

PUTNAM VALLEY TOWN BOARD
WORK SESSION
WEDNESDAY, MAY 13, 2020
4:30 PM

MEETING WAS HELD VIA ZOOM DUE TO CORONAVIRUS

Pledge of Allegiance
Supervisor's Comments

1. Zoning Code Changes
2. Renewable Energy Moratorium
3. Sale of controlled substances in Putnam Valley
4. Putnam Valley Volunteer Fire Department contract
5. Resolution to lower the stated monitoring escrow of 4% to 1% for the Putnam Valley Fire Station Site.
6. Appoint Councilman Smith as the Climate Smart Coordinator for the Town of Putnam Valley.
7. The appointment of Tom Sawyer to the BAR.
8. Approval to waive fees for demolition of the Lake Peekskill pump station.
9. Approval for Personnel additions:
 - A. Roaring Brook Lake
 - B. Temporary Laborer for Lookout Manor
10. Highway – authorize the purchase of a backhoe

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MEETING HELD VIA ZOOM DUE TO CORONAVIRUS

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

ALSO PRESENT: Town Clerk Sherry Howard
Town Counsel Robert Lusardi

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

SUPERVISOR'S COMMENTS

Presented by Supervisor Oliverio

Supervisor Oliverio said that due to the Coronavirus we will not be able to have our usual Memorial Day Celebration. As you know crowd gathering is not allowed. Hopefully that will change soon. Our numbers are excellent and County Executive Odell is trying to separate us from Westchester in response to the Governor's deciding when to open parts of New York. Supervisor Oliverio again thanked Assessor Luongo for the excellent job she did with the military banners. They are beautiful and thanks to the Highway Department as well for putting them up – it was quite an undertaking.

Supervisor Oliverio said right now the beaches will open on July 4th and that is only if the Governor says we are in Phase 4 by then.

DISCUSSION – ZONING CODE CHANGES

Presented by Supervisor Oliverio

Supervisor Oliverio said the first subject that was being discussed in Executive Session was some Zoning Code changes. They had to make sure what they were doing was above board and would not put the Town into any litigation. The topic was Agricultural Districts that are not recognized by the County. In other words, in order to become an Agricultural District you have to be designated by the County through the State of New York. If you are not that then an Agricultural District does not exist. Town Attorney Lussardi said the way our code works presently is that there is a district know as AG - that is an overlay district which comprises all the properties that are located in the

County Agricultural District. If you come out of the AG District you become part of an RA District. As part of an RA District you are allowed to do pretty much anything you can do in an AG District and some other things as well. The thought is if you are no longer in the County AG District you should not have any of the same powers as if you still were. Those powers can be considerable. Many times those properties in an AG District can trump local zoning codes, wetlands, and other laws because they interfere with farm operations. So we are trying to clean up an issue by deleting the RA District, and cleaning up the language if you are in an AG District, such as what requirements you have to meet to get use permits and site plans. The main change is to delete the RA District. Supervisor Oliverio said you must be recognized by the County in order to be in the AG District. He continued and said we are trying to set up a Public Hearing in the Fire Department Bays in the beginning of June as long as the State allows us to get everybody together to discuss this issue.

Councilwoman Annabi asked if they are going to make these zoning changes available to the Public before the Public Hearing? Supervisor Oliverio said yes they were. Councilwoman Annabi said she thought one (1) of the things that was being removed was, “upon receipt of a complete set of developmental approved plans, which all plans will be sent to the CCE for review and recommendations”. Town Attorney Lussardi said there are other small changes beside the RA District but they are minor such as tree location plan requirements. Along with that there had to be a change to the effect that things could be sent to the CCE but it will not be mandatory. The other change will be that campers will have to be parked in a driveway not on the street.

DISCUSSION – RENEWABLE ENERGY MORATORIUM

Presented by Councilwoman Whetsel

Councilwoman Whetsel said there are many things coming down even from the State level on this subject. She said before we allow major renewable energy properties there should be very thoughtful restrictions – this moratorium does not include panels being put on peoples roofs. The State is planning on putting together a Citing Board, meaning, that the Board will decide any major projects such as batteries or wind. We want to make sure whatever is put up is done responsibly. We would not want anyone to clear cut forests – thought needs to be put into this. This only refers to major solar fields etc. We have to be careful so we do not set up a bad precedent. We do have a lot of properties with a lot of acreage and don’t want any negative environmental impacts. Supervisor Oliverio said this would be a moratorium – not a law. The State could come in and supersede anything we do – this moratorium will last for a year.

DISCUSSION – SALE OF CONTROLLED SUBSTANCES IN PUTNAM VALLEY

Presented by Councilwoman Annabi

Councilwoman Annabi said the State was looking to make marijuana legal. Putnam County was the first County to pass the T21 law. This is no tobacco sales to anyone under the age of 21. We are trying to preserve our Town and this law would make controlled such as marijuana illegal in Putnam Valley. This does not include medicinal marijuana. This action would protect our communities – our community is mostly made up of Churches and Schools. Supervisor Oliverio asked Attorney Lussardi if we need an environmental review to do this? Attorney Lussardi said this is an action and Bruce Barber, the Town Planner, will be putting together the environmental assessment – which will then be looked at by the Board. This is not necessary for the Renewable Energy Moratorium as it just a moratorium which is considered a Type II action.

DISCUSSION – PUTNAM VALLEY VOLUNTEER FIRE DEPARTMENT CONTRACT

Presented by Supervisor Oliverio

Supervisor Oliverio said the Fire Department is moving ahead with the building of a new Fire House. We want to do a contract with them which will let their lenders know we will be doing business with them for the next five (5) years. We are presenting a five (5) year proposal – it is still in negotiations – but when it is done it will be presented in its entirety. The tax increase will be at a low, low rate. Next year there will be a zero increase as it was this year. We are waiting for a response from the Fire Department about the contract they were given. Once this happens the public will be informed. We will then have a Public Hearing on this as well – hopefully sometime in June or July. This helps the Fire Department and the Town with our budgets for the next five (5) years.

RESOLUTION TO LOWER THE STATED MONITORING ESCROW OF 4% TO 1% FOR THE PUTAM VALLEY FIRE STATION SITE

Presented by Councilwoman Annabi

RESOLUTION #R20-147

RESOLVED that the Putnam Valley Town Board authorize the Supervisor to lower the stated monitoring escrow of 4% to 1% for the Putnam Valley Fire Station site remediation project construction costs. The actual amount of this cost will be determined and paid upon the PVVFD receiving the actual construction bid and not before. Secondly, the Town will require a \$75,000.00 in total performance bond to cover all of the expected costs in items 3 through 6 of the “Conditions to be Satisfied” prior to the signing of the major grading plans for the Putnam Valley Fire Station Site Remediation Project Construction Costs. The Putnam Valley Fire Department will make whole any short fall (if any) that may arise.

Seconded by Supervisor Oliverio for discussion.

Supervisor Oliverio said what this involves is a plan that the Planning Board submitted to the Fire House with Municipal and Bonding costs to remediate some soil dumping behind the Ambulance Corps. They are fixing that up – they will adhere to the plan. The fees are not being waived they are just being lowered because 4% of the construction cost would have been tens of thousands of dollars. The Bond Requirement will also be made \$75,000.00 because that should be enough – and if it isn't they will be right here. This is a not for profit group who provides a very important service to this community. Councilwoman Annabi said she feels the fee should be removed altogether because the Town pays the Fire Department for their services, and it would be like paying back ourselves. She does understand that it can't be that way. Supervisor Oliverio did not want to do that because we have to support what the Planning Department has done.

ROLL CALL VOTE

Councilwoman Annabi	AYE
Councilwoman Whetsel	AYE
Councilman Smith	AYE
Councilman Luongo	RECUSAL (Councilman Luongo is a member of the Putnam Valley Fire Department)
Supervisor Oliverio	AYE

By a vote of 4 AYES and 1 Recusal the Resolution passes.

APPOINT COUNCILMAN SMITH AS THE CLIMATE SMART COORDINATOR FOR THE TOWN OF PUTNAM VALLEY

Presented by Councilman Luongo

RESOLUTION #R20-148

RESOLVED that the Putnam Valley Town Board authorizes the Supervisor to appoint Councilman Smith as the Climate Smart Communities Coordinator for the Town of Putnam Valley.

Seconded by Councilwoman Annabi for discussion.

Councilwoman Annabi gave a shout out to Councilman Smith for spearheading this it's fantastic – thank you. Councilman Luongo said Councilman Smith has done a lot of homework already. Councilman Smith said the next thing he is going to do is set up a committee of people who are interested in moving forward with this. He would love a diverse committee to get many ideas. In addition, zoom meetings will be a valuable asset to this type of committee. It would be beneficial to not have to go out at night.

The Town Board voted unanimously for this Resolution so the Resolution is passed.

APPOINT TOM SAWYER TO THE BOARD OF ASSESSMENT REVIEW

Presented by Councilwoman Whetsel

RESOLVED that the Putnam Valley Town Board authorize the Supervisor to appoint Tom Sawyer to the Board of Assessment Review from 5/13/2020 to 9/30/2023.

Supervisor Oliverio said his term cannot go until 2023. It has to be for one (1) year. Councilwoman Annabi said it must end 12/31/2020 and if he is still interested he can be appointed in January to complete the remainder of the term. The Resolution will be amended to read as follows:

RESOLUTION #R20-149

RESOLVED that the Putnam Valley Town Board authorize the Supervisor to appoint Tom Sawyer to the Board of Assessment Review from 5/13/2020 to 12/31/2020.

Seconded by Supervisor Oliverio, unanimously carried.

Supervisor Oliverio said Mr. Sawyer is a great candidate for this. Councilman Luongo agreed and said he has a lot of good ideas.

APPROVAL TO WAIVE FEES FOR THE DEMOLITION OF THE LAKE PEEKSKILL PUMP STATION

Presented by Councilman Smith

RESOLUTION #R20-150

RESOLVED that the Putnam Valley Town Board authorize the Supervisor to waive any and all fees for a Town of Putnam Valley wetland permit for the demolition of the Lake Peekskill Pump House.

Seconded by Supervisor Oliverio for discussion.

Supervisor Oliverio said there is an old pump station that used to provide water for the Lake Peekskill community. We need a wetlands permit to remove it. We also need a blessing from the New York State Department of Environmental Protection. We have all the paperwork secured now so the next step would be to go out to bid. The DEP told us to wait until the fall as they are finishing up their own job there. It will probably be removed next spring.

The Town Board voted unanimously for this Resolution so the Resolution is passed.

APPOINT ROARING BROOK LAKE SUPERINTENDENT

Presented by Councilman Luongo

RESOLUTION #R20-151

RESOLVED that the Putnam Valley Town Board authorize the Supervisor to appoint Natalia Gorniak as the Roaring Brook Lake Superintendent for the 2020 season at a salary of \$4,000.00. The position will run from May 20th to Labor Day.

Seconded by Councilwoman Annabi for discussion.

Councilwoman Annabi asked why we are paying someone to work beginning on May 20th when we are not sure the beaches will even open? Supervisor Oliverio said this is tentative and the person knows that. Same thing as the Resolution that is next. This doesn't lock them in. Councilwoman Annabi would like this edited to reflect the covid constraints. Councilman Smith asked what these duties entail. Supervisor Oliverio said they do all the stuff that is required to get the beach open and keep the beaches open. They also make sure that the lifeguards are there. Councilman Luongo said the salary will change as well if the beaches open later than expected. Supervisor Oliverio said perhaps this resolution should be tabled as well as the next one (1). The Town Board agreed. Supervisor Oliverio said the wording of the Resolution will be revised for next week's meeting.

RESOLUTION #R20-152

RESOLVED that the Resolution to authorize the Supervisor to appoint Natalia Gorniak as the Roaring Brook Lake Superintendent for the 2020 season at a salary of \$4,000.00. This position will run from May 20th to Labor Day be tabled until the Town Board Meeting of May 20, 2020. **The wording will be revised.**

Seconded by Councilwoman Whetsel, unanimously carried.

APPOINT TEMPORARY LABORER FOR LOOKOUT MANOR

Presented by Supervisor Oliverio

RESOLVED that the Putnam Valley Town Board authorize the Supervisor to appoint Joseph Aviles as a seasonal temporary laborer for the Lookout Manor District for 2020 at the rate of \$20.00/hour with no benefits.

Supervisor Oliverio moved to table this Resolution until the meeting on May 20, 2020.

RESOLUTION #R20-153

RESOLVED that the Resolution to authorize the Putnam Valley Town Board to authorize the Supervisor to appoint Joseph Aviles as a seasonal temporary laborer for

the Lookout Manor District for 2020 at the rate of \$20.00/hour with no benefits be tabled until the Town Board Meeting on May 20, 2020. The wording will be revised.

Seconded by Councilwoman Annabi, unanimously carried.

Councilwoman Annabi said this also applies to the person who runs the harvester.

AUTHORIZE PURCHASE OF A BACKHOE FOR THE HIGHWAY DEPARTMENT

Presented by Councilwoman Annabi

RESOLUTION #R20-154

RESOLVED that the Putnam Valley Town Board authorize the Highway Department to purchase a New Holland B95C tractor loader backhoe 4WD from Westchester Tractor, Inc. for \$96,062.37, NYS OGS Contract award #PGB-22792 Group # 40625. This purchase is within the Highway Department's Budget.

Supervisor Oliverio said the money being used to buy this backhoe is from the CHIPS money we receive. The machine that we have now is close to 20 years old. This is wise money spent.

Seconded by Councilwoman Annabi, unanimously carried.

Supervisor Oliverio said our next meeting is being held on May 20th. We are recording these meetings a little earlier because we record them and present them. The Public Hearings must be done and broadcasted live. Any concerns that anyone may have can be FOILED or please e-mail us with any comments or questions. We will include them in our meetings. The weather should be getting nice and have a great evening.

Councilman Luongo reminded everyone there is a food drive for all the food pantries in the County at the Senior Center. We would really appreciate it. This will take place this Saturday from 9 AM- 1PM. You will be helping your neighbors. Councilwoman Annabi said if you need help please call 211 which is the United Way. Councilman Smith said our pantry will open up again on May 23rd.

Supervisor Oliverio closed the meeting at 5:13 PM.

Seconded by Councilwoman Annabi, unanimously carried.

Respectfully Submitted

Sherry Howard
Town Clerk