

PUTNAM VALLEY TOWN BOARD
WORK SESSION
WEDNESDAY, SEPTEMBER 05, 2018
6:00 PM

1. Pledge of Allegiance
2. Authorize Supervisor to approve the hiring of poll workers for the Permissive Referendum.
3. Discussion and set date for Public Hearing on the Airbnb Permitting Law.
4. Determination of penalties for building violations – Octavio Perez.
5. Town Day discussion and road closing
6. Camp bond – Vote on 11/6/18.
7. Preliminary budget discussion: ambulance and library.
8. Discussion regarding generator.

DEPARTMENTS

9. **Parks and Recreation**
 - a. Personnel additions/changes
 - b. Refunds

10. Audit of Monthly Bills

PUTNAM VALLEY TOWN BOARD
WORK SESSION
WEDNESDAY SEPTEMBER 05, 2018
6:00 PM

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

ALSO PRESENT: Town Clerk Sherry Howard
 Town Counsel Florence

ABSENT: Councilman Mackay

SUPERVISOR'S OPENING COMMENTS

Presented by Supervisor Oliverio

Supervisor Oliverio said that as the third Wednesday of the month is the Jewish holiday of Yom Kippur there will only be two (2) meetings this month.

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

APPROVE HIRING OF POLLWORKERS FOR CELL TOWER PERMISSIVE REFERENDUM

Presented by Councilperson Luongo

RESOLUTION #R18-262

RESOLVED that the Town Board authorize the Supervisor to approve the following poll workers for the Permissive Referendum on the leasing of the property behind the Highway Garage to Homeland Towers, LLC on August 21, 2018. They were hired after the original Resolution was passed.

Nicholas Mitrano	Voting Machine Inspector	\$156.30
Carol Sukup	Table Inspector	\$140.70

Seconded by Councilperson Annabi unanimously carried

ADDITIONS TO AGENDA

Presented by Supervisor Oliverio

RESOLUTION #R18-263

RESOLVED that the Town Board ADD # 8A to the agenda. This is an approval of placement Resolution regarding the summer camp purchase on the November 6, 2018 ballot.

Seconded by Councilperson Annabi, unanimously carried.

DISCUSSION AND SET DATE FOR PUBLIC HEARING ON THE AIRBNB PERMITTING LAW

Presented by Supervisor Oliverio

Supervisor Oliverio said we have gotten complaints pro and con about Airbnb. Right now they are illegal in the Town of Putnam Valley. The difficulty is that some individuals will rent to anybody disrupting the climate and tenor of our neighborhoods especially around the Lake Districts. There is nothing worse than having a party raising havoc next door; but some individuals do it the right way and rent to families or couples. Some seniors rent to get money to be able to pay their mortgage. Our Town Attorney has found a very good law that is being used in Beacon which we have adopted. It is a very concise Airbnb law and does three (3) major things.

1. It provides a registry so we know exactly who is renting out their homes, so if there is a problem we can contact the owner immediately. This will also give us an ongoing file on them.
2. It specifies certain rules and regulations that have to be followed. This includes inspection of the building to make sure it is safe to rent out. We will be able to determine how many people will be able to be in the house at one (1) time.
3. It will set a permitting fee. The Building Inspector will have to go out and inspect each home all the time and the Planning Board will have to receive their floor plans and their Airbnb proposal. You will have to go through the Planning Board to get a permit.

Keep in mind there are two (2) sides of the story and we are trying to find the happy medium. The idea is to make people register and get a permit - but we don't want to deny anyone who needs to do this to be able to keep their house. On the other hand, we don't want to disrupt anybody's neighborhood. Supervisor Oliverio said Councilperson Mackay would like to charge \$7,000.00 for a three (3) year permit. Councilperson Whetsel thinks we should separate out a home rental for a lengthy period of time, versus an Airbnb rental. Councilperson Annabi said yes that is a whole different animal. An Airbnb is just a short term rental.

You sign a contract and Airbnb screens you, and if there is a complaint made against the renter or rentee you can never rent from Airbnb again. Attorney Florence said there is information that is needed when a person wants to use their home as an Airbnb. We need to know what size and kind of septic system they have, how many bedrooms are in the dwelling, how close are they to their neighbors, the size of the parcel etc. We need to say how many people we will allow the homeowner to rent to at any given time. Councilperson Luongo said lake rights are another issue. This is something that needs to be taken into consideration. Would these people be allowed to use the beach? Councilperson Annabi agreed and Councilperson Whetsel wondered who would monitor this? Attorney Florence said the owner of the house has the lake rights not the renter. Councilperson Annabi said off the street parking is another issue that has to be considered. All of this has to be put into their contract. Councilperson Luongo said this could have a large ripple effect. He added that three (3) years is too long to allow for the permit because too much time will be elapsing. We do have a renewal clause for regular building permits. Supervisor Oliverio said the house will have to be inspected all the time. Attorney Florence said a fee of \$7,500.00 which was suggested would be an onerous amount for a person with a small house who is doing this for needed income. It would be counterproductive to those who need this as a stream of revenue. A benefit of this would be that the homeowner would have to show proof that their septic has had a recent pump-out. Supervisor Oliverio said he does not like Airbnb's but he knows it's the way it is. Councilperson Luongo suggested that we can do it on a sliding scale based on the number of bedrooms and bathrooms. Supervisor Oliverio and Attorney Florence agreed that the size of the lot is also a large determining factor. Councilperson Annabi said most Airbnb's are rented for the weekend or a week, so the house should be up to code because the resident lives there most of the time. Attorney Florence said we should call this a tax not a fee as they do in California. It makes it constitutional. We have to pay somebody to monitor and register all of this. Supervisor Oliverio said we are a small town and that would be hard to keep track of. Councilperson Annabi said that we should not allow this if the resident has under 1/2 of an acre. The Town Board agrees that the 1/2 acre size is appropriate. Bedroom amount is the probably the best and most feasible way to determine how many people the house should hold. The house should also be the owner's primary residence. Attorney Florence added that the house has to be at least 30 feet from the boundary line. Amount of parking spaces may make this very inhibiting. Councilperson Luongo said that leaves much of the homes in Lake Peekskill out. He believes the parking will also be an inhibitor in being able to be an Airbnb. The Board also agreed that yearly permitting to be an Airbnb is better than the original thought of three (3) years. This will limit the amount of abuse that may happen. It was also agreed that the cost for the yearly permit should be \$1,000.00 per bedroom. When someone asks for a permit they will have to bring in a floor plan to the Planning Board. This will be discussed again and a Public Hearing will be set up.

DETERMINATION OF PENALTIES FOR BUILDING VIOLATIONS – OCTAVIO PEREZ

Presented by Councilperson Luongo

This work was all done without permitting so Supervisor Oliverio thinks this is fair. A lot of what he did was done with a permit; but the following was unpermitted. He still has to get these things permitted. Councilperson Luongo would like to charge Mr. Perez a larger amount. Councilperson Annabi and Whetsel are okay with the amount.

RESOLUTION #R18-264

RESOLVED that the Town Board authorize the Supervisor to impose a civil penalty of \$2,000.00 on Octavio Perez, 44 Ridgecrest Road, Lake Peekskill, NY; Tax map # 83.64-1-28 (ZBA Decision and Order dated 8/16/18) for the following violations:

Built in Barbeque	\$500.00
Shed	\$500.00
Changing Room	\$500.00
Patio	\$500.00

Seconded by Councilperson Annabi unanimously carried

TOWN DAY DISCUSSION AND ROAD CLOSING

Presented by Councilperson Annabi

Councilperson Annabi spoke about Town Day, which is being held on September 15, 2018 in the Town Park - located at 156 Oscawana Lake Road. She said we have about 50 vendors and lots of bouncy houses. The Fire Department is doing the food. We have a dunk tank with Supervisor Oliverio willing to be dunked. The road will be closed for safety from the VFW to the Elementary School. You may walk from the Elementary School to Town Day or you may take the shuttle. You will not be able to pick up your child from the park; tell them to meet you at the Elementary School. The fireworks will begin at 8:30. If you are a vendor and you want to come to Town Day (there is no electricity left) but please call Beverly at 845-528-2121.

CAMP BONDING – VOTE ON 11/06/2018

Presented by Supervisor Oliverio

Supervisor Oliverio said there will be Public Hearings between now and the vote. Councilperson Annabi reminded everyone that this vote will take place during the regular election and you will find this proposition on the back of your ballot

RESOLUTION #R18-265

RESOLVED, that the Town Board authorize the wording on the November 6, 2018 ballot regarding the purchase of the CYO summer camp property.



**Town of Putnam Valley
265 Oscawana Lake Road
Putnam Valley, NY 10579**

Ballot: Shall The Town of Putnam Valley acquire 161 acre parcel known as Hill Camp by bonding the purchase up to \$1,900,000.00.

RESOLVED:

Resolved that it is in the interest of The Town of Putnam Valley to acquire the 161 acre parcel know as Camp Hill for the sum of \$1,900,000.00

Whereas, the purchase will allow the Town to expand recreation facilities and opportunities for residents of all ages and with widely diverse interests, and

Whereas, the Owner of the parcel, The Archdiocese of New York has determined that it is a proper time for it to sell its camp property, and

Whereas, the sellers representative and representatives of the Town have negotiated an option to purchase The Hill Camp properties at the end of the Towns Lease of the property and

Whereas, Town is advised that the purchase price required to be paid by the exercise of the option is fair and reasonable for the seller and the Town and

Whereas, to accomplish the payment of the purchase price the Town proposes to bond the cost of the project by borrowing up to 1.9 Million.

Now, therefore, be it resolved that the Town take steps preliminary to the purchase to arrange for payment by issuing bonds of a sufficient sum to pay for the purchase and for necessary expenses attendant to the purchase in a sum up to 1.9 Million.

Supervisor Oliverio said there are a couple of issues he would like to talk about. We have organizations in Town such as the Library and the Ambulance Corps which rely on the Town in order to continue. This is budget time and we are a small town and we don't have a lot of money. Those two (2) groups asked for an increase in their budgets of around 30%. The Ambulance Corps will now be a comfort station and a shelter. They have showers and will be getting bunks in there. We cannot afford what they are asking for – they each will receive around 5% or a little less. When we met with our auditors they said we have a little bit extra in our fund balance so Supervisor Oliverio asked each Organization to name two (2) things the Town could buy them now to help out. The Library said they would like an electric sign for their announcements which would cost around \$15,000.00; and the Ambulance Corps has a dying furnace which was a big part of their budget. They do need this furnace - and as a shelter it benefits our Town as well - this would cost around \$24,000.00. We would be investing in the shelter. This is a one-time cost which would never be done again. This will be discussed again at our budget hearings.

Supervisor Oliverio said because we are a Municipality we have had to jump through many hoops in order to install our generator. We needed a floor plan and schematics for every room. The generator itself will cost anywhere from \$30,000 - \$40,000.00 because it powers two (2) buildings fully. Councilperson Luongo said this generator will turn on manually as soon as the power goes off. Supervisor Oliverio said we need new electric downstairs because it is all very old. So between the cost of the generator and fixing up our electric service it will cost around \$130,000.00. It will not cost the taxpayers anything – it will come out of the fund balance. It's a lot of money well spent. It also will protect our computers and phone system. It will be bided out when we are ready. Councilperson Luongo said we always work cheap and it always come back to make problems which we pay for in the end.

PARKS & RECREATION- PERSONNEL APPOINTMENTS/ ADJUSTMENTS

Presented by Councilperson Annabi

RESOLUTION #R18-266

RESOLVED, that the Town Board approve the following additions/changes to personnel:

1. Justin Rivas, Children's Center, @ \$10.40 per hour.
2. Stacy Zwick, Children's Center, @ \$10.80 per hour.

Seconded by Councilperson Luongo, unanimously carried.

PARKS & RECREATION- REFUNDS

Presented by Councilperson Whetsel

RESOLUTION #R18-267

RESOLVED, that the Town Board approve the following refund:

Ronald Pino 5 Jay Road Cortlandt Manor, NY 10567	\$167.00 PVCC Moved out of District
William Godinho 100 Lake Drive Lake Peekskill, NY 10537	\$500.00 LPCC rental deposit Refund deposit
Clara O'Reilly 120 Nardin Road Lake Peekskill, NY 10537	\$500.00 LPCC rental deposit Refund deposit

Seconded by Councilperson Annabi, unanimously carried

AUDIT OF MONTHLY BILLS

Presented by Councilperson Luongo

RESOLUTION # R18-268

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

<u>VOUCHER NUMBERS</u>	<u>AMOUNTS</u>
24228-24346	98,653.92
23989-24347	76,822.25
24086-24300	41,058.97

Seconded by Councilperson Annabi, unanimously carried.

Councilperson Annabi announced that this weekend there will be a large tag sale with over 50 vendors in Lake Peekskill; and the German American Club is having their Ocktoberfest on Saturday from 3PM – 10PM and on Sunday from noon to 7 PM. They have bands coming from Germany. It is \$10.00 per person, children under 14 are free. The Fire Department does the color guard at the Ocktoberfest on Sunday.

Councilperson Luongo reminded everyone that Tuesday is the 17th anniversary of September 11th and the Fire Department will be holding their annual remembrance service at the Town Parks 9-11 memorial at 6:30PM. It is a short ceremony but it means a lot.

Supervisor Oliverio called for an Executive Session to discuss two (2) personnel issues contractual matter. No business will be conducted after the Executive Session.

Supervisor Oliverio closed the meeting at 7:03 PM

Seconded by Councilperson Annabi, unanimously carried.

Respectfully Submitted

Sherry Howard
09-11-2018