

NAME

Public Hearing + Town Board Meeting 10-21-20 transcript

DATE

November 23, 2020

DURATION

46m 59s

13 SPEAKERS

Supervisor Sam Oliverio
Town Clerk Sherry Howard
Anthony Arrien Zoom Host
Councilman Louie Luongo
Town Board Members
Councilwoman Jackie Annabi
Councilman Ralph Smith
Councilwoman Wendy Whetsel
Town Attorney Bob Lusardi
Mario DiGangi
Alex Kaspar
Travis Webster
Leo Alves

START OF TRANSCRIPT**[00:00:30] Supervisor Sam Oliverio**

Ok, here we go. Welcome, ladies and gentlemen, to our Town Board meeting of October 21st, 2020.

[00:00:36] Supervisor Sam Oliverio

Before we begin, please stand for the Pledge of Allegiance. I pledge allegiance to the flag, of the United States of America and to the republic for which it stands, one nation under God, indivisible, with liberty and justice for all. And please remain standing by for a moment of silent meditation in honor of our men and women in the armed forces of the world.

[00:01:05] Supervisor Sam Oliverio

Madam Clerk if you could read our announcement for the public hearing.

[00:01:11] Town Clerk Sherry Howard

Ok. Tonight, we're going to have a public hearing on the 2021 Town Highway and District budget.

[00:01:19] Supervisor Sam Oliverio

And at this time, we are looking for public comment. Anthony, can you please announce our procedures?

[00:01:29] Anthony Arrien Zoom Host

Yes, if you want to speak in the public hearing, you can indicate it in the chat and I'll take your name in order. Or you can un-mute yourself and ask to be put on the list. Is there anybody who would like to speak in the public hearing?

[00:01:43] Supervisor Sam Oliverio

And again, this is just for the budget right now. We will look and at the end of this year.

[00:01:51] Supervisor Sam Oliverio

Anybody wants to speak?

[00:01:53] Supervisor Sam Oliverio

At this time, I do have two letters that I received. Two emails. The first is from Alex Kaspar and he asks about Town Day - why we have zeroed it out.

[00:02:04] Supervisor Sam Oliverio

The answer is Number One, we no longer really sponsor much of Town Day. It's only the fireworks. We took it out because we have this covid-19 hanging over our head, but it can always be replaced by the general fund. So it's

not that we cancelled Town Day - we did this year because of the restrictions the governor has put on us. We're hoping that by next September those restrictions will be gone and we'll have a Town Day again.

[00:02:33] Supervisor Sam Oliverio

His second question was why on a line A 1420-400 on page five of our budget, did expenses rise in the legal services line. It went from 39,000 in 2018, eighty nine thousand in 2019. But for our 2020 budget we only have twenty five thousand down for that. So I think Mr. Kaspar may have missed that part where we've only allocated twenty five thousand. The Eighty nine thousand dollars was because at that time we were combining our planning and zoning legal expenses with our Town and they were kind of mushed together. But that that is all done and it's been rectified since then. The litigation we have, there's only really only one ongoing case right now. And we hope to end that soon. And that's it. As I said, we put twenty five thousand dollars aside for that. We also received another letter, email from Patty Villanova. Two issues she raises. One, and I'll read this one, is the ongoing Kaspar litigation.

[00:03:47] Supervisor Sam Oliverio

She is concerned about the costs. Again, the costs are what the costs are. We are watching very closely what's going on there.

[00:03:57] Supervisor Sam Oliverio

And, you know, hopefully we'll be able to work these things out. The second is the building of the Fire Department. Ah, Patty raises many points with that, claiming that there's zero accountability with the budget of the Fire Department.

[00:04:12] Supervisor Sam Oliverio

Again, as a private agency, ah, they they are under their own auspices, just like we are unable to go to Triple A or garbage provider and say, show us your books. The Tire Department is a private, not for profit agency.

[00:04:29] Supervisor Sam Oliverio

We do support them. We have passed a five year budget unanimously for them. And ah but but Patty's concern is that, you know, she's waiting to see the firehouse. She believes it will cost in excess of eleven million. I don't know about that. Will, I don't believe it's that high. But I'm not going to question that I don't have the facts in front of me for that. Her big concern is that this is the taxpayers money, not ours. And we never said it was ours. The Fire Department is moving ahead with a much needed new firehouse. They have the money for that. It will not raise taxes. The tax is stabilized. Matter of fact, this year they're getting a zero percent increase. So those concerns, I think, are mitigated. Any other public comment at this time. And by the way, both emails will be entered into our permanent record. Both Mr. Kaspar's and Ms. Villanova's.

[00:05:31] Supervisor Sam Oliverio

Anybody have comment on the budget? Anybody?

[00:05:37] Supervisor Sam Oliverio

Hearing no other public comment, I like to end the public hearing at this time to have a second.

[00:05:42] Councilman Louie Luongo

Second

[00:05:44] Supervisor Sam Oliverio

All in favor?

[00:05:45] Town Board Members

Aye.

[00:05:47] Supervisor Sam Oliverio

Ok, we are now going to begin our regular Town Board meeting, I call it to order. First on the agenda are departmental reports.

[00:05:56] Supervisor Sam Oliverio

Do we have any at this time?

[00:06:00] Councilwoman Jackie Annabi

Now, no one responded back with any reports.

[00:06:03] Supervisor Sam Oliverio

Nobody did.

[00:06:04] Councilwoman Jackie Annabi

Actually, I can give them an update on Mill Street from the last e-mail we got from Bill Gouldman. They got - they poured one side of Mill Street, as you all know, if you read any of his posts, the other side is being poured next week. And part of this deal that has been built by the architecture, there was a delay in it. And now they're expecting the whole bridge to be done by mid by mid November.

[00:06:27] Supervisor Sam Oliverio

Right. Thank you, Jackie.

[00:06:29] Councilwoman Jackie Annabi

If you have any questions, you can always call the Legislator's office, ah, and which unfortunately I don't have their number. Do you know it, Sam, the Legislator's number?

[00:06:38] Supervisor Sam Oliverio

845-808-1020

[00:06:45] Supervisor Sam Oliverio

There you go. If you need to reach Legislator Gouldman our Legislator Nancy Montgomery it's 845-808-1020

[00:06:52] Supervisor Sam Oliverio

Right. Thank you, Jackie. OK, at this point in time Supervisor comments - just we're entering a tough phase right now with this covid-19.

[00:07:04] Supervisor Sam Oliverio

We we had a case at the school, the school disinfected. They were back in session this week. Here at the Town hall. We had a case and we had to disinfect and a couple of departments were in quarantine. Be careful. Flu season is beginning. If you get a flu shot, I highly recommend you get it again. That's one way of at least protecting yourself somewhat from this. This scourge. We are all hopeful we'll get a vaccine by the first of the year.

[00:07:34] Supervisor Sam Oliverio

It looks promising. Also, I ask each and everybody to watch as the holidays approach. Make your plans safely. Be safe to stay well. Thanksgiving, holiday seasons, Christmas, you know, Hanukkah, New Years, large crowds isn't going to do it. Believe me, I have too many friends who have come down with this and quite a few have died. And it is a heartbreaking phenomenon to go through that. OK, do we have a legislative report from either Ms. Montgomery or Mr. Gouldman?

[00:08:11] Councilwoman Jackie Annabi

Nope, just a report about Mill Street from Legislator Gouldman.

[00:08:14] Supervisor Sam Oliverio

Thank you. Thank you, Jackie.

[00:08:16] Supervisor Sam Oliverio

School report Ralph.

[00:08:18] Councilman Ralph Smith

Yes. Spoke to to, ah, Superintendent Jeremy Luft today just for an update from other times we've spoken. He's been very happy with how school opened up. You know, it actually - he was very worried about it and planning was excessive, but he said it exceeded his expectations and that they've opened and stayed open until they had a first positive case last Thursday where they had to close on Friday, mainly for contact tracing by the Board of Health. And that much of what they're doing is ah, is dictated by the Department of Health and the State. So they keep very close track of where the students are during the day also so they can aid the contact tracers similar to what happened last, ah, last Thursday and Friday. They're doing everything they can that would stop the spread in the buildings. Of course, they have no control of outside, but they've had about eighty five percent of students on hybrid instruction in (garbled) and and virtual at about fifteen percent of remote or virtual. And, you know, he feels it's never as good as having in-person instruction. So, yeah, the hopes is long and is as they possibly can to have in-person instruction and that's about it. They've had a visit from Region Wills, they've got some sports going on and but it also dictated by state and they're they're carrying on and doing very, very best they can and over overdoing their overseeing all the various items by the state.

[00:10:24] Supervisor Sam Oliverio

Thank you, Ralph. Just before we move on, there is an addition 5A, which is a 30 day waiver of a waiting period for New York State liquor license. That's Poncho and Gringo's. They're under new ownership and they need to renew their their liquor license under this new ownership. I'd like to add that as 5A, do I have a second on that?

[00:10:47] Councilman Ralph Smith

Second.

[00:10:48] Councilwoman Jackie Annabi

Are they staying by that name?

[00:10:51] Supervisor Sam Oliverio

Right now, I don't know,

[00:10:53] Councilwoman Jackie Annabi

Because we can't give him extension unless we know the name, right?

[00:10:55] Supervisor Sam Oliverio

Well, it's going under the the owner's name now, the actual license. So that's that's what it would be.

[00:11:02] Councilwoman Jackie Annabi

Okay.

[00:11:03] Supervisor Sam Oliverio

Yeah. We have a second all in favor?

[00:11:08] Town Board Members

Aye.

[00:11:08] Supervisor Sam Oliverio

And also just want to say again that this crazy covid-19 has just been miserable and, you know, we've all survived that as best we can. And I want to compliment our Town Board for this past year, working as hard as they had, our Town Board and also our Town employees, they have been phenomenal. The reason our our budget has come in below cap this year at 1.55 percent is that each Department was very, very frugal. And Maria Angelico, our Chief Financial Officer hones this budget down terrifically. And if it wasn't all for the good work of our Board, our employees, we would not have the type of budget we have right now.

[00:12:02] Supervisor Sam Oliverio

Look, nobody likes to see a tax increase, but we're below that cap only the second time in five years here. And I think that's pretty awesome that we did it, especially this year when we've all been faced, like I said before, by this horrid plague that has happened.

[00:12:20] Supervisor Sam Oliverio

Ok, let's move on. Number one.

[00:12:22] Supervisor Sam Oliverio

Yeah, go ahead, Louie,

[00:12:24] Councilman Louie Luongo

If I may. Yes, we have exceeded tax cap previous, we could have been below it, but using our fund balance again is using a savings account where we

[00:12:38] Supervisor Sam Oliverio

exactly.

[00:12:38] Councilman Louie Luongo

don't know what we're going to be able to put back into it.

[00:12:41] Supervisor Sam Oliverio

That's right.

[00:12:43] Councilman Louie Luongo

I pay the same amount of taxes as everybody else per thousand. We all do. We're all residents here, and when we have a tax increase comes out of my pocket as well as anybody else, I don't like to see it. But we don't have endless funds in that fund balance. And for previous years, the last couple of years, we had to take money out, but also taking money out that we left enough that we were not short to make that up the following year. Which is the problem with that. If we continue to take a lot of money from there, we're not going to have it left.

[00:13:21] Councilman Louie Luongo

To use again for the simple fact we don't know how we're going to replenish.

[00:13:26] Supervisor Sam Oliverio

Exactly. It's a double edged sword. You're absolutely right.

[00:13:29] Councilman Louie Luongo

Exactly - you and I talk about this all the time.

[00:13:31] Supervisor Sam Oliverio

Yeah, we do.

[00:13:32] Councilman Louie Luongo

And and unfortunately and it's very hard to say that we want to see a tax increase. I don't want to see it. But sometimes it's a necessary evil for the simple fact that we can do it where we don't have a tax increase this year, but next year it's double the amount that we may have.

[00:13:53] Supervisor Sam Oliverio

That's right.

[00:13:54] Councilman Louie Luongo

It's very it's a very tough balance, just balancing the rest of the budget to figure out what we're going to take out of the debt fund balance.

[00:14:05] Supervisor Sam Oliverio

This year we were very fortunate because the money we took out of the fund balance last year we never used. Matter of fact, we replenished the fund balance at a higher amount. And I believe we're going to do the same this year because of the mortgage tax. So many people are refinancing and buying new homes. And that's that's going to be a couple of large checks that will come to the fund balance and that will help us. That's why we were able to take it. But I agree with you, Louie. You can't do it every single year. You'll run out and then you're really up rat's creek, you know, without that proverbial paddle.

[00:14:37] Supervisor Sam Oliverio

But if you could do number one highway, Louie?

[00:14:41] Councilman Louie Luongo

Highway from Highway Superintendent Larry Cobb, Members of the Town Board Request to go out for bid for materials. I respectfully request to go out for bid for materials to be used by the highway Department in 2021.

[00:14:58] Supervisor Sam Oliverio

Second?

[00:15:00] Councilwoman Jackie Annabi

Second.

[00:15:00] Supervisor Sam Oliverio

All in favor?

[00:15:01] Town Board Members

Aye.

[00:15:02] Supervisor Sam Oliverio

Very good. Number two Jackie?

[00:15:06] Councilwoman Jackie Annabi

To accept the daily fee report for the Town of Putnam Valley Building and Zoning Department.

[00:15:11] Supervisor Sam Oliverio

We have second?

[00:15:13] Councilman Ralph Smith

second.

[00:15:13] Supervisor Sam Oliverio

All in favor.

[00:15:17] Town Board Members

Aye

[00:15:17] Councilman Louie Luongo

Number three, Wendy, three.

[00:15:23] Supervisor Sam Oliverio

You're on mute, Wendy. You're on mute

[00:15:26] Anthony Arrien Zoom Host

Un-mute yourself.

[00:15:28] Councilwoman Wendy Whetsel

That's because the phone was (garbled) sorry about that. Anyway, this is from Park and Rec. It's all public information.

[00:15:35] Councilwoman Wendy Whetsel

There are refunds from the Park and Rec Department. And again, it's public information. So do I have a second on the refunds?

[00:15:47] Councilman Ralph Smith

Second.

[00:15:48] Supervisor Sam Oliverio

Very good. All in favor.

[00:15:49] Town Board Members

Aye.

[00:15:51] Supervisor Sam Oliverio

Ralph - 3B please?

[00:15:55] Councilman Ralph Smith

From Frank DiMarco with Parks and Rec under personnel to request the the approval of the following additions or change to personnel. Julianna Russo to the Putnam Valley Children's Center at \$12.30 Per hour.

[00:16:15] Supervisor Sam Oliverio

Do have a second.

[00:16:16] Councilwoman Jackie Annabi

OK.

[00:16:17] Supervisor Sam Oliverio

All in favor.

[00:16:18] Town Board Members

Aye.

[00:16:19] Supervisor Sam Oliverio

Ok, Louie - 3C please?

[00:16:22] Councilman Louie Luongo

3C - to the Town Board from Frank, DiMarco, Parks and Rec - Town Board. The Parks and Rec Department recommends that you authorize the purchase of the SCAG Tiger Cat 2 ride-on mower from Ossining Lawn Mower in the amount of eight thousand three hundred seventy five dollars. They were the lowest bid. The machine we needed was not on State bid listing. The bids that were returned are attached, and it is the lowest out of the three bids. And all of this is public information.

[00:16:57] Supervisor Sam Oliverio

Do we have a second.

[00:16:59] Councilwoman Jackie Annabi

Second.

[00:17:00] Supervisor Sam Oliverio

By the way, that was budgeted in the budget for this year, so there's no impact other than what we're using and already budgeted for that machine?. We have a second -- all in favor?

[00:17:11] Town Board Members

Aye.

[00:17:12] Supervisor Sam Oliverio

OK. 4?

[00:17:15] Councilwoman Jackie Annabi

For the Town of - from Sherry Howard she respectfully requests the Town Board authorize the supervisor to sign the contract with Municipity to upgrade our tax software system. We currently use the updates that have occurred in our software system that would be beneficial for both the clerk's office and the residents to upgrade. The cost for this is four thousand eight hundred dollars for the software license and the data conversion and a thousand dollars for the installation and training. The total is five thousand eight hundred dollars.

[00:17:52] Supervisor Sam Oliverio

Do we have a second?

[00:17:52] Councilman Louie Luongo

Second.

[00:17:54] Supervisor Sam Oliverio

Thank you,

[00:17:56] Councilwoman Jackie Annabi

Sherry. They're going to train you on this?

[00:17:58] Town Clerk Sherry Howard

Yes. Yes,

[00:18:00] Councilwoman Jackie Annabi

Thank you.

[00:18:01] Supervisor Sam Oliverio

But Sherry, you use Municipality before - that's what we're using now. Correct?

[00:18:05] Town Clerk Sherry Howard

We use it now. It's just they're going to update.

[00:18:08] Supervisor Sam Oliverio

And upgrade.

[00:18:08] Town Clerk Sherry Howard

Think more people are going to use online this year because of the Covid And then they're going to train us with whatever they're up- all the upgrades.

[00:18:17] Supervisor Sam Oliverio

Excellent. OK. Up and again, all in favor. We did that right. Sherry?

[00:18:23] Town Clerk Sherry Howard

Yes.

[00:18:24] Supervisor Sam Oliverio

OK good. 5 - Wendy?

[00:18:29] Councilwoman Wendy Whetsel

Oh, yes, this is to sign an agreement for a land conveyance agreement with Putnam County concerning lot 91.26-1-62 auction lot 260 Pecoho Road. This lot will be conveyed to the Town Valley for the cost of recording fees and any other fees that might be encumbered. Sam, can you explain exactly where this is?

[00:18:57] Supervisor Sam Oliverio

What happened -- Yeah, yeah - it's Lake Peekskill off of Melmack? Road in Pecoho. The little development. They used to be a summer colony there in Pecoho. And what happened is the county -- part of the land went in foreclosure. Unfortunately, on the tax map, it includes Town road. They cannot auction off a Town road, so whoever drew up the tax map included are our Town road or the area that we maintain and conveyed it then through auction. We immediately jumped in and that under council's advice, we moved forward with a very quickly - contacted the county and the county, said they just needed this resolution to give us back the property. We can subdivide then the land we don't need, but keep our road intact. And that's why we're doing this. It was a faulty auction move.

[00:19:52] Supervisor Sam Oliverio

So now we own the property.

[00:19:55] Supervisor Sam Oliverio

Now we own this property, but...

[00:19:56] Councilwoman Jackie Annabi

So now we have to maintain this property.

[00:19:58] Supervisor Sam Oliverio

But we were it's ah, go ahead Counsel, if you could update it. You're on mute, though, Bob. OK.

[00:20:05] Town Attorney Bob Lusardi

Yeah, Jackie, let me let me just try to clarify a bit here. For whatever reason, the county tax maps did not show this Town highway as being a Town highway. It was actually included within the boundaries of the tax parcels that ultimately went to auction. It was parcel 260 in the auction. Somebody actually bought it at auction. A resident of the Town bought it. It came to our attention. And my advice after consulting with the Highway Superintendent and also with the County Attorney, we think with the concurrence of the County Attorney was that the county convey the tax parcel to the Town. The road itself was a - is a Town road by user. There was no dedication or layout of the road per se. So we have the road and we have drainage for the road that's integrated into these into these tax parcel. And what would what would almost certainly happen is we would end up now with a lawsuit over where our property, our Town road is, where versus where the rest of the property is, whether our drainage is appropriate or not and so forth. It would end up being a mess and it would cost the Town, I don't know how much. In my opinion, in straighten - straightening it out, the simplest solution, which was agreed to by the County Attorney as well as the simple solution, is simply to have these parcels conveyed to the Town so the Town - and the Town will receive them at no charge. Now, after you receive the parcels that the Town can go about surveying the Town road and the drainage. The Town could then split off the part of the parcel that it doesn't need and convey that to this particular

property owner or some other property owner at auction or otherwise. So that was how it came down. The highway superintendent caught it. And, you know, it was very good that he did that because we were able to solve the problem before it became a problem.

[00:22:27] Councilman Ralph Smith

Right.

[00:22:28] Councilwoman Jackie Annabi

So that's not like a private road like Tyler Road, or Bluejay. Where it's part of their...

[00:22:33] Supervisor Sam Oliverio

It's a road that we've used all along. Jackie. We've maintained.

[00:22:37] Councilwoman Jackie Annabi

We have been maintaining it.

[00:22:38] Supervisor Sam Oliverio

Yeah,

[00:22:39] Councilman Louie Luongo

Yes.

[00:22:39] Councilwoman Wendy Whetsel

How large a property are we talking about - a lot?

[00:22:44] Supervisor Sam Oliverio

it's not very, very large.

[00:22:46] Councilwoman Jackie Annabi

It's not the property so much as the roadway.

[00:22:48] Supervisor Sam Oliverio

Exactly.

[00:22:49] Councilwoman Jackie Annabi

That's what I was wondering.

[00:22:51] Supervisor Sam Oliverio

Yeah. Yeah, that's the point, it's the roadway. We don't care about the other part we - the individual that bid on it - we'll go back to them and say, listen, do you want to purchase this after we subdivide? But we have to subdivide first, you know, change the lot configuration so that the road is not included.

[00:23:10] Councilwoman Jackie Annabi

But if he if he now purchases that road and we're maintaining it and the drainage is affecting that property, we were responsible for that now? Before the owner was?

[00:23:20] Supervisor Sam Oliverio

Well, no, no, the owner never owned it.

[00:23:23] Councilwoman Jackie Annabi

Ok,

[00:23:25] Town Attorney Bob Lusardi

Somebody somebody lost the property for taxes, they didn't pay the taxes on the property, it's not a very large lot, but they didn't pay the taxes. It went to the county and an interim tax foreclosure. And then this was an auction where the county was selling the property to the general public. And I think the high bid was something like a thousand dollars for the property. It's you know, it's one of those secured. This is a declining property owner that purchased it, as I understand it,

[00:23:51] Supervisor Sam Oliverio

An un-buildable lot. Yeah. And the county never realizing the Road. How that happened, I don't know.

[00:23:59] Councilwoman Jackie Annabi

Thank you for clearing that up.

[00:23:59] Supervisor Sam Oliverio

OK

[00:24:00] Councilman Ralph Smith

I second the motion.

[00:24:01] Supervisor Sam Oliverio

You second it? Thank you. Ralph? All in favor?

[00:24:06] Town Board Members

Aye.

[00:24:07] Supervisor Sam Oliverio

Very good. Ralph. Number five, please?

[00:24:13] Councilman Ralph Smith

5A is a resolution to waive the 30 day waiting period for the New York State liquor license.

[00:24:20] Supervisor Sam Oliverio

And again, that's for the Oregon Corners establishment Pancho and Gringo's. They =- it's going to be under new ownership. And the new owner, when it's conveyed to a new owner, they have to reapply for the liquor license.

We'd like them to move on this as quickly as possible so that we can keep that business open and functioning. Do we have a second?

[00:24:43] Councilwoman Jackie Annabi

Second.

[00:24:43] Supervisor Sam Oliverio

All in favor?

[00:24:45] Town Board Members

Aye.

[00:24:45] Supervisor Sam Oliverio

Very good. Let's move on. Louie, approval of minutes please?

[00:24:51] Councilman Louie Luongo

From Sherry Howard to Town Board, approval of minutes. I respectfully request that the Putnam Valley Town Board authorize the supervisor to accept Town Board minutes from September 16th, September 23rd and September, uh, October 7th, 2020.

[00:25:10] Supervisor Sam Oliverio

Do I have a second.

[00:25:10] Councilman Ralph Smith

Second.

[00:25:10] Supervisor Sam Oliverio

Very good. All in favor?

[00:25:14] Town Board Members

Aye.

[00:25:15] Supervisor Sam Oliverio

OK, audit of monthly bills? Jackie?

[00:25:18] Councilwoman Jackie Annabi

I've resolved that we do the order of the monthly bills.

[00:25:25] Supervisor Sam Oliverio

Very Good do we have a second?

[00:25:28] Councilman Louie Luongo

Second.

[00:25:28] Supervisor Sam Oliverio

All in favor.

[00:25:30] Town Board Members

Aye.

[00:25:30] Supervisor Sam Oliverio

OK, at this at this time, we are opening up public comment for any comment that you may have on the budget or whatever. So, Anthony, if you could please check the gate.

[00:25:43] Anthony Arrien Zoom Host

Yes, we have someone in the chat would like to comment. Mario Digangi, would you please yourself?

[00:25:51] Supervisor Sam Oliverio

Go ahead, Mario.

[00:25:54] Mario DiGangi

Hi, my name is Mario Digangi, I'm a resident of Peekskill. I understand that the Board has recently been discussing an amendment to the noise law. I'm going to put my video on so you can see me. You've been recently discussing an amendment to the noise law to include language about prohibiting excessive noise during the day. And those of us who have encouraged or wanted this noise law to go forward are really asking only for the letter of the law to be brought in alignment with the intent of the law. By intent I refer to Chapter eighty two point two in the noise law, which states that every person is entitled to an environment in which disturbing, excessive or offensive noise is not a detriment to his or her life, health or enjoyment of property. And unfortunately, myself and several of my neighbors have experienced exactly this kind of excessive noise that has been a detriment to our life and our enjoyment of our property. And we're asking simply for the protection of the law. Unfortunately, we cannot - we haven't been successful in getting us some of our neighbors to comply with common courtesy. And in these cases, the only choice we have is to ask for something -

[00:27:15] Alex Kaspar

We ate there! (Alex Kaspar's audio un-muted and interfered)

[00:27:16] Mario DiGangi

Say that again??

[00:27:21] Supervisor Sam Oliverio

Keep going.

[00:27:21] Mario DiGangi

Ok, yeah, we're just basically asking for the ability to be able to enjoy our property, and especially during these times of Covid to work from home. Several of us who work from home have been severely disturbed during the workday, like a three o'clock on a Monday afternoon because of a neighbor who plays music on his front lawn from a twelve thousand watt speaker and refuses to turn it off because the law doesn't say that he has to turn it off. So I'm just encouraging you, please move forward with this law in order to let us live according to the intent of the of the noise law and enjoy our property. And please. Thank you very much,

[00:28:02] Supervisor Sam Oliverio

Mario. I can tell you that we I have our planner and also our Town Counsel investigating this matter. (aside) Can you mute everybody, Anthony, except the person speaking. Thank you.

[00:28:20] Anthony Arrien Zoom Host

Yes, I just did.

[00:28:21] Supervisor Sam Oliverio

Thank you. We got feedback coming in. So, Mario, we are trying to put it together. The Board has to review it once we get it back, but it needs to be locked to a decibel level. And counsel advised us last week that normally somewhere between 50 and 60 or so decibels is allowable. You know, that's usually the limit. And that's that's the way we want to proceed so that there's substance there. But I agree with you. I also think it's necessary, but it will be a Board decision. The law, we'll be discussing it.

[00:28:56] Mario DiGangi

If I can just comment on my understanding is that we are almost alone among neighboring towns in the county and not having a decibel level noise law for the day that this is pretty standard that other towns have of fifty, sixty decibels...

[00:29:10] Supervisor Sam Oliverio

That is correct. We're finding that out. So that is correct.

[00:29:14] Supervisor Sam Oliverio

So we're just again asking that we kind of be brought in alignment with this kind of normal restriction on excessive activity, not normal everyday activity like kids playing outside or anything.

[00:29:25] Supervisor Sam Oliverio

No, no, no. You don't want to limit that.

[00:29:26] Mario DiGangi

Yes. Thank you. Thank you, Sam.

[00:29:28] Supervisor Sam Oliverio

OK, thank you. Mario. Anthony, who's next?

[00:29:30] Anthony Arrien Zoom Host

Yes, we have two people. Next we have Travis and then I believe Travis Webster. And then after Travis Webster, I

believe we have Alexander Kaspar. I don't think he's able to talk in the chat. So we'll un-mute him after Travis.

[00:29:49] Supervisor Sam Oliverio

Ok, Travis, if you can, go ahead.

[00:29:51] Travis Webster

Sure. Hi, everybody. I'm Travis Webster. I am Mario Digangi's next door neighbor. And we represent a good number of people, about ten households in this area that are also impacted by what Sam, -- I'm going to start my video so you guys can see me -- what Sam, what Sam presented on last week and also what Mario just mentioned. And again, I'd like to reiterate that this is not - our support of this measure is not to keep people from having a good time from playing a radio here and there, from kids having a party or having a good time among friends and family. This is an extenuating circumstance that we do think has larger, kind of more - is local to our area, but would also have a larger kind of good impact on the community just in terms of what happens when. And I'll look at the exact wording. It's what happens when Prohibition 82.4 is not necessarily recognized by local police. It just in terms of the peaceful enjoyment, but also just the workday. If a twelve thousand what bass is paying playing for three hours from 2, 2 to 4:30 pm, for example, on a Tuesday afternoon, and my back windows are shaking, you know, and I, I we try to have some kind of common ground with, with a neighbor about this. It isn't successful. We contact the police and they say that there's not anything they can do about that. We're just kind of looking for you all for that support just in terms of this this particular situation. But we also do think it has broader implications.

[00:31:40] Supervisor Sam Oliverio

I agree. And again, it's it's been turned over to our Counsel and also to our Planner to put together a noise ordinance that can work during the day and be fair to everyone, to those who are victims, to this loud noise, but also those who want to play some music, you know, if they can keep it at a decent decibel level, nobody's refuting that. It's when it becomes an insidious way of harassment of a neighbor. That's where it upsets me. And I know what you've been through because I've been up there and I have heard that music when I've been called in and responded. And it is not good. And the police are quite right or a law currently is not specific enough. It just says a reasonable noise. Well, the neighbor could say, well, this is reasonable to me, you know, and how do you enforce that? So it can't be left to the eye of the beholder. It has to be focused and with substance. And I agree with you and we're working on it. But again...

[00:32:42] Councilwoman Jackie Annabi

As I was saying, Sam, I think also a time limit is going to be very important. If they were playing, they just happened to walk out and put it on. But if they have it on blasting for an hour, so we have to put something a time limit on there.

[00:32:54] Supervisor Sam Oliverio

I agree.

[00:32:55] Councilwoman Jackie Annabi

I think that's important.

[00:32:56] Supervisor Sam Oliverio

You want to be fair to the neighbor also - they want to play some loud song for 15 minutes. I could see that, you know, anything beyond I mean, we have to gauge it. You're absolutely right. So that that will be part and parcel of it. Thank you, Travis.

[00:33:11] Travis Webster

Thank you. Thank you for hearing us.

[00:33:12] Supervisor Sam Oliverio

Thank you, Anthony. Any other comments?

[00:33:16] Anthony Arrien Zoom Host

Yes, I think we have Alex Kaspar waiting. Would you un-mute yourself, Alex, and show your video if you can?

[00:33:36] Councilwoman Jackie Annabi

You might have to unmute him.

[00:33:39] Anthony Arrien Zoom Host

I, I electronically asked him to un-mute himself.

[00:33:43] Supervisor Sam Oliverio

Can you un-mute Alex?

[00:33:48] Anthony Arrien Zoom Host

That's all I could do, I asked him to...

[00:33:50] Supervisor Sam Oliverio

You can't control his own machine.

[00:33:52] Councilwoman Jackie Annabi

OK.

[00:33:52] Alex Kaspar

Does that work?

[00:33:52] Anthony Arrien Zoom Host

Ay, you got it!!

[00:33:52] Supervisor Sam Oliverio

You're un-muted - you can speak.

[00:33:58] Alex Kaspar

I understood that, Tony, did the muting and un-muting like in tomorrow's debate. But obviously that's not the way anyway. Yeah, I'm just obviously I believe you read my. My letter,

[00:34:15] Supervisor Sam Oliverio

Yes, sir.

[00:34:16] Alex Kaspar

Earlier on into the budget. So that's read into the budget, there's really not more that I can say other than I do seem to have a problem communicating with anybody on the Board. Actually, most people in Town, they won't talk to me because they're in litigation. I mean, they're engaged in a small part of life. Is all kinds of other things going on in the world. And just to say you're not going to talk to Alexandra Kaspar about, say, growing mushrooms or or ginseng or having a CSA community supported agriculture or anything like that is is kind of a little bit nonsensical. You have to open up the lines of communication or just spend hundreds of thousands of dollars, which is what you've been doing on litigation. It doesn't seem to make sense, does it?

[00:35:08] Town Attorney Bob Lusardi

If I may.

[00:35:11] Supervisor Sam Oliverio

Go ahead, counsel.

[00:35:12] Town Attorney Bob Lusardi

To members of the Board, we are in litigation with Mr. Kaspar and I do not advise discussing that litigation at this - at this meeting. I can also say that there is no prohibition against Mr. Kaspar making any application that he wants to make to the Town for permission to do whatever he has in mind for his property, subject to the requirements of the law and of various court orders that are in place as well with respect to his property. So nobody has prohibited him from making any applications through the Town and he wishes to make.

[00:35:58] Alex Kaspar

That all sounds very good. But actually, I wasn't discussing litigation. I wasn't talking about any specific litigation. I was just talking about a generalization of people not talking to me or other people about community supported agriculture, for instance, growing ginseng or collecting rare plants or in fact anything. I did I mention the word litigation. No, you are the one who mentioned litigation, not me. And again, I'm not specifying any litigation. I'm not talking about litigation other than the amounts of money that Putnam Valley is spending on any litigation. My litigation, any litigation. They seem to be become highly litigious in the last few years. And now you're saying you can't have a Town Day for six thousand dollars. Six thousand dollars is peanuts compared with the four or five thousand dollars a month you spend on litigation, whether it's my litigation or other people as other people, again, you may be in litigation with or against or who against you certiorari or whatever it is. But you have to you have to come out in the open. You have to say, hey, we're spending a lot of money. We're sorry about that. And these are the reasons we're spending all of the money. We we have reasons and there are good reasons or bad reasons. But you have to tell the townspeople what those reasons are. You have to make them aware they will spend the hundreds of thousands of dollars that you could be spending on nice things like a Town Day, instead of spending on that. You can spend it on roads or drainage. You don't need to spend that money, is what I'm saying. As a taxpayer and owner of 440 acres in this Town, one of the three or four largest taxpayers in the Town, taxes over one hundred thousand dollars. Whether I pay them or don't pay them doesn't matter. The taxes are still one hundred thousand dollars or more. It's a lot of money for one little individual. So you want to comment on that?

[00:38:00] Supervisor Sam Oliverio

No, no comment. But thank you for your comment, Mr. Kaspar. Next, who's next on line, Anthony?

[00:38:07] Anthony Arrien Zoom Host

I don't see anybody else in the chat asking to speak if there's anybody else who's listening, who wants to speak, could you please un-mute yourself now?

[00:38:20] Supervisor Sam Oliverio

Hearing no further comment, I close the public comment hearing period and let us move to number 9.

[00:38:27] Leo Alves

Hello, can you hear me?

[00:38:30] Anthony Arrien Zoom Host

Yes. Yes, we can, Leo.

[00:38:32] Supervisor Sam Oliverio

Oh, go ahead, Leo.

[00:38:34] Leo Alves

Ok, my comments stem from a presentation. It was made to the Town Board at its work session on September 16th. The comments that I'm about to make her address to the whole Board, but specifically to Ralph Smith. At that work session. Jeff Dombowski (correct name is Domanski) from Hudson Valley Energy spoke for the Community Choice Aggregation Program. That program represents a way for the Town to allow residents to purchase renewable energy for residents to take advantage of that program. The Town Board must ratify an agreement with Hudson Valley Energy. The discussion that followed centered entirely around how residents could opt in or opt out, how long rates would remain stable, the length of the contract, etc., No one addressed the issue of where the renewable energy sources come from. Mr. Dombowski stated that the community to its aggregation deals with electricity only. He stated that renewable energy in this program must be sourced from New York state. That is, no out-of-state energy would be sold as part of this program. He further stated that New York State has little in the way of wind power or solar nor solar energy resources. Thus, the renewable energy from this program would all be derived from hydro power. The amount of New York sourced hydro power is limited. New rivers are not being created. New dams are not being constructed. The proposed Champlain Hudson Power Express transmission project represents hydro power from Canada, not from New York State. Furthermore, this project may never be built since several environmental organizations such as Riverkeeper have come out in opposition because of possible harm to the Atlantic Sturgeon, which spawns in the Hudson River. So my question is the following. Since the capacity for New York source hydro power is limited in this power is currently already allocated, how can the Community Choice Aggregation Program continue to offer even more hydro power to Putnam Valley residents? Mr. Smith, can you address this?

[00:40:54] Councilman Ralph Smith

Yeah, I'd be happy to address it. But what we're really looking to do, first of all, is to do what the Public Service Commission has directed is doing in order to move forward. To investigate this further, we have to have what's called an enabling law. And and once you do that, you're not committed to community choice aggregation, but you can go forward with further investigation, et cetera. I've jotted down all the concerns that you've been saying here, while all valid questions to ask and and we would further research that, you know, that's that's that's what we're headed toward, to research these things and and have all this information.

[00:41:40] Leo Alves

Well you at that Town Board work session, you had indicated that you had attended several seminars on this program at the seminars, what was said about the sourcing for New York State hydro power?

[00:41:54] Councilman Ralph Smith

I'm not going to speak about hydro power specifically, but the New York state source of of the power has been talked about many, many times. And it's from New York State. So that's something to investigate the the what you're saying about hydro power. And there are limits that we that you're indicating we seem to be at the end of or whatever, and that something has to be investigated. Absolutely.

[00:42:21] Leo Alves

Well, it was Mr. Dombowski who stated that the renewable energy, which would be part of this program, would come almost entirely from hydro power, since there were no commercial solar installations in New York State and very little wind resources. So what was said at these seminars with respect to the availability of New York source hydro power?

[00:42:46] Councilman Ralph Smith

I can't I can't quote that right at this moment, but you certainly bring up something that has to be further research, you know, not just with Mr. Domanski, but with various other sources to make sure that that, you know, what you're saying is is not going to get in the way of this. You know what's what is important? There's there's other factors that you mentioned that are important about this. And one of them is a less expensive energy. And if there's no energy out there that you're indicating, you know, how can you provide that? So that's something that has to be has to be investigated. No?

[00:43:30] Leo Alves

I'll be keeping I'll be keeping an eye on this, and I hope the Town Board does its due diligence before ratifying any kind of an agreement.

[00:43:37] Supervisor Sam Oliverio

Absolutely.

[00:43:38] Councilman Ralph Smith

Absolutely. Yeah, this is not something that's done overnight or anything. This is something that has to be thoroughly investigated, not just from one source or anything like that. And I appreciate the questions you're bringing up. As I said, I took I took notes as you were speaking and this is recorded so I can go back and and touch base on what you're saying. And this is this is something that has to be investigated fully, and not...

[00:44:05] Councilwoman Wendy Whetsel

And Leo, if in and your research have come across specific information that is important for us to be aware of, please share it with us.

[00:44:18] Councilman Ralph Smith

Yes.

[00:44:18] Councilwoman Wendy Whetsel

I know you do a lot of that research on your own. OK,

[00:44:23] Leo Alves

I will do that.

[00:44:24] Supervisor Sam Oliverio

Thank you, Lou. Thank you. OK, any other comments at this time.

[00:44:31] Anthony Arrien Zoom Host

I don't see anything in the chat. One person just joined the meeting. So for their benefit, if they don't see it in the chat, if you have any public comments, please un-mute yourself now. Any more public comment?

[00:44:48] Supervisor Sam Oliverio

I think not. Ok, we're going to close the public comment at this time and move to budget transfers and amendments, I think the last person who did something was Ralph, I believe. Louis, you want to close this out? Budget transfers and amendments motion? Move

[00:45:07] Councilman Louie Luongo

Move we accept the budget transfers and amendments.

[00:45:10] Councilwoman Wendy Whetsel

Second.

[00:45:11] Supervisor Sam Oliverio

All in favor.

[00:45:12] Town Board Members

Aye.

[00:45:12] Supervisor Sam Oliverio

Ay! Very good. At this point in time, ladies and gentlemen, we will be ending this meeting yet again at our pre-work session, November 4th 2020 her. Five -- not here at "Zoom". It's going to be a Town hall, 5 p.m. at Town Hall on November 4th. And at that time we will vote on the budget and finally put that to bed and any other items that may come before this body between now and then. Also, we will probably continue discussion on some of the topics we discussed last week. At this point in time, I don't think we need an executive session. I do not believe it's necessary this week. So I'd like to move to end the meeting at this time to have a second.

[00:46:01] Councilwoman Jackie Annabi

Second,

[00:46:02] Councilwoman Wendy Whetsel

Second,

[00:46:03] Supervisor Sam Oliverio

All. And oh, by the way, did we have full approval on the budget transfers and amendments, Madam Clerk. We did?

[00:46:10] Town Clerk Sherry Howard

Yes, (unintelligible) seconded and then you aye.

[00:46:13] Supervisor Sam Oliverio

OK, very good.

[00:46:16] Supervisor Sam Oliverio

All right. At this time, move to close the meeting have a second?

[00:46:20] Councilwoman Wendy Whetsel
Second.

[00:46:21] Supervisor Sam Oliverio
All in favor?

[00:46:23] Town Board Members
Aye.

[00:46:24] Supervisor Sam Oliverio
Thank you, everybody. Thank you.

[00:46:25] Councilwoman Wendy Whetsel
Thank you.

END OF TRANSCRIPT



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