

PATTERSON TOWN BOARD MEETING  
PATTERSON TOWN HALL  
1142 ROUTE 311  
PATTERSON, NEW YORK 12563  
August 17, 2016

MINUTES

PRESENT: RICHARD WILLIAMS, SR., 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 Williams called the Patterson Town Board meeting to order at 7:00 p.m. with 14 in attendance.

REPORTS

Mr. Cook made a **motion** to approve the reports as read:

Code Compliance – June, July  
Code Enforcement - June, July  
Dog Control Officer – June, July  
E.C.I. - None  
Patterson Recreation - None  
Patterson Fire Dept. – 2<sup>nd</sup> Quarter of 2016  
Putnam Lake Fire Dept. – 2<sup>nd</sup> Quarter of 2016

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

SUPERVISOR REPORTS

Mr. Cook made a **motion** to approve the Supervisor's Report for the month of May, June and July.

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

MINUTES

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

Presentation – The Mile-a-Minute Project of the Hudson Valley -  
July 13, 2016  
Public Hearing – Putnam Wine & Food Festival - July 13, 2016  
Public Hearing – Dog Control – July 13, 2016  
Town Board Meeting Minutes – July 13, 2016  
Town Board Meeting Minutes – July 27, 2016

Seconded by Mr. Burns. 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 \$52,457.28, Highway Fund \$144,208.25, Waste Water Treatment Plant \$13,034.98, Patterson Light District \$22.54, Putnam Lake Refuse District #1 \$16,859.92, Patterson Refuse District #2 \$31,988.42, Deerwood Drainage District \$18.44, Quail Ridge Road Improvement District \$13,025.00, Patterson Park District \$30,376.74, Putnam Lake Park District \$14,823.19, Alpine Water District \$2,458.99, Dorset Hollow Water District \$1,225.58,

Fox Run Water District \$15,857.46, Trust & Agency \$1,751.50, Grand Total Abstract \$338,108.29.

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

SHAWN ROGAN

GAGA PIT

Mr. Rogan made a **motion** to approve the placement of the GaGa Pit at the Maple Avenue Veterans Park with the appropriate signage in place.

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

REFUND OF PERMIT FEE REQUEST

Mr. Rogan made a **motion** to not grant a reimbursement of building fees of \$225.00 to Risha Marrero, because of the amount of work that was already put in by the Building Inspector.

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

ANNOUNCEMENTS

Mr. Rogan announced all the events happening in and around Patterson.

RICHARD WILLIAMS

WWTP COMPRESSOR MAINTENANCE

Mr. Williams made a **motion** to approve repairs at the Waste Water Treatment Plant by Iacono Inc., in an amount not to exceed \$1,720.00.

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

THIRD GARDEN PARK TAX CERTIORARI

Mr. Williams introduced the following **Resolution Acceptance of Proposal of McGrath & Company, Inc. for Professional Appraisal Services:**

**R-0816-01**

WHEREAS, in connection with its defense of a certain tax certiorari proceeding entitled *In the Matter of Third Garden Park LP v. Town of Patterson et al.*, currently pending in the Supreme Court, State of New York, County of Putnam as Index Nos. 1485/2013, 1362/2014, 1426/2015, and 1016/2016 the Town of Patterson deems it necessary to obtain professional appraisal services to determine the fair market value of the property which is the subject of said proceeding; and

WHEREAS, consistent with the Town's Procurement Policy, the Town received three written quotes for the appraisal service, full and complete copies of which are annexed hereto and hereby made apart hereof; and

WHEREAS, McGrath & Company, Inc. (the "Corporation") submitted the lowest Proposal dated March 10, 2016, as amended to include the 2016 docket, for appraisal services (the "proposal"); and

WHEREAS, the Assessor of the Town of Patterson has recommended that the Town retain the services of the Corporation on the terms set forth in the Proposal for a sum not to exceed Six Thousand Two Hundred Fifty (\$6,250) Dollars for the appraisal services and, if trial preparation becomes necessary, an hourly fee of One Hundred Fifty (\$150) Dollars for trial preparation and appearances.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Patterson hereby accepts the terms set forth in the Proposal of McGrath & Company, Inc. 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 in such form as is satisfactory to the Town Supervisor and the Town Attorney, and to take whatever other actions may be necessary to give effect to this resolution.

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

NYS DEFERRED COMPENSATION PLAN

Mr. Williams introduced the following **Resolution for Adoption of the State of New York Deferred Compensation Plan:**

**R-0816-02**

WHEREAS, the Town of Patterson wishes to provide for voluntary participation by eligible Town employees in the Deferred Compensation Plan for Employees of the State of New York and Other Participating Public Jurisdictions (the "Plan"); and

WHEREAS, pursuant to Section 5 of the State Finance Law, the Town of Patterson is eligible to adopt the Plan as a "public employer"; and

WHEREAS, the Town has reviewed the Plan established in accordance with Section 457 of the Internal Revenue Code and Section 5 of the State Finance Law of the State of New York; and

WHEREAS, the purpose of the Plan is to encourage employees to pursue and continue careers with the Town by affording eligible employees with a convenient savings plan on a regular and long-term basis with attendant income tax benefits and thereby improve their financial condition in their retirement;

NOW, THEREFORE, BE IT RESOLVED, that the Town hereby approves and adopts the Plan for the voluntary participation of all eligible employees; 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 in such form as is satisfactory to the Town Supervisor and the Town Attorney, and take whatever other actions may be necessary to give effect to this resolution; and

BE IT FURTHER RESOLVED, that the Town Clerk is hereby authorized and directed to deliver a certified copy of this resolution to the Administrative Services Agency which is hereby authorized to file copies of the certified resolution and other required documents with the President of the State of New York Civil Service Commission.

I hereby certify that the Town of Patterson is a local "public employer" within the meaning of Section 5 of the State Finance Law and that the adoption of the Plan has received all required approvals of any local governing body or officer and otherwise complies with Local Law.

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

PUTNAM COUNTY WINE & FOOD FESTIVAL

Mr. Williams stated the festival was held down the road at Mr. Capasso's farm. It was a good event, I did attend. There was some very good food there and better wine. We had a good time. There were some problems. They had some issues with parking, which was a big concern to the Board. At the time I was leaving the event, they were not parking the cars properly. Mr. Raines, Fire Inspector was there and he inspected the set-up and also found some problems. I encouraged the property owner to go forward with the event next year, because I think it is a good event. There are areas we need to work on. He is aware of it and fully on board to do that.

EXECUTIVE SESSION - LEGAL

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

KEVIN BURNS

PLPD REQUEST - MOTOR

Mr. Williams stated we will discuss this further at the next meeting.

Mr. Burns stated I will table this until the next meeting, subject to Pat Ploeger's meeting with the Putnam Lake Advisory Board.

CONFERENCE REQUEST(S)

Mr. Burns made a **motion** to approve a revised conference request in an amount not to exceed \$1,202.00.

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

Mr. Burns made a **motion** to approve two conference requests for the court clerk's, subject to discussion.

Seconded by Mr. Cook.

Mr. Williams stated discussion. I have an issue with this. There are two parts to this. One is, and it goes back to our employee handbook, that requires anyone taking non-mandatory training to pay 25% of the cost. I don't agree with that. I think having a well-trained work force here, only benefits us and benefits the residents. It was implemented, because we don't want to pay for training, who then uses that training to go work somewhere else for more money. What I would like the Board to consider, is changing that from mandatory training to some other incentive to make sure that we get the benefit of everyone's training. For instance; anyone who goes through training should sign a contract that they will be with the Town for at least another year.

Mr. Rossi stated you have flexibility dealing with the handbook. Maybe there is some recapture of amounts expended, if someone leaves.

Mr. Burns stated it is submitted as mandatory training.

Mr. Williams stated I understand that.

Mr. Burns stated you are saying it is not mandatory, but we should waive it and pay for the entire amount.

Mr. Williams stated for me mandatory is; we have a Code Enforcement Official and as part of his job, he is required to be trained by New York State. If he doesn't have those minimum requirements, he can't hold that job. That is mandatory training. If these girls don't go to this training, they are not going to lose their job. The Judge feels it is mandatory. They don't accrue any points, so I don't believe it is mandatory. That being said, I don't agree with that whole policy. They also will have to close the court for three days.

Mr. Burns revised the **motion** to approve the attendance of one court clerk, Tammy Smith, to attend the Court Clerk's fall conference to be held September 25, 2016 through September 28, 2016 in an amount not to exceed \$902.84.

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

Mr. Rogan stated the office coverage is one of your issues, so why don't we clearly articulate that providing office coverage, whether it is a part-timer that could come in and cover or if they have to flip-flop and one goes. A significant part of the cost of this training is the lodging. Many times people chose to share a room to cut down on the cost. Most of the expense is for the traveling and lodging. There isn't even an expense for the conference.

Mr. Williams stated we should be getting better rates for the rooms for these conferences. The Assessor's is staying at the Fort William Henry Hotel for \$245.00 per night for his conference.

That is too much. That's why we don't go to The Association of Town's. Hotels are too expensive. We can discuss this at the next meeting.

BUDGET TRANSFER(S)

Mr. Burns made a **motion** to approve Budget Transfer No. 30 through 36.

Budget Transfer No. 30

From:	A.1623.400 Expense Accounts	Recreation Center Contractual	\$(2,645.00)
To:	A.1623.200 Expense Accounts	Recreation Center Equipment & Capital Outlay	\$ 2,645.00

Budget Transfer No. 31

From:	A.9710.600 \$(20,000.00)	Serial Bonds Principal	
	A.9710.700 Expense Accounts	Serial Bonds Interest	\$ ( 1,287.00)
To:	A.9730.600 A.9730.700 Expense Accounts	Bond Anticipation Note Principal Bond Anticipation Note Interest	\$ 20,000.00 \$ 1,287.00

Budget Transfer No. 32

From:	DA.9710.600 \$(45,000.00)	Serial Bonds Principal	
	DA.9710.700 Expense Accounts	Serial Bonds Interest	\$ (2,831.00)
To:	DA.9730.600 DA.9730.700 Expense Accounts	Bond Anticipation Note Principal Bond Anticipation Note Interest	\$ 45,000.00 \$ 2,831.00

Budget Transfer No. 33

From:	GWTP.8130.401 GWTP.8130.407 Expense Accounts	Sewage Treat Disp – Operations Sewage Treat Disp – Sludge Removal	\$ (5,000.00) \$ (5,000.00)
To:	GWTP.8130.403 Expense Accounts	Sewage Treat Disp – Buildings & Grounds	\$ 10,000.00

Budget Transfer No. 34

Increase:	SPL.2705 Revenue Account	Gifts & Donations-Neighborhood Watch	\$ 260.00
Increase:	SPL.7110.404 Expense Account	Parks Cont.-Neighborhood Watch Program	\$ 260.00

Budget Transfer No. 35

Increase:	A.2116.300 Revenue Account	Engineer Plan Review Fees	\$ 5,000.00
Increase:	A.1441.400 Expense Account	Engineer Review Contractual	\$ 5,000.00

Budget Transfer No. 36

From:	A.1355.100	Assessors Personal Services	\$(900.00)
	A.1355.400	Assessors Contractual	\$(350.00)
	Expense Accounts		
To:	A.1355.450	Assessors Training	\$1,250.00
	Expense Accounts		

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

PETER DANDREANO

PLPD BASKETBALL COURT

Mr. Dandreano made a **motion** to authorize the Town Clerk to advertise the bids for the Putnam Lake Park District Basketball Court.

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

RECREATION REQUEST(S)

Mr. Dandreano made a **motion** to approve the request from Matt Chibbaro to promote Jessica Matessino from Junior Staff to Senior Staff, with a pay raise to \$10.00 per hour.

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

Mr. Dandreano made a **motion** to approve the request from Matt Chibbaro to waive the room rental fee for the new Patterson Rotary Interact Club.

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

LIBRARY RESOLUTION

Mr. Dandreano introduced the following **Resolution for Proposal to Increase Town Budgetary Allowance for the Patterson Library:**

**R-0816-03**

WHEREAS, the Patterson Library Board of Trustees was presented with a petition signed by qualified voters of the Town of Patterson in a number exceeding ten percent (10%) of the total number of votes cast for Governor in the Town of Patterson at the last gubernatorial election requesting that the following proposition be placed on the ballot and voted on at the next general election of the Town of Patterson:

PATTERSON LIBRARY'S BUDGET WAS LAST INCREASED BY PUBLIC VOTE IN 2013. THE PROPOSED BUDGET INCREASE FOR 2017 WILL ADD MORE EVENING HOURS, MAINTAIN CURRENT LEVELS OF SERVICES, MEET RISING COSTS AND COMPLY WITH NYS MANDATED WAGE INCREASES. THE REQUEST FOR ADDITIONAL FUNDING IS AS FOLLOWS:

SHALL THE ANNUAL CONTRIBUTION OF THE TOWN OF PATTERSON FOR THE PATTERSON LIBRARY BE INCREASED BY \$135,931 (ONE HUNDRED THIRTY-FIVE THOUSAND NINE HUNDRED THIRTY-ONE DOLLARS) TO THE SUM OF \$873,583 (EIGHT HUNDRED SEVENTY-THREE THOUSAND FIVE HUNDRED EIGHTY-THREE DOLLARS) ANNUALLY?

WHEREAS, the Patterson Library Board of Trustees has requested that said proposition for an increase of the annual contribution from the Town of Patterson for the Patterson Library be placed on the ballot and voted on at the next General Election of the Town of Patterson, as set forth in the annexed resolution of said Board of Trustees dated June 21, 2016; and

WHEREAS, the proposition proposes that the current annual contribution from the Town of Patterson be increased by \$135,931 to \$873,583; and

WHEREAS, the Town Board of the Town of Patterson wishes to have the proposition placed on the ballot and voted on at the next General Election of the Town of Patterson;

NOW, THEREFORE BE IT RESOLVED that the Town Board of the Town of Patterson hereby authorizes that the following proposition be placed on the ballot and voted on at the next General Election of the Town of Patterson:

PATTERSON LIBRARY'S BUDGET WAS LAST INCREASED BY PUBLIC VOTE IN 2013. THE PROPOSED BUDGET INCREASE FOR 2017 WILL ADD MORE EVENING HOURS, MAINTAIN CURRENT LEVELS OF SERVICES, MEET RISING COSTS AND COMPLY WITH NYS MANDATED WAGE INCREASES. THE REQUEST FOR ADDITIONAL FUNDING IS AS FOLLOWS:

SHALL THE ANNUAL CONTRIBUTION OF THE TOWN OF PATTERSON FOR THE PATTERSON LIBRARY BE INCREASED BY \$135,931 (ONE HUNDRED THIRTY-FIVE THOUSAND NINE HUNDRED;

THIRTY-ONE DOLLARS) TO THE SUM OF \$873,583 (EIGHT HUNDRED SEVENTY-THREE THOUSAND FIVE HUNDRED EIGHTY-THREE DOLLARS) ANNUALLY; and

BE IT FURTHER RESOLVED, that the Town Clerk is hereby directed to file the proposition with the Putnam County Board of Elections.

Seconded by Mr. Rogan. Discussion.

Mr. Rogan stated they collected signatures....

Mr. Williams stated yes, the process is that the Library Board or representatives of the library went out, collected signatures from the community and they present that to the Town Clerk. We are required to put it on the ballot, which is what this resolution is for.

Mr. Burns stated what is the impact of that on our tax cap.

Mr. Williams stated they are under their own separate tax cap. They are increasing their budget in excess of what the allowable tax cap is. Their Library Board has to override the tax cap. It doesn't affect us.

All In Favor: Aye. Carried.

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

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

Mr. Dandreano gave an update on the railroad bridge on Route 311.

Mr. Dandreano gave an update on the National Night Out that was held on August 2, 2016.

#### CHARLES COOK

#### GUIDING EYES-RELEASE OF ESCROW

Mr. Cook made a **motion** that the Town Board approve to release the escrow funds to Guiding Eyes in an amount of \$13,171.25.

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

#### VETERANS MEMORIAL PD REQUEST(S)

Mr. Cook made a **motion** to approve the request of the Veterans Memorial Park to hire Danielle Maiorano as a lifeguard at \$10.20 per hour and headguard (when needed) at \$15.00 per hour.

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

BEAR MOUNTAIN NEWFOUNDLAND CLUB - DONATION

Mr. Cook stated a few weeks ago, the Bear Mountain Newfoundland Club asked if they could use Putnam Lake to train Newfoundland dogs for water rescue. They were very pleased with the training and donated a check in the amount of \$200.00. I take it that the check is already cashed. That's great, but we didn't do this looking for a donation.

Mr. Cook made a **motion** to accept the \$200.00 donation from the Bear Mountain Newfoundland Club and also we should mention to them that in future years, we are not looking for a donation, we are happy to do it.

Ms. Ploeger stated they asked if there was a fee attached and we said per our Board discussion, that we would waive the fee and they did this instead.

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

OTHER BUSINESS

Mr. Williams stated Acme Grocery is looking to donate a bench to the Town of Patterson. This is one of the things they do in the community that they come into. I would suggest to put it down at the Recreation Center. Charlie and I will talk about this and decide.

Mr. Williams stated that you have been invited to a ribbon cutting ceremony on Friday, August 26, 2016 at 10:00 a.m. for the grand opening of the new Acme Grocery store.

PUBLIC RECOGNITION

Mr. George Disbrow stated on behalf of myself and I'm sure many other residents, I would like to welcome back Councilman Dandreaano. God bless and God speed.

Ms. Debbie Arnellio stated I would like to ask the Board how we can address the issue of the abandoned gas station on Fairfield Drive. I have lived here for 11 years and it is the first thing that you see when you pull into the Town. It is in terrible disrepair. It is an eyesore.

Mr. Williams stated we are aware of the condition of that building and recognize that it is the entrance into Putnam Lake. The Town and our Code Enforcement Officer has harassed the property owner to maintain the building to no avail. He is a difficult person to deal with. We will continue to deal with this.

Ms. Arnellio stated are there any laws to maintain this.

Mr. Williams stated yes there are and we are constantly on this.

Ms. Arnellio stated as you stated, this has been going on for years, so how long are we going to have to live like this.

Mr. Williams stated we can bring it back to court again. It wouldn't be the first time.

Ms. Arnellio stated couldn't we make a plea to the owner.

Mr. Williams stated I will reach out to the owner and see if he will allow the community to go in there to do something. Would the Park Advisory Board be interested in sprucing up the property.

Ms. Ploeger stated a lot of us feel the same way. We could see if there are kids or artists who would take care of the building.

Mr. Williams stated I will reach out to him. Don, are there any liabilities.

Mr. Donald Rossi, Town Attorney stated mainly from the property owner's standpoint.

Mr. Cook stated I think we should go to court again.

Mr. Edmond O'Connor stated if there was some sort of fine, the owner would do something.

EXECUTIVE SESSION - PERSONNEL

Mr. Cook made a **motion** to go into Executive Session at 8:15 p.m.

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

Mr. Burns made a **motion** to close Executive Session at 8:15 p.m.

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

Mr. Williams called the meeting back to order at 8:55 p.m.

ADJOURNMENT

There being no further business, Mr. Rogan made a **motion** to adjourn the Town Board meeting at 8:55 p.m.

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

Respectfully Submitted,

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Antoinette Kopeck, Town Clerk