

PATTERSON TOWN BOARD MEETING
PATTERSON TOWN HALL
1142 ROUTE 311
PATTERSON, NEW YORK 12563
June 11, 2014

MINUTES

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

Salute to the Flag and Roll Call.

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

EMPLOYEE RECOGNITION PRESENTATION

Mr. Griffin stated it is an honor and pleasure to recognize you, Buzzy for all your service to the Town and we would like to present you with a modest token of our appreciation.

Mr. Griffin presented Howard Buzzuto with a plaque from the Town Board.

Mrs. Nacerino also recognized Mr. Buzzuto for all his service to the Town.

REPORTS

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

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

MINUTES

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

Public Hearing – Fire Department Contracts – May 14, 2014
Town Board Meeting Minutes – May 14, 2014

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

AUDIT OF BILLS

Mr. Cook made a **motion** to accept Abstract No. 10 as written:

General Fund \$48,033.64, Highway Fund \$11,321.48, Patterson Fire District \$387,836.50, Waste Water Treatment Plant \$377.65, Capital Fund \$38,031.25, Putnam Lake Light District \$463.24, Patterson Light District \$569.45, Putnam Lake Refuse District #1 \$20,454.55, Patterson Refuse District #2 \$21,777.70, Patterson Park District \$8,162.55, Putnam Lake Park District \$1,350.59, Alpine Water District \$545.86, Trust & Agency \$5,150.70, Grand Total Abstract \$544,075.16.

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

CHARLES COOK

PUTNAM LAKE FIRE DEPARTMENT CONTRACT – ADOPTION

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

R-0614-01

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 2014 Calendar Year for and in consideration of the payment to the Department of the sum of THREE HUNDRED NINETY THOUSAND NINE HUNDRED DOLLARS (\$390,900.00) and as is otherwise consistent with the terms of the annexed Agreement; and

WHEREAS, annexed hereto is a copy of the proposed Agreement between the Town and the Department for the provision of fire protection services in said District during the 2014 Calendar Year; and

WHEREAS, a duly noticed public hearing on the proposed Agreement was held by the Town Board on the 14th day of May 2014 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 2014 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.

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

Mr. Griffin stated the balance owed on that contract would be \$195,450.00.

DORSETT HOLLOW WATER FLUSHING - NOTIFICATION

Mr. Cook stated a letter was sent to the Dorsett Hollow Water District. Starting Wednesday, June 18, 2014 they will be flushing the water system from 9:00 a.m. to 3:00 p.m. It may continue into the next day.

NEW COPIER FAX BOARD - APPROVAL

Mr. Cook made a **motion** for the Town Board to approve the request from the Town Comptroller for \$645.00 to add a fax capability to the new copier from Canon Solutions of America in the reception area.

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

ROBERT MCCARTHY

VETERANS MEMORIAL PARK – WELL DECOMMISSION

Mr. McCarthy stated Mike, can you explain this.

Mr. Griffin stated they are not in service and generally the standard concern is since they are no longer in use, they should be properly abandoned, which usually means grouting them so little animals and small children don't fall into them. I think it behooves us to go out and make sure they are properly sealed off. We have to identify the wells and get some prices to see what it will cost to close them.

Mr. McCarthy stated I believe we have three of them.

Mr. Griffin stated I think there are two that are out of service and the third one is the active well. I was just handed three quotes.

Mr. McCarthy made a **motion** to approve P.F. Beal & Sons, Inc. to decommission two wells at Veterans Memorial Park in an amount not to exceed \$3,791.00.

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

VETERANS MEMORIAL PARK – LIFEGUARD SALARY CORRECTIONS

Mr. McCarthy made a **motion** to approve the new lifeguard pay scale for Chris Ravo and Sam Callahan at \$10.71 per hour retroactive.

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

ANNOUNCEMENTS

Mr. McCarthy made the following announcements:

Community Day will be held Saturday, September 6, 2014 from 12:00 p.m. to 5:00 p.m. at the Patterson Recreation Center.

Summer Camp deadline is June 17, 2014.

The Library is having a fun filled block party. Face painting, hop scotch, games and more on Friday, June 27, 2014 from 12:00 p.m. to 3:00 p.m. The rain date will be Monday, June 30, 2014.

NYSEG will be inspecting thousands of transmission poles. This will be done in July. They are going to check out the poles and do any minor repairs. You might have some interruption with electricity.

MICHAEL GRIFFIN

ENVIRONMENTAL PARK – SIGNAGE DISCUSSION

Mr. Griffin stated we had some discussion between our Environmental Park Caretaker and Code Compliance Officer. The Code Compliance Officer feels that we need a bigger sign and more signage at the Environmental Park because a lot of people have been using the park that are not Town residents and it is restricted to Town residents. The Town Board needs to make a decision to post a much larger sign out there. The Code Compliance Department suggested getting a bigger sign, so you couldn't miss it. Matt Chibbaro, Recreation Director suggested that perhaps the permits be issued from the Recreation Center, since it is in proximity to the entry to the park and they are open from 9:00 a.m. to 9:00 p.m. and on weekends. It would be more practical. I will speak to Antoinette Kopeck, Town Clerk regarding this. Do we want to consider a larger sign.

Mr. Dandreano stated yes.

SANITATION REQUEST – TEMPORARY LABORER

Mr. Griffin made a **motion** to approve the hiring of Steven Kect and Steven Hernandez for temporary help when employees are on vacation or sick time is taken and as Frank Farrell needs them, at the laborer hourly rate.

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

MEDICAL BENEFITS WAITING PERIOD – DISCUSSION

Mr. Griffin stated our current policy is no longer in compliance, because of Obama Care. Sue is in the process of working with our HR consultant to revise the policy. The current waiting period right now is 90 days. That is no longer legal. It is now 60 days. We will be transferring Bob McCarthy from the Town Board to the Building Department in July and because of the way the medical insurance works, it is the first of the month. Rather than make Bob wait until October 1st, I am suggesting we do a onetime waiver and authorize the Town Comptroller to put Bob on the insurance as of September 1st.

Mr. Griffin made a **motion** to approve a onetime waiver for Bob McCarthy for medical insurance from the Town starting as of September 1, 2014.

Seconded by Mr. Cook. Discussion.

Mr. Cook stated but Bob is already an employee, do we have to waive it at all.

Mr. Griffin stated I will defer that question to the Personnel Director. He is not a full-time employee, he is an Elected Official. Elected Officials aren't eligible for medical insurance, so until he becomes an official who is eligible, that is when the waiting period kicks in.

All In Favor: Aye. Carried. Mr. McCarthy: Abstain.

RELEASE OF ESCROW ACCOUNTS - DISCUSSION

Mr. Griffin stated it has come that in the past the Town Comptroller has requested that this be a formal action of the Town Board. I had a conversation with the Town Planner and Town Attorney that all the money in escrow accounts is handled through Trust and Agency and that account is generally the Supervisor's to manage. What I'm suggesting or recommending is that to expedite the process for smaller (inaudible) once you go through the planning process and you have completed any monies that are left over that haven't been paid to the Town for engineering fees or review fees are returned to the applicant. Sometimes for some of the smaller applicants it could be a considerable amount of money, so in the past the schedule comes in from the Town Board and then it is eventually paid. The Town Planner suggested that we do this on a voucher basis and as soon as you sign a voucher that is considered an approval and then it can get into the process and out to the individual and get his money back in a quicker fashion.

Mr. Rossi, Town Attorney stated the only thing to add is that, and I discussed with Rich also, as a check and balance Rich confirmed to the Board via an email or a short memo that all consultants' voucher bills had been submitted, so someone gets a check before you vote as part of your approval of your voucher list.

Mr. Griffin stated good.

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

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

JUSTICE COURT SUMMER HOURS

Mr. Griffin made a **motion** to approve the Justice Court request for summer hours for the court clerks.

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

KEVIN BURNS

PLAB – REQUEST(S)

Mr. Burns stated the Putnam Lake Advisory Board is welcoming two new members, Laura Russo and Rich Filipelli. One is a six year term and one is a seven year term.

Mr. Burns made a **motion** to appoint Laura Russo a six year term expiring 2019 and Rich Filipelli to a seven year term which expires in 2020.

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

Mr. Burns made a **motion** to approve the purchase of an 8 x 8 value shed for an amount not to exceed \$1,338.00.

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

Mr. Burns made a **motion** to approve the purchase from AGG Concrete and Sand for sand not to exceed \$1,995.32.

Seconded by Mr. McCarthy.

Mr. Griffin stated concrete sand, is that for the beaches.

Mr. Hank Earle stated yes.

Mr. Griffin stated concrete sand.

Mr. Earle stated it is the same sand we used last year. It's lyme stone sand.

Mr. Griffin stated ok.

Mr. Griffin stated Hank we spoke about moving forward with Allied on the algaecide, do you have a request in for that.

Mr. Earle stated we have the request. We want to proceed with Allied.

Mr. Griffin stated that was always our intent. Do you have a recommendation. Are you going to do half the lake algaecide and the herbicide.

Mr. Earle stated no, just half the lake with the algaecide.

Mr. Burns made a **motion** to approve Allied Biological for the algaecide and herbicide treatments as per specifications of the Park Board.

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

MASTER PLAN – UPDATE

Mr. Burns stated I spoke with Rich and there are two things that we are doing. The Supervisor is sending a letter in support of Pacers Land Use Center.

Mr. Williams stated there is a Leed Program for neighborhood development. It is design standards and how you review development in an existing community.

Mr. Burns stated so it is like a model to use and review your comprehensive plan.

Mr. Williams stated Leed is a certification program and what they did was prepare a manual outlining how to incorporate the manual within your local zoning and master plan. They are looking to put that out to the communities and provide training for the communities.

Mr. Burns stated so we are putting in a letter in support of that application. That is one part. The other part is we are going to put in the Universal Funding site.

Mr. Williams stated we are going to put in a grant application for the Clean Green Communities Phase II program.

Mr. Burns stated we are going to put in for this grant to see if we can get some funding for the Master Plan. Mr. Burns read the grant request. We are requesting \$65,000.00 of which we would have to fund twenty-five percent. The grant would fund seventy-five percent.

BUDGET TRANSFERS

Mr. Burns made a **motion** to approve Budget Transfer No. 18, 19, 20

Budget Transfer No. 18

From:	A.1990.400	Contingent Account	\$(1,500.00)
To:	A.7140.200	Recreation Center – Equipment & Cap Outlay Expense Accounts	\$ 1,500.00

Budget Transfer No. 19

Increase:	RP.0599	Allocated Fund Balance Fund Balance	\$(75,821.00)
Increase:	RP.8160.200	Sanitation Equipment & Capital Outlay Expense Account	\$ 75,821.00

Budget Transfer No. 20

Increase:	RP.0599	Allocated Fund Balance Fund Balance	\$(10,000.00)
Increase:	RP.8160.400	Sanitation Contractual Expense Account	\$10,000.00

Seconded by Mr. Cook. Mr. Cook stated discussion.

Mr. Cook stated on the one relative to the truck, don't we have a Capital Project line that this money can come out of.

Mr. Griffin stated we don't have a Capital Fund. That money was kept in Fund Balance, so that is why it is being moved from there. We can establish a Capital Vehicle Replacement Fund. We did it with the Highway Department.

Mr. Cook stated when would we do that, in the next budget cycle.

Mr. Griffin stated yes.

Mr. Cook stated ok, because this is depleting the Fund Balance.

Mr. Griffin stated that was actually anticipated and was part of how we set the budget up. The repairs were a little unexpected.

All In Favor: Aye. Carried.

PETER DANDREANO

RECREATION REQUEST(S)

Mr. Dandreano made a **motion** to approve adult basketball shirts from Steve Dinucci in an amount not to exceed \$525.00.

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

Mr. Dandreano made a **motion** to authorize Matt Chibbaro, Recreation Director to hire Danielle Era at \$9.00 per hour.

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

Mr. Dandreano made a **motion** to authorize Matt Chibbaro to hire "Send in the Clowns Entertainment" for Community Day in an amount not to exceed \$5,200.00.

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

Mr. Dandreano made a **motion** to authorize Matt Chibbaro to hire additional counselors, if needed, to run our camps safely and effectively. All paperwork will be submitted to Susan Brown prior to start of employment.

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

ROYAL CARTING CONTRACT RENEWAL - RESOLUTION

Mr. Dandreano introduced the following **Resolution Approving Renewal of Agreement with Royal Carting Services, LLC for Hauling of Single Stream Recycling:**

R-0614-02

WHEREAS, Panichi Holding Corp. d/b/a Royal Carting Service Co. ("Royal Carting") currently provides hauling services to the Town of Patterson (the "Town") by providing dumpsters to the Town for its single stream recycling program and then delivering same to a recycling processing facility located in Beacon, New York operated by Hudson Baylor Beacon, LLC d/b/a ReCommunity Beacon ("ReCommunity"); and

WHEREAS, the Town Board of the Town of Patterson is satisfied with the services provided by Royal Carting and desires to renew its current agreement with Royal Carting;

WHEREAS, Royal Carting has been approved, and awarded a contract, by the New York State Office of General Services ("OGS") for the period December 15, 2005 through December 14, 2014, as set forth in the "Contract Award Notification" and "Purchasing Memorandum" annexed hereto and hereby made a part hereof;

WHEREAS, the terms of the proposed agreement between Royal Carting and the Town, a copy of which is annexed hereto and hereby made a part hereof, are consistent with the terms set forth in the Contract Award Notification and Purchasing Memorandum issued by the OGS;

WHEREAS, in accordance with the Town's Procurement Policy, permitting the Town to approve OGS contracts without the need for competitive bidding or requests for proposals, the Town Board wishes to approve the proposed agreement with Royal Carting for the period April 1, 2014 through December 14, 2014;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Patterson hereby authorizes the Town to renew its agreement with Royal Carting for hauling services relating to its single stream recycling program on the terms set forth in the proposed agreement annexed hereto; 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.

OTHER BUSINESS

Mr. McCarthy stated Hank are you aware of the possibility of the use of the ball field by outside organizations. Patterson Little League would be one. You would set a fee.

Mr. Dandreaano stated it would be in an emergency. For instance, if Little League needed to use the field for practice if the other fields were full, could they use it.

Mr. Earle stated if there was no field, they could use it once in a while, we would waive the fee.

Mr. McCarthy stated what happens if it was long term.

Mr. Earle stated if it was something that was scheduled, we would think about a fee. The only time it is being used is Sundays and then the softball league practices every once in a while. We would have to make sure we schedule with them.

Mr. McCarthy stated who is the scheduling coordinator.

Mr. Earle stated either me or Mike.

Mr. Dandreaano stated I think we were looking into the legal ramifications.

Mr. Griffin stated they are vetted through the other side of Town, so they have all the necessary insurance. There wouldn't be any issue in terms of liability.

Mr. Earle stated and that was the only issue we had.

Ms. Pat Ploeger stated just to clarity, if there is an injury or something like that, what happens to a little leaguer on the field, their insurance covers it.

Mr. Griffin stated yes, they have primacy.

Ms. Ploeger stated thank you.

Mr. McCarthy stated Saturday is Relay for Life at the Firehouse.

Mr. Griffin stated Ginny is there anything you would like to alert us to.

Ms. Ginny Nacerino, County Legislature stated Vinny Tamagna is working alongside with the interns this year. We renewed our pilot program with the college students from the area who are working in various departments within the County. It proved very successful last year. It gives the youth working with the County and also is an investment in our future for our children to feel a part of our community and hopefully want to stay and grow within our community. With that being said, Vinny has some of his interns testing the buses. They have three alternative routes that they have zeroed in on and are going to implement one of those routes in each town. I spoke to Rich, I asked him for a picture from the Chambers. The Chambers doing a collage of all the communities. Mike one of the interns will be contacting you to make an appointment to come to the Town to speak of the results of the routes and what they plan to do and get your feedback.

The Office of the Aging is now renamed the Office of Senior Recourses. It gives us more of an incentive for people to feel that they are not going to the Office of the Aging; they are very engaged in life and many activities going on there.

We are working to get the Tilly Forster Farm up and running, since George Whipple has decided not to continue with that. It is a County owned asset. We want to maximize our resources. We recently passed three resolutions dam, water system and the sewer treatment plan. The infrastructure is not good and in order to build on it we will have to take care of those.

We have been working on grants as well. We have one that we just recently approved for the Trap Neuter and Release grant for \$2,500.00, which is something that the Town Board has always supported on a local level.

In Home Land Security, a hundred percent grant for a \$250,000.00 for emergency services as well. The Kent sidewalk (inaudible) grant. That is a \$2,000,000.00 grant.

Tilly Forster Farm will host a carnival on July 4th and across the street will be fireworks.

PUBLIC RECOGNITION

Mr. Edmond O'Connor stated I wish for good weather for the Sacred Heart golf tournament.

Mr. Bruce Majors stated over two weeks ago I emailed all of you something that dates back to 1978 when the Town Board looked for guidance from the Attorney General relative to how many Capital Funds were going to be spent. I would like to know what you plan to do relative to that memo.

Mr. Griffin stated I have requested that the Town Attorney seek a concurring opinion from the State Comptroller's office and from there I'll let Don fill you in.

Mr. Rossi stated Bruce; we took a look at the voluminous files that were there, including the papers that you sent. We think getting an updated current opinion from the Department Audit and Control with the (inaudible) Attorney General's opinion and we really should have Audit and Control chime in on this.

Mr. Major stated that was my point.

Mr. Rossi stated we will be drafting a formal request for an opinion from the Department on that.

Mr. Major stated when you send your request into them, are you going to include those documents that show the earlier Attorney General had indicated that. I think it is important that you let them know the history.

Mr. Rossi stated we will certainly consider it. I understand your point.

Mr. Major stated at the last Town Board meeting, Mike you raised the issue of the DEC report of May 14th indicating deficits in the earlier reports submitted by the Town.

Mr. Griffin stated you are talking about dam reports.

Mr. Major stated yes, I would like to know, did the Town Board members get it or if I start asking questions about it...did you get a chance to review the DEC report.

Mr. Cook stated I asked Rich Williams for a copy.

Mr. Major stated some of the concerns I have are we have a situation where an original engineering firm did the initial report. Then we have Maser doing a follow-up report and in fact, it was Ginny Nacerino who raised some questions at the July 25, 2012 Town Board meeting relative to the inspection fees being charged by Maser for the Putnam Lake Dam. Then in August there was a discussion about the deficiencies on the dam and there was indications that these need to be addressed and the report as written was sufficient or the information that you had was sufficient to submit to the DEC and therefore in September of 2012 you then provided a resolution approving Maser, I think \$11,500.00 to provide the necessary documentation and the numbers required to meet the flows. Incite said for the work you are looking for, it would cost between \$25,000.00 and \$40,000.00. I look at the report that was submitted, but it appears that there were twelve areas of concern that the DEC raised. Unfortunately, you have to live with them. They can tell you what to do and you don't have much of a choice. You are a municipality. If the PLCC owned the dam they would have sanction on them and fines. Of the twelve areas that were evaluated, they found five to be incomplete and two to be missing, which is an indication that less than half of the report that was submitted past review by the DEC. What raised my concern, is in their visual observation, they refer back to Maser's physical inspection back in July of 2012 and they talk about certain things and additionally there were several depressions on the top of the dam and one at the toe near the tree that need to be filled, compacted and monitored. It appears that Maser found that in July of 2012, yet nineteen months later it appears that the same deficiencies were found by the DEC when they did their inspection. Whether we like it or not, these things should get addressed. Why nineteen months later are we seeing the same deficiencies.

Mr. Griffin stated I'm not sure these are all the same depressions and by the way it is a concrete core.

Mr. Major stated I understand that.

Mr. Williams stated I'm at the dam once a month. I'm out there watching the depressions. They are absolutely the same depressions, but if you look at them, they are small little dips in the dam. They are not structural anomalies that are threatening the dam regardless of what the engineer says or what the DEC says. They go out there and they are looking for possibilities. I've been out there and watching it since 2000. The depressions haven't changed. They are still there and they are not threatening the dam.

Mr. Major stated we need to respond to them. Isn't the engineer we have now the same engineer.

Mr. Williams stated he worked with the same firm. I expect something back soon. I also reviewed the DEC's report and I feel they are incorrect in a number of areas.

Mr. Major stated I would like to talk about the Environmental Park. We have seen more and more of our land go to non-profits. We lost Turtle Pond. Recently on Farm to Market Road, I think it was 80 to 120 acres. That was sold a few months ago. The Environmental Park doesn't appear to be a money maker for us. It is within the Great Swamp. Is there any consideration of looking to deed it over to the DEC, because of the DEC owns it, they start paying taxes on it. Then there would be revenue coming back. It might be a plus for us.

Mr. Griffin stated I would like to give it a little thought.

ADJOURNMENT

There being no further business, Mr. Cook made a **motion** to adjourn the Town Board meeting at 8:00 p.m.

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

Respectfully Submitted,

Eileen Corbley, Deputy Town Clerk