

PATTERSON TOWN BOARD MEETING
PATTERSON TOWN HALL
1142 ROUTE 311
PATTERSON, NEW YORK 12563
April 27, 2016

MINUTES

PRESENT: RICHARD WILLIAMS, SR., SUPERVISOR
KEVIN BURNS, COUNCILMAN
CHARLES W. COOK, COUNCILMAN
SHAWN ROGAN, COUNCILMAN
EILEEN CORBLEY, DEPUTY TOWN CLERK
MICHAEL LIGUORI, TOWN COUNSEL

ABSENT: PETER DANDREANO, DEPUTY SUPERVISOR

Salute to the Flag and Roll Call.

Supervisor Williams called the Patterson Town Board meeting to order at 7:15 p.m. with 20 in attendance.

PUBLIC HEARING – FIRE DEPARTMENT 2016 CONTRACTS

See Public Hearing minutes.

AUDIT OF BILLS

Mr. Cook made a **motion** that the Town Board accept Abstract No. 7 as written:

General Fund \$159,094.84, Highway Fund \$83,813.37, Waste Water Treatment Plant \$19,391.26, Putnam Lake Light District \$1,534.74, Patterson Light District \$1,696.90, Patterson Refuse District #2 \$17,854.18, Deerwood Drainage District \$18.36, Patterson Park District \$3,910.06, Putnam Lake Park District \$5,479.53, Alpine Water District \$3,030.29, Dorset Hollow Water District \$416.37, Fox Run Water District \$2,218.09, Trust & Agency \$11,545.15, Grand Total Abstract \$310,003.14.

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

KEVIN BURNS

FIRE DEPARTMENT 2016 CONTRACTS

Mr. Burns made a **motion** to defer the Fire Department Contracts until after Executive Session.
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Seconded by Mr. Cook. All In Favor: Aye. Carried.

PLPD REQUEST(S) PARK MAINTENANCE WORKER

Mr. Burns made a **motion** to table this with regards to hiring a part-time maintenance worker, until we have a chance to discuss the possibility of hiring a full-time maintenance worker, which would include replacing Paul Fava, who is a part-time maintenance worker.

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

PUTNAM CAP – RECREATION CENTER

Mr. Burns made a **motion** to approve Putnam Cap using the Recreation Center on June 7, 2016 from 5:00 p.m. to 8:00 p.m. and waiving the \$90.00 fee.

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

BUDGET TRANSFER

Mr. Burns made a **motion** to approve Budget Transfer No. 16 and 17:

Budget Transfer No. 16

Increase:	RP.0599	Appropriated Fund Balance	\$42,000.00
		Fund Balance	
Increase:	RP.8160.200	Patterson Sanitation Equip & Capital Outlay	\$42,000.00
		Expense Accounts	

Budget Transfer No. 17

From:	A.1990.400	Contingent Account	(\$140.00)
		Expense Accounts	
To:	A.1910.400	Unallocated Insurance	\$140.00
		Expense Account	

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

PETER DANDREANO

ABSENT

CHARLES COOK

CORNWALL MEADOWS MEETING ROOM REQUEST

Mr. Cook made a **motion** to approve the request from Cornwall Meadows to use the meeting room on June 6, 2016 from 7:00 p.m. to 9:00 p.m. in Town Hall.

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

12 ALDEN ROAD

Mr. Cook introduced the following **Resolution Authorizing Action by Building Inspector to Mitigate Unsafe and Imminently Hazardous Conditions at 12 Alden Road, Patterson, New York:**

R-0416-13

WHEREAS, the Town Board of the Town of Patterson has received a report from Robert McCarthy, the Building Inspector, finding that an unsafe building and hazardous condition exists at 12 Alden Road, Patterson, New York, also known as Tax Map No. 25.79-1-68 (the "Premises"); and

WHEREAS, the Building Inspector has issued a Notice of Violation - Order to Remedy directing that the unsafe condition on the Premises be mitigated, and caused said Notice to be served upon Wells Fargo Bank NA, the owner of record of the Premises, a copy of which Notice is annexed hereto and hereby made a part hereof; and

WHEREAS, the Building Inspector has determined that the unsafe condition on the Premises involves imminent danger to human life or health, and that corrective measures should promptly be taken to make the Premises safe; and

WHEREAS, Wells Fargo Bank NA, the owner of record of the Premises, has failed to respond to the notice or take action to mitigate the unsafe and imminently hazardous condition on the Premises and

WHEREAS, where the Building Inspector is unable to obtain the cooperation of an owner in remediating such an unsafe condition and the Building Inspector finds that the condition involves imminent danger to human life or health, Chapter 67 of the Town Code of the Town of Patterson authorizes the Building Inspector to promptly take action to mitigate such condition, including making an unsafe building safe, the costs for which shall be paid out of the Town treasury on certificate of the Building Inspector, charged to the owner of the property and assessed against the land upon which the unsafe building is located;

NOW, THEREFORE BE IT RESOLVED, that pursuant to Chapter 67 of the Town Code of the Town of Patterson, the Code Enforcement Officers and/or Building Inspector are and is hereby authorized and directed to take all reasonable and necessary steps to mitigate the unsafe and imminently hazardous condition on the Premises; and

BE IT FURTHER RESOLVED, that the costs incurred to mitigate the unsafe and imminently hazardous condition on the Premises shall be paid out of the Town treasury upon certificate by the Building Inspector providing an itemization of such costs; and

BE IT FURTHER RESOLVED, that all costs incurred and paid to mitigate the condition shall be charged to the owner of the Premises and assessed against the Premises, and that notice of same may be filed with the Putnam County Clerk in the same manner as a notice of pendency pursuant to article sixty-five of the civil practice law and rules; and

BE IT FURTHER RESOLVED, that the Town Supervisor, the Town Attorney, the Code Enforcement Officers and/or the Building Inspector is and are hereby authorized to execute any and all documents and perform any and all acts as may be necessary to give full effect to this resolution.

Seconded by Mr. Burns, discussion. Are we doing this through contractors, or are Town employees doing this.

Mr. Williams stated the big problem is the rodent problem. Bob is going to leave us a list of exterminators.

Mr. Rogan stated I am completely in favor of this.

All In Favor: Aye. Carried.

ROUTE 164 CLOSING

Mr. Cook stated the work will be done from June 10, 2016 at midnight through June 13, 2016 at 4:00 a.m.

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

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

Mr. Cook made a **motion** to approve the resignation from Catherine Raines from the position of part-time court clerk for Judge King. Her last day will be May 6, 2016.

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

SHAWN ROGAN

TOWN MAINTENANCE POSITION

Mr. Rogan stated I will defer the Town Maintenance Position until Executive Session.

EXECUTIVE SESSION – LEGAL

Mr. Rogan stated I will defer Executive Session – Legal until the end of the meeting.

MS4 ANNUAL REPORT – SET PUBLIC HEARING

Mr. Rogan made a **motion** that in the past we set a Public Hearing for the MS4 Annual Report and no one has come. What we are proposing this year is to put the Annual Report on the website so everyone can review it. We will always accept public comment.

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

RICHARD WILLIAMS

CSEA GRIEVANCE

Mr. Williams stated at the last meeting we received a grievance from our CSEA bargaining unit. It comes to the Supervisor and the Supervisor gives written findings to the Town Board and the Town Board has to make a decision. You need to take a look at this and decide what you want to do with it.

Mr. Rogan stated I completely agree with your conclusion.

Mr. Williams stated you may want to talk to the Town Attorney in Executive Session.

FROGS – REQUEST FOR SIGNS

Ms. Judy Kelly-Moberg explained her request for wanting signs for FROGS.

Mr. Rogan made a **motion** that the Supervisor write the letter and give complete support to this.

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

ELECTRICAL INSPECTIONS – COUNTY IMA

Mr. Williams introduced the following **Resolution to Approve Inter-Municipal Agreement with Putnam County for Electrical Inspections:**

R-0416-14

WHEREAS, pursuant to New York General Municipal Law, Article 5-G, local governments are authorized to enter into municipal cooperation agreements for the performance among themselves or one for the other of their respective functions; and

WHEREAS, the Town of Patterson (the “Town”) acknowledges that there is a critical need to utilize every means available to provide the maximum services in the most cost-effective manner and at the least possible cost to the local taxpayers, and that flexibility in operating local governments through shared services and resources is necessary to insure efficiency and maximum benefits to the local taxpayers which will result in efficient and cost effective work performance; and

WHEREAS, pursuant to New York Executive Law §381(2) any local government may enter into an agreement with the county in which such local government is situated to administer and enforce the uniform code, the state energy conservation construction code, or both, within such local government; and

WHEREAS, the County of Putnam (the “County”) intends to enter into a contract with an electrical inspector consultant (the “Inspector”) to perform electrical inspections, re-inspections or altered electrical wiring (collectively referred to as “Electrical Inspections”) in accordance with the standards of the National Electrical Code, New York State Uniform Fire Prevention Code, New York State Building Code, and all other applicable national, state and local regulations, ordinance and codes for residential and commercial properties located within the County, including those properties located within the Town; and

WHEREAS, the Town wishes to authorize the County, through its Inspector and at no cost to the Town, to administer Electrical Inspections within the Town’s jurisdiction; and

WHEREAS, taxpayer monies will be saved by entering into such an agreement and it is in the best interests of the Town to do so.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Patterson hereby approves the Inter-Municipal agreement with the County to provide Electrical Inspections at no cost to the Town; and

BE IT FURTHER RESOLVED, that the Town Supervisor is hereby authorized and directed to execute any and all agreements and other documents necessary to give effect to this Resolution, consistent with the terms hereof, all in form satisfactory to the Supervisor and the Town Attorney.

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

RELAY FOR LIFE

Mr. Williams stated Relay for Life is hosted by the Patterson Fire Department on June 11, 2016 and 12, 2016. This Saturday is paint the Town purple and we encourage everyone in the Town to put out purple flags and ribbons. We also received from the American Cancer Society, a plaque that Putnam County is in the nation's top ten communities for donations received per capita.

Ms. Smith stated our first year the donations were \$30,000.00 to \$40,000.00. Last year, it was over \$100,000.00. We would like to thank everyone for all of their donations.

PUTNAM LAKE PARK DISTRICT BASKETBALL COURT

Mr. Williams stated I will table this for now.

OTHER BUSINESS

Mr. Cook stated have we heard anything more from Metro North on the cell tower.

Mr. Williams stated we have not.

Mr. Cook stated is the Planning Board addressing the comments that came in from Dede Lifgren.

Mr. Williams stated I will discuss those comments tomorrow at the Planning Board meeting.

Mr. Williams stated we received a letter regarding an appeals case going on. We have to put our letter in down at the Second Department. It is not cheap putting it in. The cost is approximately \$3,200.00. They want a deposit of \$1,600.00.

Mr. Williams made a **motion** to authorize payment of the \$1,600.00 deposit, so we can put our record in at the Second Department.

Seconded by Mr. Rogan.

Mr. Cook stated we have to make the check out to Counsel and they give it to the courts.

Mr. Williams stated I believe so.

All In Favor: Aye. Carried.

Mr. Williams stated I met with the proprietors of the Putnam County Wine and Food Festival on their Public Assembly permit. You have their responses. The next step is a Public Hearing. We can put it on for the next meeting and set the Public Hearing. I'm still waiting for a parking layout.

Mr. Williams made a **motion** to start a sick bank for Sara Mayes, retroactive until April 22, 2016.

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

Mr. Williams read a letter addressed to the Town Board from Councilman Peter Dandreaano, regarding an update on his current situation.

Mr. Williams made a **motion** to authorize the Supervisor to contract with the Hitman Pest Control for \$235.00 to provide pest control at 12 Alden Road.

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

PUBLIC RECOGNITION

None.

EXECUTIVE SESSION

Mr. Cook made a **motion** to go into Executive Session at 8:00 p.m.

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

Mr. Burns made a **motion** to close Executive Session at 9:37 p.m.

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

Mr. Williams called the meeting back to order at 9:37 p.m.

Mr. Burns introduced the following **Resolution for Renewal of Agreement with Patterson Fire Department No. 1, Inc.**, subject to the following revisions:

R-0416-15

The payments of funds will be done on a schedule of 70/15/15, in terms of disbursement of funds. The Board has agreed that no funds will be dispersed to either department, until they are under the last paragraph of Section 1, Employment, it will be changed to read "SHALL NOT CONSTITUTE A BREACH OF THIS CONTRACT". That will be inserted into the contract. We are not changing the Patterson contract as it currently reads with regards to the equipment replacement. Explicitly, we will not be adding back \$23,850.00 that was cut from the fund, for purposes of vehicle replacement.

Mr. Liguori stated the audit requirement will be amended from 60 days to 180 days. From the end of the fiscal year, the provision in Patterson regarding garbage payment shall be removed. There will be a minor provision to replace the term "workman's comp" to "volunteer fire fighter" benefits law.

Mr. Burns stated it will be silent in regards to snow removal.

Mr. Liguori stated yes.

WHEREAS, the Town of Patterson desires to renew, its agreement with the PATTERSON FIRE DEPARTMENT NO. 1, INC. (the "Department") for the provision of fire protection services in Patterson Fire Protection District No. 1 during the 2016 Calendar Year for and in consideration of the payment to the Department of the sum of EIGHT HUNDRED AND

FOURTEEN THOUSAND DOLLARS (\$814,000) and as is otherwise consistent with the terms of the annexed Agreement (referred to herein as the "Agreement"); and

WHEREAS, a duly noticed public hearing on the proposed Agreement was held by the Town Board on the 27th day of April 2016 at which all interested persons had a full and complete opportunity to be heard; and

WHEREAS, the Town Board has considered all of the comments submitted at said public hearing, and wishes to approve the proposed Agreement;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Patterson hereby approves the terms of the proposed Agreement between the Town and the Department for the provision of fire protection services in the Patterson Fire Protection District No. 1 during the 2016 Calendar Year in the form annexed hereto; and

BE IT FURTHER RESOLVED, that the Town Supervisor is hereby authorized and directed to execute the proposed Agreement in the form annexed hereto, or in substantially the same form as annexed hereto subject to approval of the Town Supervisor and the Town Attorney, and any and all other documents as may be necessary to give full effect to this Resolution.

BE IT FURTHER RESOLVED, that the Town Board hereby approves and ratifies any and all acts of the Town Supervisor and any other Town employees regarding the foregoing taken prior to the adoption hereof.

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

Mr. Burns introduced the following **Resolution for Renewal of Agreement with Putnam Lake Fire Department, Inc.:**

R-0416-16

The payments of funds will be done on a schedule of 70/15/15, in terms of dispersement of funds. The Board has agree that no funds will be dispersed to either department, until they are under the last paragraph of Section 1, Employment, it will be changed to read "SHALL NOT CONSTITUTE A BREACH OF THIS CONTRACT". That will be inserted into the contract. We are not changing the Patterson contract as it currently reads with regards to the equipment replacement. Explicitly, we will not be adding back \$23,850.00 that was cut from the fund, for proposes of vehicle replacement.

Mr. Liguori stated the audit requirement will be amended from 60 days to 180 days. From the end of the fiscal year, the provision in Patterson regarding garbage payment shall be removed. There will be a minor provision to replace the term "workman's comp" to "volunteer fire fighter" benefits law.

Mr. Burns stated it will be silent in regards to snow removal.

Mr. Liguori stated yes.

WHEREAS, the Town of Patterson desires to renew its agreement with the PUTNAM LAKE FIRE DEPARTMENT, INC. (the "Department") for the provision of fire protection services in the Putnam Lake Fire Protection District No. 2 during the 2016 Calendar Year for and in consideration of the payment to the Department of the sum of THREE HUNDRED AND ONE THOUSAND DOLLARS (\$301,000) and as is otherwise consistent with the terms of the annexed Agreement; and

WHEREAS, a duly noticed public hearing on the proposed Agreement was held by the Town Board on the 27th day of April 2016 at which all interested persons had a full and complete opportunity to be heard; and

WHEREAS, the Town Board has considered all of the comments submitted at said public hearing, and wishes to approve the proposed Agreement;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Patterson hereby approves the terms of the proposed Agreement between the Town and the Department for the provision of fire protection services in the Putnam Lake Fire Protection District No. 2 during the 2016 Calendar Year in the form annexed hereto; and

BE IT FURTHER RESOLVED, that the Town Supervisor is hereby authorized and directed to execute the proposed Agreement in the form annexed hereto, or in substantially the same form as annexed hereto subject to approval of the Town Supervisor and the Town Attorney, and any and all other documents as may be necessary to give full effect to this Resolution.

BE IT FURTHER RESOLVED, that the Town Board hereby approves and ratifies any and all acts of the Town Supervisor and any other Town employees regarding the foregoing taken prior to the adoption hereof.

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

Mr. Rogan made a **motion** to authorize the Supervisor to pursue hiring the maintenance 1 position at a starting salary of \$60,000.00 with a one year probationary period and an automatic increase in pay to \$65,000.00, plus legacy costs and hiring a part-time maintenance 2 position at approximately 17.5 hours per week with an hourly rate based on a full-time salary of \$55,000.00 per year at \$30.22 per hour, with no legacy costs at this time, for that position.

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

Mr. Rogan made a **motion** to adopt the determination made by the Supervisor.

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

Mr. Williams stated any discussion.

Mr. Burns stated as a Town Board we have reviewed the letter from the Supervisor and we concur with his determination that were set forth therein and we all agreed that the grievance should be denied.

Mr. Williams stated who signs.

Mr. Liguori stated do you have a Deputy.

Mr. Williams stated yes, I do. He is not here.

Mr. Liguori stated do you have an alternate.

Mr. Rogan stated we should move to appoint an alternate until Councilman Dandreano is back and I'll make a **motion** that Councilman Cook be appointed to fill those Deputy roles, since he just came off of being Deputy.

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

ADJOURNMENT

There being no further business, Mr. Rogan made a **motion** to adjourn the Town Board meeting at 9:47 p.m.

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

Respectfully Submitted,

Antoinette Kopeck, Town Clerk