

PUTNAM VALLEY TOWN BOARD
WORK SESSION
WEDNESDAY, FEBRUARY 12, 2020
5:00 PM

Pledge of Allegiance

1. Discussion Census 2020.
2. Discussion Peekskill Hollow Road Weight Limit
3. Discussion Solar Panels Exemption
4. Discussion Climate Smart
5. Appoint Bulk Drop-Off Attendant
6. Authorize Supervisor to sign Costal Clock and Chime Maintenance Agreement
7. Authorize Supervisor to sign Wheelabrator Contract
8. Budget Transfers and Amendments

PUTNAM VALLEY TOWN BOARD
WORK SESSION
WEDNESDAY FEBRUARY 12, 2020
5:00 PM

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

ALSO PRESENT: Town Clerk Sherry Howard
Town Counsel Robert Lusardi

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

DISCUSSION - CENSUS 2020

Presented by Supervisor Oliverio

Supervisor Oliverio said that next week we will have a speaker representing the U.S. Census which is now occurring throughout the United States. The Census is very important and everyone needs to be counted so there is an accurate reflection. State and Federal aid are based on these numbers. Next week's meeting is the third one (1) of the month so it begins at 6:00 PM.

DISCUSSION - PEEKSKILL HOLLOW ROAD WEIGHT LIMIT

Presented by Supervisor Oliverio

Supervisor Oliverio said the weight limit restriction on Peekskill Hollow Road was a temporary one (1), and the County is threatening to remove it. It was put on seven (7) years ago and since then no study has been done. This issue does need to be studied and the weight restriction needs to remain until then. Supervisor Oliverio thinks the solution to this problem is that all 18 wheelers need to travel on Route 6 and stay off of Peekskill Hollow Road, which is not built for trucks of this size. Councilwoman Annabi said we need to follow up on this and protect our Town from lifting this weight restriction. Councilwoman Whetsel agreed and said we have to protect the health and safety of the resident that live here. Our rural character is our most important asset. Councilman Luongo asked where this came from. He wondered why they are upsetting the apple cart. He used Tinker Hill Road as an example of the dangers truckers face when driving in a place they are unfamiliar with, especially when the roads are narrow and winding.

Councilman Smith said he is also in opposition to lifting the weight limit. He added that we know the roads and how they go, truck drivers do not and can get into trouble. It is not a safe situation. Councilwoman Annabi said we should partner with Kent as this affects them too. She suggested that Supervisor Oliverio contact their Supervisor, Maureen Fleming, and they should take this to the County together. Supervisor Oliverio said Kent's Town Board is interested and they have already spoken about this.

DISCUSSION – SOLAR PANEL EXEMPTIONS

Presented by Supervisor Oliverio

Supervisor Oliverio said New York State allows Towns to opt out from giving exemptions to people who put on solar panels. Supervisor Oliverio said he feels like this would seem like we are giving that a negative connotation and are against green energy. Instead, let it be and keep our exemption is simple. The exemption would be not to raise the value on your house if you put solar panels on, it's that simple. We would keep the assessment at the same price. Councilman Luongo said that is the stand we took a couple of years ago when we discussed this. Assessor Luongo will be here next week to discuss it. Town Counsel Lusardi said the exemption applies to more than just a homeowner putting panels on their house. It also applies to these large solar panel farms and areas with much acreage with these large batteries that store electricity during the night, and they sell it during the day. The law makes no distinction between the two. You have to make a choice, to give the exemption to the homeowner you have to give it to the larger facility as well. Supervisor Oliverio said the bigger facilities property is already being taxed we are just not going to increase the value of that property. Councilwoman Annabi said if someone purchases vacant land, it is being taxed as vacant land. If they put solar panels on it and sell the energy, they are now making money from that land. If someone makes it into a business then we can't increase the value of that property if that is our exemption. Supervisor Oliverio and Assessor Luongo said we can change the exemption if need be, we need more information. Councilman Luongo said we can put homes and businesses into two different classes. Attorney Lusardi said he has information from NYSERDA that explains how the exemption works.

New York State's Real Property Tax Law § 487

The following outlines important points for local governments that
are considering opting out of the Real Property Tax Law § 487.

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Overview

It is increasingly important for local governments to be aware of the New York State Real Property Tax Law § 487 as it relates to developing solar electric systems in your community. We provide answers to questions that may arise when local officials are deciding whether to opt-in or opt-out of the Real Property Tax Law.

1. Real Property Tax Law § 487

This law provides a 15-year real property tax exemption for properties located in New York State with renewable energy systems, including solar electric systems. This law only applies to the value that a solar electric system adds to the overall value of the property; it does not mean that landowners with an installed renewable energy system are exempt from all property tax. A local government that does not opt out can still benefit financially through payment-in-lieu-of-taxes (PILOT) agreements.

In local governments that have taken no action one way or the other, the exemption is in effect. If a local law, ordinance, or resolution opting out of the exemption is adopted, a copy must be filed with the New York State Department of Taxation and Finance, and the New York State Energy Research and Development Authority (NYSERDA).

1.1 Local Economic Impact of Solar

New York State's solar market is one of the fastest growing solar markets in the country. Installations grew by almost 1,000 percent from 2011 to December 2017. During 2011 to 2017, the U.S. as a whole saw a 452 percent increase. New York State ranked 12th nationwide for cumulative solar installed capacity in 2017.¹⁰

The solar industry is creating jobs across the State with more than 770 solar companies employing more than 9,000 people. In 2017, the solar industry added approximately 900 new jobs throughout the State, a 11 percent increase over 2016 job growth. New York is currently ranked number 3 in solar jobs.¹¹

With average wages of \$21 per hour, the solar industry is responsible for creating thousands of living-wage jobs that allow workers to contribute to their local economies.¹² Most jobs are local or regional and cannot be outsourced.

1.2 Why would jurisdictions opt out of the RPTL § 487?

All local governments must offer the RPTL § 487 exemption unless they have opted out not to. Local governments can decide to opt out. As the solar market in New York continues to grow, many large-scale solar projects are being proposed throughout New York. Some local governments are opting out of RPTL § 487 so they can tax these multimillion-dollar projects and generate additional property tax revenue. However, these jurisdictions may find that they will not actually collect substantially more tax revenue from solar or other renewable energy systems because the systems may not be built if they are fully taxable. Property taxes can have a significant impact on the financial viability of solar electric projects, sometimes impacting project economics in a way that unintentionally prohibits solar electric development. Jurisdictions that opt out of RPTL § 487 may unintentionally prevent solar electric development at the local level. Activity in other states suggest there is less solar development in jurisdictions that opt out of the property tax exemption, with little to no additional tax revenue collected.¹³

¹⁰ Greentech Media, "US Solar Market Insight 2017 Year in Review," <https://www.greentechmedia.com/research/report/us-solar-market-insight-2017-year-in-review#gs.5scwdeE>

¹¹ The Solar Foundation, "New York Solar Jobs Census 2017," <https://www.thesolarfoundation.org/solar-jobs-census-factsheet-2017-NY/>

¹² The Solar Foundation, "National Job Census," <https://www.thesolarfoundation.org/national/>

¹³ Barnes et al. 2013, "Property Taxes and Solar PV Systems: Policies, Practices, and Issues," <https://hcsolarcen-prod.s3.amazonaws.com/wp-content/uploads/2015/06/Property-Taxes-and-Solar-PV-Systems-Policies-Practices-and-Issues.pdf>

1.3 Can jurisdictions opt out of RPTL § 487 for large-scale solar only?

No. Under RPTL § 487, jurisdictions are not permitted to conditionally opt out of the property tax exemption. In other words, jurisdictions cannot choose to tax large systems but not small ones. A jurisdiction that opts out of RPTL § 487 to generate tax revenue from larger projects makes solar installations more expensive for homeowners and local businesses.

1.4 Capturing revenue from installations without opting out of RPTL § 487

The law allows jurisdictions that offer the RPTL § 487 exemption to negotiate payments in lieu of taxes (PILOTs). The purpose of a PILOT is to reduce the tax burden and tax rate uncertainty on the property and/or system owner, while preserving some of the forgone revenue that would have been paid in property taxes. PILOTs are often used for large-scale¹⁴ renewable energy projects, including solar electric systems. They are annual payments commonly related to the system's size (often in dollars per megawatt [MW]) and cannot exceed the amount of taxes that would be owed without the exemption.

Each taxing jurisdiction (except the school districts of New York, Buffalo, Rochester, Syracuse, and Yonkers) that has not opted out of RPTL § 487 may require the owner of a solar installation to enter a PILOT. The PILOT may not exceed a 15-year term, but it cannot require payments that exceed the value of taxes that would be paid without the exemption provided by RPTL § 487.¹⁵ PILOT agreements can be an effective tool for jurisdictions to generate comparable revenue without making solar costs prohibitive for most homeowners and businesses.

1.5 Opting back in

The New York State Department of Taxation and Finance has stated that local governments can reinstate the RPTL § 487 exemption simply by repealing the local law, ordinance, or resolution that implemented the opt out. The final step to reinstate the exemption is to provide a copy of the new law, ordinance, or resolution to the New York State Department of Taxation and Finance and NYSERDA.¹⁶

1.6 Property tax exemptions in other states

Thirty-three states offer some form of tax exemptions for renewable energy. Twenty-two of those states mandate property tax exemptions for 100 percent of the value of solar energy installations over 10 or more years.¹⁷ These states include ones with significant solar development such as California, Massachusetts, and New Jersey, as well as states with minimal solar capacity such as South Dakota, Kansas, and Montana. The majority of states recognize the positive financial impact property tax exemptions can have on solar electric development and the local economic benefits of a robust solar industry.

Questions?

If you have any questions regarding New York State's Real Property Tax Law § 487, please email questions to cleanenergyhelp@nyserda.ny.gov or request free technical assistance at nyserda.ny.gov/SolarGuidebook. The NYSERDA team looks forward to partnering with communities across the state to help them meet their solar energy goals.

¹⁴ In this guide, large scale is considered solar electric projects that are in the megawatt range.

¹⁵ New York State Department of Taxation and Finance, January 2016, "Recently Asked Questions About the Real Property Tax Law on the Topic of Solar Energy," Available at: https://www.tax.ny.gov/research/property/legal/faq_index.htm

¹⁶ New York State Department of Taxation and Finance, supra note 13.

¹⁷ Solar Power Rocks. <https://solarpowerrocks.com/new-york/>

DISCUSSION - CLIMATE SMART COMMUNITIES

Presented by Councilman Smith

Councilman Smith said he met Councilwoman Whetsel quite by accident at the “Sustainable Putnam” meeting at the Mahopac Library. It was a good discussion and many of our surrounding Towns have adopted the Climate Smart Communities Program and Resolution.

Councilman Smith said the County and the surrounding areas are adopting basically the same Resolution and using the same ten (10) points from the model resolution that NYSERDA has suggested. Councilman Smith read the ten (10) points are as follows:

1. Build a climate-smart community.
2. Inventory emissions, set goals, and plan for climate action.
3. Decrease energy use.
4. Shift to clean, renewable energy.
5. Use climate-smart materials management.
6. Implement climate-smart land use.
7. Enhance community resilience to climate change.
8. Support a green innovation economy.
9. Inform and inspire the public.
10. Engage in an evolving process of climate action.

Councilman Smith said there are many motivational ideas and tools offered and we can become more responsible environmentally. There are many actions we can take and some we have already taken. There are also 300 Towns around us that have already taken the pledge. Supervisor Oliverio said we will take our pledge in March. He would first like to see what the County has done first so we can remain in line with them, we want a unified front.

DISCUSSION ON PASSING A RESOLUTION SUPPORTING THE “EMERGENCY FIRST RESPONDERS PRIVACY AND PROTECTION ACT.”

Presented by Councilwoman Annabi

Councilwoman Annabi said at this point most people have realized that the Bail Reform Act was not a great bill. In addition, it does not protect our First Responders Privacy. These are volunteers who put their life on the line. There was an incident here in Putnam Valley and the First Responders, i.e. the Fire Department and Ambulance Corps members now have their names, addresses, and phone numbers available to that defendant, there is no longer any privacy for the volunteers. We have a right to protect those who protect us. There is a bill in Fulton County in Albany where they are calling for the protection of the First Responders. She is asking for Putnam Valley to follow suit and do the same thing, in addition she is asking for the other Putnam County Towns and the County itself to do the same thing. Supervisor Oliverio said we do not need a Public Hearing on this since it is just a supportive resolution.

AMENDMENT TO THE AGENDA

Presented by Councilwoman Annabi

RESOLUTION #R20-92

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

ADD:

#4 A – Discussion on passing a Resolution supporting the Emergency First Responders Privacy and Protection Act. (see above).

Seconded by Councilman Luongo, unanimously carried.

APPOINT BULK DROP-OFF ATTENDANT

Presented by Councilman Luongo

RESOLUTION #R20-93

RESOLVED that the Town Board appoint Daniel Gibbs as Bulk Drop-Off Attendant, seasonal employee April 18th, June 20th, August 15th and October 17th, 2020. Hours of operation are from 8:45 AM to 11:45 AM. Rate of pay is \$20.00 per hour; no benefits - this expense has been included in the 2020 budget.

Seconded by Councilwoman Annabi, unanimously carried.

AUTHORIZE SUPERVISOR TO SIGN THE COASTAL CLOCK AND CHIME MAINTENANCE AGREEMENT

Presented by Councilwoman Annabi

RESOLUTION #R20-94

RESOLVED that the Town Board authorize the Supervisor to sign the Maintenance Agreement with Coastal Clock and Chime in the amount of \$725.00 for annual maintenance of the Town Clock. This expenditure has been included in the 2020 budget.

Seconded by Councilman Luongo, unanimously carried.

Councilwoman Annabi asked if this price includes the painting of the clock. Supervisor Oliverio said, no, Doug will be painting it himself when the weather gets warmer.

AUTHORIZE SUPERVISOR TO SIGN THE WHEELABRATOR CONTRACT

Presented by Councilwoman Whetsel

RESOLUTION #R20-95

RESOLVED that the Town Board authorize the Supervisor to sign the Wheelabrator Contract on behalf of Lake Peekskill. This is a three (3) year contract. For the year 2020 the cost is \$87.00 Tip Fee per ton. For the year 2021 the cost is \$89.00 Tip Fee per ton, and for the year 2022 the cost will be \$91.00 Tip Fee per ton. This is based on 600 annual tons.

Seconded by Councilman Smith, unanimously carried.

BUDGET TRANSFERS AND AMENDMENTS

Presented by Councilwoman Smith


RESOLUTION #R20-96

RESOLVED that the Town Board approve the following budget transfers and amendments from the years 2019 and 2020.

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Town of Putnam Valley

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TO: Town Board
FROM: Maria Angelico 
SUBJECT: 2019 Budget Transfers
DATE: February 12, 2020

Hereby request your approval of the attached Budget Amendments and Transfers for year ended December 31, 2019.

Date Prepared: 02/12/2020 11:37 AM

TOWN OF PUTNAM VALLEY
Budget Adjustment Form

GLR4150 1.0
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Year: 2019 Period: 12 Trans Type: B1 - Transfer Status: Posted
 Trans No: 113211 Trans Date: 12/31/2019 User Ref: MANGELICO
 Requested: Approved: Created by: MANGELICO 02/12/2020
 Description: Account # Order: Yes
 Print Parent Account: No

Account No.	Account Description	Amount
A.1010.110	TOWN BOARD.PERSONAL SERVICE	230.74
A.1010.400	TOWN BOARD.PLANNING/LEGAL CONSULTING	300.00
A.1010.424	TOWN BOARD.CONTRACTUAL	-230.74
A.1010.424	TOWN BOARD.CONTRACTUAL	-300.00
A.1010.424	TOWN BOARD.CONTRACTUAL	-189.89
A.1110.110	JUSTICE COURT.PERSONAL SERVICE	112.14
A.1110.120	JUSTICE COURT.COURT OFFICER	-112.14
A.1110.120	JUSTICE COURT.COURT OFFICER	-253.73
A.1110.130	JUSTICE COURT.COMP EMPLOYEES	-289.87
A.1110.130	JUSTICE COURT.COMP EMPLOYEES	-5.70
A.1110.130	JUSTICE COURT.COMP EMPLOYEES	-112.21
A.1110.424	JUSTICE COURT.CONTRACTUAL	253.73
A.1220.110	SUPERVISOR.PERSONAL SERVICE	289.87
A.1220.120	DEPUTY SUPERVISOR.PERSONAL SERVICE	5.70
A.1220.130	SUPERVISOR.COMP EMPLOYEES	112.21
A.1220.424	SUPERVISOR.CONTRACTUAL	189.89
A.1310.100	DIR OF FINANCE.PERSONAL SERVICE	-28.11
A.1340.110	BUDGET OFFICER.PERSONAL SERVICE	28.11
A.1355.110	ASSESSMENT.ASSASSOR	273.29
A.1355.130	ASSESSMENT.COMP EMPLOYEES	-273.29
A.1355.410	ASSESSMENT.SPEC LEGAL EXP	-900.00
A.1355.410	ASSESSMENT.SPEC LEGAL EXP	-1,800.00
A.1355.424	ASSESSMENT.CONTRACTUAL	900.00
A.1410.110	TOWN CLERK.PERSONAL SERVICE	-3.12
A.1410.120	TOWN CLERK.TAX RECEIVER	3.12
A.1410.130	TOWN CLERK.COMP EMPLOYEES	-295.04
A.1410.130	TOWN CLERK.COMP EMPLOYEES	-15.07
A.1420.400	LAW.SPECIAL LEGAL COUNSEL	7,112.13
A.1620.100	BUILDINGS.PERSONAL SERVICE	-15.82
A.1620.200	BUILDINGS.EQUIPMENT	-49.50
A.1620.400	BUILDINGS.CONTRACTUAL	2,345.31
A.1620.430	BUILDINGS.POWER & LIGHT	197.41
A.1620.440	BUILDINGS.SUPPLIES & MAINTENANCE	-197.41

Date Prepared: 02/12/2020 11:37 AM

TOWN OF PUTNAM VALLEY
Budget Adjustment Form

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Account No.	Account Description	Amount
A.1620.440	BUILDINGS.SUPPLIES & MAINTENANCE	-1,884.76
A.1620.440	BUILDINGS.SUPPLIES & MAINTENANCE	-2,345.31
A.1620.440	BUILDINGS.SUPPLIES & MAINTENANCE	-401.55
A.1650.100	CENTRAL COMMUNICATIONS.PERSONAL SERVICE	295.04
A.1680.100	DATA PROCESSING.PERSONNEL	15.82
A.1680.200	DATA PROCESSING.EQUIPMENT	49.50
A.1680.400	DATA PROCESSING.CONTRACTUAL	1,884.76
A.1950.400	TAXES & ASSESSMENTS ON PROPERTY	-18.93
A.1980.420	PAYMENT OF MTA PAYROLL TAX	18.93
A.3620.110	INSPECTORS.PERSONAL SERVICE	-24.20
A.3620.110	INSPECTORS.PERSONAL SERVICE	-13.68
A.3620.120	INSPECTORS.FIRE INSPECTOR	24.20
A.3620.140	INSPECTORS.GAS INSPECTOR	13.68
A.4020.100	REGISTRAR.PERSONAL SERVICE	15.07
A.5010.110	HIGHWAY SUPT.PERSONAL SERVICE	357.74
A.5010.130	HIGHWAY SUPT.COMP EMPLOYEES	82.37
A.5010.421	HIGHWAY SUPT.PERSONAL EXPENSE	-357.74
A.5010.421	HIGHWAY SUPT.PERSONAL EXPENSE	-82.37
A.5182.400	STREET LIGHTING.CONTRACTUAL	401.55
A.7020.110	RECREATION.PERSONAL SERVICE	363.06
A.7020.120	RECREATION.OFFICE STAFF	-363.06
A.7020.410	LIFEGUARD TRAINING.EXPENSES	-874.22
A.7021.400	PROGRAMS.SUPPLIES	874.22
A.7110.100	PARKS/SPORTS.ADMINISTRATION	358.96
A.7110.110	PARKS.PERSONNEL	1,361.18
A.7110.400	PARKS.CONTRACTUAL	1,480.40
A.7310.110	CHILDRENS CENTER.PERSONNEL	1,149.35
A.7310.200	CHILDRENS CENTER.EQUIPMENT	80.02
A.7310.400	CHILDRENS CENTER.CONTRACTUAL	-1,480.40
A.7310.400	CHILDRENS CENTER.CONTRACTUAL	-1,149.35
A.7310.400	CHILDRENS CENTER.CONTRACTUAL	-80.02
A.8010.130	ZONING.COMP EMPLOYEES	188.11
A.8010.400	ZONING BOARD.CONTRACTUAL	-188.11
A.8020.130	PLANNING.COMP EMPLOYEES	223.28
A.8020.400	PLANNING.CONTRACTUAL	-223.28
A.9030.800	SOCIAL SECURITY	345.13
A.9035.800	MEDICARE	80.72

Date Prepared: 02/12/2020 11:37 AM

TOWN OF PUTNAM VALLEY
Budget Adjustment Form

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Account No.	Account Description	Amount
A.9060.800	HOSPITAL & MEDICAL INSURANCE	-5,312.13
A.9060.800	HOSPITAL & MEDICAL INSURANCE	-1,718.14
A.9060.800	HOSPITAL & MEDICAL INSURANCE	-425.85
Total Amount:		0.00

Date Prepared: 02/12/2020 11:53 AM

TOWN OF PUTNAM VALLEY
Budget Adjustment Form

GLR4150 1.0
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Year: 2019 Period: 12 Trans Type: B1 - Transfer Status: Posted
Trans No: 113212 Trans Date: 12/31/2019 User Ref: MANGELICO
Requested: Approved: Created by: MANGELICO 02/12/2020
Description: 2019 BUDGET TRANSFERS Account # Order: Yes
Print Parent Account: No

Account No.	Account Description	Amount
DA.5110.100	GENERAL REPAIRS.PERSONAL SERVICE	-14,553.37
DA.5110.410	FUEL	14,553.37
DA.5130.100	MACHINERY.PERSONAL SERVICE	-2,359.18
DA.5130.400	MACHINERY.CONTRACTUAL	2,359.18
DA.9030.800	SOCIAL SECURITY	373.37
DA.9035.800	MEDICARE	-373.37
SM01.1610.120	LABORERS	-60.32
SM01.1610.130	CLERICAL COMPENSATION	60.32
SM01.1630.472	POWER AND LIGHT	1,063.38
SM01.1640.425	GARAGE.FUEL OIL	-1,063.38
SM01.8160.100	SANITATION.LABOR	-665.26
SM01.8160.431	SOLID WASTE DISPOSAL	665.26
SM04.1630.400	ADMIN & CLERICAL.EXPENSE	-18.43
SM04.1630.472	POWER AND LIGHT	18.43
SS02.1980.420	PAYMENT OF MTA PAYROLL TAX	0.07
SS02.8110.100	PUMP STATION.CUSTODIAN	21.93
SS02.8120.472	POWER AND LIGHT	-0.07
SS02.8120.472	POWER AND LIGHT	-21.93
SS02.8120.472	POWER AND LIGHT	-1.68
SS02.9030.800	SOCIAL SECURITY	1.36
SS02.9035.800	MEDICARE	0.32
Total Amount:		0.00

Seconded by Councilwoman Annabi, unanimously carried.

Supervisor Oliverio motioned to go into Executive Session to discuss an Article 78 litigation matter. There will be no business done after. The meeting was closed at 5:26 PM.

Seconded by Councilman Luongo, unanimously carried.

Respectfully Submitted

Sherry Howard
Town Clerk
02-14-2020