

PATTERSON TOWN BOARD MEETING
PATTERSON TOWN HALL
1142 ROUTE 311
PATTERSON, NEW YORK 12563
September 23, 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 11 in attendance.

AUDIT OF BILLS

Mr. Cook made a **motion** that the Town Board accept Abstract No. 17 as written:

General Fund \$40,546.77, Highway Fund \$448,880.33, Waste Water Treatment Plant \$2,656.80, Capital Fund \$378.60, Putnam Lake Light District \$1,107.73, Patterson Light District \$1,176.09, Putnam Lake Refuse District #1 \$20,454.55, Patterson Refuse District #2 \$21,038.44, Patterson Park District \$24.47, Putnam Lake Park District \$843.57, Alpine Water District \$10,514.91, Dorset Hollow Water District \$150.00, Fox Run Water District \$24.47, Trust & Agency \$3,983.15, Grand Total Abstract \$551,779.88.

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

PETER DANDREANO

PUTNAM COUNTY TRAFFIC SAFETY BOARD

Mr. Dandreano stated last Thursday, I attend the Putnam County Traffic Safety Board meeting, representing the Town of Patterson. We addressed a letter that was sent from the Town Supervisor and Legislature Nacerino about an issue from Mr. Herbstat regarding the speeding on Route 164. The State DOT and the Putnam County Highway Department will be looking into reducing the speed.

Mr. Dandreano stated the old stone is deteriorating and crumbling on the retaining wall before and after the bridge on Route 311 by the railroad crossing. The property belongs to the MTA. We have reached out to them, but we are getting nowhere. Someone on the Putnam County Safety Board suggested we contact Congressman Sean Patrick Maloney's office, which I did on Friday. I'm waiting to hear back. Congressman Maloney sits on the Congressional Infrastructure Railroad Committee.

Mr. Dandreano stated we are also starting a Teen Traffic Safety Board. If anyone has a teen that would like to get involved with this, it will be comprised of High School students from Putnam County. It will give teens a chance to address teen traffic safety issues. They can contact me at petedandreano@pattersonny.org.

Mr. Dandreano stated "Keeping Senior's Mobile Program" around the County is a program that addresses problems seniors have with driving and to help them stay on the roads. Hopefully, we will be setting up a presentation in Patterson in November or December.

ACCEPT LETTER OF RESIGNATION

Mr. Dandreano made a **motion** to approve the resignation of Thomas Douglas to step down from the Putnam Lake Advisory Board.

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

Mr. Dandreano stated now there is a slot open. They would like to fill this as soon as possible. They will be accepting resume's until October 15. I would also like to thank Tom for his time and service volunteering on the board.

PUTNAM LAKE CARP GATE - UPDATE

Mr. Dandreano stated Rich can you give us an update.

Mr. Williams stated I attended the Work Session on the budget last Monday. At that time, I asked the Board about a change order on the sluice gate. They had to modify the gasket that the gate sits against. Separate from the bid, I was looking to have a new cover manufactured and they gave me a price. The Board reviewed it and I have since received the new design. It meets all the criteria. At the Work Session, the Board approved the change order for \$1,423.60. The second issue, is to let everyone know that the contractor is doing a wonderful job.

CHARLES COOK

RECREATION REQUEST(S)

Mr. Cook stated Matt Chibbaro, Recreation Direction requested to purchase a new server at the Recreation Center in an amount not to exceed \$3,200.00. Kevin will cover this in the Budget Transfers.

LIBRARY REQUEST – WAIVER OF FEES

Mr. Cook made a **motion** to waive the permit fees regarding the installation of the generator and the building permit fees in an amount not to exceed \$355.00 from the library and Cartwright sewer pump station.

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

FOX RUN WATER DISTRICT – PUMP REPLACEMENT

Mr. Cook made a **motion** to approve the expenditures of repairing the well at Fox Run in an amount of \$8,570.00.

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

SHAWN ROGAN

SANITATION BID RESULTS - DISCUSSION

Mr. Rogan stated this is a little premature, because the Sanitation subcommittee will be meeting tomorrow night, so we will have further discussion then. The bid opening was September 15, 2015 and we had three qualified bidders and we need to vet those out.

DONATION OF 42 HAZEL DRIVE – TITLE SEARCH

Mr. Rogan introduced the following Resolution

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

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

40 SANBORN ROAD – FOLLOW-UP

Mr. Rogan introduced the following **Resolution Authorizing Acceptance of Donation of Real Property with Deed Restrictions:**

WHEREAS, the Town Board of the Town of Patterson on motion adopted July 8, 2015, approved the acceptance of a donation from Mario Bisceglia of a certain parcel of vacant land known as 184 Lake Shore Drive, Patterson, New York, and shown on the Town of Patterson Tax Map as No. 25.49-1-18 (the "Property"); and

WHEREAS, by resolution dated September 9, 2015, the Town accepted a condition that the donated property be used for a "public purpose"; and

WHEREAS, in furtherance of the donation of the property a quote of \$888 from Thoroughbred Title Services, LLC for a title report and title insurance in the amount of \$10,000; and

WHEREAS, the Town desires to pay the sum of \$888 to Thoroughbred Title Service, LLC for the title report and title insurance premium;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board hereby approves the payment of the sum of \$888 to Thoroughbred Title Service, LLC; and

BE IT FURTHER RESOLVED, that the Town Board of the Town of Patterson hereby authorizes and directs the Town Supervisor to execute any and all documents, in a form satisfactory to the Town Attorney, and to take any and all other necessary or appropriate actions to give effect to this resolution.

BE IT FURTHER RESOLVED, that the Town Board of the Town of Patterson hereby approves and ratifies all acts heretofore taken by the Town Board, Town Supervisor, Town Attorney and any other Town Officials in connection with the subject agreement.

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

40 SANBORN ROAD – FOLLOW-UP

Mr. Rogan stated this is a single family resident that has some significant structural and maintenance problems that our Building Inspector has been working on.

Mr. McCarthy stated as of right now I'm in communication with them. I had a vehicle removed. I would like to ask if we could discuss this in Executive Session.

MICHAEL GRIFFIN

PUTNAM LAKE GRANT - SEQRA

Mr. Griffin introduced the following **Resolution for a Determination of Significance Under the State Environmental Quality Review Act for Construction of a Carp Gate at the Putnam Lake Dam:**

R-0915-11

WHEREAS, the Town of Patterson proposes the construction of a carp gate at the Putnam Lake Dam located along Fairfield Drive and stocking of the Lake with up to 400 triploid grass carp, and

WHEREAS, in accordance with Article 8 of the Environmental Conservation Law (the State Environmental Quality Review Act) and 6 NYCRR Part 617 of the implementing regulations the action under consideration constitutes an UNLISTED ACTION, and

WHEREAS, by resolution dated October 8, 2014 the Town Board of the Town of Patterson declared its intent to assume lead agency status for the purpose of conducting the environmental review of the Project and thereafter circulated notice of said declaration to all involved and interested agencies on October 22, 2014, and

WHEREAS, the Dormitory Authority of the State of New York ("DASNY") is an involved agency under the proposed action, and

WHEREAS, DASNY's proposed action would consist of its authorization of the expenditure of approximately \$50,000.00 of the proceeds of the SAM program bond issuance for the proposed project, and

WHEREAS, no other involved agency has raised an objection to the Town Board of the Town of Patterson acting as lead agency in the review of the Project, and

WHEREAS, the Town Board of the Town of Patterson has reviewed the Environmental Assessment Form submitted for the carp gate at the Putnam Lake Dam, as well as other supporting documentation for the project,

WHEREAS, on December 3, 2014 by Resolution R-1214-04 the Town Board issued a negative determination of significance for the proposed action, and

WHEREAS, the New York State Department of Environmental Conservation has requested that the Town Board acknowledge that the prior negative determination of significance was for both installation of the carp gate and stocking of the Lake with up to 400 triploid grass carp.

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Patterson hereby ratifies the determination made on December 3, 2014 and finds that installation of a carp gate and stocking of Putnam Lake with up to 400 triploid grass carp will not result in a significant adverse environmental impact for the following reasons:

1. There will be no substantial adverse change in existing air quality, ground or surface water quality or quantity, or noise levels.
2. There will be no substantial increase in potential for erosion, flooding, leaching or drainage problems.
3. There will be no removal or destruction of large quantities of vegetation or fauna, nor will there be any significant impacts on lake habitat.
5. There will be no significant impairment of the character or quality of important historical, archeological, architectural, or aesthetic resources
6. There will be no significant impairment of existing community or neighborhood character.
7. The carp gate will not affect the hydraulic functions of the dam.

BE IT FURTHER RESOLVED that the Town Board of the Town of Patterson, pursuant to 6 NYCRR Part 617.7, issues a NEGATIVE Determination of Significance in the matter of installation of a carp gate at the Putnam Lake Dam.

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

ANNUAL AUDIT - ADOPTION

Mr. Griffin introduced the following **Resolution for Acceptance of Independent Audit of the Town's Annual Update Document-2014:**

R-0915-12

WHEREAS, by resolution dated January 28, 2015, the Town accepted the proposal of Toski & Co., P.C. to conduct an end-of year Independent Auditors' Report on the Town's financial statements pursuant to Section 30 of the General Municipal Law for the year ending December 31, 2014; and

WHEREAS, the Town has received from Toski & Co., P.C. the "Independent Auditor's Report" related to the Town's Annual Update Document (the "Report") dated July 3, 2015, a full and complete copy of which is annexed hereto and hereby made a part hereof; and

WHEREAS, the Town Board desires to accept the Report on recommendation of the Town Comptroller;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Patterson hereby accepts the Report; and

BE IT FURTHER RESOLVED, that the Town Clerk is hereby authorized and directed to maintain the Report as a public record, to file the Report with all appropriate agencies and departments of the State of New York as required by law or applicable regulations, and to take any and all other required, necessary or appropriate actions to give full effect to this resolution and otherwise comply with all applicable requirements related to the Report.

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

Mr. Griffin introduced the following **Resolution for Acceptance of Independent Auditor's Report-Justice Court 2014:**

R-0915-13

WHEREAS, by resolution dated January 28, 2015, the Town Board of the Town of Patterson accepted the proposal of Toski & Co., P.C. to perform an end-of-year audit for the year ending December 31, 2014 of the Town Justice Court's receipts and to provide a written management letter expressing the findings of the audit; and

WHEREAS, the Town has received a report entitled "Independent Accountant's Report on Applying Agreed Upon Procedures" dated July 3, 2015 from Toski & Co., P.C., a full and complete copy of which is annexed hereto and hereby made a part hereof (the "Report"); and

WHEREAS, the Town Board desires to accept the Report on recommendation of the Town Comptroller;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Patterson hereby accepts the Report; and

BE IT FURTHER RESOLVED, that the Town Clerk is hereby authorized and directed to maintain the Report as a public record, to file the Report with all appropriate agencies and departments of the State of New York as required by law or applicable regulations, and to take any and all other required, necessary or appropriate actions to give full effect to this resolution and otherwise comply with all applicable requirements related to the Report.

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

STANDARD WORK DAY - ADOPTION

Mr. Griffin introduced the following **Resolution Standard Work Day and Reporting**

R-0915-14

See Attached.

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

LOSAP - DISCUSSION

Mr. Griffin stated Antoinette Kopeck, Town Clerk pointed out to me that we had passed a resolution earlier in this year that we were going to put on the ballot for referendum changes to the LOSAP program to get us into compliance with the EEOC. The window of opportunity is closing. There was a discussion as to do we want to make any other modifications to the plan up to and including, since we are in difficult fiscal times, and the fact that the fire department has now let us know EMT service will be available in a very limited basis. The vast majority of that will be provided for by paid personnel. The question came up, "where are there avenues for savings". Patterson Fire Department submitted a budget this year and it was about a 2% to 2.5% increase. Putnam Lake did not submit a budget, so we gave them a zero. Right now the LOSAP program is \$30.00 a month for a maximum of \$600.00 per month when they have reached their 20 years. The benefit you will receive in retirement will be \$600.00 per month.

The original LOSAP program was for \$20.00 per month, or \$400.00 per month when you reach maximum benefit of 20 years. If we want to make changes to the referendum, we need to do it very soon.

Mr. Griffin stated we will just do it for the EEOC claim.

Mr. Griffin made a **motion** to add Legal to Executive Session, so we can accommodate the Director of Codes.

EXECUTIVE SESSION

Mr. Griffin stated I will defer my Executive Session – Personnel until the end of the meeting.

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

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

Mr. Griffin stated we have a letter from Senator Murphy and he is looking for a Veteran for the Hall of Fame this year. Sue Brown had a good suggestion and I followed it up with a phone call.

Mr. Griffin made a **motion** to nominate Scott Cairney to the induction to the Veteran Hall of Fame for the Town of Patterson 2015.

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

KEVIN BURNS

PUTNAM LAKE SLUICE GATE - CHANGE ORDER

Mr. Burns made a **motion** to formerly approve the change order for a sum not to exceed \$1,423.60.

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

CONFERENCE REQUEST(S) - ADJUSTMENT

Mr. Burns made a **motion** to modify and approve a previous conference request that we previously approved for the Assessor to attend a meeting. There was a change in the price for one night in the hotel room for \$15.00 more per night for three nights for an additional \$45.00.

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

BUDGET TRANSFER(S)

Mr. Burns made a **motion** to approve Budget Transfer No. 22, 23 and 24

Budget Transfer No. 22

From:	A.5010.400 Expense Account	Supt. Highway Admin. Contractual	\$(620.00)
To:	A.5010.450 Expense Account	Supt. Highway Admin. Training	\$ 620.00

Budget Transfer No. 23

From:	A.1990.400 Expense Account	Contingent Account	\$(2,000.00)
To:	A.1940.200 Expense Accounts	Purchase of Land Equip. & Capital outlay	\$ 2,000.00

Budget Transfer No. 24

From:	A.7140.450	Recreation Center Training	\$(1,000.00)
	A.7146.409	Recreation Programs Contractual – Bowling	\$ (500.00)
	A.7146.414	Recreation Programs Contractual – Camps	\$(2,500.00)
	Expense Account		
To:	A.7140.200	Recreation Center Equip. & Capital Outlay	\$4,000.00
	Expense Account		

Ms. Patricia Brooks, Town Comptroller stated I believe you need to authorize the conference request for Margaux in conjunction with the budget transfer and also the recreation server to approve them.

Mr. Griffin stated I thought we did that.

Ms. Brooks stated you mentioned it, but I don't think you ever approved it.
Ms. Sue Brown stated we did that at the last meeting.

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

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

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

Mr. Burns made a **motion** to approve the transfer of the server for a sum not to exceed \$4,000.00.

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

Mr. Burns stated we have an individual who will be out for approximately 217.5 hours and it will not be covered based on her disability. We are looking to establish a sick bank for Town employees to donate sick time to allow to cover the time missed.

Mr. Burns made a **motion** to establish a sick bank for donations from Town Employees who have excess sick time who can donate to this individual.

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

OTHER BUSINESS

Mr. Dandreano stated we have several reports of a large group of teens, probably a couple of hundred teens hanging out in an empty wooded lot at the end of Haviland Drive. They found a large number of beer cans, bon-fires; which is dangerous. The kids are parking in Sacred Heart parking lot, as well as Quail Ridge. Parents are dropping their kids off to go to the party. If you have kids and they want to be dropped off in the middle of nowhere, that's where they're going. I called the Sheriff's department and I wanted to make people aware of it.

Mr. Griffin stated I receive a couple of calls from residents stating that they received calls from someone representing themselves as Comcast, telling them they were going to be getting new boxes and they needed to verify information, like date of birth, etc. I contacted Comcast and spoke to the Government Affairs department and he stated that no one was getting new boxes that he is aware of. If anyone calls you from Comcast and say they are going to send you a new box, hang-up on them.

Mr. Rogan stated they are sending out new boxes, but it's related to the internet speed, because I'm getting a new box. That is separate from them asking for information. It's probably a tag on from that.

PUBLIC RECOGNITION

Mr. Majors stated two words; Master Plan.

Mr. Griffin stated two words; not yet. I'm not trying to make light of it. I'll let Kevin give you an update.

Mr. Burns stated I'll echo your words; not yet. We spoke about the Planner sending a note out to the Planning Board and Zoning Board and we have not formerly scheduled a meeting yet.

Mr. Williams stated it went back to the Planning Board to review the document and make recommendations where you think the appropriate areas need change. There has been a little bit of back and forth, right along with bed and breakfasts. The Planning Board is very thorough. They are working on it.

EXECUTIVE SESSION PERSONNEL

There being no further business, Mr. Burns made a **motion** to go into Executive Session at 7:45 p.m.

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

Mr. Burns made a **motion** to close Executive Session at 8:30 p.m.

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

Mr. Griffin called the meeting back to order at 8:30 p.m.

Mr. Burns made a **motion** to approve a conference request for Margaux Miller, Highway Department for a sum not to exceed \$547.44.

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

Mr. Griffin made a **motion** to authorize the Supervisor to negotiate the Assessor's contract with the Town of Pawling, based on the information discussed in Executive Session.

Seconded by Mr. Burns.

Mr. Griffin stated Charlie you can vote no.

Mr. Cook stated you are going to go with the whole.....

Mr. Griffin stated no, I told you; just the dollars. We are not making any other changes to that contract. We are not giving up our management rights.

Mr. Cook stated and you are going to go for four years.

Mr. Griffin stated his term runs with the Town until 2019 anyway. I think we should get the benefit of getting a cap agreement with Pawling.

Mr. Cook stated I will vote no.

Vote carried: 4 yes; 1 no.

ADJOURNMENT

There being no further business, Mr. Rogan made a **motion** to adjourn the Town Board meeting at 8:35 p.m.

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

Respectfully Submitted,

Antoinette Kopeck, Town Clerk