

PUTNAM VALLEY TOWN BOARD
WORK SESSION
6:00 P.M.
WEDNESDAY, APRIL 12, 2017

PUBLIC HEARING
6 PM

To hear comments on a proposed local law to change the Town's Building and Zoning Codes

REGULAR AGENDA

1. Pledge
2. Authorize Supervisor to sign a contract with Fireworks Extravaganza.
3. Resolution to bill exact invoiced amount onto the parcel tax map numbers 83.50-1-10 and 83.50-1-14 located at 192 Tanglewylde Road, Putnam Valley, NY.
4. Discussion – sale of property at Oregon Corners.

DISTRICTS

5. Award grass cutting bid.
6. Appoint Frank Cassidy as a Lake Oscawana Harvester Operator for the 2017 season.

HIGHWAY

7. Review surplus Highway Equipment items intended for auction – to be voted on at the April 19th Town Board Meeting.

FACILITIES

8. Request to surplus old computer monitors and faxes of no monetary value.

PUTNAM VALLEY TOWN BOARD
WORK SESSION
WEDNESDAY, APRIL 12, 2017
6:00 P.M.

Present: Supervisor Oliverio
Councilwoman Annabi
Councilwoman Whetsel
Councilman Mackay
Councilman Luongo

Also Present: Town Counsel Florence
Town Clerk Sherry Howard

Pledge of Allegiance and moment of silence for our armed forces.

PUBLIC HEARING

**TO HEAR COMMENTS ON A PROPOSED LOCAL LAW TO CHANGE THE TOWN'S
BUILDING AND ZONING CODES**

Presented by Supervisor Oliverio

We have been working on this for well over a year. We have tried to make the codes much more business friendly, which was the purpose of doing this in the first place. In addition, we have made them more our codes more ecologically and historically sound. We have protected our stone walls and stone chambers. You cannot remove them without going before the Planning Board and with that you need a very good reason. Supervisor Oliverio asked if the public had any comments. Resident Dawn Powell from Lake Peekskill read a statement (see attached).

Resident, Patty Villanova spoke next. She said that the very large landscaping yard that was allowed to happen down near the Indian Church on Oscawana Lake Road is an atrocity. It seems to be completely out of character with the neighborhood. It just doesn't look good in our Town. Her suggestion for future businesses, (and possibly retroactive with this one), which may open here - is to require them to have a retail component attached to that business i.e. Whispering Pines on Route 6. It would go a long way. They should be made to look like the rest of the community not an Industrial site. In the future force them to have parking for their customers, and make them have a shop. Supervisor Oliverio said that there does need to be trees to prevent the trucks from being seen. The people that live on Hewitt Street look down on that from their homes. He added that he was not on the Board at the time this was done and he thinks that making the area look more in character with the surroundings is a good idea. He asked Bruce Barber if there is a stipulation for that. Mr. Barber said he would look into that. Ms. Villanova opined that Putnam Valley will never have a good retail component as we are too close to Route 6; and you can't force businesses to come in. We do not have foot traffic here.

Supervisor Oliverio agreed but added - unless it is very specialized like the dog groomers. Ms. Villanova said a business like Contractors Register would be a perfect business for our Town. She concluded by saying that she is circulating petitions to be able to vote on the Rec. Center, please contact her if you would like to sign.

Ms. Powell wanted to address the WHEREAS that really bothered her pertaining to Maple Leaf Associates - "WHEREAS the above mentioned Decision and Order declared "landscape contracting" to be a specially-permitted use within the CC-1 and CC-2 Zoning Districts; pursuant to its authority under former Town Code Section 165-10 (D) (since repealed)". Ms. Powell's contention is that since the section had been repealed - it was no longer in place - it was not what the Zoning Board was tasked with by State Law. They based it on a repealed law.

Supervisor Oliverio asked if there were any more comments. There were not.

Supervisor Oliverio moved to close the Public Hearing at 6:12 PM.

Seconded by Councilman Mackay, unanimously carried.

**AUTHORIZE THE SUPERVISOR TO SIGN A CONTRACT WITH FIREWORKS
EXTRAVAGANZA FOR TOWN DAY 2017**

Presented by Councilman Luongo

RESOLUTION #R 17-152

RESOLVED that the Town Board authorize the Supervisor to sign a contract with Fireworks Extravaganza at a total cost of \$6,000.00 for a fireworks display for Town Day, (September 23, 2017, rain date is September 24, 2017).

Fireworks Extravaganza

Federal ATF Licensed Fireworks Importer License #8-NJ-00310
US DOT Hazardous Materials Carrier DOT#2064141
MD Explosive Dealer License #WQ16
NY State Dealer/Manufacturer License #D-5741
NJ Permit to Use Explosives License #003309
NYC Fireworks Contractor — Certificate of Fitness #82096355

Worldwide Experience in Pyrotechnics - Since 1995

1-800-765-BANG (2264) • 206-202-1544 FAX
174 ROUTE 17 NORTH, ROCHELLE PARK NJ 07662



Hanover Germany 2009 International
Competition first place.

www.fwextravaganza.com

CONTRACT

This contract and agreement entered into this ____ day of _____ 2017,
by and between **FIREWORKS EXTRAVAGANZA** a New York Corporation located at 174
Route 17 North, Rochelle Park, NJ 07662.

And

Sam Oliverio, Jr. representing the Town of Putnam valley whose address is 265
Oscawana Lake Road, Putnam Valley, NY 10579 hereinafter referred to as the
SPONSOR.

WHEREAS, the parties have entered into an oral agreement relating to the sale and/or
display of fireworks which they desire to have set forth in writing:

NOW, THEREFORE, the parties agree as follows:

1. That **FIREWORKS EXTRAVAGANZA** intends to sell and/or display fireworks only to appropriately authorized individuals.
2. The **SPONSOR** agrees to pay a display price **SIX THOUSAND DOLLARS (\$6,000.00)** for the display agreed upon which will be exhibited by **FIREWORKS EXTRAVAGANZA** on **September 23rd, 2017** at **156 Oscawana Lake Road, Putnam Valley, NY 10579**.
3. Upon acceptance of this agreement, **SPONSOR** agrees to pay a sum of 50% of the total cost of the display in the amount of **THREE THOUSAND DOLLARS (\$3,000.00)** with the balance of **THREE THOUSAND DOLLARS (\$3,000.00)** due within ten (10) days after the display date agreed upon herein. Late payments will be subject to a finance charge.
4. **SPONSOR** agrees to maintain a secure site which meets NFPA 1123, 2010 distance requirements (70' per inch of shell diameter), as defined by **FIREWORKS EXTRAVAGANZA** and **SPONSOR'S** local Fire Authority and to provide proper police/crowd security personnel to insure adequate patrol of this site as marked and secured by the **SPONSOR** until **FIREWORKS EXTRAVAGANZA** advises that the security is no longer necessary. **SPONSOR** also agrees to furnish proper parking supervision.
5. **FIREWORKS EXTRAVAGANZA** reserves the right to terminate the display being exhibited by **FIREWORKS EXTRAVAGANZA** in the event persons, vehicles or animals enter the secured safety zone and security is unable or unwilling to remove them and enforce the safety regulations.
- 6a. **SPONSOR** will have the display site approved and permit application signed by the local Fire Authority having jurisdiction. In addition, **SPONSOR** will have available at the display site Fire and/or other local Emergency Response Personnel as required by county and/or state authority.

6b. **SPONSOR** will be responsible for all costs incurred to have the display site and permit application signed and approved by the local authoritative body, policing agencies and emergency response personnel that are required by the local authority having jurisdiction.

7a. In the event of inclement weather, the display will be rescheduled to **Mutually Agreed Upon Date**. There will be a postponement fee of Fifteen percent (15%) of the total contract price if the display has left the warehouse. If the **SPONSOR** notified **FIREWORKS EXTRAVAGANZA** of postponement prior to display leaving warehouse the postponement fee will be Five percent (5%) of the total contract price but no less than **TWO HUNDRED AND FIFTY DOLLARS (\$250.00)**. In the event of a cancellation of the display, there will be a cancellation fee of Twenty-five percent (25%) of the total contract price.

7b. In the event of excessive safety risks and factors, extraordinary circumstances or inclement weather which may cause the start of the display to be altered from the agreed upon time, every effort will be made by **FIREWORKS EXTRAVAGANZA** to perform the display at the **SPONSOR'S** request. Once the display has been setup and the fireworks loaded, only **FIREWORKS EXTRAVAGANZA** and/or the Authority Having Jurisdiction shall have the right to advance or delay the start of the display, or cancel it if it is deemed necessary. Demands for cancellation by the **SPONSOR** once the display is ready for firing will result in 100% of the contract amount invoiced.

8. **FIREWORKS EXTRAVAGANZA**, upon acceptance of this contract in writing by both parties, agrees to fulfill the contract in a safe, professional, and workmanlike manner and further to provide liability insurance coverage in the amount of **FIVE MILLION DOLLARS (\$5,000,000.00)**. Those entities/individuals listed on the certificate of insurance shall be deemed an additional insured per this contract.

9. **FIREWORKS EXTRAVAGANZA** reserves the right to substitute shells or other pyrotechnic devices with like items of equal or greater value in the event substitution is required.

10. **FIREWORKS EXTRAVAGANZA** shall be responsible for all labor to dig mortar holes, set up display pieces and finale racks and to dismantle, clean up and collect debris, including unfired pyrotechnic devices if any, caused by the display the evening of the display. **SPONSOR** will be responsible for a thorough search for post display debris, including unfired pyrotechnic devices, if any, and policing of area at first light following exhibition.

IN WITNESS, WHEREOF, we set our hands and seals to this agreement in duplicate the day and year first above written.

Town of Putnam Valley
Sam Oliverio, Jr., Representative

Fireworks Extravaganza
John Sagaria, President

Seconded by Councilman Mackay, unanimously carried.

**RESOLUTION TO BILL THE EXACT INVOICED AMOUNT ONTO THE PARCEL
TAX MAP NUMBERS 83.50-1-10 AND 83.50-1-14 LOCATED AT 192
TANGLEWYLDER ROAD, PUTNAM VALLEY, NEW YORK**

Presented by Councilwoman Annabi

RESOLUTION # R17-153

RESOLVED that the Town Board authorize Putnam County Finance Department to bill the exact invoiced amount onto tax map numbers 83.50-1-10 and 83.50-1-14 as follows:

Folchetti -	\$3,187.50
Tompkins Landscaping -	\$42,875.00
Lusardi -	\$3,188.20

For a total amount expended of \$49,250.70.

The address of both parcels inclusive is 192 Tanglewylde Road, Lake Peekskill, New York 10537; which has been declared an unsafe structure but the Town Board of the Town of Putnam Valley and has been removed. The Town of Putnam Valley is authorized to levy and collect the above amounts based on the code of the Town of Putnam Valley Law §66-10.

Seconded by Councilman Mackay, unanimously carried.

AMENDMENT OF AGENDA

Presented by Supervisor Oliverio

RESOLUTION # R17-154

RESOLVED that the Town Board **ADD** to the agenda:

#4A – Authorize the Supervisor to go out to bid on 31 Orchard Street, Putnam Valley, NY 10579

Seconded by Councilman Luongo, unanimously carried

DISCUSSION OF SALE OF PROPERTY AT OREGON CORNERS

Presented by Supervisor Oliverio

Supervisor Oliverio said that this is a small piece of property adjacent to the log cabin house at Oregon Corners which was recently purchased. The Gentleman who purchased it is an Architectural Engineer who needs a parking area for customers, as he wants to put a shop there. The Town owns the little sliver of land next to it. We need to put a price on it and post it. We can't just gift it to him or sell it to him. The other option if the Board prefers would be to auction this property.

Councilman Mackay asked if there was going to be a problem with the parking due to the parcels proximity to the Hollowbrook. He does not want to sell a useless piece of property. Supervisor Oliverio said he was assured by Bruce and Todd that it was not going to be a problem because it is far enough away. Councilman Luongo was glad that another business would be coming in and the parcel will be put back on the tax roll. It was agreed that they Town Board needed to get some input from our Assessor as to the value, and then they can auction off the parcel. The Town acquired this piece from the family who owned the parcel across the street, after it caught fire, and the family let it go into foreclosure. For us it is a useless piece of property. It does have to be advertised anyway. The Town Board is in favor of working with this guy and the Supervisor will move forward.

AUTHORIZE THE SUPERVISOR TO GO OUT TO BID ON 31 ORCHARD STREET, PUTNAM VALLEY, NEW YORK 10579

Presented by Councilwoman Annabi

Councilwoman Annabi asked if we got a report from the Building Inspector, to which Supervisor Oliverio answered in the affirmative. Supervisor Oliverio said they had until April 8th it is now the 12th so we are going out to bid now. The bid will not appear in the paper until next week. We are going out to bid but we are not accepting the bid until May. Councilwoman Annabi said we need paperwork stating that they have not done any work on the property. Supervisor Oliverio said he could produce that paperwork tomorrow. The Board is not doing anything but advertising for that bid. Attorney Lussardi has already written up the report but we are only putting an ad in the paper. Councilman Luongo said if something changes we can make adjustments. This can be stopped at any point. Supervisor Oliverio said they had 40 days to file an Article 78 on us. Councilwoman Annabi would like a piece of paper saying no Article 78 was filed and no boarding up of the house was done. Supervisor Oliverio assured her that none of that was done. Council Florence said that all you are doing is going through a sequence of events statutorily that you have to go through. Anywhere along the way you can stop the procedure because of some event such as a lienor coming in and taking charge, a law suit, a stay, and all kinds of different things. This gets the ball rolling. Councilwoman Annabi just wants to make sure all bases are covered. Supervisor Oliverio said they are not doing anything tonight that can't be halted; they are just putting an ad in the paper. Council Florence said a promise to do something in the future is no promise at all, it is no obligation.

RESOLUTION #R17-155

RESOLVED that the Town Board authorize the Town Supervisor to go out to bid for the demolition of 31 Orchard Street, Putnam Valley, New York 10579

Seconded by Councilman Luongo, unanimously carried

AWARD GRASS CUTTING BID – BID TABLED UNTIL NEXT MEETING

Presented by Councilwoman Whetsel

Seconded for discussion by Councilman Luongo

RESOLUTION # R17-156

RESOLVED that the Town Board accept the lowest bid for grass cutting on Town and District properties for the 2017 season received from Good Ole American Property Management, 3334 Sycamore Lane, Yorktown Heights, New York. The total lump sum bid is \$9,100.00 for the season. Bid opening minutes are attached for your review.

Councilman Luongo said the #1 bidder who we are accepting does not have proof of Liability and Workman's Comp. Supervisor Oliverio suggested it be table until next week.

All voted in favor of tabling until next week.

APPOINT FRANK CASSIDY AS A LAKE OSCAWANA HARVESTER FOR THE 2017 SEASON AT A RATE OF \$24.25 PER HOUR.

Presented by Councilman Mackay

RESOLUTION # R17-157

RESOLVED that the Town Board appoint Frank Cassidy, 27 Woodleigh Ave., Putnam Valley, New York 10579 as a Lake Ooscawana Harvester Operator for the 2017 season at a rate of \$24.25 per hour, no benefits.

Seconded by Councilwoman Annabi, unanimously carried.

REVIEW SURPLUS HIGHWAY EQUIPMENT ITEMS INCLUDING ITEMS INTENDED FOR AUCTION.

Presented by Councilman Luongo

RESOLUTION #R17-158

RESOLVED to have the Town Board review surplus Highway equipment items intended for auction. Items to be voted on at the April 19, 2017 Town Board Meeting.

SURPLUS HIGHWAY EQUIPMENT

1982 GENERATOR, DIESEL SERIAL #FZ-04225 TYPE L CLASS, MODEL 1 SIZE 60

ROBINAIR R-12 RECYCLE MACHINE, MODEL 17350C SERIAL #03282

AMMCO BRAKE LATHE FOR ROTORS AND DRUMS

AIR BUMPER JACK

1985 CHEVROLET TRAILBLAZER VIN#1GDNDT13S442404089 (AS IS)

ELGIN GEO-VAC BODY AND MOTOR (PERKINS MOTOR)

(2) HARDER SANDERS, SLIDE IN CONVEYORS

HYDRAULIC MATERIAL CONVEYOR 1800 SERIAL #1C09209130 WITH EXTENTION

1990 INTERNATIONAL 2574 4X2 WITH CAT MOTOR, WITH VIKING PLOW FRAME
VIN#1HTGEZHROMH347281

1989 CHEVROLET 2500 SERIES WITH 350 MOTOR VIN#1GCGK24KEZ05493

BOOM AXE MOWER HEAD MODEL 50

HOTSY POWER WASHER 220 VOLT

MOHAWK TRUCK LIFT, 25000 LBS WITH 30FT DRIVE ON RAMPS

TIRE FILL CAGE WITH PRESSURE GUAGE

2000 FORD F550, DIESEL TRUCK WITH DUMP BODY VIN#1FDAF57F3YEE08237

2000 FORD F550, DIESEL TRUCK WITH FIXED BODY VIN#1FDAF57F5YEE08238

2002 FORD F250, GAS MOTOR, 4 DOOR PICKUP WITH SNO-WAY PLOW AND FRAME,
VIN#1FTNW21L62EA35270

2002 FORD F250, GAS MOTOR, 4 DOOR PICKUP WITH SNO-WAY PLOW AND FRAME,
VIN#1FTNW21L12EA35211

1987 INTERNATIONAL BUCKET TRUCK S1700, 4 DOOR WITH HOLLAND BOOM (50FT),
VIN#1HTLCHXNHHA26533

1994 INTERNATIONAL 4800, CAB AND CHASSIS Vin#1HTSEAAR3RH570511

1994 INTERNATIONAL 4800, CAB AND CHASSIS Vin#1HTSEAAR5RH570512

1994 INTERNATIONAL 4800, CAB AND CHASSIS Vin#1HTSEAA5OSH219707

1994 INTERNATIONAL 4800, CAB AND CHASSIS Vin#1HTSEAAR2SH219703

(1) TIPPER DUMP BODY – 8 (FT)

******ALL ITEMS LISTED ARE IN "AS IS" CONDITION******

Supervisor Oliverio said these items will go to national auction where the winning bidder pays to have the items shipped. They need to be labeled surplus in order to do this.

Seconded by Councilwoman Annabi unanimously carried

REQUEST TO SURPLUS OLD COMPUTER MONITORS AND FAXES OF NO MONETARY VALUE

Presented by Councilwoman Annabi

RESOLUTION #R17-159

RESOLVE that the Town Board surplus the following items for disposal as they are of no monetary value.



Town of Putnam Valley

To: Putnam Valley Town Board

From: Susan L. Manno

Date: March 28, 2017

Subject: Surplus Equipment

SLM

I formally request, that the Putnam Valley Town Board Surplus the following items for disposal as they are of no monetary value.

HP Computer Monitors

CNC739Q0M8
CNC902QNHJ
CNC739QOM9
CNC739QOT9
CNC902QND9
CNC739QOML
CNC902QNH7
CNC739QOMG
CNC902QNHR

GATEWAY Computer Monitors

MUL5022F0018216
MG45C70P05332
MG45C70P05329
MUL5022F0018217
ME149A0007956
MUL5022F0016239

DELL Computer Monitor

CN-0KU789-71618-821BC2M

BROTHER Intellifax 2820

U61325LIN181997

HP Office Jet L7680

Scanner/Fax/Copy
HPMY72H2303Y

HACH Portable

H2O Analysis Instrumentation Turbidimeter

Serial # Unreadable

Seconded by Councilman Luongo, unanimously carried

Council Florence felt that the community should know that they have ten (10) days after this Public Hearing to write to the Clerk of the Planning Board if they would like to add any comments so the vote on the Building and Zoning Codes will take place in May.

Supervisor Oliverio motioned to go into Executive Session at 6:28 p.m. to discuss a contractual matter with our Ambulance Corp. with no further business taking place afterward.

Seconded by Councilman Luongo, unanimously carried

Respectfully,

Sherry Howard
Town Clerk 4-12-2017