board waive fees related to Planning Board Case No. 2213.

Mr. Cook made a **motion** to waive the application fee of \$325.00 for Mr. Olsen.

Seconded by Mr. McCarthy. All In Favor: Aye. Carried.

Mr. Dandreano stated I made a motion to appoint someone to the Zoning Board and I felt that the person who is being replaced is Gerry Herbst and he has served 29 years on the Zoning Board. I would just like to recognize him for serving so many years and he has been an invaluable contribution to the Town for so many years.

Mr. Griffin stated I was going to invite him to the next meeting and present him with a plaque because not only has he been on the Zoning Board for a long time he served two terms on the Town Board. You are right, he has been a real asset to the Town. Thank you for bringing that up.

Mr. McCarthy stated he has been involved with many activities in the Town.

Mr. Griffin stated he's a great guy. We have to start looking forward to the future of the Zoning Board and where they are at. Buzzie is a great guy and he has been on the Zoning Board for as long as I have lived in Town and that's 35 years. I think it is important that we start transitioning and bringing people in so there is continuity on the Boards.

PUBLIC RECOGNITION

Ms. Barbara Murphy stated I'm here to talk about the appointment of the Sanitation Administrator, Frank Farrell. Appointed, seconded, two of you in favor and one abstained, thank you Charlie. Wow, I'm not really surprised, but I can't believe that the three of you don't have any questions about appointing him after the year we have been through. I hope that this appointment is made in the best interest of the Town of Patterson and not for any other reasons. I think that we the people here need to know how you looked at things. I know we had a Richardson Report and I can quote it from there, "given the limited scope of the Sanitation Recycling Program in the Town of Patterson there may not be a need for a separate department head". Another quote is, "it is the opinion of the consultant that the collection of garbage and recyclables by five or six workers does not require a standalone department." The consultant offered the recommendation that a working foreman of the Sanitation report to the Highway Superintendent who could be awarded a stipend by the Town Board. Also during a Town Board meeting it was asked to Mike directly if he would consider being the point person and he said he would consider it. All five workers have been working together for more than 10 years. They know the ropes, it's a department that would need little supervision. By eliminating the Administrative position, we would be free of the reckless mismanagement of the department by this Administrator. Will our vehicles be used that were not inspected, putting us all at risk and didn't maintain or repair vehicles to the point that they were not road worthy. He cost the Town over \$60,000.00 in repairs that didn't make them road worthy. He is the cause of the layoff and the sale of unusable trucks and equipment and after this you still believe that this position is warranted and this is the man who should be running the show. This is an appointment, not a promise. I believe that one of the other appointments that was discussed tonight was advertised and I don't believe this position was advertised. He has been in this position for over 10 years. Did you happen to do a chart of the pros and cons are for keeping this position, if so, tell me what a pro is because I can't come up with one. I reviewed over a year's worth of Town Board meetings on video and never heard any suggestions brought to the table from Mr. Farrell through the Councilmen, but he did make some suggestions lately, like the idea to put underground pipes from the Highway Department to the Sanitation garage to pump heat from the wood burning stove. He also said that there were two part-time jobs, not temporary jobs that were going to be posted for \$18.00 per hour. That was after losing one full-time worker due to a layoff. He also had his staff attend OSHA safety training on their own time. These workers are hourly workers, not exempt. The Supervisor did comment that if they wanted to get paid they should. It seems to be he was trying to be more visible than ever. It is my opinion that he has done more harm to himself than good by those comments. So, now it's time for you to convince me that this position is credible and worthy. Thank you.

Mr. Bruce Majors stated Bob you continue to be on the ski patrol, is that true.

Mr. McCarthy stated that's correct.

Mr. Majors stated members of the ski patrol's family receive benefits.

Mr. McCarthy stated yes.

Mr. Majors stated I think from this meeting on you should no longer be the point person in the issues with the parking at Thunder Ridge. There is a conflict between the owner of the restaurant and Thunder Ridge. You are receiving a benefit which makes you an employee of Thunder Ridge and I think that Mike should appoint someone else to handle the Thunder Ridge issue. Thank you.

Mr. Williams stated first I would like to say that it is interesting that two people can experience the same issue and have a different point of view. Back in 1990 there were five

new members to the Planning Board, all green, and one of them was Mr. Griffin and the other was me.

Mr. Griffin stated there was five of us.

Mr. Williams stated and I think it shows.

Mr. Griffin stated I do too. I think we were very ambitious and we worked very hard at it but if we had some seasoning and a little more guidance, I think some decisions would have been made better, some may have been made worse, I don't know. I really think there is a lot to be said for having experience and continuity on a Board.

Mr. Williams stated true, that is not why I came up here. I am hoping to convenience you to stake out a position on an issue that I think is very important to the residents of the Town of Patterson. I'm sorry Mr. Burns is not here tonight, because he is our delegate down at the Association of Towns and I hope you agree with me on this issue and convey it to him and he carries it down to the Association of Towns. I was very interested to read recently of Governor Cuomo's proposal to release property taxes. All of us in New York State are burden by property taxes and we all would welcome some relief on this. The devil is always in the details. I took a look at his 480 page report and all the supporting documents that see what this was all about. Essentially what it is he is proposing a rebate on your taxes for taxpayer's for real property taxpayer's on any increase in property taxes providing two things occur. One is, the municipality or the school district stays under the tax cap which of course everyone is aware is 2% or less depending on the cost of living index and the other issue is that you participate and agree to an efficiency plan whereby services are consolidated. The funding to develop that efficiency plan is going to the County, there is going to be block grants of \$100,000.00. For me what this is doing, is it is telling me the Governor doesn't have a real appreciation of what local municipalities do or how lean we are currently working. It sets up a scenario where now in order for our taxpayer's to benefit by a tax credit and reduce their taxes, they have to support getting rid of some of the services of local municipalities and consolidating them in bigger government, ie: the County or the State. It also sets up a scenario that we have recently been through where the County now is coming up with an efficiency plan about what services they are going to be taking away from the Town in order to consolidate and show a cost savings. The efficiency plan has got to show specific reductions in taxes, 1% the first year, 2% the second year and 3% the third year. Again, I am very concerned how this sets us all up for working against each other rather than tackling the real issues that local municipalities are facing and dealing with things at the State level such as Tort Reform, reform our insurances which are going to help lower our costs which than can be passed on as a savings to our residents. I think this is disingenuous on his part and Governor Cuomo's search for imposing on us his form of government which is larger bigger government. I'm hoping the Town Board reviews this proposals and agrees with what I said and contacts the local Assemblyman and Senator and tell them how displeased you are with this proposal.

Mr. Griffin stated Ms. Murphy I will be responding to you in writing. We are not ignoring you. This is not the best forum to put all my thoughts and I'd like some time to collect them and write them down.

Ms. Murphy stated thank you.

ADJOURNMENT

There being no further business, Mr. Cook made a **motion** to adjourn the Town Board meeting at 7:55 p.m.

Seconded by Mr. McCarthy. All in favor: Aye. Carried.

Respectfully Submitted,

Antoinette Kopeck, Town Clerk