

PATTERSON TOWN BOARD MEETING  
PATTERSON TOWN HALL  
1142 ROUTE 311  
PATTERSON, NEW YORK 12563  
March 11, 2015

MINUTES

PRESENT: MICHAEL GRIFFIN, SUPERVISOR  
KEVIN BURNS, COUNCILMAN  
CHARLES W. COOK, DEPUTY SUPERVISOR  
SHAWN ROGAN, COUNCILMAN  
ANTOINETTE KOPECK, TOWN CLERK  
DONALD M. ROSSI, TOWN COUNSEL

ABSENT: PETER DANDREANO, COUNCILMAN

Salute to the Flag and Roll Call.

Supervisor Griffin called the Patterson Town Board meeting to order at 7:00 p.m. with 27 in attendance.

Mr. Rogan stated one of our Councilmen, Peter Dandreano lost his Dad last week and I think it would be appropriate out of respect to observe a moment of silence.

Mr. Rogan stated we are going to take a moment to identify and thank someone who works for the Town who is doing an outstanding job. I want to start out by reading something that was in the Letter to the Editor in one of our local papers:

Dear Editor:

There is one family here in Patterson that is not tired of the snowstorms. Each snowstorm gives our developmentally-disable son the chance to put on his cool, fluorescent orange and yellow snow gear, so he can go out with his shovel and spend hours "plowing" our driveway.

Then the town plow comes by, and he stops everything and waves and shouts "Hello." Each time our plow guy comes by he honks his horn, waves back, smiles and gives our son a thumbs up, and our son is thrilled!

We want to thank the Patterson snowplow drivers for doing an excellent job keeping our roads clean, but a special thank you goes out to Gene; thank you for bringing joy to our son each winter. You are the best! Georgina Marek-Evans.

Mr. Rogan stated what I would like to ask is, Georgina; who is here with her son and husband, would you like to come up and say a few words, no pressure.

Ms. Georgina Marek-Evans stated I was saying that I wanted to recognize Gene for being so nice, because he didn't just come by and wave, he recognized that this was a young man who this was such an important thing to him and he got out and shook his hand and gave him a great sweatshirt. For us, it meant a lot, because it doesn't happen in our lives or his life very often. When it does, we want to make sure we recognize that person and tell him how much it meant, not just to him, but to us.

Mr. Gene Brandon stated I would like to thank the Town Board for recognizing me. It's not just me, it's the Highway Department too. I'm one guy and there are twelve other guys that do the same job I do. Yes, it's a hard job, but we do it. If I could make one person's life happy out of a few hundred, I'm good with that.

Mr. Rogan stated on behalf of the entire Town Board, Pete Dandreano could not be here, but we know you take great pride in the work you do, but more importantly you take pride that you have a positive impact on people's lives. What this says is; a certificate of recognition to Eugene "Gene" Brandon for being a dedicated public servant for the residents of Patterson for over 18 years and for going above and beyond the call of duty to provide outstanding public service awarded this 11<sup>th</sup> day of March.

Mr. Rogan stated I would like to invite Jane Gorman, Regional President, CSEA Local and Jane would like to say a few words.

Ms. Jane Meunier-Gorman stated this is such an honor for me because usually in CSEA we get a lot of complaints about our public employees and how they are not doing exactly what they are supposed to be doing. When Shawn brought this story to me, I was just tickled to death and we said this is the perfect thing, we have to make this public. It really gives me great honor to be here tonight and I am with my Vice President, Mark Semo and our Communications Officer Jessica Ladley from CSEA Region 3. I would like to issue an award to Gene as well.

Ms. Jane ? stated this is what we call a Local 840 “You Make A Difference Award” and Mark and I issue this to individuals, usually officer’s of CSEA Local 840 who go above and beyond their ordinary job, whether they are officer’s or just general members, but if they make a difference in someone’s life, we would really like to recognize them. It gives me great pleasure to give Gene Brandon, who is our Unit President for the Patterson Highway Department the “You Make A Difference Award” for 2015 and it reads:

This certificate awarded to Gene Brandon for his continued outstanding performance and dedication, not only as the Unit President of CSEA Unit 8161, Town of Patterson Highway Department, but for his compassion, kindness and always going the extra mile to help those in need. You truly make a difference. Date: March 11, 2015 signed by Billy Recaldo, Regent President and myself. Congratulations Gene and I am also giving you a challenge coin and the mission of the coin is not that you keep it for yourself, but when someone makes a difference in your life, we hope that you pass it on to them.

Ms. Jane ? stated I also have another presentation and this presentation goes to Mark. I would like to make Mark an honorary member of CSEA, now that he is wearing the official colors of the Town of Patterson. We have some CSEA member goodies. Hopefully, he will wear them in good health and congratulations and welcome to CSEA.

Mr. Mark stated thank you.

Mr. Griffin stated thank you Shawn for putting this whole presentation together.

Mr. Rogan stated it was easy, I had good material.

#### REPORTS

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

Code Compliance - February  
Code Enforcement – January and February  
Dog Control Officer - February  
E.C.I.- January and February  
Putnam Lake Fire Dept. - None  
Patterson Fire Dept. – 4<sup>th</sup> Quarter  
Patterson Recreation Center - February

#### SUPERVISOR REPORTS

Mr. Cook made a **motion** to approve the Supervisor’s Reports for the months of January.

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

#### MINUTES

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

Town Board Meeting Minutes – February 11, 2015

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

AUDIT OF BILLS

Mr. Cook made a **motion** that the Town Board accept Abstract No. 4 as written:

General Fund \$62,741.44, Highway Fund \$96,314.72, Waste Water Treatment Plant \$19,998.30, Putnam Lake Light District \$659.91, Patterson Light District \$832.61, Putnam Lake Refuse District #1 \$20,454.55, Patterson Refuse District #2 \$27,293.87, Patterson Park District \$1,224.65, Putnam Lake Park District \$383.03, Alpine Water District \$1,451.08, Dorset Hollow Water District \$1,903.84, Fox Run Water District \$893.53, Trust & Agency \$413.45, Grand Total Abstract \$234,564.98.

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

MICHAEL GRIFFIN

HIGHWAY SALT SHED - UPDATE

Mr. Griffin stated I would like to thank Russ Goff and Rich Williams for the hard work they put in on this. The plans are just about ready to be put out to bid. There are a couple of minor tweaks to this.

Mr. Griffin made a **motion** that we authorize the Town Clerk to advertise for bids for the new Highway Salt Shed.

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

FEE SCHEDULE - UPDATE

Mr. Griffin stated Bob would you like to come up and talk about the proposed fee schedule changes.

Mr. Bob McCarthy stated at the last meeting we were discussing about increasing or decreasing our fees. Some of the changes we would like to implement is a reinspection fee. Some of the problems that I am having is when I actually tell them they have to do A, B, and C and I go back and it's not done, so we should charge for a reinspection fee. We don't mind going out once, but when you have to go back three and four times, it's too much. We were thinking of a \$50.00 reinspection fee. The demolition permit is actually on the low side, so we were thinking about increasing it to \$200.00. The stop work order, a lot of times when we ask them to do that there is a lot of paperwork involved and then to start it up again we think it should be \$100.00. Operating permits we feel it is the same thing as a CO. An Operating permit consists of a fire inspection. A CO is \$50.00 and we compare that to an operating permit. Municipal searches is being put back to the new homeowner or if someone refinances their home. There is a lot of work involved in that. It goes onto the Assessor, to the Building Department to pull files and there is a lot of work involved.

Mr. Griffin stated you also do a physical inspection.

Mr. McCarthy stated not all the time. Donna or Amanda will go out and give us a report and we sometimes have all the information there. Some of the other items we were discussing were square footage, I feel we are in the same ballpark. We are actually a little bit low. I am comfortable keeping it that way. Temporary CO is one of my sticking points. Rich and I discussed giving a temporary CO under the circumstance of black topping. We do a cash bond. I would like to find a way to give a temporary CO under the circumstance. There is only a couple of circumstances that we need.

Mr. Burns stated weren't you talking about doing a temporary with a notice of violation.

Mr. McCarthy stated I feel we can do that. I can issue a CO and also issue a notice of violation. You have a certain amount of time to get it done. Part of the problem is if we give you a CO and you move into the house, some people are going to move in anyway. If you live in the house and you don't have a CO and something happens, now we have an insurance problem. This is what I am proposing to you. Any questions.

Mr. Griffin stated it's pretty comprehensive. We did have a little conversation about there have been a considerable amount of requests for waivers. A lot of them have to do with people stating that "it was done before I got here", or "before I bought the house", "now I want to legalize it and you are going to charge me twice as much". I still think at some point, maybe we want to take a look at what possibilities exist. I will go through this with the Director of Codes and with the Town Planner and we will propose modifications to the fee schedule and have that to everyone within a week. We can take action on this at the next Town Board meeting. We can talk about this at the All Boards Meeting and you are welcome to come to it.

Mr. McCarthy stated okay.

Mr. Griffin stated thanks Bob, we appreciate your work on this.

Mr. Rogan stated I would like to make a comment, I was reading Rich's memo and one of the concerns wasn't the actual fees collected based on submission of applications, it was review fees, if you recall. We spoke about this a few years back. It was the idea that we need to be diligent about the review process, so that it is clear, and that is why through the Planning Board we started taking people off the agenda when they were in complete submissions, because it still required a review from the Town's consultants. That obviously costs money. The concern is you don't want to have an application being reviewed over and over again which cost the owner and the Town money.

KEVIN BURNS

CIPRIANO TAX CERTIORARI

Mr. Burns introduced the following **Resolution Authorizing Settlement of Tax Certiorari Proceeding in the Matter of Pietro Cipriano V. Town of Patterson, Et Al Supreme Court, County of Putnam Index No. 1564/2014:**

**R-0315-01**

WHEREAS, the Town of Patterson is a party respondent in a certain tax certiorari proceeding entitled PIETRO CIPRIANO V. TOWN OF PATTERSON, ET AL, currently pending in the Supreme Court, State of New York, County of Putnam, in which the total assessed valuation of premises listed on the 2014 Assessment Roll and shown on the Patterson Tax Map as Section 35, Block 4, Lot 49, is being contested; and

WHEREAS, the Assessor of the Town of Patterson and the property owner have agreed to settle the proceedings by reducing the assessed valuation of the subject premises as follows:

Section 35, Block 4, Lot 49:

<u>Assessment Roll Year</u>	<u>Original Assessment</u>	<u>Reduced Assessment</u>	<u>Amount of Reduction</u>
2014	100,000	85,000	15,000;

and

WHEREAS, the Town Assessor has recommended that the Town Board accept the settlement proposal set forth above;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Patterson hereby approves and ratifies the settlement of the above described proceedings as recommended by the Town Assessor; and

BE IT FURTHER RESOLVED, that the Town Board of the Town of Patterson hereby authorizes the Town Supervisor, Town Assessor and/or Town Attorney to execute any and all documents necessary to give effect to this resolution.

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

Mr. Burns introduced the following **Resolution Authorizing Settlement of Tax Certiorari Proceeding in the Matter of Pietro Cipriano and Rosina Cipriano v. Town of Patterson, Et Al Supreme Court, County of Putnam Index No. 1563/2014:**

**R-0315-02**

WHEREAS, the Town of Patterson is a party respondent in a certain tax certiorari proceeding entitled PIETRO CIPRIANO AND ROSINA CIPRIANO V. TOWN OF PATTERSON, ET AL, currently pending in the Supreme Court, State of New York, County of Putnam, in which the total assessed valuation of premises listed on the 2014 Assessment Roll and shown on the Patterson Tax Map as Section 35, Block 5, Lot 47, is being contested; and

WHEREAS, the Assessor of the Town of Patterson and the property owners have agreed to settle the proceedings by reducing the assessed valuation of the subject premises as follows:

Section 35, Block 5, Lot 47:

<u>Assessment</u> <u>Roll Year</u>	<u>Original</u> <u>Assessment</u>	<u>Reduced</u> <u>Assessment</u>	<u>Amount of</u> <u>Reduction</u>
2014	586,300	475,000	111,300;

and

WHEREAS, the Town Assessor has recommended that the Town Board accept the settlement proposal set forth above;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Patterson hereby approves and ratifies the settlement of the above described proceedings as recommended by the Town Assessor; and

BE IT FURTHER RESOLVED, that the Town Board of the Town of Patterson hereby authorizes the Town Supervisor, Town Assessor and/or Town Attorney to execute any and all documents necessary to give effect to this resolution.

Seconded by Mr. Cook.

Mr. Cook stated discussion. It doesn't show in the resolutions if we are refunding money. If we are reducing the assessment in 2014, are they entitled to a refund.

Mr. Don Rossi, Town Attorney stated I believe so.

Mr. Cook stated then we should have that in the resolution. In the future, it should say how much this negotiation is costing the Town.

Mr. Rossi stated I understand Charlie. I don't know off the top of my head, because I didn't work on this.

Mr. Burns stated possibly a \$1,200.00 reduction.

Mr. Griffin stated yes, it's inconsequential, a very small amount of money.

All In Favor: Aye. Carried.

ALL BOARDS PRELIMINARY AGENDA

Mr. Burns stated next Thursday at 7:00 p.m. we are having a meeting with the Town Board, Planning Board and Zoning Board. I sent Rich an agenda. Has everyone had a chance to take a look at it. Basically, what we were talking about is coming up with some items for the three boards to discuss. The Master Plan and zoning issues that we as a Town would like to tackle collectively. What I had proposed were potential areas for discussion were a discussion of the Town's survey results, which Rich has; problematic zoning, which we have encountered which included a race track issue, some fencing issues, restaurant catering/smoking/BBQing, private gun clubs who are shooting on property adjacent to a land trust; fire department sign issue and any Putnam Lake issues, etc.

BUDGET TRANSFER(S)

Mr. Burns made a **motion** to approve Budget Transfer No. 3 and No. 4

Budget Transfer No. 3

From:	A.1990.400	Contingent Account	\$(2,375.00)
To:	A.5142.400	Sidewalk Snow Removal Contractual Expense Accounts	\$ 2,375.00

Budget Transfer No. 4

Increase:	H.0902	Fund Balance Designated Capital Project Fund Balance Account	\$3,000.00
To:	H.8989.014	Special Services – WWTP Construction Expense Accounts	\$3,000.00

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

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

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

Mr. Burns made a **motion** to approve one conference request as submitted.

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

PETER DANDREANO – ABSENT

Mr. Cook added Mr. Dandreano's agenda to his agenda.

CHARLES COOK

PLPD LAWN MAINTENANCE BID

Mr. Cook made a **motion** to authorize the Town Clerk to advertise for bids for the PLPD Lawn Maintenance dated April 6, 2015.

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

PLANNING BOARD RECOMMENDATION – RESTAURANTS

Mr. Cook stated I have a memo from the Town Planner regarding zoning code change recommendations for restaurants. The Planning Board made a recommendation that the Town Board consider revising Patterson Town Code §154-77, conditions for which approval is required with the wording used in the Town Planner's memo "restaurants" dated December 1, 2014. The Planning Board recommends that the Town Board also consider revising the current definitions within the Town Code of "restaurant", "fast-food", "catering", and "hours of operation", but not to such a degree that it would limit development or future business.

Mr. Cook made a **motion** that the Town Board ask the Planning Board for their recommendations as to what changes they would like to see with regard to definitions of restaurants, fast food, catering and hours of operation.

Mr. Burns stated can we discuss this at the meeting next week.

Mr. Williams stated yes, let's discuss this on Thursday.

Mr. Burns stated we will add it to the agenda.

RECREATION REQUEST(S)

Mr. Cook made a **motion** to approve the requests from Matt Chibbaro to purchase 12 Dri-fit T-shirts for adult b-ball in an amount not to exceed \$126.00.

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

Mr. Cook made a **motion** to approve the requests from Matt Chibbaro to purchase 100 adult basketball t-shirts with logo on the front and number on the back in an amount not to exceed \$725.00 from Steve Dinucci.

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

SHAWN ROGAN

VETERAN'S MEMORIAL PARK REQUESTS – ALTERNATE BOARD MEMBER

Mr. Rogan based on a request from the Veteran's Park Advisory Board, they wanted to add a member. We looked at whether or not it was feasible to increase the number of members by one, but that leaves us with an even number which is never good with a voting bloc. We looked at the easy route which would be to change Chapter 2 of the Town Code Article 12 to include both Park Advisory Board's in with the Planning and Zoning Board to allow alternate members. It's simple enough, it allows them the ability to add a member that has specific skills that they require at this time with some word processing skills for their board. It allows some mentoring to happen for future members, which I think is a good thing across all the boards to bring on members as alternates and then as a vacancy opens they can slide that person into the vacancy and bring on another alternate member to begin the mentoring process.

Mr. Cook stated or if a regular member is absent from a meeting and they need a vote and that person is there listening they could do that.

Ms. Pat Ploeger stated Shawn this would include the Putnam Lake Advisory Board as well.

Mr. Rogan stated correct.

ANNOUNCEMENTS

Mr. Rogan stated the free rabies clinic will be held on Saturday, March 21, 2015 from 2:00 p.m. to 5:00 p.m. at South Putnam Animal Hospital in Mahopac. Call the Putnam County Department of Health for direction and more information, 845-808-1390, ext: 43127 or the Health Department's website.

Mr. Rogan stated the Brewster Elk's Lodge Flag Day will be Saturday, June 14, 2015 commencing at 6:00 p.m. They will have an event at their facility. Refreshments will be served.

OTHER BUSINESS

Mr. Griffin stated we have a couple of letters to the Highway Department thanking them for their great job. One from Brian Benedict and Bill and Eileen Herrell.

Mr. Griffin stated we have a notice from the head of Building and Maintenance regarding emergency repair to the heating system. I don't think we can take any action on this tonight, I will just let everyone know that he called me about it. There was no heat in the community room. He authorized our HVAC contractor to make the repairs; however, he didn't list any dollar amount on the request. We will discuss this at the next meeting.

PUBLIC RECOGNITION

Mr. Bruce Major stated Mike, as the head of the East of Hudson, what compensation came back to the Town in reference to all the work that our Planner had to do for them when they were negligent in fulfilling their responsibilities.

Mr. Griffin stated so far, none.

Mr. Major stated are we attempting to make.....

Mr. Griffin stated there have been some conversations. Unfortunately, a lot of the work that was done, we closed out the books on it, so we have to see if we can go back to 2012, 2013, and 2014 to seek compensation.

Mr. Major stated please, don't forget.

Mr. Griffin stated I haven't forgotten.

Mr. Major stated Clover Lake; we have a tax certiorari that has been going on for a long time. For those who may not remember or weren't at the meetings, when there was new ownership looking to come aboard, they were looking for a tremendous tax relief by the people here in Patterson. Anywhere between \$800,000.00 and almost \$3,000,000.00 of forgiveness of future taxes. Thankfully they didn't get that. They now have a tax certiorari on us. We just learned a couple of meetings ago that the Fire Department EMS have been spending a tremendous amount of time going over there. Can you find out from the E911 system how many calls went to Clover Lake that did not require removal of a patient to the hospital. Once you have those numbers, if they are substantial, I think a letter to the State Health Commission indicating a possibility that we have a health care facility within the Town of Patterson that may not be providing safe care for its residents. I think that would be appropriate.

The last thing, I sent an email about a week ago in reference to when you look at the Town website, email addresses are posted for everything but the Garbage District, although they have one and our four Councilpeople. I know they all have official email addresses and I think it would be appropriate for them to be posted, so if members of the community wanted to contact the Councilpeople they should be able to do that through email.

Mr. Burns stated one comment Bruce said about notifying the Health Department; it seems to me it might be a negotiating point in regards to our EMS services before we start writing letters. We should probably discuss this before we send a letter.

Mr. Griffin stated just so you know, I had conversations with TransCare and Bob Cuomo who basically runs the EMS ambulance portion of the County. TransCare said they will handle all the calls to all the nursing homes, Arms Acres; which is Carmel's big headache, Kent Nursing Home; which is their headache, Clover Lake; which is ours, Putnam Ridge; which is ours and Brewster's. They said they would dedicate people to that, the only problem is they need a letter from all those services to say, please dispatch TransCare and make them the first call. So far, all the departments have been made aware of that, that is all they have to do is send a letter saying, "please call TransCare first". To date, not one single department has sent that letter to the County saying, "please dispatch TransCare to Clover Lake, Putnam Ridge or any of the other nursing homes. The other ones that do take up a lot of time are the group homes.

Mr. Joe Capasso stated next Thursdays meeting with all the boards, is that going to be televised.

Mr. Griffin stated it wasn't our intention, but Paul are you available.

Mr. Capasso stated I think it should be.

Mr. Griffin stated I don't know how you are going to do it, it is going to be a pretty big group.

#### ADJOURNMENT

There being no further business, Mr. Cook made a **motion** to adjourn the Town Board meeting at 8:50 p.m.

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

Respectfully Submitted,

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Antoinette Kopeck, Town Clerk