

PUTNAM VALLEY TOWN BOARD
REGULAR TOWN BOARD MEETING
WEDNESDAY, JUNE 20, 2018
6:00 PM

1. Pledge of Allegiance
2. Departmental Reports
3. Supervisor's Opening Comments
4. Authorize Supervisor to sign the rental agreement with the Putnam Valley Grange #841 allowing the Board of Ethics to use the facility monthly for meetings.
5. Approval of minutes for May 2, 9 and 23, 2018.
6. Authorize Town Supervisor to sign contract with electrical engineer.
7. Resolution to adopt the proposed codes changes as presented at the Public Hearing on May 16, 2018.
8. Discussion: Parks and Recreation's Commission's request to move forward with a bond vote in November 2018 for the purchase of a 161 acre camp site located off Peekskill Hollow Road.

DEPARTMENTS

9. **Building Department**
 - a. Daily Fee Summaries
10. **Highway**
 - a. Request to go out to bid for F350 Crew Cab Pick-Up

Districts

11. Putnam Acres Park District boat tags.
12. Barger Pond District boat tags.
13. Contract with Precision Built Fences
14. Public Comment
15. Audit of Monthly Bills

PUTNAM VALLEY TOWN BOARD
REGULAR TOWN BOARD MEETING
WEDNESDAY JUNE 20, 2018
6:00 PM

PRESENT: Supervisor Oliverio
Councilwoman Whetsel
Councilman Mackay
Councilman Luongo

ALSO PRESENT: Town Clerk Sherry Howard
Town Counsel Florence

ABSENT: Councilwoman Annabi

Pledge of Allegiance and moment of silence of our Armed Forces

DEPARTMENTAL REPORTS

Presented by Councilperson Whetsel

Councilperson Whetsel said on Sunday from 2-4 PM there will be a gathering at the Putnam Valley Library to discuss scenic assets in Putnam Valley. This will be hosted by the Hudson Highlands Land Trust and the DEC. Please attend - we want to know what your feelings are about our beautiful Town, and what assets we need to protect.

Kayleigh Hartnett from the Putnam Valley Library reported on the many programs being offered for both adults and children. Some of the programs are as follows:

June 27th - Essential Oils with Angela Caputo
June 30th – Libraries Rock! Summer Reading Launch Party
July 10th – Wild West: The Mystery of the Golden Piano
July 21st – Sound Explorers
August 8th – The Healing Power of Reflexology
August 11th – Chess Instruction and Practice

Ms. Hartnett said there are many more and you can find the complete list on the Libraries website or come in for the printed list.

Councilwoman Whetsel then introduced Gretchen Weiglein from the Putnam Valley Historical Society who thanked Town Historian Dan Ricci for his presentation last month about the American Revolution. It was very informative and well attended. The next one is being held at 10:00 AM on July 14th with the subject being the History of the Old Cornish Estate located in Cold Spring.

Fire Department Chief David Anderson reported on the Department's calls for the month of May 2018:

- 2 Propane Leak
- 3 Structure Fires
- 4 Standby/mutual aid
- 2 CO Detectors
- 1 Controlled burn/rubbish
- 1 Structure Collapse
- 1 cancelled enroute
- 14 PIAA's
- 5 Wires Down
- 14 Automatic Alarms
- 2 Investigations
- 5 EMS Assists

54 calls for the month – 774.51 man hours. Chief Anderson thanked his Firefighters for the great job they have did during all of the bad weather and storms we have been having lately.

SUPERVISOR'S OPENING COMMENTS

Presented by Supervisor Oliverio

Supervisor Oliverio said he wanted to piggy back on what Chief Anderson just said. He also thanked both the Putnam Valley Fire Department and the Ambulance Corps. for their response to some horrific weather events. These men and women went above and beyond, guiding our residents through those horrible storms. They are volunteers, they do not get paid, and we owe them a debt of gratitude. Also, with the summer season here - please be cautious around the beach districts; and do not swim if no lifeguard is present.

Please be aware that we have a shuttle bus system which originates in the Town Park (there is parking designated for that), and takes you to the Peekskill Train Station, with only two (2) stops along the way. It then picks you up at the end of the day and brings you back to the Town Park. Unless we have more ridership (this is a gift from the County), this program will be cancelled. We are only getting one (1) or two (2) riders per day. Please spread the word - come to Town Hall and get your pass. The pass is free and it only costs \$1.00 for the bus fare. You are brought to the train station safely in an air conditioned bus.

AMENDMENTS TO THE AGENDA

Presented by Supervisor Oliverio

RESOLUTION #R18-207

RESOLVED that the Town Board amend the agenda to **add** the following:

- #3A – County Legislators Report
- #3B – School District Report
- #8A – Discussion on noise ordinance
- #10A – Appoint Vincent Annabi as seasonal part time laborer

Seconded by Councilperson Mackay, unanimously carried.

LEGISLATIVE REPORT

Presented by Supervisor Oliverio

County Legislator Gouldman said, on May 27th the Putnam Valley Girl Scouts cleaned up a part of Putnam Valley. Thank you to them for their participation and please keep our beautiful community clean. Do not throw garbage out of your car window.

If you see an animal being abused please call the Putnam County 24 hour hotline at 845-520-6915. The Putnam County SPCA will respond and enforce New York State's Animal Cruelty Laws.

If you are having financial problems with your home the Putnam County Housing Organization is there to help. They are a non-profit Organization that can assist you with your housing needs regardless of your income. Please call 845-225-8493.

June 27th is National HIV Testing Day. The Putnam County Health Department is offering free HIV testing on that day.

July 27th, 28th and 29th is the Putnam County 4H Fair at the Veteran's Memorial Park. It's always a great event.

Putnam Valley is blessed with an abundance of natural bodies of water. Please take advantage of it; but take the necessary precautions to be safe.

The Putnam County Industrial Development Agency has an opening on their Board. Currently there is no one representing Putnam Valley. They are looking for members. They are the economic vitality for Putnam County. If you feel you could be an asset to this Board - please send me a resume. If you have any questions please call me at 845-808-1029 or email at William.gouldman@putnamcountynewyork.gov.

This is tick and mosquito season – please remove any standing water around your property. If you are interested the New York State Department of Health has free mosquito dunks available – please call 1-888-364-4723.

Remember the shuttle is running Monday – Friday. Please utilize this important service.

There are many potholes to be fixed on County Roads after this bad winter. Many of them have been taken care of, but there are still some left. Please reach out to me if there is a pothole that the County has missed, and I will make sure it gets taken care of.

County Legislator Gouldman thanked the residents who have called him with their concerns. If there is a problem he can help with he is happy to do so. Please call him as his door is always open - 845-808-1020.

Resident Patty Villanova said the County is planning to do major road construction at Oregon Corners and many people are very concerned. The County wants to put four (4) lanes down there which seems to be very unnecessary. The person who bought George's Super Service built a magnificent building in its place - which will become useless. The people that own Lizzie's Store also have concerns. Ms. Villanova asked County Legislator Gouldman, what are you going to do to stop this? County Legislator Gouldman said this project has been on the shelf for 20 years. It has already been approved and there have been several Public Hearings several years ago on this issue. This is ready to go. When the new owner of George's purchased the property he only purchased a small portion of it. The area where the lane will be placed is County Property and he was totally aware that there was going to a sidewalk there. Ms. Villanova said a sidewalk is different than a lane and this project has been on again-off again. Now your Legislature is going to be responsible for it. She added that that is the City of Peekskill's water supply - what is the County doing about that? Supervisor Oliverio said the City of Peekskill already approved this. Ms. Villanova did not think that was true. Ms. Villanova reiterated that this project will destroy our only Business District. Supervisor Oliverio suggested she go up to the County to discuss this as it is their project.

SCHOOL DISTRICT REPORT

Presented by Councilperson Mackay

School Superintendent Doctor Fran Wills could not attend the meeting because tonight is the High School Prom. Councilperson Mackay added that Friday night is the High School graduation. It's an outstanding event if you wish to attend. Putnam Valley High School had 18 graduates from the BOCES program as well. This is an incredible program. Putnam County Communities That Care reminds us that with all the graduation and prom parties please keep your kids safe. New York State has a host law and you will be held responsible if you have alcohol or drugs at your party and something goes wrong (even if you are unaware of it). So please enjoy - but do it in a safe and respectable manner.

AUTHORIZE SUPERVISOR TO SIGN THE RENTAL AGREEMENT WITH THE PUTNAM VALLEY GRANGE #841 ALLOWING THE BOARD OF ETHICS TO USE THE FACILITY MONTHLY FOR MEETINGS AND WHEN NEEDED

Presented by Councilperson Luongo

RESOLUTION # R18-208

RESOLVED that the Town Board authorize the Supervisor to sign the rental agreement with the Putnam Valley Grange #841 allowing the Board of Ethics to use the facility for monthly meetings and when needed. The Board of Ethics will also be able to store their files in a secured area. This contract will be for one (1) year commencing January 1, 2018. The monthly rent will be \$80.00 per month to be paid through the Board of Ethics budget line. No payment of utilities, maintenance, insurance and/or other sundry expenses will be expected or paid to the Putnam Valley Grange #841 other than the monthly rent of \$80.00. Liability insurance for the members of the Board of Ethics as well as anyone, who might be called before them, is included in the Town of Putnam Valley's Liability and Save Harmless Policies.

Seconded by Councilperson Mackay,
Councilwoman Whetsel recused herself as she is a member of the Grange.

Councilman Mackay, Councilman Luongo and Supervisor Oliverio all voted AYE.

By a vote of 3 AYE's and 1 Recusal the Resolution passes.

APPROVAL OF MINUTES

Presented by Councilperson Whetsel

RESOLUTION #R18-209

RESOLVED that the Town Board authorize the Supervisor to approve the minutes from the May 2nd, May 9th, and May 23rd, 2018 Town Board Meetings.

Seconded by Councilperson Luongo, unanimously carried

AUTHORIZE SUPERVISOR TO SIGN CONTRACT WITH ELECTRICAL ENGINEER

Presented by Councilperson Mackay

RESOLUTION #R18-210

RESOLVED that the Town Board authorize the Supervisor to sign the contract with Kohler Roman, LLC in the amount of \$14,000.00 to oversee the purchase and installation of a generator that will provide power to both the Town Hall and the Parks and Recreation Building. The Firm will provide the town with electrical specifications, assistance during the bid process, attending at pre-bid conferences and review of bids. The Engineer will continue site inspections throughout the construction phase of the project. Contract subject to the Town Attorney's approval.

Supervisor Oliverio seconded for discussion.

Supervisor Oliverio said during our bad weather events we have to close down Town Hall because the generator we have now only powers a small amount of lights, the well, and a sparse amount of heat. We have to get with the 21st century. The Town Hall needs to be the hub of operations when the power goes down. We can't be taking days off in the middle of storms.

Councilperson Luongo recused himself as he has a relationship with a member of the Electrical Engineering Firm.

Councilperson Whetsel, Councilperson Mackay, and Supervisor Oliverio all voted AYE.

With 3 AYES and 1 Recusal the Resolution passes.

AMBULANCE CORPS. REPORT

Captain Stuart Wells from the Putnam Valley Volunteer Ambulance Corps reported the following for the month of January 2018:

45 Medical Emergencies

14 Car Accidents

1 Standby

Multiple times we went in and out of Town for Mutual Aid. There were 404 roster hours; of which 258 were staffing our own headquarters.

Our call volumes are continuing to increase – we are averaging over 60 calls a month. We are always looking for new faces. Please call me at 845-526-3119 ext. 201 for any information I can assist you with. One of our Putnam County medics, Tracy Lombardo, has retired after 25 years. She will be sorely missed and we wish her and her husband Matt the best going forward with the next chapter in their lives. Councilperson Luongo concurred with this sentiment and expressed his appreciation for Ms. Lombardo's service.

Supervisor Oliverio asked Captain Wells what the status is for making the Ambulance Corp a shelter during bad weather. Captain Wells said they are starting the paperwork. We have the big room upstairs, but only one shower. The American Red Cross provides much of the supplies needed to do this. The wheels have begun to turn. Councilperson Luongo complimented Captain Wells on bringing the Ambulance Corp around. He listens to the radio and knows what is going on and appreciates how far the Corp has come of late and how many calls they are answering. Captain Wells is grateful that the Board is behind them.

ADOPT THE PROPOSED CODE CHANGES AS PRESENTED AT THE PUBLIC HEARING ON MAY 16, 2018 AND DECLARE TOWN AS LEAD AGENCY

Presented by Councilperson Luongo
RESOLUTION #R18-211

RESOLVED that the Town Board adopt the proposed code changes as presented at the Public Hearing on May 16, 2018. Proposed Zoning Code amendments of Chapter 165 of the Putnam Valley Town Code;
165-23 – to modify the District Maps;
165-26 – to reference map dates; and
165-92 – to include subdivisions.

Supervisor Oliverio added that the Town needs to declare ourselves the lead agent with a negative declaration after having done the SEQRA; and this will be one (1) resolution.

Seconded by Councilperson Mackay

ROLL CALL VOTE:

COUNCILPERSON LUONGO:	AYE
COUNCILPERSON MACKAY	AYE
COUNCILWOMAN ANNABI	ABSENT
COUNCILWOMAN WHETSEL	AYE
SUPERVISOR OLIVERIO	AYE

By a vote of 4 Aye's, 0 Nay's, the Resolution passes

OFFICE OF THE TOWN CLERK

State of New York
County of Putnam
Town of Putnam Valley

ss.:xxx-xx-9028

I have compared the preceding or annexed copy of

TOWN BOARD MEETING June 20, 2018 RESOLUTION #R 18-211

With the originals filed in this office and **DO HEREBY CERTIFY** the same to be correct transcripts therefrom and of the whole of such originals.

IN TESTIMONY WHEREOF, I have subscribed my name and affixed the seal of said Town this:

27th day of June 2018

Town Clerk, Town of Putnam Valley

**State Environmental Quality Review
NEGATIVE DECLARATION
Notice of Determination of Non-Significance**

Date: June 20, 2018

This notice is issued pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law.

The Town of Putnam Valley Town Board has determined that the proposed action described below will not have a significant environmental impact and a Draft Environmental Impact Statement will not be prepared.

Name of Action: Amendment to Town of Putnam Valley Town Code Chapter 165: Zoning, Sections 92F, 23 and 26.

SEQRA Status: Type 1

Unlisted

Conditioned Negative Declaration: Yes

No

Description of Action: Amendment to Town of Putnam Valley Town Code Chapter 165: Zoning, Section 92F (include subdivisions), Chapter 165 Zoning, Section 23 (modify district maps) and Chapter 165 Zoning, Section 26 (reference map dates) in order to provide greater clarity.

Location: Town of Putnam Valley, Putnam County, New York.

Reasons Supporting This Determination: The Town Board has compared the proposed action with the Criteria for Determining Significance in 6 NYCRR 617.7 (c), specifically:

1. The proposed action will not result in a substantial adverse change in the existing air quality, ground or surface water quality or quantity, traffic or noise levels, or a substantial increase in solid waste production. .
2. The proposed action will not result in the removal or destruction of large quantities of natural vegetation or fauna; substantial interference with the movement of any resident or migratory fish or wildlife species; impact

a significant habitat area; result in substantial adverse impacts on a threatened or endangered species of animal or plant, or the habitat of such species; and will not result in other significant adverse impacts to natural resources.

3. The proposed action will not result in the impairment of the environmental characteristics of a Critical Environmental Area as designated pursuant to 6 NYCRR Part 617.14(g).
4. The proposed action will not result in a material conflict with the Town's officially approved or adopted plans or goals.
5. The proposed action will not result in the impairment of the character or quality of important historical, archaeological, architectural, aesthetic resources, or the existing character of the community or neighborhood.
6. The proposed action will not create a hazard to human health and safety as all applicable health and safety regulations will be followed.
7. The proposed action will not create a substantial change in the use, or intensity of use, of land including agricultural, open space or recreational resources, or in its capacity to support existing uses.
8. The proposed action will not encourage or attract a large number of people to a place or place for more than a few days, compared to the number of people who would come to such place absent the action.
9. The proposed action will not create a material demand for other actions that would result in one of the above consequences.
10. The proposed action will not result in changes in two or more elements of the environment, no one of which has a significant impact on the environment, but when considered together result in a substantial adverse impact on the environment.
11. When analyzed with two or more related actions, the proposed action will not have a significant impact on the environment and when considered cumulatively, will not meet one or more of the criteria under 6 NYCRR 617.7(c).

12. The Town Board has considered reasonably related long-term, short-term, direct, indirect and cumulative impacts, including other simultaneous or subsequent actions.

For further information contact:

Sherry Howard, Town Clerk
Town of Putnam Valley Town Hall
265 Oscawana Lake Road
Putnam Valley, New York 10579

This notice is being filed with:

Town of Putnam Valley Town Board
Town of Putnam Valley Town Hall
265 Oscawana Lake Road
Putnam Valley, New York 10579

DISCUSSION – PARKS AND RECREATION COMMISSION’S REQUEST TO MOVE FORWARD WITH A BOND VOTE IN NOVEMBER 2018 FOR THE PURCHASE OF A 161 ACRE CAMP SITE LOCATED OFF OF PEEKSKILL HOLLOW ROAD

Presented by Supervisor Oliverio

Parks and Recreation Director Frank DiMarco read a prepared statement as follows:

Parks and Recreation Director DiMarco said that the facility has quite a few cabins, kitchen, theater area, gym facility, fields, and a swimming pool. Parks and Recreation Commission Chairman, Philip Keating, said that this proposed project is one (1) that the Parks and Recreation Commission is bringing to the Town Board and to the public. There will be Public Hearings on this and we want the communities input. At some point there will be a tour. This is 161 acres of property and one of the advantages is that it backs up to the rest of the park and is right across the street from the High School. After camp is done in September it will be open all year round for lots of other activities. There are hiking trails, arts and crafts, basketball and many other options for the entire Town to use. The vote will be held in November, so please contact Mr. DiMarco with your ideas, questions, concerns and suggestions. He will respond to you right away. The date for the Public Hearing will be coming very shortly. Councilperson Whetsel said people should understand that the bond we currently have on the Park will be finished in September. This money is already in the budget and would automatically be rolled over to pay the new bond - so you are not talking about increases taxes. Most people in Town really want a pool and now we would have one (1). Mr. Keating added that this property is currently not on the tax rolls anyway. The cost for this property would be 1.9 million dollars.

DISCUSSION ON NOISE ORDINANCE

Presented by Supervisor Oliverio

Supervisor Oliverio said he has had a couple of complaints from residents about neighbors with noisy roosters. They asked if like the dog barking ordinance, they could add roosters crowing to the noise ordinance. The constant crowing does disturb the peace. Councilperson Luongo said you can't bring a rooster in the house like you can a dog if it is barking. So how can you stop it? The Town Board did not feel that this is something that should be pursued.

BUILDING DEPARTMENT REPORT- MAY 2018

Presented by Councilperson Whetsel

RESOLUTION #R18-212

RESOLVED, that the Town Board accept the Building Department daily fee report and summary for the month of May 2018, for filing with the Town Clerk.

6/4/2018

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TOWN OF PUTNAM VALLEY
OFFICE OF BUILDING & ZONING
265 Oscawana Lake Road
Daily Fee Report - Summary

From: 5/1/2018 To: 5/31/2018

Fee Type	Count	Amount
ADDITION/ALTERATION	1	\$75.00
BEDROOM COUNT REQUEST	2	\$100.00
CW	7	\$525.00
DECK	1	\$792.00
DEM/R	1	\$600.00
ELECTRI APP/NY ELEC	8	\$240.00
ELECTRIC APP/SWIS	17	\$510.00
FENCE/WALL	2	\$150.00
GAS/PROPANE	6	\$450.00
GENERATOR PERMIT	2	\$150.00
HVAC	5	\$375.00
MI	6	\$840.00
OIL TANK	4	\$575.00
PERM	11	\$3,779.00
PERRE	1	\$3,586.00
PL	4	\$300.00
RE	7	\$14,478.00
SEARC	16	\$2,400.00
SOLAR PANELS	1	\$603.00
TREE	1	\$75.00
WETADM	3	\$150.00
WETL	3	\$400.00
WT/S	9	\$950.00
Total Fees Collected:	118	\$32,103.00
Cash	11	\$1,187.00
Check	107	\$30,916.00

Seconded by Councilperson Mackay, unanimously carried.

REQUEST TO GO OUT TO BID FOR AN F350 CREW CAB PICKUP

Presented by Councilperson Mackay

RESOLUTION #R18-213

RESOLVED, that the Town Board approve the Highway Departments request to go out to bid for an F350 Crew Cab Pickup. Advertisement will be in the June 27th edition of the Putnam Valley News and Recorder. Bids will be received until July 17, 2018 at 2:00 PM.

Seconded by Councilperson Luongo, unanimously carried.

APPOINT VINCENT ANNABI AS SEASONAL PART TIME LABORER

Presented by Councilperson Luongo

RESOLUTION #R18-214

RESOLVED, that the Town Board appoint Vincent Annabi, 19 Meadow Crest Drive, Mahopac, NY 10541 as a seasonal/part time laborer at a rate of \$14.00 per hour with no benefits effective June 20, 2018.

Seconded by Councilperson Mackay, unanimously carried

PUTNAM ACRES PARK DISTRICT BOAT TAGS

Presented by Councilperson Whetsel

RESOLUTION #R18-215

RESOLVED, that the Town Board authorize the issuance of boat tags to the residents of the Putnam Acres Park District. This will allow the identification of District residents to store their boats on the Putnam Acres property. The cost for the stickers will come from the Putnam Acres District budget and there will be no individual charge in order for each resident to receive a boat tag.

Seconded by Councilperson Mackay, unanimously carried

BARGER POND PARK DISTRICT BOAT TAGS

Presented by Councilperson Mackay

RESOLUTION #R18-216

RESOLVED, that the Town Board authorize the issuance of boat tags to the residents of the Barger Pond Park District. This will allow the identification of District residents to store their boats on the Barger Pond District property. The cost for the stickers will come from the Barger Pond Park District budget and there will be no individual charge in order for each resident to receive a boat tag.

Seconded by Supervisor Oliverio for discussion. Supervisor Oliverio said this is not a law but rather just a resolution in favor of the District doing what they are doing.

Seconded by Supervisor Oliverio for discussion, unanimously carried.

CONTRACT WITH PRECISION BUILT FENCES

Presented by Councilperson Luongo

RESOLUTION #R18-217

RESOLVED, that the Town Board authorize the Supervisor to sign a contract with Precision Built Fences, 1617 Main Street, Peekskill, NY 10566, to perform repair work to the fencing at Lookout Manor Beach. The cost for fencing repair is \$2150.00.

Seconded by Councilperson Mackay, unanimously carried.

BUDGET TRANSFERS

Presented by Supervisor Oliverio

RESOLUTION #R18-218

RESOLVED, that the Town Board approve the budget amendments and transfers as submitted by bookkeeper Maria Angelico for the fiscal year:

Seconded by Councilperson Mackay, unanimously carried

PUBLIC COMMENT

Presented by Supervisor Oliverio

Resident Patty Villanova spoke at the podium. She came to publicly acknowledge Supervisor Oliverio for the work he has done to end the litigation against the Cornu Family which has been going on for over 20 years. She is very grateful and would like to publically thank him. This story is a tragedy on many levels. The house was originally designed as an art structure which turned into a nightmare. Supervisor Oliverio has been working to solve this for the sake of the taxpayer and the family. The family is grateful too. Supervisor Oliverio said the Town Board should be thanked as well.

Resident Dorothy France came up to speak about the cell tower. She said thank you for all of the work the Town Board does for the community. The cell tower has landed in her backyard so she has now become involved in the fray. She believes it can be figured out and knows the Town Board has everyone's best interest in mind. A lot of people are concerned for various reasons. She is concerned that it is less than one (1) mile from the Elementary School and right next to her house. She understands that the Federal Government does not recognize health issues as a concern in relation to cell towers. She spoke to many residents and concluded that there are many people who think there are health concerns; and that the science is not conclusive. A petition was created and they have a lot of signatures. They understand that the Board feels a cell tower is necessary, so please stop and try to find another place construct it. We want to preserve what our values are. She added that there are disputes with this cell tower construction company all over the County because people are concerned. There are a lot of people who have a vested interest in this and nobody told them about it. She does not believe most of the Elementary School parents know about this issue.

Resident, Janice Lanza said she is directly across from where the cell tower will be constructed. She would like people to know that there is an anti-cell tower Facebook page. Her group believes that a different location would be a better choice. This is in the middle of a residential area. She looked into places that would be better spots. She looked at a one (1) acre piece of Town owned property near Fahnestock Park. Supervisor Oliverio said the engineers looked at this place and it is too low. The line of site is no good. Councilperson said that road is closed in the winter. Ms. Lanza said it could be plowed - to which Councilperson Mackay said that is another can of worms. Supervisor Oliverio said this could all be brought up during the Planning and Zoning Board phase. Ms. Lanza repeated that nobody knew about this issue and seems like it got pushed through. Supervisor Oliverio said this goes back almost one (1) year when the County wanted to put it up in the Town Park. The Town Board did not want the tower in the Park. It came back that this piece of property behind the Highway Garage would be the most conducive. Ms. Lanza said there is also a piece of property on Far Reach Trail which might work. Supervisor Oliverio said this is a new choice and it will be looked at. The Planning and Zoning Boards will notify you by mail when the Public Hearing will take place. Ms. Lanza is concerned about her property value as her water is already being polluted by the Town with the salt and now there will be a cell tower.

Supervisor Oliverio understands, but no matter where they put it someone will be upset. We do need to communicate during storms. We have to fix the dead zones, if they can't prove that the cell towers will fix this we will not put it up. Ms. Lanza said cell towers may be becoming obsolete. A lengthy discussion ensued.

Councilperson Mackay said that there has been some misinformation out there. It is being said that nobody knew about the tower, but the Town Clerk advertised for the Public Hearing in the newspaper and on the Town's website. It was made public just as we do for any other public meeting. If you did not see it - that is not on us. The Planning and Zoning Boards will send you a letter when the time comes, but we did our part. People did come and speak that night. We did our due diligence.

Resident Lisa Keogh said the Putnam County News and Recorder is not a good choice in which to place ads because she does not believe people really read it. She thinks the Town should revisit that. Councilperson Mackay said it cannot be revisited because it is a law that we must place our ads in a newspaper that must be able to be purchased. He does believe Town business should not take place on social media.

Ms. France said regardless of the law – it is the Boards job to govern the people that pay the taxes to the Town and a 16 story cell tower is not a little thing. It is your job ethically and morally to let the people know this is going on no matter what the law says. She went on to say, Homeland Towers is getting a good deal here, and they seem to have carte blanche. Maybe another cell tower company would be more apt to look at another area. Supervisor Oliverio said we need these towers and he would hope there would be another place to put it. He does not want it in private hands because it could wind up being even closer to the Elementary School. If a private deal is made no one would have any say about where it is placed. Attorney Florence interjected and said that Homeland Towers will have to go to the Planning Board where an expert who is hired by the Town will sign off on how high the tower can/will be. Putnam Valley does not have a flat terrain which has to be taken into consideration. So far the Town Board has only given Homeland Towers the opportunity to make an application to the Planning Board. Whether they will go to the Zoning Board or not depends on what happens in the Planning Board. The Planning Board will hold at least one (1) public hearing. So what you are talking about will happen there not at the Town Board level – the Town Board does not have the power to decide this. Just because Homeland Towers wants something doesn't mean they will get it. That is the decision of the Planning Board. Please keep in mind that the Town's emergency needs must be met – that is important. Attorney Florence discussed at length the many issues involved in this and other local cell tower cases.

Ms. Keogh's concern is that there are already stakes at the property. Supervisor Oliverio responded that a survey has been done. Ms. Keogh is afraid that this is already a done deal. Supervisor Oliverio said it is far from a done deal.

Ms. Villanova asked if the Town Board has agreed to lease Homeland Towers the property. Supervisor Oliverio said yes that what the Resolution states. Ms. Villanova asked what happens if they go before the Planning Board and they say there is no way. Supervisor Oliverio stated that if that is the case the lease is done. It states in the lease that this is contingent on going getting through those Boards. Councilperson Mackay asked if they could sue us if we turn them down. Supervisor Oliverio said yes they can if we do it for arbitrary reasons. They have grounds for that and they have in the past won every case. Ms. France asked if we have enough signatures and the community votes down the lease can Homeland Towers still sue us. Attorney Florence said they have a power to put the tower in the middle of 684 if they want to. Supervisor Oliverio said they can be stopped as long as falls under FCC regulations.

Ms. Lanza said when you signed the lease with Homeland Towers you opened the door to let them put a tower where they want and sue us if we don't comply. Attorney Florence said if it is turned down and there is a Permissive Referendum against it – he doesn't think that the Permissive Referendum would control because popular interest is an inadequate reason to deter the application. Supervisor Oliverio said that the tower will be placed somewhere in Putnam Valley to eradicate those dead zones. The Boards view is that it is better to put it on Town property so there is oversight rather than on someone's private property where we have no control over the location. He continued by saying that we will honor that petition; but I don't know what Homeland Towers will do.

Ms. France asked the Town Board to please consider putting it somewhere else even if you have to plow a road once in a while. Councilperson Mackay said there is not one (1) person on the Town Board qualified to say where a cell tower should be placed. We are dependent on our qualified expert to help us. That person is looking out for us and the Town Residents.

Councilperson Luongo said now that it is summer the lakes are open. Swimmers make yourself visible when you are on the lake. Put something bright on like a swim cap so boaters can see you. We don't want anyone to get hurt.

AUDIT OF MONTHLY BILLS

Presented by Supervisor Oliverio

RESOLUTION # R18-219

RESOLVED, that the Town Board approve the following bills, after audit, being paid:

<u>VOUCHER NUMBERS</u>	<u>AMOUNTS</u>
23018 – 23160	61,533.33
23174 – 23291	74,450.74
22940 – 23260	89,777.17
23101 – 23296	99,954.66
23366 – 23534	43,924.37

Seconded by Councilperson Whetsel, unanimously carried.

Supervisor Oliverio said there will be no meeting on the 4th of July which is a Wednesday.

Supervisor Oliverio made a motion to close the meeting at 7:48 PM.

Seconded by Councilperson Luongo, unanimously carried.

Respectfully Submitted

Sherry Howard
06-28-2018