

PUTNAM VALLEY TOWN BOARD
6:00 PM
WEDNESDAY, APRIL 03, 2019
PRE-WORK SESSION MEETING

AGENDA

1. Pledge of Allegiance
2. Accept Turf Care Bid from McKinney Landscaping
3. Continued discussion on Airbnb
4. Set Public Hearing for marijuana moratorium

PUTNAM VALLEY TOWN BOARD
6:00 PM
WEDNESDAY, APRIL 03, 2019
PRE-WORK SESSION MEETING

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

Also Present: Sherry Howard, Deputy Town Clerk
William Florence, Town Attorney

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

AMENDMENTS TO THE AGENDA

Presented by Supervisor Oliverio

RESOLUTION # R19-146

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

#2A – Authorize Supervisor to sign contract with Putnam County Real Property Tax Services

#2B – Authorize Supervisor to finalize contract with Catholic Charities for purchase of camp

#2C – Discuss application of Mitchell M. Maloof for the Board of Assessment Review.

Seconded by Councilperson Mackay, unanimously carried

SUPERVISORS OPENING COMMENTS

Presented by Supervisor Oliverio

Supervisor Oliverio welcomed everyone to the Special Town Board pre-work session meeting.

ACCEPT TURF CARE BID FROM MCKINNEY LANDSCAPING

Presented by Councilperson Luongo

RESOLUTION #R19-147

RESOLVED that the Town Board authorize the Supervisor to sign the contract to award the annual Parks and Recreation Turf Care Bid to McKinney Landscaping Corporation in the amount of \$9,375.00; for the Town Park and the Rotary Field on Sunset Hill Road. McKinney Landscaping Corporation was the lowest bidder of those who responded.

Seconded by Councilperson Annabi for discussion.

Councilperson Annabi said shouldn't we have the prices from the other bidders attached as well for the record? Supervisor Oliverio said we do have them and he will get them to the Board Members; but McKinney was the lowest bidder.

Seconded by Councilperson Annabi for discussion; voted on and unanimously carried.

SIGN CONTRACT WITH PUTNAM COUNTY REAL PROPERTY TAX SERVICES

Presented by Councilperson Annabi

RESOLUTION #R19-148

RESOLVED that the Town Board authorize the Supervisor to sign the contract with the Putnam County Real Property Tax Services Agency for the calendar year 2019. The County shall prepare the tentative assessment role for the calendar year 2019 and have it available on the County website to comply with RPTL §1591.

Seconded by Councilperson Mackay, unanimously carried

AUTHORIZE SUPERVISOR TO FINALIZE CONTRACT WITH CATHOLIC CHARITIES FOR PURCHASE OF CAMP

Presented by Councilperson Whetsel

RESOLUTION #R19-149

RESOLVED that the Town Board authorize the Supervisor to finalize signing of the contract with Catholic Charities for the purchase of 161 acres of land.

Supervisor Oliverio said what we have done is to sign our portion of the contract which was sent down to Catholic Charities for them to sign. On Tuesday April 9th we will have the closing at 3:00 PM. The title will be handed in at that time and anyone who has FOILED it will be able to obtain a copy.

Seconded by Councilperson Annabi, unanimously carried

DISCUSS APPLICATION OF MITCHELL M. MALOOF FOR THE BOARD OF ASSESSMENT REVIEW

Presented by Councilperson Mackay

Councilperson Mackay said he would put this forth Mr. Maloof as he has met this candidate and thinks he would be outstanding.

CONTINUED DISCUSSION OF AIRBNB

Presented by Supervisor Oliverio

Supervisor Oliverio said he gave to the Town Board some suggestions from the community that both he and Councilperson Whetsel went over and agreed upon. These suggestions are as follows:

- The dwelling must be registered with the Building Department, with a registration fee and renewal fee each year.
- It must be the owner's primary residence.
- The dwelling must possess at least an acre of land.
- No more than two (2) people per bedroom count.
- Must have full documented compliance with Putnam County Health regulations for septic.
- The dwelling cannot be on lake front property.

Councilperson Mackay said you will have problems with the last one (1), (re: lake front property), because it is discrimination. Supervisor Oliverio said for the lake front properties the sewer and septic is a problem because they are right on the lake. Councilperson Whetsel said people need to realize that it is important for lake management – we don't know what will be dumped into the lake because there may be a lack of understanding. What if someone brings up their own boat and does not know they need to wash it. The lakes are currently struggling from many environmental problems. Keeping them healthy is a challenge. Supervisor Oliverio said that's why we should not allow it there. Councilperson Annabi does not agree. She said there should be a contract (which the Town will have a copy of), with specific do's and don'ts listed. If they are using the lake they must show beach tags.

Councilperson Luongo said whether it is lakefront or not what is the difference? If the homeowner has a large party or a renter has a large party? The impact is there whichever way it happens. Supervisor Oliverio said if you are throwing the party then you are there keeping watch over things; it's not a stranger who doesn't care. Attorney Florence said you should not be able to use your home as an Airbnb if you have an outstanding housing violation. The lakes are being affected by the atmospheric air temperature, the sanitary system, and the growth of the weeds – this gives us merit in trying to control the effects on our lakes by limiting their use. We do not have studies on this yet; we may have to get some. Councilperson Annabi said we can resolve that by having a requirement in which a resident must show proof that their septic system is being pumped out on a yearly basis. They will prove that when they come for their yearly permit; and they will also have to prove that the home is their primary residence. She added that the person should also be a resident for at least one (1) year. Supervisor Oliverio said the one (1) year residency is a good idea because it keeps investors from just buying up homes to rent them out.

Councilperson Luongo said if we make this a permanent thing we need to come up with fees. In addition, do we have the personnel to check everyone's house? Supervisor Oliverio said the Putnam County Department of Health would be our best asset as far as septic is concerned. We also have to check on the amount of bedrooms to make sure what the homeowner is saying is correct. Councilperson Luongo said that is his point. What if we find out the homeowner has more or less bedrooms than stated. Supervisor Oliverio said we can use the files in the Building Department; they would have an accurate count of bedrooms.

Councilperson Mackay asked who is going to do all this work? Councilperson Whetsel said the fees we charge for the special use permit to allow you to use your home as an Airbnb will pay the fee for a part time employee. Councilperson Luongo said we could try a part time employee but what if that doesn't work? That could be \$70 – \$80,000.00 per year plus benefits. Attorney Florence said the answer to that is to enter into a contract situation rather than hiring an employee. Councilperson Annabi said this would be good income for the town. We could make a contract with a short term rental company, the contract being between the rental company and the Town. Whenever there is a booking on the site there is bedroom tax which would come straight to the Town. This is usually 8% of the value of that rental. Supervisor Oliverio said we would get that plus the yearly registration fee which should cover any person we need to hire.

Attorney Florence said we are beginning to find out the resource in our town in this respect. We had been a lake community which evolved into permanent housing, but the sanitary system did not change with it. If we start looking at these houses we will probably find more bedrooms than we knew about, so this will be a clean-up process for our records as well. This may cause some discomfort with some of our residents; because some people may not be paying their fair share of the taxes. It could cause a higher assessment on some homes. Councilperson Annabi wondered if you are using your home as an Airbnb could that raise also your assessment. Attorney Florence said he did not know the answer. Councilperson Mackay no homeowner will come to the Town for a permit if they are not using their homes correctly or have more bedrooms than stated. Councilperson Annabi said we are not passing a law for people to break it, we are passing a law for people to want to follow it. Supervisor Oliverio said we cannot make this too onerous. Most people are honest and will do the right thing.

Councilperson Luongo said we should make the fees small; but make the fines big to keep people from breaking the rules. He added that as far as the lakefronts go, it is a big concern, however with the way our lakes are set up with the tiers sooner or later it's going to still catch up. We have to think about people who do not live on the lake but still have lake rights, so there is more to consider. Councilperson Annabi said the beach monitors must be vigilant about checking beach tags.

Supervisor Oliverio said he thinks the Town Board should hold an informational meeting on the concept, not on the law, so the residents can speak to us. We should have an open forum at our work session meeting in May. Supervisor Oliverio said there are a lot of issues which still need to be worked out. There are several issues such as septic, parking, owner responsibility during the rental, the lakes, the Town needing contact information etc.

SET PUBLIC HEARING FOR MARIJUANA MORITORIUM

Presented by Councilperson Mackay

RESOLUTION #R19-150

RESOLVED that the Town Board set April 10th as the date for a Public Hearing to establish a one (1) year moratorium on the establishment and or stocking of any store, shop, kiosk, and/or business structure that will sell any marijuana products and/or their related paraphernalia retail and/or wholesale within the Town. This moratorium will provide the Town time to study the appropriate locations for this type of business due to the health concerns this product may cause based upon the psycho-emotional effects that these products provide. This moratorium will begin immediately and end on April 17, 2020. The possibility of an extension of this moratorium will be considered as April 17th approaches. This marijuana moratorium will be all inclusive and will include stores, shops, business structures and kiosks that might already be established within the Town.

Seconded by Councilperson Annabi, unanimously carried

DISCUSSION OF MEETING TIME CHANGE

Presented by Councilperson Annabi

Councilperson Annabi said the Town Board has been discussing changing the time of the Town Board meetings to 5:00 PM. It makes getting home in the winter time safer, and allows people to do what they have to do in the summer time. Councilperson Whetsel suggested making the first two (2) meetings of the month at 5:00 PM and keeping the Regular Board Meeting which is the third meeting of the month at 6:00 PM. In case someone wants to attend or speak during Public Comment. Councilperson Luongo and Councilperson Mackay also agreed to try it. Supervisor Oliverio said we will begin this at the first meeting in May. We will adopt this by Resolution at next week's work session.

Supervisor Oliverio said everyone should join the Town's e-mail alert. You can sign up on the Town's website.

Councilperson Annabi said Town Day will be held on September 28th, 2019 which is the 4th Saturday in September. We are in the process of booking our bands. Oscawana Lake Road will be closed from the VFW to the Elementary School. The buses will leave from the Elementary School and when that lot is full you will go to the Middle School.

Vendors both *for profit* and *not for profit* are welcome please look on our website for the application. Please email Councilperson Annabi at Annabipvtb@gmail.com; or call 845-526-2121 and speak to Beverly.

Supervisor Oliverio said the Town Egg Hunt begins promptly at 1:00 in the Town Park. Councilperson Annabi said please get there on time because they cut the ribbon at exactly 1:00 PM. The Egg Hunt is open to children from preschool to 4th grade.

Councilperson Luongo reminded everyone that in New York State there is a burning ban in effect which runs through the middle of May. We are in an extreme fire risk condition. Our air right now is dryer than in Death Valley. Councilperson Luongo also said please remember the "Move Over Law" – this includes Fire Trucks, Ambulances, Tow Trucks, Help Trucks, Police Cars, Highway Workers etc. - please slow down when you approach them so nobody gets hit by a car and gets killed or gets hurt. Give them all your attention when driving. He added that there will be no more battery operated smoke detectors/carbon monoxide detectors sold. They will now have 10 year sealed battery units because they have found that people are not changing the batteries.

Supervisor Oliverio moved to go into Executive Session. No further business will be conducted after the Executive Session. The meeting closed at 6:46 PM.

Seconded by Councilman Mackay, unanimously carried.

Respectfully submitted,

Sherry Howard
Town Clerk
04/10/2019