

PATTERSON TOWN BOARD MEETING
PATTERSON TOWN HALL
1142 ROUTE 311
PATTERSON, NEW YORK 12563
March 27, 2013

MINUTES

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

Salute to the Flag and Roll Call.

Supervisor Griffin called the Patterson Town Board meeting to order at 7:30 p.m. with 12 in attendance.

AUDIT OF BILLS

Mr. Cook made a **motion** to accept Abstract No. 5 as written:

General Fund \$27,273.99, Highway Fund \$13,615.04, Putnam Lake Fire District \$48,514.70, Patterson Fire District \$71,068.70, Waste Water Treatment Plant \$1,354.67, Putnam Lake Light District \$622.73, Patterson Light District \$1,222.51, Patterson Refuse District #2 \$1,702.59, Deerwood Drainage District \$18.49, Patterson Park District \$765.54, Fox Run Water District \$42.66, Grand Total Abstract \$166,201.62.

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

MICHAEL GRIFFIN

RECYCLING DISPOSAL-AWARD CONTRACT

Mr. Griffin introduced the following **Resolution Acceptance of Contract with Hudson Baylor Corp.D/B/A ReCommunity for Delivery of Single Stream Recycling:**

R-0313-02

WHEREAS, the Town of Patterson (the "Town") is currently receiving \$10.00 per ton for single stream recycling materials delivered to the recycling processing facility located in Beacon, New York (the "Facility"), operated by Hudson Baylor Corp. d/b/a ReCommunity ("ReCommunity");

WHEREAS, the Town Board of the Town of Patterson is satisfied with the services provided by ReCommunity relating to the Facility;

WHEREAS, ReCommunity has offered to pay the Town \$17.00 per ton for single stream recycling delivered to the Facility provided the Town enters a one-year contract for same, effective April 1, 2013, upon the terms substantially similar to the Recycling Services Agreement (the "Agreement") annexed hereto;

WHEREAS, the Town Board of the Town of Patterson finds that the Town would benefit from entering into the Agreement on said terms;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Patterson hereby authorizes the Town to enter into a Recycling Services Agreement with ReCommunity in the

form annexed hereto or such other form as is satisfactory to the Town Supervisor and Town Attorney; and

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

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

VETERANS HALL OF FAME - DISCUSSION/NOMINATIONS

Mr. Griffin stated we have a letter from Senator Ball. His Third Annual Veterans Hall of Fame nominations are coming up in the near future. If anyone knows of a veteran, please let us know by May 26, 2013.

WOMEN OF DISTINCTION - DISCUSSION/NOMINATIONS

Mr. Griffin stated it is time to nominate An Outstanding Woman from our municipality. This will be held on Saturday, August 17, 2013. If anyone knows an outstanding woman in the Town of Patterson, we would be happy to nominate them. Let us know by April 26, 2013.

PUTNAM LAKE F.D. - RECRUITING DRIVE

Mr. Griffin stated I had a meeting with the incoming Fire Chief of Putnam Lake, Jamie Gagliardo, they are interested in working with the Town on getting a promotion going to get the word out to more people that there is a need for more manpower and volunteers for the Departments. We have a link on our website and it will tell you what is involved in becoming a volunteer.

OPEN BURN PERMITS – DISCUSSION

Mr. Griffin stated there have been a lot of questions on why people cannot get burn permits. It is not a Town decision, it is not even a County decision it is a State law that says there will be no open burning between March 16th and May 14th. Don't get upset with Antoinette Kopeck or the Town Clerk's office because it is not their decision, it is the State.

HISTORICAL SIGN – DISCUSSION/REMOVAL

Mr. Griffin stated there is a Settler's Revolt sign on Route 292 and Mooney Hill. Apparently the sign is full of inaccuracies and the Town Historian and Historical Society have suggested the sign should be removed. I have to check with the State because I think they are the ones who put the sign there.

KEVIN BURNS

PLPAB – UPDATES

Mr. Burns stated we received a letter of resignation from Drew Allard, one of the members of the Board. I believe everyone has reviewed the letter.

Mr. Burns made a **motion** to accept Drew Allards resignation from the Putnam Lake Advisory Board.

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

Mr. Burn made a **motion** to accept the appointment of Mike Ercole to the Putnam Lake Advisory Board to fill the unexpired term.

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

Mr. Burns stated we received the boat registration form and it is now available in the Town Clerks Office. There is a posting on the website, in the market and on the board in Putnam

Lake regarding efforts to remove the current boats that are on the lake so residents can register them.

Mr. Burns made a **motion** to approve the boat registration form that has been submitted.

Seconded by Mr. Cook. Discussion.

Mr. Griffin stated there may be a mistake on the form. I'll have to double check. At the last meeting we were told boat number one was free. I'm assuming two and three is a small fee.

Mr. Burns made a **motion** to modify the above to boat one, \$0; two, \$15.00 and three, \$30.

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

Mr. Burns stated further deliberations were had within the Putnam Lake Park District Advisory Board regarding the soft ball league.

Mr. Burns made a **motion** to approve \$265.00 for the rental of the field that the Board felt was appropriate per use. At that rate for 20 days the amounts of the league rental would be \$1,250.00 which was above the recommended budget that we originally proposed so we will circle around and go back to the original recommendation which was we have the league's budget submitted for \$11,000.00 which results in a charge of \$1,100.00 per team be approved as recommended by the District.

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

RECREATION REQUEST(S)

Mr. Burns made a **motion** to approve the bid from Steve Dinucci for 80 adult basketball shirts in the amount not to exceed \$620.00. Three bids were obtained.

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

ANNUAL SERVICE MICRO FILTRATION WWTP-AWARD CONTRACT

Mr. Burns made a **motion** to renew the contract for annual service microfiltration for the Waste Water Treatment Plant. Pall Area Microfiltration System contract last year including 24/7 technical phone support was \$10,725.00. There is a 5.5% increase for a total amount not to exceed \$11,310.00 and authorize the Supervisor to expedite any documents in association with approval of that contract.

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

BUDGET TRANSFER(S)

Mr. Burns made a **motion** to approve Budget Transfer Request No. 7 and 8.

Budget Transfer No. 7

From:	A.1990.400	Contingent Account	\$(900.00)
To:	A.1220.200	Supervisor Equipment	\$ 900.00
	Expense Accounts		

Budget Transfer No. 8

Increase:	A.0599	Appropriated Fund Balance	\$3,900.00
	Fund Balance Offset		
Increase:	A.3089.012	Grant – Justice Court	\$3,009.94

Increase:	A.1110.200	Justices Equipment & Capital	
	Expense Accounts	Outlay	\$6,909.94

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

CHARLES COOK

HIGHWAY BIDS - RESOLUTION

Mr. Cook introduced the following **Resolution for Acceptance of Bids for Materials and Services for Highway Department:**

R-0313-03

WHEREAS, the Town Board of the Town of Patterson has duly advertised for bids to purchase various materials and services for the Highway Department of the Town of Patterson; and

WHEREAS, bids were received for the items that were advertised as set forth on the list prepared by the Town Highway Department entitled "2013 Highway Materials Bidders" (hereinafter referred to as the "List"), a copy of which is annexed hereto; and

WHEREAS, the Highway Department has recommended that bids be accepted for the various items specified on the List to the following bidders (collectively, the "Successful Bidders") for the materials and/or services and at the prices adjacent to the names of the respective Successful Bidders on the List:

Diesel Fuel:	Stormville Oil
Bituminous Concrete Furnished, Delivered and Laid in Place:	Kect Construction Corp.
Annual Tree Service:	Laurel Oak Landscaping, Inc.
Washed Sand for Ice Control F.O.B. Plant:	Thalle Industries, Inc.

WHEREAS, the Town Board of the Town of Patterson wishes to follow the recommendations of the Highway Department and accept the bids from the Successful Bidders as specified in the List;

NOW, THEREFORE BE IT RESOLVED, that the Town Board of the Town of Patterson hereby accepts the bids of the Successful Bidders hereinabove named for the respective services and/or materials, and at the costs, listed on the 2013 Highway Materials Bidders List, a full and complete copy of which is annexed hereto and made a part hereof; and

BE IT FURTHER RESOLVED, that the Town Board of the Town of Patterson hereby authorizes and directs the Town Supervisor and/or the Town Highway Superintendent to award the bids as herein provided for to the Successful Bidders and to execute any and all documents as may be necessary to give full effect to this Resolution.

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

HIGHWAY REQUEST – RE-BIDS

Mr. Cook stated we have a request from the Highway Department to re-bid crushed stone and street sweeping.

Mr. Cook made a **motion** to authorize the Town Clerk to advertise for bids for both of these items.

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

CODE OF ETHICS INQUIRY FORM – DISCUSSION

Mr. Cook stated we received a new form from the Code of Ethics Board. The forms are available in the Town Clerk's office.

Mr. Cook made a **motion** that the Town Board approves the Board of Ethics use of this form. Seconded by Mr. Burns. All In Favor: Aye. Carried.

INSURANCE RENEWAL – RESOLUTION

Mr. Cook introduced the following **Resolution for Professional Services Contract with Spain Agency, Inc. for Insurance Services:**

R-0313-04

WHEREAS, in connection with its efforts to obtain appropriate insurance coverage's at the lowest reasonable cost for the period of April 1, 2013 through March 31, 2014, the Town Board of the Town of Patterson has received an Insurance Coverage Analysis and related Premium Analysis from the Spain Agency, Inc. of Mahopac New York (the "Agency"), which acts as an agent for the New York Municipal Insurance Reciprocal ("NYMIR"), copies of said Analyses being annexed hereto and hereby made a part hereof; and

WHEREAS, the Town Board has determined that the coverage's available through NYMIR as proposed by the Agency will result in improved coverage at an annual premium savings of more than \$17,000; and

WHEREAS, the Town Board desires to obtain insurance coverage's in accordance with the terms set forth in the attached Analyses for the period referred to above;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Patterson hereby approves the obtaining of the insurance coverage's described in, and at the premium specified in, the attached Analyses for the period of April 1, 2013 through March 31, 2014; and

BE IT FURTHER RESOLVED, that the Town Board of the Town of Patterson hereby authorizes and directs the Supervisor to execute any and all documents and to take any and all other actions necessary to give effect to this Resolution.

Seconded by Mr. McCarthy. All In Favor: 3 to 1. Mr. Burns abstained.

ROBERT MCCARTHY

PCRPT SERVICE CONTRACT RENEWAL-RESOLUTION

Mr. McCarthy introduced the following **Resolution Approving Acceptance of Putnam County Real Property Tax Service Contract for Calendar Year 2013:**

R-0313-05

WHEREAS, the Town of Patterson has received from the Director of Real Property Tax Services of the County of Putnam a proposed Contract in the form annexed hereto between the Town and the County whereby the County will provide real property tax-related services for the 2013 calendar year as described in the Contract; and

WHEREAS, the Town Board of the Town of Patterson has determined that the Contract is in the best interests of the Town and desires to enter into the Contract;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Patterson hereby approves the Putnam County Real Property Tax Service Contract with the County of Putnam in the form annexed hereto; and

BE IT FURTHER RESOLVED, that the Town Board of the Town of Patterson hereby authorizes and directs the Supervisor to execute the attached Putnam County Real Property Tax Service Contract and any and all other documents necessary to give effect to this resolution.

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

AWARD LAWN MAINTENANCE BID – RESOLUTION

Mr. McCarthy introduced **Resolution for Acceptance of Bid for Seasonal Lawn Maintenance and Landscaping of Town Properties:**

R-0313-06

WHEREAS, the Town Board of the Town of Patterson has duly advertised for bids for the provision of seasonal lawn maintenance and landscaping of Town properties for seasons 2013-2015, consistent with the Town's Procurement Policy; and

WHEREAS, Colonialtown Landscaping LLC of Patterson, New York has submitted the lowest bid proposal dated March 14, 2013; and

WHEREAS, the Town Board of the Town of Patterson wishes to accept the aforementioned bid proposal submitted by Colonialtown Landscaping LLC, which includes a bid amount for the 2013-2015 seasons of \$68,958.00; and

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Patterson hereby accepts the bid of Colonialtown Landscaping LLC for seasonal lawn maintenance and landscaping of Town properties for the 2013-2015 seasons; and

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

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

SENIORS' REQUEST(S) – TRIPS

Mr. McCarthy made a **motion** to approve a senior trip for the Golden Age Seniors' to Woodlock Pines, Hawley, PA in an amount not to exceed \$2,105.00.

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

PATTERSON SPRING CLEAN UP – SET DATES

Mr. McCarthy stated Patterson spring clean up will be Saturday, April 20, 2013 and Saturday, April 27, 2013. Bags will be available at Town Hall on Friday, April 19, 2013 and Friday, April 26, 2013 from 10:00 a.m. to 4:00 p.m. Bags will also be handed out on clean up days from 7:00 a.m. to noon at the Patterson Library and the Putnam Lake Market.

OTHER BUSINESS

Mr. Cook stated we have a request from Paul Fava for approval of services relative to alteration to Town Hall boilers to comply with New York State Department of Labor Boiler Code. Paul received three (3) bids.

Mr. Cook made a **motion** to approve Non-Stop Plumbing not to exceed \$1,875.00 plus any glycol.

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

Mr. Griffin made a **motion** to approve the Assessor's request to hire Jonathan A. Bernz, MAI of Hudson Valley Property Advisors, LLC to assist in defending Herman, Robert vs. Town of Patterson in an amount capped at \$5,000.00.

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

PUBLIC RECOGNITION

Ms. Meg Cairney stated I missed the last Town Board meeting but I got to watch it on television. I am very upset with what is going on with the softball league. I don't think they should be charged that much money. When it was the PLCC, we didn't charge them \$11,000.00, \$1,100.00 per team. We charged them \$8,000.00. We didn't charge them, that is what they had. They paid their umpires. Money didn't come into the PLCC.

As a taxpayer, I am paying for people to mow those lawns. It should be their responsibility. I think it is disgraceful. I also think it is disgraceful that they are being charged to fix a fence. That is Town property now. My taxes should be paying for that. If the fence falls down on Warren Beach does that mean the swim team would have to pay to replace that fence. I think this is being handled the wrong way. I am really sad that you voted yes for that budget. I think it is disgraceful.

Mr. Burns stated I have attended the meetings and I've looked at the budget, my son plays softball at a considerably larger sum than \$1,100.00 per team. My sons have played for Little League and I don't think there has been a summer baseball team that hasn't been less than \$300.00 per person. I don't think we are trying to stick it to the softball team, I think it is a very fair price.

Ms. Cairney stated I understand your son pays a lot more, but he gets more for his money. He is getting lights, water, we don't have that. So, you have to take that into consideration. It costs more to run yours. It doesn't cost more to run theirs. In this economy things go up, they don't go down. If it's \$11,000.00 this year, next year they may say let's make it \$12,000.00. I think it's wrong.

Mr. Burns stated I am acknowledging your criticism. I think they put a lot of time into this. The number doesn't offend me, but I recognize your criticism and I think it is something we can revisit again next year.

Ms. Cairney stated but again, they threw things in, arbitrary, in case something happens, let's throw in \$1,000.00. Come on, give me a break. This is outrageous. As a taxpayer, I feel like I should be paying for that. I'm already paying double as a business owner and taxes on my home. Now if I want to be a sponsor, I will be paying again. It's not fair.

Mr. Burns stated ok.

Ms. Margarite Short stated I actually think you did the right thing in voting for it. I know people who play on other teams and they usually pay a lot more money than \$1,100.00. I have to say, as a PLCC member, and I don't mean to bring this up, but I have often asked where our money went for the ball field and I could never find out how much was used. We actually have a budget now with exact figures. I sat in and listened to the Board at one of the public meetings and I think they worked very hard on coming up with a figure. Truthfully, a lot of the people in the lake aren't playing on the league and they would want the league to take some of the responsibilities as far as what they are paying for. I don't think the players have a problem with that. I think it works out well.

Mr. Bruce Major stated as it relates to the Putnam County Real Property Tax contract, was there an increase this year in the fee over last year and if so, did it exceed 2%.

Mr. Griffin stated no, it did not.

Mr. Major stated the awarding of the lawn maintenance, how many bids did we get.

Mr. McCarthy stated two. It was \$27,000.00 for one year and \$22,000.00 and our three year bids were \$81,000.00 or \$68,000.00.

Mr. Major stated are you going with the lowest bidder.

Mr. McCarthy stated correct, and also with the three years.

Mr. Major stated Mike, on Garbage District No. 2, you now have a contract at \$17.00, what arrangements have you made for the delivery for the recycling.

Mr. Griffin stated as of right now we are still using Royal Carting on an on-going basis. I haven't gotten all the call backs from everyone yet.

Mr. Major stated it's been about one month and we have a recycling guy and one would think he should be able to handle that.

Mr. Griffin stated he has made a number of calls. We spoke with Winter Brothers, Suburban, and Royal and we are still waiting for a couple of other people to call back. Right now everyone is fixated on the \$175.00 per pull.

Mr. Major stated what about our overall cost (inaudible) for Garbage District No. 2.

Mr. Griffin stated we have a meeting with Mike Richardson who is our HR guy and is also an adviser to a variety of other Towns. Hopefully by the end of May we will have a report that will give us some ideas as to how we can streamline or come up with some savings.

Mr. Major stated so we should be able to do something towards next budget year.

Mr. Griffin stated that is the goal, to have it reflected in next year's budget.

Mr. Major stated tax certiorari; regarding Clover Lake, it is coming on almost two years, do you have a sense of where we are.

Mr. Griffin stated the last I heard from Tim Curtiss was they made a motion to dismiss, because the Plaza at Clover Lake has continually refused to give us their appraisal.

Mr. Major stated my concern is, it keeps building up for the taxpayer's. I don't know if you realize it or not, but the Carmel School District several years ago had to pay back the County one million dollars because the former County Executive chose to wait ten years to settle a tax certiorari. If you didn't live in your house for those ten years, we end up paying a disproportionate amount of that penalty going back. I don't want to see it continue to run on.

Mr. Griffin stated I understand and I don't either because the longer it runs on the more bills we get from the attorney.

Mr. Major stated well that is my concern. As it relates to the Local Law on signs, where are we on that.

Mr. Griffin stated are you talking about putting the phone numbers on the signs.

Mr. Major stated no, Local Law on the campaign signs. We are getting near the campaign season again. We had discussions last November about coming up with a new Local Law addressing the campaign signs.

Mr. Griffin stated the only thing I recall is a request from the Code Compliance Officer that everyone puts a contact number on the signs. Are you talking about limiting the number of signs and locations.

Mr. Major stated no, what I'm talking about is if they are not picked up as they are supposed to be picked up and Town employees have to pick them up, there should be a fine against that Elected Official, so much per sign that has to be picked up. That was part of the public discussion at one of the earlier meetings.

Mr. Griffin stated yes, I know we spoke about a variety of different things and we can certainly revisit it. That is not a problem.

Mr. Major stated thank you.

Ms Cairney stated is it \$30.00 for three boats.

Mr. Burns stated first boat is zero, second boat is \$15.00 and the third is \$30.00 totaling \$45.00 for three boats.

Ms. Cairney stated is it okay if I copy these and leave them in the store.

Mr. Griffin stated let's clean them up first and we will give you a copy for the store.

Mr. Burns stated great, thank you.

Mr. Dru Allard stated I know I sent you a note about this and I would like to raise it again, I kept access to Version 5 of the Town Law and I would like to confirm this language; 116-3 Park Advisory Board creation, the Town Board may create a Putnam Lake Park Advisory Board consisting of seven (7) members. Is that the language of the finished law, does anyone know.

Mr. Griffin stated yes.

Mr. Allard stated Section F, same section; every motion resolution of the Park Advisory Board shall require for its adoption the affirmative vote of a majority of the members of the fully constituted Board.

Mr. Griffin stated correct.

Mr. Allard stated so, I asked you what then is the number of Boards required for the Park Advisory Board to (inaudible).

Mr. Griffin stated four (4).

Mr. Allard stated my second question then is frankly and respectfully; where do you get off constituting a five (5) member Board when the statute was thoughtfully passed by our Elected Officials says seven (7) members. I think that seven (7) members is bolstered by Section F. I would like to rise and respectfully request to fully constitute the Board.

Ms. Laurie Burns stated is there an answer.

Mr. Griffin stated we already discussed it with the Park Board and we believe that it should be seven (7) members or we revise the code and go to five (5) members. Right now it is an on-going discussion and debate with the Town Board. From there we are going to do either one or the other.

Ms. Burns stated who is in charge, you or them.

Mr. Griffin stated the Town Board.

Ms. Burns stated if you were in charge and this was the rule agreed to, why wouldn't you enforce it.

Mr. Burns stated the same way that there is only four (4) people sitting up here and not five (5). It is at our discretion to do, is the bottom line. We don't have to fully constitute the Board, we have chosen not to thus far.

Ms. Burns stated which I'm not happy with. So, the Board can make it up as they go along.

Mr. Burns stated no, it is not making it up as we go along. The recommendation thus far, given the way this series of events that led to the formation of the Board and the interview we did, we got to five (5) and they were comfortable with that number going forward, we deferred to them.

Ms. Burns stated who is they.

Mr. Burns stated the Park Advisory Board.

Ms. Burns stated they, but you are in charge.

Mr. Burns stated right, which means tomorrow if we want to make it a seven (7) member Board tomorrow we can and we will.

Ms. Burns stated that would be pretty nice.

Mr. Burns stated if we decide to do that, we can certainly do that, but we are not bound by it.

Ms. Burns stated the purpose to have more people involved is to have more people involved. When you limit it to three (3) or four (4) you are limiting the opinions.

Mr. Burns stated there is no limit to the number of people who can participate. There are opportunities to participate with that Board.

Ms. Burns stated I hope you do what you said you were going to do.

Ms. Margarite Short stated anyone can at any time decide that they would like to put in an application or a request to be interviewed for the Park Advisory Board, can't they.

Mr. Griffin stated absolutely.

Ms. Short stated thank you very much.

Ms. Cairney stated if I'm not mistaken, I was originally supposed to be on that Board with Pat Ploeger. In December, it was said that until the paperwork was signed over we wouldn't be appointed. January came and we were not appointed to that Advisory Board. I was told it was because the five (5) members that were on it wanted it that way.

Ms. Burns stated this is all a little shady.

ADJOURNMENT

There being no further business, Mr. Cook made a **motion** to adjourn the Town Board meeting at 8:10 p.m.

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

Respectfully Submitted,

Antoinette Kopeck, Town Clerk