

PUTNAM VALLEY TOWN BOARD
REGULAR TOWN BOARD MEETING
WEDNESDAY, OCTOBER 16, 2019
6:00 PM

1. Pledge of Allegiance
2. Departmental Reports
3. Supervisor's Comments
4. Legislative Reports
5. School Report
6. Set Public Hearing for final budget on November 6th at 5:00 PM.
7. Adopt Lake Oscawana Septic Pump-out Law Revision
8. Resolution to accept the Town's 2020 Preliminary Budget.
9. Request for release of demolition bond for Stacey Soloviev.
10. Authorize Supervisor to sign computer lease.
11. Authorize Supervisor to sign a server migration contract with KVS.

Districts:

12. Town Board to waive any building permit fees for Glemnar Garden roof repair of pump house.
- 12A. Accept the lowest and only bid from AAA Carting and Rubbish Removal for collection and disposal of garbage and recyclables in the Districts.

Parks and Recreation:

13. Personnel changes
14. Refunds

Building Department:

15. Daily Fee Report
16. Budget Transfers and Amendments
17. Public Comment
18. Audit of monthly bills

PUTNAM VALLEY TOWN BOARD
REGULAR TOWN BOARD MEETING
WEDNESDAY OCTOBER 16, 2019
6:00 PM

PRESENT: Supervisor Oliverio
Councilman Luongo
Councilwoman Annabi
Councilwoman Whetsel

ALSO PRESENT: Town Clerk Sherry Howard
Town Counsel William Florence

ABSENT: Councilman Mackay

Pledge of Allegiance and moment of silence for our troops.

DEPARTMENTAL REPORTS:

Presented by Councilperson Annabi:

Putnam Valley Historical Society Director Gretchen Weiglein said that our annual meeting is now being held on Sunday December 08th from 2-4 PM at the Ambulance Corp building. This year we will be recreating the first televised Presidential Debate between Richard Nixon and John F. Kennedy. Please join us – the cost is being lowered to \$30.00 per person for members and \$35.00 for non-members with a delicious dinner included. We changed the date and price to make things easier for our members to attend. On Sunday October 27th we are having two (2) Halloween events at the Museum. During the day there will be a mini pumpkin hunt and crafts for children and in the evening the Museum will be set up as a haunted school house. Our next installment of “Our American History” will be on Saturday November 9th. It is entitled “Almost Lincoln (contested images and the politics of authenticating historical artifacts). We have had this speaker before and he is fascinating.

Director of the Putnam Valley Free Library Dede Farabaugh came to the podium and began by saying that there are a bunch of programs that will be happening in the next week or so for Halloween. Tomorrow night at 6:30 there will be a lecture entitled Halloween: a haunted history (it will explain the traditions behind Halloween). Next Tuesday October 22nd at 7:00 PM there will be a workshop and lecture called Dead Poets of the Hudson Valley. This program is free but registration is required because there are a limited number of spaces. Next Thursday October 24th we are having our Halloween Party for kids at 6:00 PM.

There is free pizza for dinner and cupcake decorating. On October 30th we will be watching and reading Mary Shelley's Frankenstein – this is open to all ages. The Great Give Back is a library sponsored program for libraries to give back to their communities. It begins this Saturday with a knit-a-thon, from 10 AM -1 PM. The library provides the materials; and they will be knitting scarves for the Jan-Peek House in Peekskill. Passport Day is Sunday October 20th from 1PM - 5PM it is a drop-in program – but please bring your own photo. Sunny Boy the dog is waiting for children from 5 to 12 years old to read to him every other Wednesday from 4PM – 5PM. You can always get a museum pass from the Library it gives you free access or lower cost entry fees to many museums.

Library Trustee Gail Bennett said the library has a proposition on the ballot this November 5th which is called the 414. The 414 is the section of New York State Education Law which allows a Public or Association Library to put up their annual budget for public vote. This is a sustainable funding model, currently we are contracted out with the Town. Ms. Bennett said that library employees are not allowed to advocate for or offer opinions one (1) way or another on the 414 – they can only educate. There are a lot of questions about the 414 and we hope to offer answers – we will be there this Saturday morning from 10 AM until noon.

Councilperson Annabi said Highway Superintendent Larry Cobb gave her his report on what the Highway Department is doing. He said the guys are almost finished with the paving. If there are any other comments, questions or concerns please call 845-526-3333 or email lcobb@putnamvalley.com. She added that the Putnam Valley Volunteer Fire Department is having their annual Halloween Party on October 26th at 7:00. The cost is \$35.00 per person. Costumes are optional but fun. This is a fundraiser.

SUPERVISOR'S COMMENTS

Presented by Supervisor Oliverio

Supervisor Oliverio commended the Highway Department for doing such a great job in paving our roads. He also thanked the residents for their patience. He reminded everyone that on November 5th from 6AM to 9PM is Election Day. We have the ability to vote in our Country which not every Country has. Remember your voice is your vote. Also please remember this year there is early voting at the Carmel Board of Elections only. It starts on Saturday October 26th at 9:00 AM.

LEGISLATORS REPORT

Presented by Supervisor Oliverio

County Legislator Montgomery read County Legislator Gouldman's report which is as follows:

Bill Gouldman is not able to be here today so he requested I give his report.

** On Monday, October 21, Putnam County will be having another Flu Clinic at the Carmel Fire Department, from the hours of 2:00 and 6:30 pm. The clinic is open to all Putnam residents from 18 years of age and older. The cost is \$25 for residents under 65 years of age. Those 65 and older it's free.

** For the last 2 weeks the Legislature has been in the process of reviewing the county budget for 2019. If there are any specific budget issues you are concerned about, please reach out to Bill.

** Halloween is around the corner. Legislator Gouldman would like to remind everyone to take special caution during this time of year. Have fun, but be cautious.

** The PFC Joseph P. Dwyer Vet2Vet Program of Putnam County and Senator Sue Serino will be having a Chow Down for Putnam Veterans and a guest, on Sunday, October 27. It is FREE, so please RSVP by October 18 to the Veterans Service Agency at 845-808-1620.

** He would also like to thank the residents for being patient on Peekskill Hollow Road and Wood Street while the roads are being fixed this past month. The work is almost done, the middle line still has to be put down.

** Legislator Gouldman has worked on a few issues this month that he will discuss at the next months Board Meeting.

**** Bill is interested in your concerns. His door is always open. If you see something or have a problem or issue, just give his office a call at 845-808-1020. If he can correct your issue, he will.**

Councilperson Annabi said the Vet2Vet program is only for veterans who can bring one (1) guest only. It is not open to everyone.

County Legislator Montgomery said the Putnam County Health Department is offering a free Rabies Vaccination Clinic on November 2nd from 2 – 4 PM at Brookfarm Vet Center located at 2731 Route 22 in Patterson, NY.

There will be a Medication Take Back Day at Putnam Hospital from 10AM to 2PM on October 26th. There was a press release issued on the County Website because Laurie Taylor has been appointed as the coordinator of our Climate Smart Task Force.

The County Executive Odell presented the \$163.4 million dollar proposed 2020 budget last week. This is a challenging process. We have very serious needs in our County as far as mental health and substance abuse services. County Legislator Montgomery feels we need more programs to meet these needs. In addition we should give more money to private agencies that we have farmed out these mental health issues to – they have not had an increase in funding in decades, yet the needs have changed drastically.

County Executive Montgomery expressed concerned because we only have one (1) Supervisor for the 30 SRO's/SPO officers. Those guys are in the schools and on the front lines. The Legislature denied a second personnel position earlier on in the year and now it is back in the budget so hopefully it goes through.

Resident Patty Villanova said about a year ago we were told there was a \$100,000.00 grant which was going to be for the creation of a Women's Center at Oregon Corners where the Sheriff's substation is now. It also involved moving the Parks and Recreation Department down to the same substation and changing the current Parks and Recreation building to a substation. Ms. Villanova continued by saying last year it was a fait accompli and we were told that we received the grant. This year she learned that is no grant money yet and we may never get it. All her FOIL requests to County Executive Odell have been turned down because County Executive Odell said we may not get the grant. Ms. Villanova asked County Legislator Montgomery what happened to this grant and will there be some renovation of the substation? Supervisor Oliverio said we are waiting to see if the grant comes through.

County Legislator Montgomery does not have any knowledge of this project. Councilperson Luongo said this was supposed to be a trade-off but this is all contingent on the County. Councilperson Annabi said this grant money is for the Women's Resource Center only (they are a not-for-profit organization), they are the ones who requested the grant. The money is not coming from the County or the Sheriff's Department, the Women's Resource Center put in for the grant. The building belongs to the County and the Sheriff's Department. They would like to share the building with the Women's Resource Center, however that was a conflict somehow. No Town money is being spent on this whatsoever. This is solely to create a safe haven for abused women, that's all it's about. County Legislator Montgomery said she will find out about what happened to the grant.

AMENDMENTS TO THE AGENDA

Presented by Supervisor Oliverio

RESOLUTION #R19-284

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

ADD:

#12A – Accept bid from AAA Carting and Rubbish

#11A – Authorize the Town Board to pay the court-appointed Special Prosecutor in a local law case.

Seconded by Councilperson Annabi, unanimously carried

Supervisor Oliverio said that Councilperson Mackay is not here tonight as he had a very serious surgery on his spine and is trouble having with his mobility. He is in a lot of pain but will be better.

SCHOOL DISTRICT REPORT

Presented by Supervisor Oliverio

Supervisor Oliverio said the play "Almost Maine" will be held on November 8th, 9th and 10th. It is a comedy/drama and they always put on a great performance at the High School. Tickets will go on sale soon

SET PUBLIC HEARING FOR FINAL BUDGET ON NOVEMBER 6, 2019.

Presented by Councilperson Luongo

RESOLUTION #R19-285

RESOLVED that the Town Board authorize the Supervisor to set the Public Hearing for the Town and Fire Department Budgets on November 6, 2019 at 5:00 PM. The Town/Fire Department Budgets must be accepted by the Town Board Meeting being held on November 20, 2019 by State Law.

Seconded by Councilperson Annabi, unanimously carried

ADOPT LAKE OSCAWANA SEPTIC PUMP-OUT LAW REVISION

Presented by Councilperson Annabi

RESOLUTION #R19-286

RESOLVED that the Town Board authorize the Supervisor to adopt the Septic Pump Out for Protection of the Lake Oscawana Water Body Amendment to Section 90.1.

ARTICLE 1

Septic Tank Pump Out for Protection of the Lake Oscawana Water Body Amendment to Section 90.1

§90.1

This article's purpose is to protect from further degradation those water bodies in the Town of Putnam Valley by the New York State Department of Environmental Conservation (NYS DEC) by reducing phosphorous-loading in said water bodies through the required periodic pump-out and inspection of all septic tanks located on properties which are within the watershed of said water bodies.

Change to read:

... Designated as within the Lake Oscawana District and the Lake Oscawana watershed.

§90.2 Definitions

Lake Oscawana watershed shall mean all lands whose drainage overflows toward and/or into Lake Oscawana.

§90.3

- A. The owner of each lot with the Lake Oscawana watershed and the Lake Oscawana District which contains one (1) or more septic systems...
- B. 1
2

§90.4 No Change

§90.5 No Change

§90.6 No Change

Seconded by Councilperson Whetsel

ROLL CALL VOTE

COUNCILMAN LUONGO	AYE
COUNCILMAN MACKAY	ABSENT
COUNCILWOMAN ANNABI	AYE
COUNCILWOMAN WHETSEL	AYE
SUPERVISOR OLIVERIO	AYE

Motion passes with 4 ayes and 0 nays.

RESOLUTION TO ACCEPT THE TOWN'S 2020 PRELIMINARY BUDGET

Presented by Supervisor Oliverio

RESOLUTION #R19-287

RESOLVED that the Town Board authorize the Supervisor to accept the Town's 2020 Preliminary Budget.

Seconded by Councilperson Annabi, unanimously carried

Supervisor Oliverio said this is the 2020 preliminary budget and our Public Hearing for this budget is being held on November 5th at 5:00 PM. We are not adopting the budget tonight. We did reduce the budget down by just about 2% by adding in \$250,000.00 of our reserves. We got it down from 5.02% to 2.98%, the CAP is at 2%. The reason for being above the CAP is the increased cost of retirement, health insurance and medical.

Attorney Florence pointed out that if there is no Board agreement on the budget, this preliminary budget falls into place and becomes the official budget. Councilperson Annabi added part of the increased amount is that District Garbage pick-up went up by about 50%. Supervisor Oliverio said we did go out to bid twice on that, but we only got one (1) bidder. Nobody wants to accept recyclables anymore. Councilperson Annabi asked if Town CFO Ms. Angelico could tell the Board what the Town's Expenditures are versus what the State Mandates are just for information purposes. If we could get those numbers the residents would understand how little the Town taxes really are. Supervisor Oliverio said that number is like 1.02% very much below the tax cap. We are running this Town on very little money. Ms. Angelico said liability insurance, workers compensation, health insurance and retirement costs for 2020 is budgeted at 2.7 million dollars. Councilperson Luongo said the Districts alone bring us up. Supervisor Oliverio said the worst part is that we don't have any business to offset the taxes like other places in Putnam County. Councilperson Annabi said she would still like to see it get down to 2%. Ms. Angelico said with the addition of the money from the Fund Balance line A of the budget which is the Town General Line is actually going down by about ½ of a percent. The Highway and District Lines are going up, in the past we have used the Highway Departments Fund Balance to buoy additional increases.

REQUEST FOR RELEASE OF DEMOLITION BOND FOR STACEY SOLOVIEV

Presented by Councilperson Luongo

RESOLUTION #R19-288

RESOLVED that the Town Board authorize the Supervisor to release the demolition bond for Stacey Soloviev. The Soloviev Site Development Plan had been completed. The Town Engineer has signed off that all the work has been completed. At this time the Applicant has requested the release of the Demolition cash bond in the amount of \$32,500.00.

Seconded by Councilperson Annabi, unanimously carried

AUTHORIZE SUPERVISOR TO SIGN COMPUTER LEASE

Presented by Councilperson Annabi

RESOLUTION #R19-289

RESOLVED that the Town Board authorize the Town Supervisor to sign the Lease Agreement with Hewlett-Packard Financial Services in the amount of \$11,068.20 Principal, \$411.74 Interest for a total amount of \$11,479.94. CDWG is the company that will be supplying the equipment. This vendor works specifically with government agencies and the prices of the equipment are off of the State Bid Information Technology Bid Documents. The Town will be leasing 10 new desktop computers (see attached for description). The terms of the lease are as follows:

- Total cost of equipment through CDWG is \$11,608.20
- Type of lease – Tax Exempt Installment Sale – Once the original base lease payments are made the Lessee owns the items free and clear.
- 36 month lease from 11/1/19 – 11/1/22
- Payment Amount - \$325.41
- Interest Rate is 3.72%
- Total amount of interest over 3 years is \$646.56
- Total Cost is \$11,714.76

Purchase of computer equipment is tracked on a retention schedule with the Town Staff based on the year of the model. This expenditure has been included in the 2019-2020 budget.

Seconded by Councilperson Luongo, unanimously carried

AUTHORIZE SUPERVISOR TO SIGN A SERVER MIGRATION CONTRACT WITH KVS

Presented by Councilperson Whetsel

RESOLUTION # R19-290

RESOLVED that the Town Board authorize the Supervisor to sign a server migration contract with KVS (financial systems software)

Seconded by Councilperson Annabi, unanimously carried

AUTHORIZE THE TOWN BOARD TO PAY THE COURT-APPOINTED SPECIAL PROSECUTOR IN A LOCAL LAW CASE

Presented by Councilperson Luongo

RESOLUTION # R19-291

RESOLVED that the Town Board authorize the Supervisor to pay the court appointed Special Prosecutor in a local law case. Gordon Fine has recused himself as Town Prosecutor on a pending law case in the Putnam Valley Justice Court. Therefore the Court is required to appoint a Special Prosecutor in order for the case to proceed. The Court has appointed Andres D. Gil, Esq. as the Special Prosecutor at a rate of \$200.00 per hour.

Seconded by Councilperson Annabi, unanimously carried

WAIVE BUILDING PERMIT FEES FOR GLENMAR GARDEN ROOF REPAIR OF PUMP HOUSE

Presented by Councilperson Annabi

RESOLUTION # R19-292

RESOLVED that the Town Board waive any Town of Putnam Valley building permit fees for the roof repair at the Glenmar Gardens pump house.

Seconded by Councilperson Luongo, unanimously carried.

ACCEPT THE LOWEST AND ONLY BID FROM AAA CARTING & RUBBISH REMOVAL FOR COLLECTION AND DISPOSAL OF GARAGE AND RECYCLABLES IN THE DISTRICTS

Presented by Councilperson Whetsel

RESOLUTION # R19-293

RESOLVED the Town Board accept the lowest and only bid for the collection and disposal of residential garbage and recyclables from the Districts within the Town of Putnam Valley from AAA Carting & Rubbish Removal, 480 Furnace Dock Road, Cortlandt Manor, NY.

The bid numbers are as follows:

- Year 1 - \$223,250.00 per household (\$27.98/household)
- Year 2 - \$237,500.00 per household (\$29.76/household).
- Year 3 - \$251,750.00 per household (\$31.55)/household).

Please authorize the Supervisor to sign a three year contract for the bid prices as listed above.

The carter would also like to suggest a 4 or 5 year contract at a CPI increase based on statistics published by the US Department of Labor, Bureau of Statistics, Washington, DC as the "Consumer Price Index for the New York Metropolitan Area", published the last day of the preceding year. (This is a reference from the contract between AAA Carting and the Town of Carmel).

Seconded by Councilperson Annabi, unanimously carried.

Supervisor Oliverio said legally we cannot go beyond a three year contract but we can do extensions and that is what they are offering. He can send a message back to AAA that we are considering extensions or we can say we are not interested. Councilperson Luongo said we should at least consider it, we don't have to commit to anything. We can just look at it and project out five years. Supervisor Oliverio said he will speak to them tomorrow. Resident Terry Raskyn asked if this price includes recycle bins. Supervisor Oliverio said no we had to pull that out along with a second pick-up to lower the price. People in the Districts are still paying less than people who do not live in a District. Councilperson Whetsel said think in terms of recycling to make less garbage. Councilperson Luongo said to the residents, if you have a problem with them picking up your garbage or anything else garbage pickup related please call District Clerk Judy Travis at 845-526-2160.

PARKS & RECREATION- PERSONNEL APPOINTMENTS/ADJUSTMENTS

Presented by Councilperson Luongo

RESOLUTION #R19-294

RESOLVED, that the Town Board approve the following additions/changes to Children's Center and Camp personnel:

1. Kelly Carney, ES Afterschool Program Instructor, @ \$30.00 per hour.
2. Marlene Pereira, ES. After School Program Instructor, @\$30.00 per hour.

Seconded by Councilperson Annabi, unanimously carried.

PARKS AND RECREATION REFUNDS

Presented by Councilperson Annabi

RESOLUTION #R19-295

RESOLVED, that the Town Board approve the following refunds:

To: Town Board
From: Frank DiMarco, Parks and Recreation Director
Subject: Parks and Recreation Refunds
Date: September 26, 2019

Grace Urbina 66 Tanglewylde Road Lake Peekskill, NY 10537	\$ 500.00 LPCC refund deposit
Atiya Patterson 40 Old Oregon Road Cortlandt Manor, NY 10567	\$125.00 Laser Tag (sports) did not run sports program
Heather Marazita P O Box 551 Putnam Valley, NY 10579	\$125.00 Laser Tag (sports) did not run sports program
Kirsten Del Peschio 4 Columbus Court Putnam Valley, NY 10579	\$125.00 Laser Tag (sports) did not run sports program
Katlyn Morley 17 Sassinoro Road Putnam Valley, NY 10579	\$125.00 Laser Tag (sports) did not run sports program
Michelle Riley 2 School Street Cortlandt Manor, NY 10567	\$125.00 Laser Tag (sports) did not run sports program
Adriana Ariza 87 Johnson Street Lake Peekskill, NY 10537	\$125.00 Laser Tag (sports) did not run sports program
Susannah Brydges 469 Peekskill Hollow Road Putnam Valley, NY 10579	\$1,275.00 Day camp refund child removed due to ongoing behavior issues
Jen Fowler 15 Gilbert Lane Putnam Valley, NY 10579	\$90.00 Spikeball (sports) league did not run
Chrysoula McKeever 3 White Road Putnam Valley, NY 10579	\$1,242.50 PVCC New job does not need childcare

Seconded by Councilperson Whetsel, unanimously carried.

BUILDING DEPARTMENT REPORT- SEPTEMBER 2019

Presented by Councilperson Whetsel

RESOLUTION #R19-296

RESOLVED, that the Town Board accept the Building Department daily fee report and summary for the month of September 2019, for filing with the Town Clerk.

10/7/2019

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

15

From: 9/1/2019 To: 9/30/2019

<u>Fee Type</u>	<u>Count</u>	<u>Amount</u>
ADDITION/ALTERATION	8	\$4,527.00
ADDITIONAL FEE	1	\$1,367.00
CW	1	\$75.00
DECK	1	\$150.00
DEM/R	1	\$100.00
ELECTRI APP/NY ELEC	6	\$180.00
ELECTRIC APP/SWIS	17	\$510.00
FENCE/WALL	1	\$75.00
GAS/PROPANE	5	\$425.00
GENERATOR PERMIT	2	\$150.00
HVAC	8	\$675.00
IN GROUND POOL	2	\$1,050.00
MG	11	\$825.00
MI	6	\$629.00
OIL TANK	4	\$350.00
PELLET STOVE	1	\$75.00
PERM	6	\$2,524.00
PL	10	\$885.00
RE	2	\$150.00
RHCS	4	\$1,000.00
RU	2	\$250.00
SEARC	22	\$3,300.00
WETADM	3	\$150.00
WETL	3	\$300.00
WT/S	4	\$400.00
Total Fees Collected:	131	\$20,122.00
Cash	7	\$555.00
Check	123	\$19,492.00
Money Order	1	\$75.00

Seconded by Councilperson Luongo, unanimously carried.

BUDGET TRANSFERS

Presented by Supervisor Oliverio

RESOLUTION #R19-297

RESOLVED, that the Town Board approved the following budget transfers:

Seconded by Councilperson Annabi, unanimously carried.

PUBLIC COMMENT

Presented by Supervisor Oliverio

Resident Patty Villanova said she would like to talk about how important our right to vote is. This is an off year election and there may be not much of a turn out. She thought some banners reminding people to vote would be a good idea, so she had a beautiful banner made which she is donating. Highway Superintendent Cobb will have it hung up at Oregon Corners.

Resident Ralph Smith said he had some questions about the Town Budget that he would like to have clarified. He noted that the budget is above the tax CAP again which he is not happy about. He knows the reasons why with the increases in retirement, health insurance etc. but suggested the Town share services, share strategies and share knowledge with the School District. Councilperson Luongo said he wished the School District felt the same way. Supervisor Oliverio said he wished the School Board had joined us with shared services on the County level when it was offered. The school has never entertained a shared service with any agency. As far as the tax CAP we have been above .8% twice in the last four (4) years, and that includes this one, our budget is not the hammer of the taxes that is the School District's Budget. Mr. Smith said he understands that the school budget is five times larger than the Town's budget but you can check around and you will find out that the Town's increases have been higher by twice than that of the School. Supervisor Oliverio said the Town has taken advantage of and used shared services many times unlike the School District who have never used any shared services even though he has requested it. Mr. Smith then asked about the Fund Balance which he said is like a bank account to keep extra funds in case they are needed. He asked which number on the budget is actually our extra funds. Supervisor Oliverio said you can find that on page one (1) and the amount is \$1,916,260.00 for the Town. Mr. Smith said these funds are unappropriated? Supervisor Oliverio said yes, that is where we are taking the \$250,000.00 from to lower the tax increase. He added that it is always recommended to keep about 10% of your fund balance based upon your budget, our budget is about 15 million. Councilperson Annabi said we need a little more than 10% because we may need to repair the bridge in Lake Peekskill, we are not sure yet. The Highway Department has their own fund balance.

Mr. Smith noted that everyone has their own fund balance including the Districts a fact which Supervisor Oliverio affirmed.

Councilperson Annabi explained to Mr. Smith how a taxing District works and where their money comes from. Councilperson Luongo said we cannot use any of the Districts Fund Balance. Supervisor Oliverio said the Highway Departments fund balance is at \$501,420.00 which they need. The Highway Department has also given back some of their fund balance in the past to help keep taxes down. Supervisor Oliverio said we need 14 million dollars this year in order to run the Town. Mr. Smith said he is just trying to make sense of the budget and process the data.

Mr. Smith then mentioned that he had read in the newspaper about a Town Board member who was sued for two (2) million dollars for slander by a Town Employee who works in the building department. He went on to say that the article stated that the rest of the Town Board Members didn't know anything about this until it was settled; and a check was written to the Building Department Employee for \$17,000.00 by the Town's insurance company. At a meeting two (2) months ago the Town Board said they would look into it, so could you bring the community up to date on this. Supervisor Oliverio said we are still investigating it and we are close to a conclusion but we cannot talk about it at this time, it depends on the insurance company. They are not really giving us proof. Resident Tom Carano said there is proof as this was settled. Supervisor Oliverio agreed that it was settled but said did not know how the insurance company paid because that did not come from the Town Board. Mr. Carano questioned if the insurance company paid the judgment by the accused Town Board Members request? Attorney Florence said the Town's Insurance Policy covers many conducts of behavior. A Town Employee alleged there had been slander and liable against him by a Town Board member. Some testimony had been taken but no conclusion has been made by anybody on this matter; however the insurance company determined to settle the case. They did so and payment has been made. A confidentiality agreement has obviously been obliterated and not honored so I don't know how that will affect how the insurance company behaves. Counsel Florence said the reason the Town's insurance company is a part of this is because it was an action by an employee of the Town against an elected official of the Town, in other words it is of and about town business. The Insurance Company decided it had an obligation to defend him and you know the results. Mr. Smith asked Counsel Florence if he knew about this to which Counsel Florence responded as Town Counsel I am not free to tell you. Supervisor Oliverio said personnel matters are held in the strictest of confidentiality. Mr. Smith said as the Town wasn't named the documents are public so why didn't the Town Attorney keep the Town Board informed. Councilperson Whetsel said she did not know anything about this. Counsel Florence said as the Town was not named it was a non sequitur. He cannot tell anything because it is privilege he has with his client as Counsel, but his client was not the Town Employee, it is the Town itself.

Resident Tom Carano said he got deposed under oath in the litigation mentioned above. Mr. Carano said that the Town Board Member in question is going around saying that Mr. Carano is fraudulently providing information. Supervisor Oliverio asked him to stop making allegations. Mr. Carano said these are not allegations, the evidence is there, and he told the truth when he was deposed. He believes there is a cover-up going on. Supervisor Oliverio said this is a separate issue and there is no cover-up.

The Insurance Company paid part of the fine and the Town Board Member paid the rest.

Resident Patty Villanova said when this incident occurred the Town Board Member in question was just being himself, he was not on town business. He was in public so we are under no obligation to provide a defense for him when he is in his own private life. If you do something in your capacity of Town Supervisor or Town Board then we owe you a defense or nobody would run for office if they didn't have that protection. He was acting in a private capacity. Councilperson Annabi said the Town Board Member did not choose this, as she understands it, it was the insurance company that decided that the Town Board Member was covered under the umbrella of being a Councilman. Ms. Villanova said at some point in time somebody had to have asked the insurance company to cover the Town Board Members behavior. Supervisor Oliverio said that's what we are trying to find out but we are not getting any answers. He does not know why they have not been forthcoming. This will be resolved. Ms. Villanova said the first thing we need to know is if the Town Board Member requested this of the insurance company. Supervisor Oliverio said the Town Board Member had a private lawyer and maybe that lawyer contacted the insurance company. Supervisor Oliverio is upset that he was unaware that this was going on and the insurance company should have contacted him. Supervisor Oliverio said the Town Board did not authorize the settlement the insurance company did. Mr. Carano said between the Town Attorney and the Town Supervisor one of you should be able to get them to give you the information as to who authorized the settlement. Supervisor Oliverio said they told him that they covered him in his capacity as a Town Board Member but will not tell him who authorized the payment. Supervisor Oliverio said this is a civil case not a Town case; and the Town Board Member never mentioned it to us.

Councilperson Luongo said that last night the Department of Transportation held an open house to discuss what is going on at Pudding Street. He was able to secure a set of slides and copies of what was shown. If you missed it you can come to Town Hall and take a look. He added that the ground breaking was today. Councilperson Luongo also said the monument by the bridge at Oregon Corners needs some help. There is also a nice planter in front of it. Supervisor Oliverio said we have a \$200.00 beautification fund that we can use for this purpose. Our maintenance man or landscaper can do that.

Councilperson Annabi said our "Welcome to Putnam Valley Flags" also are in bad shape. Supervisor Oliverio said we have replaced some of them, we will take a look and see.

Councilperson Luongo said with the rain and the wind the leaves will come down and be in the middle of the road. Wet leaves are as bad as ice. When you leave in the morning the ground and leaves are still wet, drive safely.

Councilperson Annabi reminded everyone that Ms. Luongo is having veterans memorial banners made you can call her at Town Hall 845-526-2517 or go to the website

AUDIT OF MONTHLY BILLS

Presented by Supervisor Oliverio

RESOLUTION # R19-298

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

<u>VOUCHER NUMBERS</u>	<u>AMOUNTS</u>
28436-28701	31,747.70
28576-28683	49,236.43
28614-28732	21,640.11

Seconded by Councilperson Luongo, unanimously carried.

Supervisor Oliverio motioned to go into Executive Session on a personnel matter. There will be no business done after. The meeting was closed at 7:21 PM

Seconded by Councilperson Annabi, unanimously carried.

Respectfully Submitted

Sherry Howard
Town Clerk
10-28-2019