

PUTNAM VALLEY TOWN BOARD
WORK SESSION
WEDNESDAY, MARCH 11, 2020
5:00 PM

Pledge of Allegiance

Supervisor's Comments

Roll Call

1. Authorize Supervisor to sign amended grant contract
2. Accept the open top container bid for bulk drop-off.
3. Accept the Wildwood Knolls Facilities Warrant for 2020
4. Authorize advertisement for seasonal personnel positions
5. Authorize Supervisor to sign Putnam County Real Estate Service Tax Contract
6. Discussion: Solar Farm Moratorium
7. Discussion: Zoning Revision Work by Bruce Barber
8. Budget Transfers and Amendments
9. Audit of monthly bills

PUTNAM VALLEY TOWN BOARD
WORK SESSION
WEDNESDAY MARCH 11, 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 troops.

SUPERVISORS COMMENTS

Supervisor Oliverio welcomed everyone to the Work Session and reminded the public that the first two (2) meetings of the month take place at 5:00 PM; and the third meeting (which is the Regular Meeting) begins at 6:00 PM.

Supervisor Oliverio said as far as the Covid-19 virus – right now it is business as usual. He added that as of right now there are no known cases in Putnam County and relayed that Putnam County’s Commissioner of the Public Health Department, Dr. Nesheiwat, said even though identifying cases here in Putnam is inevitable as testing increases – do not panic. Supervisor Oliverio said, “this too shall pass” and please use common sense and take the recommended precautions such a refraining from large social gatherings, washing your hands frequently, use hand sanitizer and please be safe.

AUTHORIZE SUPERVISOR TO SIGN AMENDED GRANT CONTRACT

Presented by Councilman Luongo

RESOLUTION #R20-118

RESOLVED that the Town Board authorize the Supervisor to sign the amended grant contract with the New York State Dormitory Authority. This grant was originally awarded October 9, 2009 for \$50,000.00. The amended grant is in the amount of \$30,733.00. This reduced amount will be used in conjunction with a grant received from NYSERDA to fund the Towns’ Photovoltaic Project. This contract has been reviewed by the Town Attorney.

Seconded by Councilman Smith, unanimously carried.

Town Attorney Lusardi said he wrote a Resolution for this and would like the Town Board to take a roll call vote.

ROLL CALL VOTE

| | |
|----------------------------|----------------------------------|
| Councilwoman Annabi | AYE |
| Councilman Luongo | (seconded for discussion) |

Councilman Luongo said he feels the Town Board is not doing this resolution in the right order. He believes that #6 the discussion on the placing a moratorium on solar farms should be done first. He said how can we tell other people no when we are putting solar panels outside of the Parks and Recreation Building? Supervisor Oliverio said we are not putting in a solar farm just some solar panels – there is a difference. We are most concerned about someone clear cutting acres of land. We need to study this issue before someone wants to deforest a good deal of land and we have nothing on the books. This will not include an individual putting up solar panels on your home. We can base it on wattage or voltage or even acreage. Councilman Luongo said he is not against it – he is only against how they are doing it. Councilwoman Whetsel said this grant is now over ten (10) years old and we don't want to lose the money. Councilwoman Annabi said how can you have a moratorium against solar panels when we are putting them up ourselves? She added that she is also in favor of the grant. Supervisor Oliverio said the moratorium will only pertain to solar farms. Councilwoman Whetsel said moving forward we need to look at our Master Plan to see if we want to protect our forested areas not clear cut to put up a solar farm. We also need to check and make sure there are no endangered species etc. on the land where people may want to put solar farms. Supervisor Oliverio said let's vote on this grant – we are only having a discussion on the moratorium tonight.

ROLL CALL VOTE

| | |
|-----------------------------|------------|
| Councilwoman Annabi | AYE |
| Councilman Luongo | AYE |
| Councilman Smith | AYE |
| Councilwoman Whetsel | AYE |
| Supervisor Oliverio | AYE |

By a vote of 5 ayes and 0 nays the Resolution passes unanimously.

AMENDMENTS TO THE AGENDA

Presented by Supervisor Oliverio

RESOLUTION #R20-119

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

ADD:

#1 A – Leprechaun Resolution

#1B – Purchase of laptops for Managers and Town Board Members

Seconded by Councilwoman Annabi, unanimously carried

ADOPT LEPRECHAUN RESOLUTION

Presented by Supervisor Oliverio

RESOLUTION # R20-120

Read by Councilman Smith

RESOLVED that the Town Board adopt the 2020 Leprechaun resolution as follows:

LEPRECHAUN RESOLUTION

By Herman Taub, Town Attorney

WHEREAS, it has come to the attention of the Town Board of the Town of Putnam Valley, that spirits, goblins, wee folk, fairies, and leprechauns do appear at strange and eerie hours and areas and more specifically are wont to do so on the night before St. Patrick's Day; and

WHEREAS, these ethereal beings are usually involved in mischievous and frivolous behavior; and

WHEREAS, the Town Board recognizes that these other world beings are generally recidivists and cannot be reformed no matter how much mischief they cause and notwithstanding the punishment that is prescribed; and

WHEREAS, it would be to no avail to provide for corporal or other punishments since fairies, spirits, wee folk, leprechauns and goblins of the hob type are incorrigible; and

WHEREAS, it is known that these wee folk have the power to appear and disappear at will and take the form of humans or animals; and

WHEREAS, on past occasions on the night before St. Patrick's Day a Shamrock has miraculously appeared on the road at the intersection of Oscawana Lake Road and Peekskill Hollow Road; and

WHEREAS, these mischievous doings have been heretofore erroneously ascribed to human sources; and

WHEREAS, after diligent study and consultation with our law enforcement officials, the Town Board has concluded that the appearance of said shamrock can only be due to the doings of creatures not of this corporeal world,

NOW, THEREFORE, BE IT RESOLVED, that for the period from 12:01 a.m. on March 16, 2020 to 5:00 a.m. on March 17, 2020, should there be any artistic drawings mysteriously appearing on the pavement of the road at Oregon Corners by spirits or ethereal beings of an unknown nature, a period of amnesty and freedom from corporal

punishment and corporeal and “incorporeal” restraint of the alleged perpetrators is hereby declared only for the period and purposes set forth above.

Seconded by Councilwoman Annabi, unanimously carried.

PURCHASE 7 LAPTOPS FOR MANAGERS AND/OR TOWN BOARD MEMBERS

Presented by Supervisor Oliverio

RESOLUTION #R20-121

RESOLVED that the Putnam Valley Town Board authorize the Supervisor to purchase seven (7) Dell Laptops, NTE \$4403.00 for the Town Department Managers and/or the Putnam Valley Town Board Members. The Managers will have access to the laptops in case the Town Hall closes due to the Covid-19 virus. The Town Board Members will have access to the laptops the remainder of the time.

Councilwoman Annabi asked if that price includes everything including the programs? Supervisor Oliverio said yes – they are brand new Dell Laptops and everything is included. Councilwoman Annabi said it is a good idea and a good way to reduce the amount of paper we use. Councilman Luongo agreed and added that they have been talking about doing this for a long time.

Seconded by Councilman Luongo, unanimously carried

ACCEPT THE OPEN TOP CONTAINER BID BULK DROP-OFF

Presented by Councilwoman Annabi

RESOLUTION #R20-122

RESOLVED that the Putnam Valley Town Board award the 2020 Open Top Container Bulk Drop-Off to:

AAA Carting and Rubbish Removal
480 Furnace Dock Road
Cortlandt Manor, New York 10567

Bid 1: Free thirty yard containers for disposal of white goods and metals only. (No alternative size containers accepted). No weight limit.

Bid 2: \$575.00 per thirty yard container (1st container free) for disposal of mixed bulk items. (no alternative size containers accepted). NO weight limit.

103a & 103d were signed and bidder enclosed check for \$500.00.

Seconded by Councilman Smith, unanimously carried.

ACCEPT WILDWOOD KNOLLS FACILITIES WARRANT FOR 2020

Presented by Councilwoman Whetsel

RESOLUTION #R20-123

RESOLVED that the Town Board adopt the Wildwood Knolls Facilities Warrant for the year 2020. This represents a 100% increase from prior years.

Facility users – 19 families @ \$200.00 each. Total: \$3800.00

Seconded by Councilman Smith, unanimously carried.

AUTHORIZE ADVERTISEMENT FOR SEASONAL PERSONNEL POSITIONS

Presented by Councilman Smith

RESOLUTION #R20-124

RESOLVED that the Town Board authorize the District Clerk to advertise for the following seasonal positions:

Lake Peekskill Beach Monitors
Lake Oscawana Beach Monitors
Roaring Brook Lake Superintendent
Lookout Manor District Laborer
Barger Pond District Labor

Seconded by Councilwoman Annabi unanimously carried.

AUTHORIZE SUPERVISOR TO SIGN PUTNAM COUNTY REAL ESTATE SERVICE TAX CONTRACT

Presented by Councilman Luongo

RESOLUTION #R20-125

RESOLVED that the Town Board authorize the Supervisor to sign the Putnam County Real Estate Service Contract for the calendar year 2020. The contract is as follows:

MAR 06 2020

(5)

PUTNAM COUNTY REAL PROPERTY TAX SERVICE CONTRACT

AGREEMENT MADE THIS 1st DAY OF MARCH BETWEEN: THE TOWN OF PUTNAM VALLEY REFERRED TO AS THE TOWN AND THE COUNTY OF PUTNAM HAVING ITS PRINCIPAL PLACE OF BUSINESS AT 40 GLENEIDA AVENUE, CARMEL, NEW YORK 10512, HEREINAFTER REFERRED TO AS COUNTY.

THE PARTIES HEREIN AGREE AS FOLLOWS:

- 1) THE COUNTY SHALL PREPARE THE TENTATIVE ASSESSMENT ROLL, FOR THE CALENDAR YEAR OF 2020 AND HAVE IT AVAILABLE ON THE COUNTY WEBSITE TO COMPLY WITH RPTL §1591
- 2) EVERY TRANSFER OF PROPERTY, CHANGE OF ADDRESS, DESCRIPTION OR VALUATION, SPECIAL FRANCHISE, PUBLIC UTILITY, SHALL BE DATA ENTERED BY ASSESSOR OF TOWN OR DESIGNATED STAFF MEMBER. ASSESSOR AND/OR DESIGNATED STAFF MEMBER IS RESPONSIBLE FOR ALL RPS SOFTWARE UPDATES TO BE CURRENT AND UPDATING REFERENCE TABLES IN RPS.
- 3) AFTER CLOSING OF THE BOOKS ON MARCH 1st, ALL CHANGES SHALL BE ENTERED ON OR BEFORE **APRIL 15th** BY THE TOWN, THIS IS ESSENTIAL SO THAT THE TENTATIVE ASSESSMENT ROLL IS RUN FOR THE MAY 1st DEADLINE.
- 4) ALL GRIEVANCE CHANGES, CORRECTION OF CLERICAL ERRORS, & UNLAWFUL ENTRIES SHALL BE APPROVED BY THE BOARD OF ASSESSMENT REVIEW AND ENTERED BY THE TOWN INTO THE REAL PROPERTY SYSTEM, BACKED UP AND BROUGHT TO THE REAL PROPERTY TAX SERVICE AGENCY NO LATER THAN **JUNE 15th** FOR FINAL ROLL PROCESSING AND SCHOOL PROCESSING.
- 5) ALL CHANGES FOR COUNTY AND TOWN TAX ROLLS SHALL BE SUBMITTED BY THE TOWN ON OR BEFORE **NOVEMBER 20th**.
- 6) ALL UNPAIDS TO BE MANUALLY ENTERED BY THE COUNTY MUST BE SUBMITTED BY **OCTOBER 30th**, RPSV4 MERGEABLE FILES MUST BE SUBMITTED BY **NOVEMBER 20th**.
- 7) A SEPARATE AGREEMENT SHALL BE NEGOTIATED FOR THE PROVISIONS OF RPTL §1537, OPTIONAL COUNTY SERVICES.

PRICE FOR THE PREPARATION OF THE FOLLOWING IS \$ 0.50 PER PARCEL:

- 1) TENTATIVE ASSESSMENT ROLL (2 COPIES*) AND ASSOCIATED REPORTS, COA'S
- 2) FINAL ASSESSMENT ROLL (2 COPIES*)
- 3) TAX ROLL (2 COPIES*)
- 4) HARD & SOFT BINDERS FOR ROLLS
- 5) BANK CODE LISTINGS
- 6) APPORTIONMENT OF SPECIAL FRANCHISE
- 7) 1 SET OF TAX BILLS IN ENVELOPES
- 8) RPS 145D1,155D1 & 160D1 TAX EXTRACTS
- 9) DATA ENTRY FOR PRO-RATAS
- 10) 1 SET TAX MAPS 24" x 36"

UNPAID WATER, SEWER, OR OTHER UNPAIDS WILL BE CHARGED A FEE IN THE AMOUNT OF 50.00 PER HUNDRED IF THE DATA HAS TO BE MANUALLY ENTERED, OR IF TAX MAP NUMBERS PROVIDED IN COMPUTER FORMAT ARE INVALID.

IF ANY ADDITIONAL SPECIAL DISTRICT ROLLS ARE REQUIRED THE TOWN WILL BE CHARGED A FEE OF 0.01 PER PARCEL.

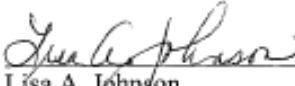
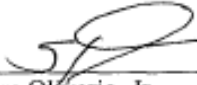
IF ANY INSERTS ARE REQUESTED THE TOWN WILL BE CHARGED A FEE OF 0.01 PER ENVELOPE.

*.02 PER PARCEL WILL BE DEDUCTED IF ONE (1) COPY OF EACH ROLL IS REQUESTED INSTEAD OF TWO (2)

THE TOWN OF PUTNAM VALLEY HEREBY REPRESENTS THAT THE AGREEMENT HEREIN HAS BEEN APPROVED BY RESOLUTION OF THE TOWN BOARD, A COPY OF WHICH IS ANNEXED HERETO AND MADE A PART HEREOF:

IN WITNESS WHEREOF, THE PARTIES HAVE EXECUTED THIS AGREEMENT IN NEW YORK, ON THE DATE HEREIN ABOVE SET FORTH.

READ AND APPROVED BY:

| | |
|---|---|
| _____ DATE: _____ |  DATE: 3/2/2020 |
| MaryEllen Odell County Executive | Lisa A. Johnson County Director, R.P.T.S.A. |
| _____ DATE: _____ | _____ DATE: _____ |
| William J. Carlin Commissioner of Finance | Jennifer S. Bumgarner County Attorney |
| _____ DATE: _____ |  DATE: 3/4/20 |
| Jennifer S. Bumgarner County Attorney o/b/o Risk Management | Sam Oliverio, Jr. Town Supervisor |

Seconded by Councilwoman Annabi, unanimously carried.

DISCUSSION RE: SOLAR FARM MORATORIUM

Presented by Supervisor Oliverio

Supervisor Oliverio asked Town Attorney Lusardi for some background on this subject. Town Attorney Lusardi said there is a difference between a moratorium and a change in the law. The Zoning Code is silent as to solar farms; so it certainly is worth looking at it, and perhaps making amendments to the zoning code in respect to solar farms. Currently there is nothing in the code that references solar farms. A moratorium would freeze any applications for establishing a solar farm coming into Town pending review, discussion, and an enactment of an amendment to the zoning code. When people become aware you are looking at this they may race to the building department to establish this before a law is enacted to regulate them. At least one (1) party has approached Attorney Lussardi, the Town Planner Board, and the Town Engineer about building a large battery plant to store the energy at night and sell it during the day. There are a number of inquiries about the potential for solar farms in this Town. You must also define what a solar farm is such as size and location. Solar panels do take away from the scenic beauty of an area and can cover acres of land. Someone can take a hillside with solar panels and it would look like there is a billboard there. Supervisor Oliverio said we are only putting up 20 panels – much like you would on a home. Town Attorney Lusardi said you must figure out where you want to draw the line. How big, how many volts, the size etc.

Supervisor Oliverio said we are getting 20 panels – pole mounted with 4 panels per pole. Councilwoman Annabi asked how much room are they going to take up and will people see them as they drive by? Councilwoman Whetsel responded and said we want people to see them so they know we are following the Climate Smart Community directives. Councilwoman Annabi is concerned because she feels it may look unsightly to the neighbors across the street. Councilman Luongo is also concerned that the panels will cause a reflection in the homes of the across the street neighbors. Supervisor Oliverio said we can put them on the side by the dog shelter. Councilwoman Whetsel said the whole Town Board can decide where to put them – we don't want people to go out and touch them either. Councilman Smith said he got a sample Resolution from Yorktown. He liked some of the latitude allowed by the Planning Board and we could make a similar Resolution. Councilwoman also mentioned creating a "Sitting Board". Supervisor Oliverio said we can create a six (6) month moratorium which will give us time to look at this. Councilwoman Annabi said she is opposed to setting a moratorium in place when we are putting up panels. Supervisor Oliverio said people can put panels on their house – we are only looking at people who want to make this a money making business.

Councilman Smith asked if the moratorium, just like a law, be crafted to allow people to still have a certain amount of latitude. Supervisor Oliverio responded in the positive. Councilman Smith then added, then what we are doing can also be done by individual residents as well within the confines of the moratorium. Supervisor Oliverio said the moratorium would just give us time to look at this. "What is not in the code does not exist".

Councilwoman Whetsel noted that if an individual who puts up a solar farm and then abandons it a few years later – leaves behind a huge mess for the Town to clean up. A bond has to be required. Councilman Luongo said when these things outlive themselves – they are considered a hazard. Town Counsel Lussardi said moratoriums can be crafted to satisfy what the Town Board needs. He will include all forms of renewable energy such as wind turbines.

DISCUSSION RE: ZONING REVISION WORK BY BRUCE BARBER

Presented by Supervisor Oliverio

Supervisor Oliverio asked Bruce Barber and Todd Atkinson to take a look at some of the bigger areas of concern in our zoning codes. These are important areas such the Planning Board being able to grant a change order if the vote is a majority plus one (1) (which is a super majority). Supervisor Oliverio would also like to look at making our "corners" which are now residential – commercial/residential. This way we can get some business in this Town. He would also like to make changes in the way we determine an agricultural district. Bruce Barber will explain everything at our next work session. Councilwoman Annabi said she is concerned about the agriculture change. She added that she got all the minutes from when the "RA" was put in place back in 2008. It was done because previously when the County gave an agricultural designation it took away the rights of the Town to stop that homeowner from subdividing. The "RA" allows the Town to control that again. Supervisor Oliverio said he does not want to remove that "RA" he just wants to add that if you lose the County's Designation – you also lose the Town's Designation as well. If you are no longer recognized by the County – then we don't recognize you either. Councilwoman Annabi said we need to keep control of someone who wants to subdivide their property.

Supervisor Oliverio called for an Executive Session at 5:42 PM. Councilwoman Annabi seconded the motion which was unanimously carried.

Supervisor Oliverio reopened the Town Board Meeting at 6:00 PM. Councilwoman Annabi seconded the motion which was unanimously carried. Supervisor Oliverio said no votes were taken in the Executive Session.

Councilwoman Annabi said we will get more information from Bruce Barber about the zoning revisions.

Councilwoman Annabi asked Town Attorney Lusardi about the Planning Board and what the “super majority means”. He said in most Towns the Planning Board has the option to waive certain regulations where they do not feel that it is necessary or appropriate. This amendment would give the Planning Board, with this “super majority”, (the majority plus one (1)) the ability to waive a submission requirement. This is only for the paperwork you have to give the Board for an application. This does not apply to the review criteria.

BUDGET TRANSFERS AND AMENDMENTS

Presented by Councilman Luongo

RESOLUTION #R20-126

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

Seconded by Councilwoman Annabi unanimously carried.

AUDIT OF MONTHLY BILLS

Presented by Supervisor Oliverio

RESOLUTION #R20-127

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

| <u>VOUCHER NUMBERS</u> | <u>AMOUNTS</u> |
|-------------------------------|-----------------------|
| 30038-30291 | 28,700.02 |
| 30004-30251 | 18,291.43 |
| 30013-30140 | 6,007.34 |
| 30074-30388 | 83,185.10 |
| 29988-30336 | 131,012.06 |
| 30141-30396 | 69,072.58 |

Seconded by Councilman Luongo, unanimously carried.

Supervisor Oliverio closed the meeting at 5:26 PM.

Seconded by Councilwoman Annabi, unanimously carried.

Respectfully Submitted

Sherry Howard
Town Clerk
03-18-2020