

PATTERSON TOWN BOARD MEETING  
PATTERSON TOWN HALL  
1142 ROUTE 311  
PATTERSON, NEW YORK  
August 12, 2015

MINUTES

PRESENT: MICHAEL GRIFFIN, SUPERVISOR  
KEVIN BURNS, COUNCILMAN  
CHARLES W. COOK, DEPUTY SUPERVISOR  
PETER DANDREANO, COUNCILMAN  
SHAWN ROGAN, COUNCILMAN  
ANTOINETTE KOPECK, 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 10 in attendance.

REPORTS

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

Code Compliance - July  
Code Enforcement - June, July  
Dog Control Officer - July  
E.C.I - None  
Putnam Lake Fire Dept. - April, June  
Patterson Fire Dept. - None  
Patterson Recreation Center - July  
Putnam Lake Park District Maintenance - July

SUPERVISOR REPORTS

Mr. Cook made a **motion** to approve the Supervisor Reports for May and June 2015.

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

MINUTES

Mr. Dandreano made a **motion** to approve the following minutes.

Bid Opening Minutes – Sluice Gate for Putnam Lake – July 30, 2015  
Public Hearing Minutes – Adoption of Local Law No. 2 – Restaurants – July 22, 2015  
Public Hearing Minutes – Adoption of Local Law No. 3 – Commercial Trade Operation – July 22, 2015  
Special Town Board Meeting Minutes – August 3, 2015  
Town Board Meeting Minutes – June 24, 2015  
Town Board Meeting Minutes – July 8, 2015

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

AUDIT OF BILLS

Mr. Cook made a **motion** that the Town Board accept Abstract No. 14 as written:

General Fund \$89,208.93, Highway Fund \$475,600.57, Waste Water Treatment Plant \$12,222.40, Putnam Lake Refuse District #1 \$20,454.55, Patterson Refuse District #2 \$30,946.87, Deerwood Drainage District \$18.38, Patterson Park District \$816.92, Putnam Lake Park District \$4,491.09, Alpine Water District \$832.91, Dorset Hollow Water District \$874.58, Fox Run Water District \$1,683.03, Trust & Agency \$840.00, Grand Total Abstract \$637,990.23.

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

MICHAEL GRIFFIN

SPECIAL COUNSEL MAPLEWOOD SUBDIVISION – DISCUSSION/APPROVAL

Mr. Griffin stated I guess they are expanding the Maplewood Subdivision, which is off of Doansburg Road and our Town Attorneys have a conflict of interest on this, so much so they couldn't be here tonight.

Mr. Williams stated that's true. There is an issue with the way the municipal boundary lays out between the Town of Southeast and the Town of Patterson. The Assessor and County Real Property show it in one location and the subdivider is showing it in another location. We need a little bit of legal advice as to how to resolve this issue. I reached out to four or five Attorney's. No one was interested or had the expertise to tackle this issue, so I'm still looking for an Attorney.

Mr. Griffin stated what is the timing on this. As soon as possible.

Mr. Williams stated they submitted the initial application to us in 2005. We didn't see them for three years and they came back for a little bit and didn't see them for a couple of years. I think they are looking to push on it at this point.

Mr. Burns stated are we looking for a title attorney.

Mr. Williams stated we are looking for someone who really understands real property law. I think it will work out where the Assessor's will have to make the call.

VANACORE INVOICE - FOLLOW-UP

Mr. Griffin stated this is the ongoing saga of Clover Lake assisted living tax certiorari. We have a memo from Mr. Curtiss basically saying that he thinks it is reasonable. We have correspondence from Vanacore and based on their memo, I would have to say that chasing down six or seven corporations and twenty-one partners is probably quite a trick.

Mr. Griffin made a **motion** to pay Vanacore in an amount not to exceed \$4,553.00.

Seconded by Mr. Burns.

Mr. Cook stated I will say alright, but I think we need to get this report.

Mr. Griffin stated this money isn't going to them until we get a copy of the report. At this point, I don't know who has a copy other than Tim Curtiss. I already had the conversation with Trish and the money will not be released until we have our own copy in hand.

All In Favor: Aye. Carried.

ASSEMBLY PERMIT DISCUSSION

Mr. Griffin stated our Director of Codes Enforcement, Bob McCarthy brought a number of issues to my attention and the Town Attorney also made a comment that since the Public Assembly Permit is probably 35 to 40 years old, it should be updated. We had an individual who was sponsoring an event on his property. We were led to believe that the event would attract somewhere between 2,000 and 5,000 people over the course of a weekend. There was no effort by the individual to obtain a permit. Looking through the permit application and the applicable codes, the insurance numbers are very low and the fine for not getting a permit is only \$500.00. Between the Code Enforcements time, Fire Marshalls time and the Attorney's time, we probably have about \$4,000.00 in expenses, none of which will be recoupable. I would like to ask the Town Attorney and Town Planner to take a hard look at our Assembly Permit, along with our Director of Codes Enforcement to update it to where the insurance requirements, and the fines are appropriate for today and also, if there is language that can be built into that and any legal expenses that are generated due to non-compliance, so we could somehow recoup that. This was a very simple process. All the individual had to do was come

into the Town Clerk's office, get the forms, fill them out, but unfortunately, it turned out to be a very difficult complicated process and now for the taxpayer's a very expensive process.

Mr. Griffin made a **motion** to add three items to his agenda.

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

#### ALPINE WATER DISTRICT

Mr. Griffin stated we have a memo from the Town Planner and apparently well number two in the Alpine Water District failed. The pump had to be replaced and after the pump was replaced and it started up again, there was an issue with the starter motor. The Town Planner and the individual who is working on the District, is recommending that we go to a soft start motor and also that would involve changing out the control panel.

Mr. Griffin made a **motion** to authorize the Town Planner to get the control panel and the starter motor changed at the Alpine Water District well number two in an amount not to exceed \$8,800.00.

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

#### TOWN HALL PAINTING

Mr. Griffin stated as you can see the doors and columns got painted. Paul Fava is recommending that we get the windows painted and a few other things that are in need done. None of this will be higher than step ladder work. The part-time employees at the Recreation Department completed the painting.

Mr. Griffin made a **motion** to approve Paul Fava's request for an additional \$1,500.00 to paint and raising Larry Chiesa's hourly rate to \$15.00 to do the painting.

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

#### ALLIED BIOLOGICAL

Mr. Griffin stated Allied Biological came to Putnam Lake and they split the algaecide application on the July 21<sup>st</sup> and 30<sup>th</sup>. The original contract was for \$7,550.00. Due to the fact that there were some issues, they had to split it. They are requesting an additional \$360.00. Hank Earle thinks it is a fair price.

Mr. Griffin made a **motion** to authorize the additional payment of \$360.00 to Allied Biological Inc. for the algaecide treatment of Putnam Lake.

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

Mr. Dandreano stated it's also a good time to add that the lake is very clean, not like other neighboring lakes that have been closed for algae.

Mr. Griffin stated we have our first bill from TransCare for our new EMS service in Town. For the month it is \$21,669.50. That is for July. By my math, the Patterson Fire Department put in a significant amount of time. Based on my rough calculations of hours, they put in almost twenty-two days' worth of an eight hour shift for the month. That is a significant savings for the Town. Thanks to the Patterson Fire Department. Charlie brought up a good point, we need to renew our contract with them. I will reach out to TransCare. I will have it for the next meeting, which will be too late. At this time, do you want to extend this agreement at the current rate. We can move to extend it until the end of the year.

Mr. Burns stated we don't have any other options.

Mr. Dandreano stated I don't think we have any options. I think we really need to start taking a hard look at what we are going to do in the future.

Mr. Griffin stated there is a couple of things going on. The Patterson Fire Department has suggested they would be willing to put together a VAC. There is a discussion that the Town of Patterson might want to sponsor the VAC. The third thing is the County is now working on a Countywide EMS Authority. I got very little details on this. It is very sketchy at the moment. I will reach out to Tony Sutton in the morning to try to get more information on this. Peter, your recommendation to put together a subcommittee is very good idea. I think we should move on this very quickly.

Mr. Griffin made a **motion** to approve TransCare services through December 31, 2015.

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

KEVIN BURNS

THE ASSOCIATION OF TOWNS – ANNUAL RENEWAL

Mr. Burns stated we are a member of the Association of Towns which is a lobbying group for various Towns, but it also provides education in the form of an annual meeting and various training sessions. The Town supports the Association of Towns through membership dues and they are established based upon the total budget or revenue of the Town, which are \$10,970,000.00. On that basis our yearly dues for 2016 are \$1,500.00.

Mr. Burns made a **motion** to approve our renewal of the membership with the Association of Towns for a sum not to exceed \$1,500.00.

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

DONATION OF LAND OFFER – 9 SOUTH LAKE DRIVE

Mr. Burns stated we received a request for donation of property located at 9 South Lake Drive in Patterson. The owners, Brian and Kim Anderson have not been able to develop the property and are interested in donating it to the Town. The Town Planner went out and looked at the property and it is across from the boat launch in Putnam Lake. He states it might be useful for the Town for meeting storm water requirements. This is undeveloped land.

Mr. Burns made a **motion** based upon the Town Planner's recommendation of the offer to donate the property, we will accept the donation from the Andersons for the property located at 9 South Lake Drive, tax map #36.23-1-43 and to authorize the Town Attorney to take what steps necessary to effect the transfer.

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

CONFERENCE REQUEST(S)

Mr. Burns made a **motion** to approve two conference requests for New York State Retirement and a seminar on assessment administration.

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

BUDGET TRANSFER

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

Budget Transfer No. 16

From:	A.1950.400	Taxes and Assessments on Property	\$(1,775.00)
	A.1990.400	Contingent Account	\$(3,725.00)
To:	A.1460.400	Records Management Contractual	\$500.00
	A.1989.400	Miscellaneous Contractual Expense Accounts	\$5,000.00

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

BUILDING DEPARTMENT REQUEST - SOFTWARE

Mr. Dandreano stated I was not in attendance when the representative came here to do the demonstration, but I spoke with the Director of Codes Enforcement, Bob McCarthy. I think it will be really good to bring our antiquated programs up to date. This program looks like it would bring all the different programs together and make it easier for the Codes Enforcement Officer to do his Job. Bob can you come up and speak on this.

Mr. Robert McCarthy, Codes Enforcement Officer stated this is very widely used in Westchester, Dutchess County and Carmel uses it also. This program will put all of our other programs into one. If I am out in the field, I can issue a notice of violation appearance tickets and CO's. Right now CO process is done on a typewriter. Another problem I had is if I had any kind of notes, I wouldn't have them and I would have to look through my notes, so many times I would have to come back and go back and forth. I think this will save us a lot of time. There is also a program that can be linked with the Assessor. I'm anticipating increased revenue, so I don't have to go back and forth.

Mr. Burns stated is it configured with a little printer. You can actually print something out in the field.

Mr. McCarthy stated yes. I didn't include that but it has that capability. I could send an email.

Mr. Rogan stated is training included with the fee.

Mr. McCarthy stated yes, they come in and set it up for us and will train us.

Mr. Williams stated ultimately we will have to buy Bob a tablet, so he can see this out in the field.

Conversation ensued.

Mr. Griffin stated what is the reason behind storing all this data on the server, as opposed to in the cloud. It's cheaper to save it in the cloud, according to their proposal.

Mr. Williams stated that is a Municipality 5 and it's not intergratable with the OCR software that we are currently using. We have to be able to reach the cloud to get there. I'm still old school, I want to be able to grab the server if we have a problem and do what I have to do on it to get to the data.

Mr. Griffin stated just thinking in terms of server space.

Mr. Williams stated there is the ability at a moment's notice to actually move everything up to the cloud.

Mr. Griffin stated the only other thing I would comment on is to talk to Chris Boryk and maybe John Kelly from STG. You are talking about buying tablets for \$300.00 plus and find out if they work in the field as well as you might think. We bought a military industrial grade tablet for the Assessor's office for \$2,400.00. It is very durable. You may want to figure out if a \$300.00 tablet is going to be what you want to take to the field or not.

Mr. Williams stated he is talking about a Galaxy Tab. Technology is moving so quickly, that what the Assessor paid \$2,400.00 for.....

Audience member stated it is outdated.

Mr. Williams stated we are getting tablets now for the field for \$300.00 to \$600.00.

Mr. McCarthy spoke but unable to transcribe.

Mr. Griffin stated just make sure you are buying tablets that will take a beating and they will work in the sunshine. Like a digital camera, inside it looks beautiful and you go outside and you can't even see the screen.

Mr. McCarthy stated I got prices at \$329.00 for the Galaxy Tab 4 and the Galaxy Tab S is \$599.00. STG gave me a price for \$350.00.

Mr. Griffin stated just make sure it isn't a piece of junk. We are talking about a \$2,200.00 start-up cost and \$3,500.00 in annual maintenance.

Mr. Dandreano stated what is the actual cost.

Mr. McCarthy spoke but unable to subscribe.

Mr. Griffin stated in your memo you state \$1,550.00 plus \$2,500.00 support...

Mr. McCarthy stated that is yearly.

Mr. Griffin stated you are still in the ball park of \$20,000.00.

Mr. McCarthy stated yes, that is a fair assumption.

Mr. Griffin stated I spoke to Trish today and we didn't budget anything close to that, so if we are going to do this, it is either coming out of Contingency or Fund Balance.

Mr. McCarthy stated I think this will be beneficial in title searches. We did just increase our fees. We do about 180 searches at \$100.00 each and that comes to \$18,000.00. I'm anticipating an increase in the revenue from the Building Department. It's from people leaving the Town, not coming into the Town.

Mr. Griffin stated I think it's high time you got out of the Stone Age.

Mr. Burns stated there is no way to amortize it over a number of years.

Mr. Griffin stated they do have a payment plan, if you want to consider it.

Mr. McCarthy stated they will work with us.

Mr. Griffin stated I'm very happy Bob is taking this project on. I think this is the best system. It's a shame it's so expensive. If you want to move on this, we can approve this and I will talk with the Comptroller about what she thinks is the most cost effective way to pay for this.

Mr. Burns made a **motion** to approve the purchase of the new software, as stated above.

Mr. Dandreano stated are we approving money.

Mr. Griffin stated we are approving the expense of setting up the Building Department with the Muncipity software and a couple of tablets for an amount not to exceed \$20,000.00.

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

#### FIRE DEPARTMENT – NEW MEMBER(S)

Mr. Dandreano made a **motion** to approve new members Damion Santiago, Justin Szpindor, Albert Rossi, Anthony Lopez, Benjamin Bernard, Joseph Atiere, Cody Hickcok, Kyle Lyon and Kevin Nigey to the Patterson Fire Department.

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

Mr. Dandreano made a **motion** to approve Alison Weber to the Putnam Lake Fire Department.

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

#### PUTNAM LAKE SLUICE GATE – AWARD BID/APPROVE BOND

Mr. Dandreano introduced the following **Resolution for Acceptance of Bid for Construction of a Sluice Gate at the Putnam Lake Dam:**

**R-0815-01**

WHEREAS, the Town Board of the Town of Patterson has duly advertised for bids for the construction of a Sluice Gate at Putnam Lake Dam, Patterson, New York (the "Project"); and

WHEREAS, Arold Construction Co., Inc. ("Arold") has submitted the lowest bid for the Project, namely EIGHTY SEVEN THOUSAND EIGHT HUNDRED TWENTY and NO/100 (\$87,820.00) DOLLARS; and

WHEREAS, the Town Board of the Town of Patterson hereby determines that Arold is the lowest responsible bidder for the Project and wishes to accept said bid and award the contract therefore to Arold;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Patterson hereby accepts the bid of Arold Construction Co., Inc. for the construction of the Project and authorizes the award of the contract therefor to Arold consistent with the bid documents and specifications included in the Invitation for Bids for the Project; and

BE IT FURTHER RESOLVED, that the Town Board of the Town of Patterson hereby authorizes the Supervisor to execute any and all documents reasonably necessary, and in form satisfactory to Town Attorney, in order to give full effect to this resolution.

Seconded by Mr. Rogan.

Mr. Griffin stated discussion. The bond resolution refers to SEQRA requirements. I don't know if we did the SEQRA requirements yet.

Mr. Williams stated the SEQRA requirements are for the rehabilitation or renovations (inaudible).

Mr. Griffin stated that's fine. Charlie pointed this out and I wanted to make sure we were all okay with it. We are not subject to it.

All In Favor: Aye. Roll Call Vote: Mr. Burns, yes; Mr. Cook, yes; Mr. Dandreano, yes; Mr. Rogan, yes; Mr. Griffin, yes.

Mr. Dandreano introduced the following **Resolution For Acceptance of Bond Resolution Dated August 12, 2015 of the Town Board of the Town of Patterson Authorizing Not To Exceed \$100,000.00 Aggregate Principal Amount of Serial General Obligation Bonds to Finance the Acquisition and Installation of a Sluice Gate for the Putnam Lake Dam, at an Estimated Maximum Cost of \$100,000, Levy of Tax in Annual Installments in Payment Thereof, and Determining Other Matters in Connection Therewith:**

**R-0815-02**

WHEREAS, the Town Board of the Town of Patterson (the "Town") hereby determines that the Purpose (as herein defined ) has been determined to be a Type II Action pursuant to the State Environmental Quality Review Act, and that no further action is required to satisfy the requirements of the New York State Environmental Quality Review Act;

NOW THEREFORE BE IT RESOLVED BY THIS TOWN BOARD AS FOLLOWS:

- Section 1: The Town is hereby authorized to acquire and install a sluice gate for the Putnam Lake Dam, including preliminary costs thereof and costs incidental thereto.
- Section 2: The Town is hereby authorized to issue its serial general obligation bonds (the "Bonds") in the aggregate principal amount of not to exceed \$100,000.00 pursuant to the Local Finance Law of New York, in order to finance the class of objects or purposes described herein.
- Section 3: The class of objects or purposes to be financed pursuant to this Resolution (the "Purpose") is the acquisition and installation of a sluice gate for the Putnam Lake Dam, including preliminary costs thereof and costs incidental thereto, site work,

and the acquisition of original equipment, machinery or apparatus required for the purpose for which improvement is to be used.

- Section 4: It is hereby determined and declared that (a) the maximum cost of the Purpose, as estimated by the Town Board, is \$100,000, (b) no money has heretofore been authorized to be applied to the payment of the cost of the Purpose, and (c) the Town plans to finance the cost of the Purpose from funds raised by the issuance of the Bonds and bond anticipation notes hereinafter referred to and the expenditure of funds appropriated in the current and following four fiscal years.
- Section 5: It is hereby determined that the Purpose is one of the class of objects or purposes described in Subdivision 32 of Section 11.00(a) of the Local Finance Law, and that the period of probable usefulness of the Purpose is five (5) years. The proposed maturity of the Bonds shall not exceed five (5) years measured from the date of the Bonds or the date of the first bond anticipation notes issued in anticipation of the sale of the Bonds, whichever date is the earlier.
- Section 6: Subject to the provisions of the Local Finance Law, the power to further authorize the issuance of the Bonds and to authorize the issuance of bond anticipation notes issued in anticipation of the sale of the Bonds (including renewals thereof) and to prescribe the terms, form and contents of the Bonds and bond anticipation notes, including the consolidation with other issues and the use of substantially level or declining annual debt service, and to sell and deliver the Bonds and bond anticipation notes, is hereby delegated to the Supervisor of the Town, the chief fiscal officer. The Supervisor of the Town is hereby authorized and directed to sign and the Town Clerk is hereby authorized and directed to attest any Bonds and bond anticipation notes issued pursuant to this Resolution, and the Town Clerk is hereby authorized and directed to affix to such Bonds and bond anticipation notes the corporate seal of the Town.
- Section 7: The faith and credit of the Town of Patterson, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such Bonds and bond anticipation notes as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such year. There shall be levied annually on all taxable real property of said Town, a tax sufficient to pay the principal of and interest on such obligations as the same become due and payable.
- Section 8: This Resolution shall constitute the Town's "official intent", within the meaning of Section 1.150-2 of the Treasury Regulations, to finance the cost of the Purpose with the Bonds and notes herein authorized. The Town shall not reimburse itself from the proceeds of the Bonds or notes for any expenditures paid more than sixty days prior to the date hereof, unless specifically authorized by Section 1.150-2 of the Treasury Regulations.
- Section 9: This Resolution shall be published in full by the Town Clerk together with a notice in substantially the form prescribed by Section 81.00 of the Local Finance Law, in the official newspaper of the Town. The validity of the Bonds or of any bond anticipation notes issued in anticipation of the sale of the Bonds may be contested only if such obligations are authorized for an object or purpose for which the Town is not authorized to expend money, or the provisions of law which should be complied with at the date of publication of this Resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication; or if said obligations are authorized in violation of the provisions of the Constitution.

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

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

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

Mr. Dandreano stated I attended the Putnam Lake Advisory Board meeting last week and they were kicking around some ideas. They have opened up the swim lessons to residents outside the Park District. They said that over the years, the community around the District has grown and they were talking about allowing some families to pay a yearly fee to use the facilities. The questions they asked me to ask the Board is; are they able to charge outside families to use the facilities and what would it take to expand the District.

Mr. Don Rossi, Town Attorney stated Peter, there are two separate issues. One, the Park District itself can be expanded by following the appropriate procedures. The Board has the authority to increase the size of the District as outlined in Town law. Second, the District would also have the authority to permit out of District users to utilize Park District lands, for a fee or no fee. A fee would probably be appropriate. At that point, there would have to be a determination made as to the extent that it is open. Will it cover a specific geographical area or will it be a certain limited number of additional potential Park District users and there has to be sufficient basis for that determination to meet constitutional tests.

Mr. Cook stated how are they going to determine which ten families.

Mr. Dandreano stated they picked ten as a trial basis to see how it would work. It would be first come, first serve.

Mr. Rossi stated we would really have to look at it and analyze the appropriateness of limiting it. It will take some thought on how to do this.

Mr. Griffin stated we can do a lottery.

Mr. Burns stated we had a community pool where I grew up and I think they had a waiting list.

Mr. Rossi stated we can reach out to the Association of Towns.

Mr. Dandreano stated if we decided to expand the Park District there are families that would love to be part of the District, but also families that would not and now you are forcing them into paying into the Park District.

Mr. Rossi stated just like the establishment of the District, the properties that would be in the proposed extended District would be shown on a map and those people would be able to come to a Public Hearing before your Board and express their concerns.

Mr. Dandreano stated thank you, I will pass this information along.

#### CHARLES COOK

#### REQUEST FOR RE-ZONING – 500 CORNWALL HILL ROAD

Mr. Cook stated we have a request for re-zoning of 500 Cornwall Hill Road to create a Bed and Breakfast/gift shop/antique store by Jennifer Colbert.

Mr. Burns stated is this the Mathew Paterson House.

Mr. Griffin stated some might know it as the Maguire House.

Mr. Cook stated our code does not call into concession a Bed and Breakfast. The Town Planner gave us a write-up of different options that we are to consider, along with a suggested amendment to our code, specifically for Bed and Breakfast Inns. I would suggest we read this and if you have any comments, send it to one another.

Mr. Griffin stated I believe there is a referral process for zoning changes.

Mr. Cook stated right, but I figured I would give everyone a chance to read what is before us and if we have any comments beforehand.

Mr. Griffin stated I'm just thinking of moving the process along. It has to be referred to the other Board's as well. Do you want to make that referral tonight.

Mr. Cook stated I will wait until the next meeting.

Mr. Griffin stated this is the only meeting in August. Next meeting isn't until September 9, 2015, Tentative Budget meeting.

Mr. Burns stated is time of the essence. They didn't purchase the property yet.

Mr. Griffin stated no, the house is for sale. The people that are looking to buy it, if I understand it correctly, want to buy it to provide this facility for the Town. It will take some heavy lifting on the Town's part to allow the zoning to take place. My personal opinion, and based on Rich's discussions, probably by special use permit. Since there would be a site plan involved, perhaps you want to think about special use permit being issued by the Planning Board, as opposed to playing ping pong back and forth to the Zoning Board, Planning Board and back again.

Mr. Williams stated correct, but I agree with Charlie that you want to take a look at what is provided to you and weigh in on that. There are still some open end questions that need responses. Yes, you do need to refer it to the Planning Board, but at this point what are you referring over. I have given you a few recommendations, there are some criteria that we still need to talk about to make sure that adjacent residential properties are adequately protected, that is not in there at this point.

Mr. Burns stated with an amendment to the code to allow for Bed and Breakfast, would that then be by Special Permit.

Mr. Williams stated my recommendation would be to do it by Special Use Permit. Then the question is whether you do it as a Special Use Permit provision in a GB zoning district and rezone the property to allow the antique store to go there or are you going to throw in the antique store as an accessory use on to that Special Use Permit.

Mr. Griffin stated this could be the starting point of an all Boards meeting.

Mr. Cook made a **motion** that we will refer it to the Planning Board and I would ask that everyone on the Town Board read the Town Planner's memo and read the suggested addition to the code relative to Bed and Breakfast and provide those comments to each other and the Town Planner.

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

#### HIGHWAY DEPARTMENT COST ANALYSIS – DISCUSSION/APPROVAL

Mr. Cook stated we received a note from our Labor Consultant, Michael Richardson and he has suggested to do an analysis of the Town's Highway Department compensation and crew size and review the whole operation. He has the resources to do this. He feels this is good information to have, both in terms of labor relations and all areas of labor relations.

Mr. Cook made a **motion** to approve hiring Michael Richardson to get this analysis done at a cost not to exceed \$1,200.00 and have him do this quickly and have it back to us within one month.

Seconded by Mr. Burns.

#### HIGHWAY DEPARTMENT SALT SHED

Mr. Cook made a **motion** to accept the SEQRA determination that this is an unlisted action. This bond dated August 12, 2015 authorizing not to exceed \$220,000.00 in borrowing for a new salt/sand storage building for the Highway Department. This is in addition to receiving a grant that was obtained between Russ Goff and Rich Williams of \$150,000.00 for the salt shed.

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

Mr. Cook introduced the following **Resolution for Acceptance of Bond Resolution Dated August 12, 2015 of the Town Board of the Town of Patterson Authorizing Not To Exceed \$220,000 Aggregate Principal Amount of Serial General Obligation Bonds to Finance the Construction of a Salt/Sand Storage Building, at an Estimated Maximum Cost of \$370,000, Levy of Tax in Annual Installments in Payment Thereof, and Determining Other Matters in Connection Therewith:**

**R-0815-03**

WHEREAS, the Town Board of the Town of Patterson (the "Town") previously determined that the construction of a salt/sand storage building at 281 Cornwall Hill Road in the Town of Patterson (the "Project") was an Unlisted Action pursuant to the State Environmental Quality Review Act, the implementation of which as proposed would not have a significant effect on the environment; and

WHEREAS, the Town Board of the Town previously authorized the construction of the Project, including preliminary costs thereof and costs incidental thereto;

NOW THEREFORE BE IT RESOLVED BY THIS TOWN BOARD AS FOLLOWS:

- Section 1: The Town is hereby authorized to issue its serial general obligation bonds (the "Bonds") in the aggregate principal amount of not to exceed \$220,000.00 pursuant to the Local Finance Law of New York, in order to finance the class of objects or purposes described herein.
- Section 2: The class of objects or purposes to be financed pursuant to this Resolution (the "Purpose") is the construction of a salt/sand storage building, including preliminary costs thereof and costs incidental thereto, site work, and the acquisition of original furnishings, equipment, machinery or apparatus required for the purpose for which building is to be used.
- Section 3: It is hereby determined and declared that (a) the maximum cost of the Purpose, as estimated by the Town Board, is \$370,000, (b) no money has heretofore been authorized to be applied to the payment of the cost of the Purpose, and (c) the Town plans to finance the cost of the Purpose from funds raised by the issuance of the Bonds and bond anticipation notes hereinafter referred to, the proceeds of a grant from the Dormitory Authority of the State of New York and the expenditure of funds appropriated in the current and following four fiscal years.
- Section 4: It is hereby determined that the Purpose is one of the class of objects or purposes described in subparagraph (a) of Subdivision 11 of Section 11.00(a) of the Local Finance Law, and that the period of probable usefulness of the Purpose is thirty (30) years. The proposed maturity of the Bonds shall not exceed five (5) years measured from the date of the Bonds or the date of the first bond anticipation notes issued in anticipation of the sale of the Bonds, whichever date is the earlier.
- Section 5: Subject to the provisions of the Local Finance Law, the power to further authorize the issuance of the Bonds and to authorize the issuance of bond anticipation notes issued in anticipation of the sale of the Bonds (including renewals thereof) and to prescribe the terms, form and contents of the Bonds and bond anticipation notes, including the consolidation with other issues and the use of substantially level or declining annual debt service, and to sell and deliver the Bonds and bond anticipation notes, is hereby delegated to the Supervisor of the Town, the chief fiscal officer. The Supervisor of the Town is hereby authorized and directed to sign and the Town Clerk is hereby authorized and directed to attest any Bonds and bond anticipation notes issued pursuant to this Resolution, and the Town Clerk is hereby authorized and directed to affix to such Bonds and bond anticipation notes the corporate seal of the Town.

Section 6: The faith and credit of the Town of Patterson, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such Bonds and bond anticipation notes as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such year. There shall be levied annually on all taxable real property of said Town, a tax sufficient to pay the principal of and interest on such obligations as the same become due and payable.

Section 7: This Resolution shall constitute the Town's "official intent", within the meaning of Section 1.150-2 of the Treasury Regulations, to finance the cost of the Purpose with the Bonds and notes herein authorized. The Town shall not reimburse itself from the proceeds of the Bonds or notes for any expenditures paid more than sixty days prior to the date hereof, unless specifically authorized by Section 1.150-2 of the Treasury Regulations.

Section 8: This Resolution shall be published in full by the Town Clerk together with a notice in substantially the form prescribed by Section 81.00 of the Local Finance Law, in the official newspaper of the Town. The validity of the Bonds or of any bond anticipation notes issued in anticipation of the sale of the Bonds may be contested only if such obligations are authorized for an object or purpose for which the Town is not authorized to expend money, or the provisions of law not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication; or if said obligations are authorized in violation of the provisions of the Constitution.

Section 9: This Resolution shall take effect immediately.

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

Mr. Rossi stated the resolution Pete did on the sluice gate, I think you should do a similar resolution on the bond. I think the approval of it was there, but the bond resolution itself should also be voted on. I don't think the record is clear.

Mr. Dandreano made a **motion** to approve the bond resolution for the Sluice Gate as read.

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

#### SHAWN ROGAN

#### OFFICE OF SENIOR RESOURCES – CONTRACT RENEWAL

Mr. Rogan made a **motion** to approve the contract for the annual renewal of the Putnam County Office for Senior Resources. This annual amount was negotiated to \$2,500.00 and this is for continuing support for our senior population in Patterson for Outreach Services for a sum not to exceed \$2,500.00 between the Town of Patterson and the Putnam County Office for Senior Resources.

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

#### BILRITE CONSTRUCTION REQUEST – WAIVER OF FEES

Mr. Rogan stated we spoke about this at the last meeting. Our Code Enforcement Officer spoke about a gentlemen, who before buying a property on Route 164 did his due diligence and we didn't uncover the necessary variances. At our last meeting we approved a waiver of certain fees, not all fees. What we didn't realize was that there was a doubling of fees associated with the violation.

Mr. Rogan made a **motion** that we acknowledged the doubling of fees was not taken into account for Bilrite Construction for \$550.00. We originally waived \$225.00.

Mr. Griffin stated discussion. What is he actually paying.

Mr. Rogan stated he is paying for two variances related to an expansion of a deck. The other variances that were issued, it was felt, were not uncovered and potentially could have been.

Mr. Williams stated he is paying for a side yard variance for a deck he wants to put on at \$175.00. He is paying for the additional variance for the rear yard for the deck, which is \$50.00 and he is paying the postage.

Mr. Griffin stated all the other issues couldn't be considered pre-existing nonconforming that is why he needs the variance. Since we didn't flag those at the time of the purchase, we all feel that it is fair that we not penalize the guy.

All In Favor: Aye. Carried.

#### REFUSE VEHICLE – EMERGENCY REPAIR

Mr. Rogan stated we have a voucher for an emergency repair that is required for one of our refuse vehicle, No. 108. It needed some engine work and turbo charge.

Mr. Rogan made a **motion** to approve the repair of the refuse vehicle, No. 108 in an amount not to exceed \$2,804.25.

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

Mr. Rogan made a **motion** to add two items to his agenda.

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

Mr. Rogan stated we have a memo from the Zoning Board for Dew Construction Case No. 18-15 for a fee refund, basically stating that the wrong number of variances were determined, so one less variance was needed.

Mr. Rogan made a **motion** to refund Dew Construction \$50.00 for the fee of the additional variance.

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

Mr. Rogan stated we had an email request from our Chair of the Veteran Advisory Park Board. They are installing new sand to the beaches at the Veterans Park. They did a walk through with the contractor. With the water levels being lower, they determined that they needed additional sand to do the project safely and properly.

Mr. Rogan made a **motion** to approve an additional amount not to exceed \$2,000.00 to effectuate the work needed on those beaches.

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

#### OTHER BUSINESS

Mr. Burns stated my father passed away on July 13, 2015 and the Town Board and Town Hall employees contributed to a Sauro's gift certificate for our family. I know many of you here in the audience and the Town Board attended his memorial service and that meant a lot to our family and myself. Thank you for that.

#### PUBLIC RECOGNITION

Mr. Joseph Capasso stated in reference to the Assembly Permit, I have owned this property for approximately 17.5 years and I have had numerous events on this property with more than 500 people. I never knew anything about this permit. I would like to clear the air. When I was told about it, it was two months prior to the event. Cheryl mentioned to me that I should hurry up

and get this in because I am running out of time. Number two, I had conversations with Bob McCarthy; the Town Attorney; the Health Department and the Code Enforcer, Dave Raines that we weren't going to have over 500 people. They still dragged me into court to try and shut this down. I think that was unfair. As a taxpayer in Patterson that pays a big tax bill, I pay over \$18,000.00 a year. I want to promote tourism or do something for the Town, I think I should have some consideration. Mike, I think you should have called me personally and told me to come in so we could talk about this, rather than go through Bob and Attorney's, etc.

Mr. Griffin stated did we not have a conversation in the doorway when you were talking about the Polo match.

Mr. Capasso stated it was not 500 people.

Mr. Griffin stated the problem here is Joe, when Bob had a conversation and we did a conference call, Bob, Dave Raines and myself with the people who were organizing it, Laura Drummond said figure about 2,000 people for the weekend. The people who were doing the organizing and advertising said, "we had 5,000 people at last year's event". So, based on that, we felt that the appropriate step was to get the permit. Now, you knew back in March that you were hosting the event. I don't think it would have been that hard to fill out the permit Joe.

Mr. Capasso stated did you read the permit Mike.

Mr. Griffin stated yes, I have seen the permit and it doesn't seem to me to be overly complicated.

Mr. Capasso stated it is.

Mr. Griffin stated we would have been more than happy to walk you through the process.

Mr. Capasso stated I told Bob, Dave, the Health Department and the Attorney that it wasn't going to be 5,000 people. I had someone at the gate counting heads. We had 388 and 390 (inaudible).

Mr. Griffin stated it is unfortunate for everyone Joe, but we were told by the event sponsor.....

Mr. Capasso stated you had no clue. It was 160 (inaudible).

Mr. Griffin stated I'm sorry for her it was a total bomb, but next year if you are going to host the event, we will take your word for it. When we are being told by the event's sponsor 2,000 to 5,000, we have to react accordingly. When we spoke to them on the phone, the question was asked; "what are you doing for emergency medical services", "if something happens we will call 911". Joe, we have one ambulance crew on call in this Town on the weekend. Two EMT and one ambulance, that's it. We have 31 square miles and 14,000 residents to take care of. If we had an additional 2,000 people in the Town that day and an event there that would have taken our emergency services away from the Town and the residents. We had to work off of what we were told by Laura Drummond. I'm sorry the event didn't work out.

Mr. Capasso stated the event worked out. It went well. Next year it will be bigger and better for our Town, as far as I'm concerned.

Mr. Griffin stated if next year is going to be bigger and better and you are going to have any more events.....

Mr. Capasso stated you better get your revised permit in order.

Mr. Griffin stated we fully intend to.

Mr. Capasso stated because there will be problems next year.

Mr. Griffin stated I don't know why it should be that big a problem, it's not that complicated a permit. Others have done it.

Mr. Capasso stated who has. Who has this permit.

Mr. Griffin stated we've done permits with Thunder Ridge in the past.

Mr. Capasso stated Thunder Ridge (inaudible) because they have events every day.

Mr. Griffin stated we work with the Fire Departments on their events. We don't ask them for a permit, we just ask them to review what their plans are and they are always more than willing to share. Joe, if you want to get involved in helping with revising the permit, I will be more than happy to work on it with you.

Mr. Capasso stated I already have my Attorney working on it.

Mr. Griffin stated okay good.

Mr. Capasso stated because I don't want this to ever happen again.

Mr. Griffin stated neither do I. It's very expensive for the taxpayer's.

Mr. Capasso stated and myself. I had to pay a lawyer, too.

Mr. Griffin stated you knew in March, Joe.

Mr. Burns stated do you know how many people were at the event last year. I know it wasn't at your farm.

Mr. Capasso stated it wasn't at my farm.

Mr. Griffin stated this is where the numbers came from.

Mr. Capasso stated 700.

Mr. Burns stated 700 for the weekend.

Mr. Capasso stated yes. And we had about the same. I think you put the cart in front of the horse.

Mr. Griffin stated I can only go with what we were told by the sponsor's and all their folks.

Mr. Edmond O'Connor stated two things came to mind, there is a building near Patterson Village and I remember when I was on the Zoning Board, the owner came to me and he was talking about a bed and breakfast. I went through the building with him, there was a lot of unused rooms and he was talking very serious about it then. I wondered what had happened to that. I was very surprised to find an abandoned restaurant and bar and he seemed very sincere and I was wondering did that all go away.

Mr. Griffin stated he never pursued it with us.

Mr. O'Connor stated that is very close to the other one. Maybe the whole area could wind up being like that. The second thing is, when I was young I used to work for the New York City Department of Parks and Recreation and we had all sorts of facilities. If you lived in New York City, you belonged to all of them. We have Putnam Lake, Veterans Park, we have behind the Recreation Center, we have the Recreation Center itself and we have a small park in Putnam Lake. Has anyone ever given any thought to having a Patterson Parks and Recreation Department, so that you belong to everything. I can't go to the park on Maple Avenue. You are putting the sand on it, but the sand is not for me. Where you are cleaning the water, it's for me but it's for no one on the Board. Maybe it's time to think of ourselves as one big happy family and have all of these various facilities come under a Parks and Recreation Department. It's something to think about.

Mr. Griffin stated are you suggesting that you tear down that wall along Route 22.

Mr. O'Connor stated the people in Putnam Lake think they're separate from the rest of Patterson.

Ms. Eleanor Smith, President Patterson Fire Department stated I have two things from the Chief. He did submit his quarterly report, he emailed it to you this morning at 9:00 a.m. Did you get that.

Ms. Antoinette Kopeck stated yes, we do have it.

Ms. Smith stated he also submitted a letter about the sprinkler demonstration that's happening. You have an email on that too. One September 1, 2015 the National Sprinkler Association is going to have a BBQ at the Fire House and they will be doing a demonstration and he invited the Town Board, Fire Marshall, Building Inspector and Town Planner. Please attend. I also received an email today from Mike Liguori regarding our contract that I have been diligently working on. I submitted last week all of the information that he requested on this email that I have from May 29<sup>th</sup>. I printed out a 150 page packet for him on every single member, all they responded to, their points and I also submitted a list of officer's, because they do get an extra 25 points. I wanted to make sure that was noted. I submitted to him a packet of all the Fire Department members with their addresses and he can't find it, he said that he lost it. I have to submit another copy to him. The filing of the clerk, the inventory of the properties, statement of liabilities, corporation (inaudible) directly or indirectly any physical event set forth in this certificate of incorporation. This is all stamped and handed in to Patricia Brooks. This evening I received another email from Mike Liguori stating other things that were missing. Engagement letter for our audit, I was told that we had an engagement letter that we started our audit that would be sufficient to proceed in getting the rest of our contracted budgeted money. When I went to your office and asked for the rest of the money, we only received half of our money from our budget. We have bills to pay. You told me that the Town Board would have to approve the next half of the money that we need. I can't understand that, because it's already been approved. On Friday, Trish called me up and said I have a quarter of your check. I'm very confused on how things are working and are run. First, I needed the Towns approval and I was upset with that, so I said to you it's already been approved. Then I received a phone call the next day from Trisha with the quarter payment. It's a lot of work and a lot of frustration. I went to the Clerk's office and I had 4 or 5 pages that were stamped from the County Clerk's office, he asked me for that again, you have it. I'm being asked to do things over and over that have already been submitted to the Town. We all need to work together. Stated in the email I received today, "we'll get the Town Board to schedule a Public Hearing on the contract as soon as possible." Isn't the contract already approved. Why is that in this memo that I received tonight.

Mr. Charlie Smyth stated they can't tell you.

Ms. Smith stated I'm very confused.

Mr. Smyth stated the Public Hearing was last October and November.

Ms. Smith stated I have submitted every ounce of paperwork needed to fulfill our contract. I would like the rest of our money. We need to work on this and make sure everyone is on the same page.

Mr. Cook stated have you signed off on the 2015....

Ms. Smith stated yes.

Mr. Cook stated who has that.

Ms. Smith stated Mike Liguori.

Mr. Cook stated ok.

Ms. Smith stated I signed 3 or 4 copies.

Mr. Smyth stated so what happens with our money.

Mr. Griffin stated what happens with our audit.

Mr. Smyth stated it's in the process. Don't you read the emails that you get.

Mr. Griffin stated yes, I read it. The audit was supposed to be submitted for last year.

Ms. Smith stated Mike, we spoke about this, because it's our first audit, it is time consuming. It's a lot of paperwork. Our Volunteer Treasurer who has a business of his own, who has to meet with our Accountant who has been going back and forth meeting at the Fire House, going to her office and getting files together. It can't be done overnight. You said as long as you start it and you have an engagement letter, its ok with us. It is being done, it's in our budget, it will be done.

Mr. Burns stated if I'm not mistaken, it has been a requirement for years and one was never done. When you say it is the first audit, it is the first time we are complying. We are trying to do our due diligence because the Fire House has been coming back to us and we have been asking for cuts and we are saying we can't give you cuts we need more money to run the department. We understand you need to do that, but we also need to feel that we are doing our due diligence as public officer's and making sure that the Fire Department, not having been audited for the last six years.

Ms. Smith stated 2014 contract was the first time it was ever asked for.

Mr. Burns stated asked for, but it was required in the contract. It was in the contract language that an audit was supposed to be conducted. This is the first time we have held your feet to the fire and required an audit to be conducted. This maybe the first time it's been done, it's been required for the last seven years, and you never did it.

Mr. Smyth stated I was past President of the Patterson Fire Department. I was President for six years and Vice President for five years. I had to submit a budget, a non-collusion bid, nothing about what we had in the inventory. We started giving you an itemized budget, which we didn't have to. We pay our taxes on the first of the year, so we get our budget at our Installation Dinner, which Mike says it's the biggest thing and the happiest thing he's given because of the protection we are giving him. How come we have half this, quarter this, the budget was paid in January, if I didn't pay my taxes in January, I would have to pay interest on that money. How come you don't give it to us in the beginning. Are you getting the interest, are you stealing from Peter to pay Paul. We have to pay our bills too.

Ms. Smith stated Jacob Block who was one of the founding fathers of the fire department, his great grandson is Roger Fishman. He lives in California and I have been in contact with him. I sent him copies of our ledger that his great grandfather signed. He is coming to New York on October 18 and I wanted to invite the Town Board on that day at 9:00 a.m. for his dedication.

#### ADJOURNMENT

There being no further business, Mr. Cook made a **motion** to adjourn the Town Board meeting at 8:45 p.m.

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

Respectfully Submitted,

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Antoinette Kopeck, Town Clerk