

PATTERSON TOWN BOARD MEETING
PATTERSON TOWN HALL
PATTERSON, NEW YORK 12563
July 27, 2016

MINUTES

PRESENT: RICHARD WILLIAMS, SR., 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 Williams called the Patterson Town Board meeting to order at 7:00 p.m. with 29 in attendance.

AUDIT OF BILLS

Mr. Cook made a **motion** that the Town Board accept Abstract No. 13 as written:

General Fund \$88,922.32, Highway Fund \$74,571.63, Waste Water Treatment Plant \$530.93, Putnam Lake Light District \$1,287.84, Patterson Light District \$1,402.12, Patterson Refuse District #2 \$21,803.69, Patterson Park District \$2,099.02, Putnam Lake Park District \$4,459.50, Alpine Water District \$24.55, Dorset Hollow Water District \$240.00, Fox Run Water District \$66.27, Trust & Agency \$38,970.56, Debt Service \$90,279.37, Grand Total Abstract \$324,657.80.

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

CHARLES COOK

DEFENSIVE DRIVING PROPOSAL

Mr. Cook made a **motion** to approve the defensive driving course for Town employees given by Angel Care Safety Training at a rate of \$20.00 per person.

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

PUTNAM COUNTY SPECIAL TEAMS

Mr. Cook introduced the **Resolution Authorizing Local Firefighters' Membership on Putnam County Specialized Teams:**

R-0716-04

WHEREAS, Putnam County is authorized under New York General Municipal Law 209-bb to establish, maintain and supervise municipal wide and inter-municipal specialized teams and has established the specialized teams referred to below; and

WHEREAS, specialized team membership is comprised of firefighters from local fire departments within the County since the County does not have a paid Fire Department; and

WHEREAS, General Municipal Law 209- bb(c) allows municipalities and organizations that insure volunteer firefighters, volunteer ambulance workers or municipal employees to extend insurance coverage to members of a specialized team; and

WHEREAS, the following volunteers of either the Patterson Fire Department or Putnam Lake Fire Department (hereinafter collectively the "Town Fire Departments") currently serve on the following specialized teams established by the County:

Hazmat Team: Adam Stiebeling, Francis Letteri, Gregory McGee, David Raines,

Fire Police Team: Angie McGoorty, Phil Porcelli, Eleanora Smith, David H. Johnson, Gerald Doyle, John Ercole, Alex Fokine, and Alison Weber,

Command & Communications Team: James Gagliardo Jr., and

Fire Investigation Team: Tom Dixon; and

WHEREAS, without the support of local municipalities, Fire Departments and Fire Districts, the County would be unable to field special response teams to respond to HAZMAT incidents, arson investigations, fire police operations, and deploy a field communications van to support complex radio needs at large incidents,

NOW, THEREFORE, BE IT RESOLVED, that the Town of Patterson approves participation of the above named members on the above referenced Putnam County Specialized Teams who were recommended for membership by the Chief Officer of their respective Fire Departments; and

BE IT FURTHER RESOLVED, that there are no resolutions in effect that restrict outside service, responses, and training, and that there are currently no limitations, conditions or restrictions on members of the Town Fire Departments; and

BE IT FURTHER RESOLVED, that when the named firefighters respond to calls for County Specialized Team assistance when dispatched by the Putnam County 911 center that they shall be covered by the same benefits as if they were responding to an alarm in their own department; and

BE IT FURTHER RESOLVED, that this authorization shall remain in effect unless rescinded by resolution and a copy of this resolution shall be forwarded to the Putnam County Commissioner of Emergency Services; 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.

FOX RUN WATER DISTRICT

Mr. Cook stated we received a letter from the Supervisor regarding problems relating to water at Fox Run.

Mr. Cook made a **motion** to approve work to be done by John Giaimo & Sons in an amount of \$590.00 for the affected PLLC and Control Panel and \$3,800.00 for the surge protection.

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

SHAWN ROGAN

RECREATION REQUEST(S)

Mr. Rogan stated Family Fun day will be held on Saturday, September 17, 2016 at the Recreation Center from 12:00 p.m. to 5:00 p.m.

Mr. Rogan made a **motion** to approve "Send in the Clowns" for Family Fun Day in an amount not to exceed \$5,000.00.

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

Mr. Rogan made a **motion** to approve the purchase of a freezer for the Recreation Center from Sam's Club in an amount not to exceed \$2,842.00.

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

VETERANS MEMORIAL PARK IMPROVEMENTS

Mr. Rogan stated the Park Advisory Board installed fencing at the Maple Avenue Park. They did the work themselves and they did a very good job.

Mr. Rogan stated the Maple Avenue Park Advisory Board is interested in adding a gaga pit at the park. We need to have more information from the Board on this and we will bring this up again at the next Town Board meeting.

SONNET LANE

Mr. Rogan stated we received a letter from a resident on Sonnet Lane who is very upset about evergreen trees bordering his property that were cut by the Patterson Highway Department.

Mr. Gene Brandon Highway Foreman stated the pine trees were hanging over the road and infringing onto traffic. We are not trimmers, we are cutters. If the trees are hanging onto the road, we have to take the tree down. If they don't want us to cut them, they should trim them back themselves.

Mr. Rogan stated agreed.

Mr. Williams stated based on my tree experience, I have some concern with this. This is the second time and my concern is that these trees are planted right on the edge of the cul-de-sac. Long term, those trees are going to get bigger. As they get bigger, the tree roots are going to heave up that cul-de-sac. I will reach out to the property owner and I'll have a conversation with him.

RICHARD WILLIAMS

"THINK DIFFERENTLY" INITIATIVE

Mr. Williams introduced the **Resolution for Calling on the Town, Residents and Business Owners to Adopt the "Think Differently" Initiative to Assist Individuals with Special Needs and their Families:**

R-0716-05

WHEREAS, by letter dated July 8, 2016, Marcus J. Molinaro, the Dutchess County Executive, a full and complete copy of which is annexed hereto and hereby made a part hereof, requested that the Town of Patterson consider adopting the "Think Differently" initiative; and

WHEREAS, the "Think Differently" initiative is about promoting awareness and acceptance of all people, and advocating for the inclusion of all individuals living on the Autism Spectrum and with special needs; and

WHEREAS, our state and communities are stronger because of our diversity and differences; and

WHEREAS, according to the Center for Disease Control (CDC) over 55 million people, or approximately 19% of Americans, have a type of disability or special need; and

WHEREAS, for some people with special needs, the very things that make them unique can keep them on the sidelines, separate from those who might not understand their differences or uniqueness, and

WHEREAS, it is important to promote and provide guidance to those with special needs on how to access publically supported services available to them in the community; and

WHEREAS, it is important that the community and businesses are encouraged and educated on ways they can make facilities and services more accessible and on how to train staff to welcome and support special needs customers and co-workers; and

WHEREAS, the goal of this “initiative” is to promote a supportive and inclusive environment for individuals of all abilities by supporting community events that expand family friendly opportunities for people with special needs and their families; and

WHEREAS, promoting the “Think Differently” initiative is an important endorsement that our Town officials, business owners and residents can make and show their support for the “differently-abled” children and adults with special needs, and their families.

NOW, THEREFORE, BE IT RESOLVED, that the Town of Patterson promotes the “Think Differently” initiative, and encourages all residents and business owners to do the same, so that all are better prepared to communicate with, provide for, and support those living on the Autism Spectrum and with special needs.

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

PATTERSON LEASE AGREEMENT

Mr. Williams introduced the following **Resolution Memorandum of Lease with Pattersun, NY LLC**:

R-0716-06

WHEREAS, by a certain Solar Lease Agreement (the “Lease Agreement”) dated July 23, 2014, PatterSun, NY LLC (“PatterSun”) leased certain land from the Town of Patterson located at 271 Cornwall Hill Road, Patterson, New York (the “Premises”) for the installation and operation of a solar electric generating facility (the “Facility”); and

WHEREAS, the Lease Agreement provides for execution and recording of a “Notice of Lease”, which is tantamount to a memorandum of lease the recording of which is authorized by section 291-c of the Real Property Law, at the request of a party, with any and all expenses associated with the recording of said Notice to be paid by PatterSun; and

WHEREAS, PatterSun has requested that the Town execute a Memorandum of Lease, which will also be executed by PatterSun, in the form annexed hereto and hereby made a part hereof, which will thereafter be recorded by PatterSun at its sole cost and expense.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Patterson hereby authorizes and directs the Supervisor to execute the annexed Memorandum of Lease and all other documents necessary to give effect to this Resolution, consistent with the terms hereof, with made revisions, if any, as are satisfactory to the Town Supervisor and Town Attorney.

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

CFA GRANTS

Mr. Williams stated we have two CFA grant applications that are being put in on our behalf.

Mr. Williams made a **motion** for the Board to approve of my sending a letter of support to the East of Hudson Watershed Corporation.

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

Mr. Williams made a **motion** for an application to construct a new waste water treatment plant that would service the Lake Carmel community and portions of the Town of Patterson around Fair Street and Route 311.

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

FIRE DEPARTMENT STUDY

Mr. Williams stated last year I applied and received a grant for evaluating our fire protection services between the two departments to see if there is any way we could share services, in a more cost effective manner. The Department of State has prepared a scope of work. I have reviewed it and I asked both departments to review. I haven't received any comments back yet. I also asked the Town Board and received some feedback. I will send it over to you tomorrow.

2016 BUDGET MID-TERM REVIEW

Mr. Williams stated I would like to review the 2016 budget. I wish I had better news, but in many areas of New York State we have not received the recovery that has been experienced by other areas of our County. Patterson has seen a decline in the number of people living here. People are leaving the area. This year's revenues are currently being projected to come in below the amounts that were originally estimated in our 2016 Budget. We received our second quarter mortgage tax check, and it is the lowest it has been in many years. Revenue from the Recreation Center are down by \$95,000.00, which we are hopeful will be made up in the fall programs. Court fines are also down by \$50,000.00. The Board should note that the expenditures are also trending lower than expected, which will help make up for the revenue short fall. Expenses for the next year are already rising. Looking forward to the 2017 budget, we have received notice that our medical insurance through NYSHIP is expected to rise by about 7.6%. We can expect similar increases in our general liability and workman's comp, which we have seen in past years. We have a CSEA contract that we still have to resolve. The Town is also faced with a number of other liabilities, including the Clover Lake certiorari and appeal and the CSEA FLSA grievance. This is estimated at about \$180,000.00, facing this year's budget. Patterson tax cap with be capped at .68%, less than 1%. DASNY approved \$150,000.00 for the salt shed.

Mr. Williams continued.

KEVIN BURNS

PLPAB REQUEST(S)

Mr. Burns made a **motion** to purchase two new AED's by the Putnam Lake Park Advisory Board in the amount of \$1,465.80.

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

Mr. Burns made a **motion** to approve the request by the Putnam Lake Park Advisory Board to hire Jill Leahy as a Putnam Lake lifeguard at a rate of \$10.00 per hour.

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

Mr. Burns stated the Putnam Lake Park Advisory Board requests that the Town start the process of constructing a basketball court on Memorial Field.

Mr. Williams stated I will have a bid package in for the next Board meeting.

BUDGET TRANSFER(S)

Mr. Burns made a **motion** to approve Budget Transfer No. 28 and 29:

Budget Transfer No. 28

Increase:	SWF.0599	Appropriated Fund Balance	\$9,642.00
	Fund Balance		
Increase:	SWF.2680	Insurance Recoveries	\$3,468.00
	Revenue		
Increase:	SWF.8310.200	Water Admin – Equipment & Capital Outlay	\$13,110.00
	Expense Accounts		

Budget Transfer No. 29

Increase: SPL.0599 Appropriated Fund Balance \$712.00
Fund Balance

Increase: SPL.7110.404 Parks Cont. – Neighborhood Watch Program \$712.00
Expense Accounts

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

COMPTROLLER'S REQUEST – FILE CABINET

Mr. Burns made a motion to approve the Comptroller's request to purchase a file cabinet from The HON Company in an amount not to exceed \$863.04.

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

PETER DANDREANO

ABSENT

OTHER BUSINESS

Mr. Burns stated the Putnam Lake Park District is inviting everyone to attend its first Night Out on Tuesday, August 2, 2016.

Mr. Williams stated we received a request from Margaux Miller regarding an employee that is out on a workers comp case. There are difficulties surrounding the case and he is currently using his vacation/sick/personnel time until we can get these issues resolved. The time he has is running out prior to his anniversary date, in which he would have additional time that he could rely on. The Town Board could give him his vacation time six days early or we could open a sick bank, so co-workers could donate time. Personally, I would like to do both.

Mr. Rogan, Burns and Cook agreed.

Mr. Williams made a **motion** to open a sick bank for this individual, so employees can donate time.

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

Mr. Williams made a **motion** to approve allowing him to access his vacation time six day before his anniversary date.

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

PUBLIC RECOGNITION

Mr. Phil Capalbo stated I want to thank everyone one who came out tonight to support the union members on the contract that we are still negotiating with the Town. It's never an easy task. I would like to address one thing first. Our "wish list" consisted of three pages and the Town had twelve to thirteen pages. Wish lists are designed for two things. You always hope to come in and hope that the Town can give the workers an increase in wages. If not, they draw from that "wish list" possibilities of other ways to give the employees something that may not be directly a dollar amount to their paycheck, but it will effect dollar amount. A cut in benefits, comp time, there are many things that go on a "wish list". Hence the reason why theirs is thirteen pages and ours is three to five pages and it gets knocked down through many days of debating and negotiating. This one goes back to three quarters of everything that was on our "wish list". If you look at, it's true, all of those things will add up to those numbers. This was never what this was intended to do. The things that are on here, are on because we understand economic climate. In the last contract, we gave back in our health care, overtime language, vacation schedule to new hires. We understood and we had compassion. This is not where the last proposal for either side were. This is going back two or three months when we were arguing over petty stuff. This

is a dangerous half-truth to put out there. I didn't like it when Mike Griffin did it, I'm not liking it now. The bad thing is, you are taking something and telling the people that this is exactly what they wanted and this is the total cost. That is not it. I told you that three months ago when we were trying to save sanitation. It's a half-truth. The danger about half-truths is this, Shawn knows this is purely an example, because I have the utmost respect for Shawn. It would be like me walking in here and saying; Mr. Rogan, it is very nice to see you come in sober tonight, although that statement is true, it would lead the people to believe that Shawn Rogan comes in drunk, and we know that is not the truth. We know that is not the truth, because I've seen Shawn many times and I've worked with him over a year on a committee and I can tell you Shawn is straight. The impression I would give you is that Shawn is not that person, and that is wrong, it's dangerous and should not be done that way. This is like negotiating outside the committee, which is also wrong. We have yet to tell anyone what your thirteen pages from Mike Griffin up till now, what those demands were. This is the third time we have been laid out to the public. I bet you could go on the internet and find this again. This is really sad. That is what we have come to. Now that you put it out there, we have come down to a very close deal. The last proposal we received was drawn up by Mr. Richardson on the 29th that said one, one and a half two year deal. You wanted the hours from sanitation moved, and you wanted the surviving spouses of the retirees' benefits, which is sad. We immediately sent back to John Donohue, two percent, two percent, don't touch the contract or the handbook and we will see you in two years. To which we received, an impasse. Where we stood last was not this. It's not even remotely close. This paints us in a bad light for no reason. We are working a man short at Sanitation, because Brian Murphy's job was never replaced, Brian Yates' job was after he was fired. Chuck Mulligan was never replaced at Highway and when Russ got the job as an Elected Official, his job was never replaced. We are working three men down. Two-thousand-eighty-hours of work per person, every year, times three. I heard Ginny Nacerino say you have to learn to do more with less. No, it's doing less with less. If you don't think for one moment that Russ Goff could do more with two other people giving him two-thousand-eighty-hours for the year, you are crazy. You cut, we understand and we don't like it. That \$106,000.00 per year from Brian Murphy's job, that was three years ago. That is \$318,000.00. I bet if you go check, it didn't go back to the taxpayer. They are still paying that same amount for sanitation. Right? Russ Goff has been gone five years, Chuck Mulligan; seven years. Well over \$1.5 million. None of it went back to the departments. That is more than you would ever give us in raises. We asked for two and two and don't touch the contract and the handbook and we will see you in two years. Please do not tell people that is what we are asking for.

Mr. Billy Ricaldo stated I happen to agree with Phil. When you have a "wish list", that is something to work out together. Once you put it out in public, it's not a good thing to do. I have to respond to some of this, it's not going to be in a good way. We don't want that. I will say, try to get your negotiate to knock it off and let's get this thing going, so we can go on with business and help this Town and its employees.

Mr. Glen Blackman, Labor Relations Specialist, Chief Negotiator for the Town Unit in the Town of Patterson stated I'm a little surprised to see this come out today, well, maybe I'm not, its the old tricks that Mr. Griffin used to be up to. I would like to state, unequivocally, that this is not just a half-truth, it is completely inaccurate. It is not fair to paint us in a corner that this is our position. Unless there is bad communication between your representative, who you hired to bargain, and your Town Board, then something is missing. It has been made, blatantly clear to me, by your Labor Representative that they would rather have you impose a contract on these employees, then negotiate something that we are looking to do. He said he would do it for three successive years. Let me explain something to you, because he may not have explained it to you. If you impose a contract, you can't make any changes, we can't come to agreements to change the sanitation hours, we can't come to an agreement to change other things that you are looking to do, which I must say are missing from this. There have been some agreements to make changes in the contract. All that goes out the window, if it comes to you for a legislative imposition. You can't touch this contract. So, I ask you the question, doesn't take too much to figure out, you are paying someone to represent you in negotiations, and you continue to pay someone to negotiate and represent you in fact finding, those are billable hours. Guess what, you are not going to get anything in return for that, other than giving him a check. My question to you is, who would you rather see get some money. These guys that are out there working every day for you or some guy that comes from Dutchess County to tell you how to do the negotiations. It appears to me, he hasn't given you the full picture. We want to clean this up and move on. Give us a two year contract. We even said we would take a one year contract. Let's start fresh and get going. We have a new Board and new Town Supervisor.

Conversation ensued.

Mr. Williams stated Phil, those statements in that press release were from the email that I received in April, which was the last solid negotiating stance that I had to go from. I'm new to the process. Since I have been here, how the process works is, I sit in one room, you sit in another room and we have people going back and forth trying to figure out an agreement. It isn't working. I was very disappointed to see you all out picketing. I want to sit in a room and we will work it out. That's what I want. I think we have the best Highway Department in Putnam County and the best men and you deserve reasonable wages, good wages and good benefits. We also have to consider the taxpayer of the Town of Patterson. We have to be diligent in what we are doing. I want the fact finder to make his report and then we can move on. When I came in, I was advised that if this fell apart, the Town Board's position would be to do a legislatively imposed contract, where we would draw a line in the sand and move forward. I have learned a lot about doing a legislatively imposed contract. I may still consider it, but I will talk to you first. I don't know if that is the right way to go, but I would like to get the fact finders report, so we can see what an independent individual has to say about all the arguments. We can start the conversation again, if you want to start the conversation again. I need you to understand our position and that this is a negotiation and there has to be give and take. I'm not going to sit in a room and listen to what you want and you are not going to give anything. We have issues with sanitation. I'm trying to do everything I can to bring the costs down, or at least keep them where they are. We have guys whose jobs are on the line. We have prices that would be a substantial savings to the taxpayer's, if we eliminated the sanitation department. I don't want to do that. I know those prices are artificially low. I want to see them keep their job, but we need to manage those costs. We need to talk about that. I'm not going to continue to pay overtime.

Mr. Capalbo stated that's appreciated.

Mr. Blackman stated this is kind of unorthodox to have this conversation in public. My question is this; the fact finders report, however it might pan out, can be rejected by either side. It could be accepted by both sides, but I've been told through your representative that if there are certain things in that fact finding, it will be rejected. Let's meet face-to-face instead of shuffling back and forth with a third party. Sit down with Phil, Gene and Joe and hash it out and see if you can do a one or two year contract.

Mr. Williams stated where we are in the process bewilders me, because we are not in the same room and we are not hearing the other side. I need to get past that.

Mr. Blackman stated I hope you will welcome the opportunity and my suggestion to sit down.

Mr. Williams stated I will take it under advisement.

Mr. Blackman stated I will step aside and let these gentlemen meet with you.

Mr. Williams stated fair enough.

Mr. Capalbo stated it's appreciated. We have no problem sitting down with you.

ADJOURNMENT

There being no further business, Mr. Burns made a **motion** to adjourn the Town Board meeting at 8:15 p.m.

ANTOINETTE KOPECK, Town Clerk