

PATTERSON TOWN BOARD MEETING
PATTERSON TOWN HALL
1142 ROUTE 311
PATTERSON, NEW YORK 12563
February 12, 2014

MINUTES

PRESENT: MICHAEL GRIFFIN, SUPERVISOR
KEVIN BURNS, COUNCILMAN
CHARLES W. COOK, DEPUTY SUPERVISOR
PETER DANDREANO, COUNCILMAN
ROBERT MCCARTHY, COUNCILMAN
ANTOINETTE KOPECK, TOWN CLERK
DONALD M. ROSSI, TOWN COUNSEL

Salute to the Flag and Roll Call.

PUBLIC HEARING LOCAL LAW NO. 1 – PUTNAM LAKE PARK DISTRICT

See Public Hearing minutes.

Supervisor Griffin called the Patterson Town Board meeting to order at 7:15 p.m. with 15 in attendance.

REPORTS

Mr. Griffin asked the clerk to file the reports as read.

Code Compliance - January
Code Enforcement - January
Dog Control Officer - January
E.C.I. - January
Putnam Lake Fire Dept. - None
Patterson Fire Dept.-None

SUPERVISOR REPORTS

Mr. Cook made a **motion** to approve the following Supervisor's Reports for November and December.

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

MINUTES

Mr. McCarthy made a **motion** to approve the following minutes:

Town Board Meeting Minutes – December 18, 2013
Town Board Meeting Minutes – January 15, 2014
Organizational Meeting Minutes – January 15, 2014

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

AUDIT OF BILLS

Mr. Cook made a **motion** to accept Abstract No. 2 as written:

General Fund \$84,818.59, Highway Fund \$74,405.15, Waste Water Treatment Plant \$579.96, Capital Fund \$82.50, Putnam Lake Light District \$679.48, Patterson Light District \$852.83, Patterson Refuse District #2 \$33,636.11, Patterson Park District \$134.73, Alpine Water District \$920.97, Dorset Hollow Water District \$8.26, Fox Run Water District \$8.98, Trust & Agency \$333.75, Grand Total Abstract \$196,461.31.

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

MICHAEL GRIFFIN

EMPLOYEE RECOGNITION

Mr. Griffin stated unfortunately the employee that we were going to recognize was unable to be here tonight.

GAS INSPECTIONS – DISCUSSION

Mr. Griffin stated about a year ago, the County notified us that their gas inspector had been injured on the job and asked if we would temporarily take over gas inspections, which we agreed to do. Since that time, the County has not made any effort what-so-ever to replace the individual, so I had a conversation with the Town Attorney, as well as a couple of other Town Supervisors and we are all generally in agreement that there is no reason to send applicants over to the County to pay the County to get a permit that we do all the work for them. Case in point, when I put in a gas tank at my house it cost me well over \$100.00 to get a County permit and our Town Code Enforcement did all the inspections. I asked the Town Attorney, if the Board is in agreement, to prepare a resolution for the next Town Board meeting, that we will notify the County that we will no longer be requiring applicants to get County permits. I asked the Town Planner to revise the fee schedule so we can adopt it at the same time. Does the Board have any comments on that.

Mr. Burns stated can we say you don't have to apply for a County permit.

Mr. Rossi stated it is our understanding that we (inaudible).

Mr. Griffin stated not only that, the fact of the matter is, Building Code Enforcement is in the Towns purview. If you look at the State, the State codes that have been adopted are the responsibility of the Towns to enforce. We have adopted the State Building Code for the State of New York. All the authority for those inspections rest with us. Years ago, we just looked at it and when the County said we will take it over, we said "if you want the liability, then go right ahead."

Conversation ensued.

Mr. Griffin stated does the Board want to go forward with this at this time.

All Board members agreed.

THUNDER RIDGE – UPDATE

Mr. Griffin stated at the last Town Board meeting, we had a discussion about Thunder Ridge and what was going on out there. Charlie and I tagged teamed this one. I spoke to Mr. Lamberti with the issues of the lack of site plan and some other things. Charlie has been working with Mr. Lamberti on the parking issues. Just a quick memo from Nicholas Lamberti, Director of Codes Enforcement:

Robert Conklin was issued a court appearance ticket on February 10, 2014 to respond to numerous violations of the Town Code.

Mr. Cook stated according to Nick, nothing much has changed regarding the parking issues. Nick was going back over today to speak to Mr. Conklin and remind him that it has to be kept open. That is part of the reason Thunder Ridge was issued a violation notice to appear in Town Court at the end of the month. We are keeping on him.

KEVIN BURNS

CONFERENCE REQUEST(S)

Mr. Burns made a **motion** to approve two submitted conference requests.

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

APPOINT TOWN AUDITOR – 2014

Mr. Burns made a **motion** to appoint Michael Quis as Auditor for the Town for 2014 as pursuant to the letter of understanding that was reached with the Supervisor.

Seconded by Mr. Cook.

Mr. Griffin stated discussion. I think we should put a condition on that. I spoke to Trish today, there is some room for discussion there.

Mr. Burns stated do you want to table this.

Mr. Griffin stated we could, or we can say “pending the satisfaction of the Comptroller’s issues.” I think tabling is the better way to go.

Mr. Burns made a **motion** to table this appointment.

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

BUDGET TRANSFER(S)

Mr. Burns made a **motion** to approve Budget Transfer No. 6 and 7.

Budget Transfer No. 6

| | | | |
|-------|------------|---|--------------|
| From: | A.1950.400 | Taxes & Assessments on Properties | (\$1,200.00) |
| To: | A.1010.450 | Town Board Training | \$700.00 |
| To: | A.9010.800 | Receiver of Taxes Contractual Expense Accounts | \$500.00 |

Budget Transfer No. 7

| | | | |
|-------|------------|--|--------------|
| From: | A.1990.400 | Contingent Account | (\$1,388.00) |
| To: | A.8020.200 | Town Planner Equipment Expense Accounts | \$1,388.00 |

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

PLPAB REQUEST(S)

Ms. Dede Lifgren stated I would like authorization from the Town Board regarding the planning of the remediation to deal with the algae and plant issues in the lake. We still have the DEC report to review, it is not in yet and the weed survey to do in the spring and we will also have to wait to see the conditions as they arise in the spring. We want to be ready. We would like to start getting permits now for many of the treatments, again not a commitment to use them, but to be prepared.

Mr. Griffin stated do you have an applicator in mind.

Ms. Lifgren stated we have to work on that as well.

Mr. Griffin stated if I understand the process correctly, the permits have to be processed by a licensed applicator.

Ms. Lifgren stated that’s right.

Mr. Burns made a **motion** to allow the Putnam Lake Park Advisory Board to seek out licensed applicators for the proposed various treatments to treat the algae in the lake.

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

Mr. Griffin stated essentially you are going to ask for proposals.

Ms. Lifgren stated yes.

Mr. Griffin stated do you have an application regime in mind or are you going to ask the licensed individuals or proposals as to what they recommend.

Ms. Lifgren stated we already have recommendations but we are waiting for the report from the DEC just to make sure we have all the data first. There are some methods that we have in mind and all of the possibilities we would like to start permitting for.

Mr. Griffin stated ok.

PETER DANDREANO

APPOINT MEMBER TO THE BAR – FIVE YEAR TERM

Mr. Dandreano made a **motion** to table the appointment of the BAR for a five year term.

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

ANNUAL WOMEN OF DISTINCTION AWARD – NOMINEE

Mr. Dandreano stated I have a memo from Senator Ball regarding the Third Annual Women of Distinction Celebration. They are looking for a candidate for us to nominate. The event is May 29, 2014 at the Villa Barone. The deadline to submit a candidate is March 1, 2014.

NATIONAL FIRE CODE SUBSCRIPTION – RENEWAL

Mr. Dandreano stated I have a memo from David Raines, Fire Marshall. He is advising that the National Fire Code is updated on a regular basis. We subscribed in the past and these codes are vital updates to the operation of the Fire Marshall. The update has increased from \$855.00 to \$1,165.50. I feel this is a critical code that they need.

Mr. Dandreano made a **motion** to approve \$1,165.50 for the NFPA.

Mr. Burns stated discussion. Do we have this budgeted.

Mr. Cook stated I checked with the Building Department and they have money in the budget.

Seconded by Mr. Burns.

Mr. McCarthy stated I guess all these codes are reviewed every year.

Mr. Griffin stated they are updated on an annual basis. He is using the on-line version, so it is a prescriptive software method.

Mr. Dandreano stated the electronic version is a lot cheaper. The books are \$3,000.00.

All In Favor: Aye. Carried.

CHARLES COOK

APPOINT TOWN ATTORNEY 2014

Mr. Cook made a **motion** to approve the appointment of Hogan & Rossi, 1441 Route 22, Suite 204B, Brewster, New York 10509 for Town Attorney for the year 2014.

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

Mr. Griffin stated I would like to thank you for the reduction in the retainer fee.

Mr. Cook stated Don for the two years that I have been on this Board, it has been a pleasure

Mr. Rossi stated thank you Charlie, I appreciate it.

Mr. Cook stated it is always good working with you, Michael and the staff.

AUTHORIZE SUPERVISOR TO SIGN CONTRACTS – ENGINEER/TOWN ATTORNEY

Mr. Cook stated this also ties in with the Supervisor signing contracts with the engineer and the Town Attorney. We appointed Mr. Ron Gainer at the last meeting to Town Engineer.

Mr. Cook made a **motion** for the Town Board to authorize Supervisor Michael Griffin to sign the contracts for both Ron Gainer and Hogan & Rossi.

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

Mr. Griffin stated Don, can I expect a contract for the engineer

Mr. Rossi stated yes, we will put that together. We also had sent one for us; we had a couple of dates that had to be amended.

JUDGE’S REQUEST – REIMBURSEMENT

Mr. Cook stated we are no longer having medical benefits for part-time Elected Officials. We became aware that we couldn’t take it away mid-stream to the Judge’s and we made some changes previously. The bottom line is we owe Judge Mole’ \$1,233.97.

Mr. Cook made a **motion** to approve the amount owed to Judge Mole’ and the contribution that he makes for the year 2014 for medical coverage as per the Comptroller’s e-mail dated February 7, 2014.

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

ROBERT MCCARTHY

PATTERSON HISTORICAL SOCIETY REQUEST - COMPUTER

Mr. McCarthy stated the Historical Society is requesting that the Town donate a decommissioned computer and old, large-bed scanner to it for use in digitizing documents about the history of the Town, including official records of the Town from the 19th Century.

Mr. McCarthy stated Rich, we do have a computer that we can donate with a large bed scanner.

Mr. Williams stated yes.

Mr. McCarthy made a **motion** to approve the donation of the computer and the scanner to the Historical Society.

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

RECREATION REQUEST(S)

Mr. McCarthy made a **motion** to approve flag football “T”-shirts from Steve Dinucci in an amount not to exceed \$195.00.00

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

Mr. McCarthy made a **motion** to approve Crown Awards in the amount of \$1,527.75.

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

NYSEG ANNOUNCEMENT – TREE TRIMMING

Mr. McCarthy stated NYSEG will be trimming trees in Central Patterson 484 and West Patterson 474 circuits for routine maintenance.

Mr. McCarthy made a **motion** to add one item to his agenda.

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

Mr. McCarthy stated "Putnam Moves" is a logo contest. Students living in Putnam County in grades K-12 are invited to submit their best original logo designs to represent "Putnam Moves", the redesigned public transportation system. The winner will receive a \$500.00 scholarship. The deadline is March 5, 2014. The winner will be announced by County Executive, MaryEllen Odell at the State of the County address on March 13, 2014.

OTHER BUSINESS

Mr. Griffin stated we have a request from the library. They are planning on putting in a back-up generator on the library premises. The library trustees would appreciate the Town Board waiving any and all fees for the permits for this generator installation. We have a memo from Nicholas Lamberti and he anticipates that the total waiver of fees for the library would be \$381.00. We also have a memo from the Town Planning department that indicates that there would be a waiver of fees of approximately \$175.00.

Mr. Griffin made a **motion** to approve the recommendations of the Code Enforcement Officer and the Planning Department to waive the fees for the library for their back-up generator.

Seconded by Mr. Cook.

Mr. Williams stated for clarification, it should be \$175.00 plus postage.

Mr. McCarthy stated \$2.68.

Mr. Griffin stated ok, \$178.68.

All In Favor: Aye. Carried.

Mr. Don Ferraro stated I would like to thank the Board. You are very helpful to the library. I see it as a partnership, even though we are not technically part of the government of Patterson. You represent the citizens of Patterson. When we went through a budget increase this year, one of the main campaign issues was vying for a back-up generator. The past two years we had power outages for a substantial amount of time. We found that the library was a place that people came to for various reasons. I want to thank the Town in general, but specifically the Planning and Building Department and Mike's office. You have been very helpful to the library.

Mr. Griffin stated you are very welcome. Keep up the good work.

Mr. Cook stated we received a memo from the Putnam Lake Fire Department:

Please be advised that the following persons have been accepted as members of the Putnam Lake Fire Department: Briana Trinchillo.

Mr. Cook made a **motion** to approve the appointment of Briana Trinchillo to the Putnam Lake Fire Department.

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

PUBLIC RECOGNITION

Mr. Bruce Majors stated just a comment from the library. They suggested that they would like the Town Attorney to hurry up and write that resolution where the Town takes over the gas inspection so maybe they can save another \$100.00.

Mr. Griffin stated for the first and then it's \$50.00 in appliance.

Mr. Burns stated and you know the County is not going to waive that fee.

Mr. Majors stated they said write that before you write your contract.

Mr. Majors stated you decided to hold the Public Hearing open until the next meeting. How do you plan on notifying the community that it is being left open so they can make additional comments.

Mr. Griffin stated one of the things that we will probably do is ask Mr. Fava to post it on the sign board in Putnam Lake. We can ask the Town Clerk to send out a press release to all the papers. We have a reporter here tonight who will probably put it in the paper.

Mr. Majors stated this brings me back to an issue I have been raising for the last couple of years. I will raise it again, I raised it a few weeks ago, we have people coming here and saying not everyone knew about it and we expected more people to be here, has the Town consider sending letters to the two publications that print legal notices within this Town. That would be the Courier and the Times. Those two do print public notices and have them submit to you their subscription levels within the Town. We may find that one is providing a better coverage for the Town than the one that you are currently using. One would hope that it is in the best interest of the Town, wherever the greatest circulation is of legal notices; that is the publication you would use. Send them a letter asking them what their weekly subscription rate is within the Town of Patterson.

Mr. Griffin stated ok, we are going to talk about subscription rate, we are not going to talk about the stacks and stacks and stacks they put on the counters and we have no idea how many people take them. I've been through this with Don Hall and he tells me he has 6,000 of them out and about in the County, of which maybe a couple of hundred get taken.

Mr. Majors stated I would also ask what locations are the papers sold at. The Courier is also sold in stores. I don't have a subscription anymore, but I will buy it at Sauro's.

Mr. Majors stated regarding Thunder Ridge, when was that violation.....

Mr. Burns stated it was issued on the 10th.

Mr. Majors stated how often can violations be served.

Mr. Griffin stated it is actually an appearance ticket and it would be up to the Judge to determine whether he is going to consider it a violation.

Mr. Rossi stated we don't handle these prosecutions for the Town, so I don't have this at my fingers.

Mr. Majors stated that's not my question. How often can Nick Lamberti go to that facility. He has already served him a violation. I can assure you that the same cars have been there day after day. Some of those cars are employees of Thunder Ridge. Can Nick go there every day and issue a violation.

Mr. Burns stated no, because I think you have to give them reasonable time.

Mr. Rossi stated there are a couple of different types of violations. I think what we are talking about here tonight are violations under the Zoning Code that Thunder Ridge is being sited with. Nick does not have to go back every day if that is occurring, because once he serves them with a notice of violation, I believe, the Town Code might provide that every day is a continuing violation, so he does not have to go there every day to serve them again. That relates to violation of the Zoning Code related to the use. Whether cars are illegally parked, I think that that is not a Building Code enforcement matter that is a police matter, if they are parked illegally.

Mr. Majors stated and there are cars parked there. I have been listening for a couple of years now. Both parties were told, the restaurant was told, as was Thunder Ridge, that no parking signs were to be put up and there was going to be enforcement. It appears that nothing is being done. Sometimes the ticket is less expensive and less interfering than the condition. Next week is going to be a zoo because schools are out. That place is going to be packed.

They are going to get through the winter and nothing is going to get done. Spring will come, grass grows and next winter we will see the same thing.

Mr. Rossi stated as I said, I am not working on this directly. There is a notice of violation pending that is now returnable and they have to comply under the code. That process has to be followed.

Mr. Majors stated there is one other issue that I noticed. They plow their north field. They plowed that field south right into the stream. I would think that putting muddy water or snow with mud piled up adjacent to that stream is creating a problem for that stream. I don't know if they require to maintain a divide, but one would think that it is creating an environmental problem there and I would hope the Code Enforcement or our Environmental Control Officer goes there to see if they are complying. I understand that they were told that they had to keep at least twenty feet away from that stream. They certainly are not twenty feet away from that stream.

Mr. Williams stated just some clarification; the period we have to wait before issuing subsequent violations, as set forth in the code, sometimes it is days, typically it is per week. You don't have to wait if we think the violation is egregious to their (inaudible). Currently there is a notice of violation on one issue and an appearance ticket on the second issue for Thunder Ridge. The last issue is the justification for issuing subsequent violations every time we issue a sequence violation the fines go up. We issued the first violation; the court has some discretion about making it retroactive, how many weeks and increasing the fine by that much. If it's a second or third violation, the fines are increased.

Mr. Griffin stated also Bruce, the DOT and DEC are aware of the situation. What action they are going to take, I have no idea. We have had conversations with Mr. DeNegro and we also brought it to the DEC on more than one occasion.

Mr. Griffin stated our Russ Goff, the Town Highway Superintendent is here tonight and I would like to thank him for the outstanding job that he and his crew have been doing.

Mr. Griffin stated if you were planning on coming here tomorrow to do any official business, we will be closed due to the snow storm coming.

ADJOURNMENT

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

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

Respectfully Submitted,

Antoinette Kopeck, Town Clerk