



TOWN OF PUTNAM VALLEY

Town Board Work Session

December 9th, 2020

Town Hall

5 PM

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### **Pledge of Allegiance**

Meeting called to Order

Supervisor's Comments

1. Discussion: Solar Farm Resolution
2. Discussion: Daytime Noise Ordinance
3. Discussion: Political Signage
4. Resolved to appoint the Town Board of the Town of Putnam Valley as the Lead Agency for the coordinated environmental review of proposed Type 1 Action and for the coordinated SEQRA evaluation
5. Set public hearing date for Community Choice Aggregation 1/6/2021
6. Set public hearing date for ComCast Contract Renewal 1/6/2021
7. Parks and Recreation
  - A. Refunds
8. Building
  - A. Accept the settlement for violation and issue resolution of satisfaction
9. District
  - A. Accept the bid for the Aquatic Weed Harvester and authorize the Supervisor to sign the contract
  - B. Approve the 2021 expenditure for C-slap program
10. Authorize Temporary Personnel addition
11. Approval of Minutes
12. Audit of Monthly Bills

### **Adjournment**

**Next Town Board Meeting: Wednesday, December 19<sup>th</sup>, 2020, 6PM, Town Hall**

5

Resolved to set the public hearing date for the Community Choice Aggregation for January 6<sup>th</sup>, 2021 via ZOOM.

6

Resolved to set the public hearing date for the ComCast Contract Renewal for January 6<sup>th</sup>, 2021 via ZOOM.

4

TOWN BOARD RESOLUTION



Town of Putnam Valley Town Board  
265 Oscawana Lake Road  
Putnam Valley, New York 10579  
(845)526-3280 Fax (845)528-3961  
[www.putnamvalley.com](http://www.putnamvalley.com)

December 9, 2020

**INTENT TO BE LEAD AGENCY  
TOWN CODE REVISIONS  
265 OSCAWANA LAKE ROAD  
PUTNAM VALLEY, NY**

**WHEREAS**, the Town Board of the Town of Putnam Valley has reviewed Chapter 82 of the Town Code entitled; Noise” and has found that amendments to the Chapter are required in order to enhance the quality of life in the Town; and

**WHEREAS**, the Town Board is intent on providing renewable energy alternatives to the people of Putnam Valley and therefore have found in appropriate to add a new Chapter 166 to the Town Code entitled; "Community Choice Aggregation (Energy) Program” and

**WHEREAS**, the proposed action has been determined to be a Type I Action pursuant to the New York State Environmental Quality Review Act (SEQRA) 6 NYCRR Part 617; and

**NOW THEREFORE BE IT RESOLVED THAT**, pursuant to the applicable standards of SEQRA 6 NYCRR Part 617, the Town Board of the Town of Putnam Valley concludes that it is the appropriate agency to serve as Lead Agency for the coordinated environmental review of the proposed Type I Action; and

**BE IT FURTHER RESOLVED THAT**, the Town Board hereby declares its intent to be Lead Agency for the coordinated SEQRA evaluation; and

**BE IT FURTHER RESOLVED, WHEREAS THAT**, the Town Board hereby authorizes the Town Clerk to circulate the Lead Agency Notice to the other Involved and Interested Agencies indicating the Town Board’s intention to serve as Lead Agency, including circulating the proposed ordinances and the Environmental Assessment Form (EAF)..

Motion:  
Second:

Yea      Nay      Abstention      Absent

Sam Oliverio, Jr.

Jacqueline Annabi

Louis Luongo

Ralph Smith

Wendy Whetsel

BY:

Filed at the Office of the Town Clerk, Putnam Valley, New York  
On the Date of: \_\_\_\_\_

AMENDMENT TO CHAPTER 82; "NOISE" ORDINANCE

**Local Law 2 of the year 2021 amending Chapter 82 of the Code of the Town of Putnam Valley**

**Chapter 82 of the Code of the Town of Putnam Valley is hereby amended to state as follows:**

“§ 82-1 Title.

This chapter shall be known and may be cited as the "Noise Law."

§ 82-2 Intent.

The making and creating of disturbing or offensive noises within the jurisdiction of the Town of Putnam Valley is a condition which has persisted, and the level and frequency of occurrences of such noises continues to increase. These noise levels are a detriment to the public health, comfort, convenience, safety and welfare of the citizens. 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. This Chapter is intended to regulate the generation of unreasonable, unreasonably loud, disturbing or unnecessary noise.

§ 82-3 Definitions.

As used herein, the following terms shall have the meaning indicated:

HOLIDAY

Federal holiday.

PERSONS

One or more natural persons of either sex, corporations, partnerships, associations, membership societies and all other entities capable of being sued.

SELF-PROPELLED VEHICLE

Any vehicle which is propelled or drawn on land or on the surface of a lake by a motor, such as but not limited to passenger cars, trucks, truck trailers, semitrailers, campers, go-carts, snowmobiles, amphibious craft on land, dune buggies, all-terrain vehicles, racing vehicles, motorboats, jet skis and motorcycles.

SOUND REPRODUCTION DEVICE

Any device that is designed to be used or is actually used for the production or reproduction of sound, including but not limited to any amplified musical instrument, radio, television, tape recorder, phonograph, loudspeaker, public address system or any other sound-amplifying device.

WEEKEND/WEEKDAYS

For the purposes of this chapter, a weekend is a period of time from Friday at 7:00 p.m. until Monday at 6:00 a.m. All other times of the week will be considered weekdays.

ZONES or ZONED DISTRICT

Shall mean a zoning district defined and regulated under Chapter 165 of the Town Code.

§ 82-4 Prohibition.

No person shall make, cause or permit to be made noise within the geographical boundaries of the Town of Putnam Valley except to the extent authorized in Section 82-5 below.

§ 82-5 Noise Restrictions.

A. No person shall operate or permit to be operated within the Town of Putnam Valley, any device that produces a sound level exceeding the following limitations in this Article, The measurement of any sound or noise shall be made with a sound-level meter using an A-scale decibel level. The measurement shall be conducted at the property line of the lot on which such noise is generated or perceived, or if the noise is generated on a public street or other public space within the Town of Putnam Valley, the measurement shall be conducted at the place where such noise is perceived.

Residential zoned district limitations:

(a).

During the hours of 8:00 a.m. to 6:00 p.m., noise levels within any residentially zoned district shall not exceed sixty-five (65) dB (A)'s.

(b).

During the hours of 6:00 p.m. to 8:00 a.m., noise levels within any residentially zoned district shall not exceed fifty-five (55) dB (A)'s.

Commercial zoned district limitations:

Noise levels within any commercial/retail-zoned districts shall not exceed sixty-five (65) dB(A)'s and shall also conform in all respects to the performance standards set forth in Chapter 165, Zoning.

In addition to the noise restrictions set forth in subsection A above, the following restrictions shall also apply,

B.

Between the hours of 8:00 p.m. and 8:00 a.m. on weekdays (8:00 p.m. and 6:00 a.m. for the Town of Putnam Valley Highway Department, or any of its contractors repairing or maintaining public roads and highways, from June 1 through September 30), and the hours of 7:00 p.m. and 8:00 a.m. on weekends and holidays, the following acts are not permitted:

(1)

The use of heavy equipment, motorized lawn equipment or any noise-making equipment.

(2)

The operation of engines in residential zones outdoors. This would include the stationary idling of any engine, including but not limited to automobiles, trucks, motorcycles, motorboats, minibikes, snowmobiles or all-terrain vehicles for more than five minutes.

(3)

Any noise from a vehicle, machine or signaling device for an unnecessary or unreasonable period of time.

(4)

The use of explosives, firearms or similar devices.

(5)

The operation of any audio equipment or the use of any musical instrument or human voice, including but not limited to in parked or moving vehicles, in such a manner or with such volume as to annoy or disturb the quiet, comfort or repose of persons in any dwelling, hotel or other type of residence.

(6)

Every motorboat over two horsepower shall be provided with an underwater exhaust or muffler so constructed and used as to muffle the noise so that the noise of the motor shall be effectively muffled. The use of cutouts or similar appliances is prohibited.

C.

The act of singing or talking, partying sounds or radio and recording sounds which are audible more than

100 feet from the source between the hours of 10:00 p.m. and 7:00 a.m. on weekdays and 11:00 p.m. and 8:00 a.m. on weekends and holidays are prohibited.

D.

Machines to hammer, crush or shatter rock are permitted for use only as follows:

(1)

Hours of operation must be between 9:00 a.m. and 4:00 p.m. weekdays; operation is not permitted on weekends or holidays.

(2)

The property owner or designee must obtain a permit from the Code Enforcement Officer which shall be valid only for a maximum of 10 days of operation.

E.

Any excessive or unusually loud sound or any sound which either annoys, disturbs, injures or endangers or interferes with the sleep, comfort, repose, health or safety of a reasonable person of normal sensitivities or which causes injury to animal life or damage to property or business is prohibited.

§ 82-6 Persons liable for violations.

The owner, tenant and person in charge of the premises on which a violation under the provisions of this chapter has been committed shall be deemed to have permitted such violation on the subject premises and, as such, shall be guilty of such violation.

§ 82-7 Exceptions.

The provisions of this chapter shall not apply to the following acts:

A.

The emissions of sound for the purpose of alerting persons of an existing emergency.

B.

Noise from municipally sponsored celebrations or events.

C.

Noise from individually sponsored events where a permit for public assembly or other relevant permission has been obtained from the Town Clerk.

D.

The operation or use of any organ, radio, bell, chimes or other instrument, apparatus or device by any church, synagogue or school licensed or chartered by the State of New York, provided that such operation or use does not occur between the hours of 10:00 p.m. and 8:00 a.m.

E.

Noise generated by the installation and maintenance of utilities or by any generator during a power outage.

F.

Noise generated by a municipality during any emergency repair and maintenance or any other repair or maintenance undertaken by the municipality.

§ 82-8 Enforcement.

A.

The provisions of this chapter shall be enforced by the local policing agency (Putnam County Sheriff or New York State Police) and code enforcement personnel of the Town of Putnam Valley or other officials designated by the Town Board of the Town of Putnam Valley.

B.

The investigating police officer, Code Enforcement Officer or other designated official who is a witness to the noise which is in violation to this chapter is authorized to issue a summons



hereunder.

§ 82-9 Penalties for offenses.

Any person who violates any provision of this chapter shall be guilty of a violation and shall be subject to a fine not to exceed \$500 for each offense, imprisonment not to exceed 15 days, or both such fine and imprisonment. The town may also seek injunctive relief to prevent the continued violation of this chapter.

§ 82-10 Fees.

The Town Board shall by resolution set application fees for the permits authorized in this chapter.

**82-11 Severability**

If any provision of this statute is held illegal or unenforceable in a judicial proceeding, such provision shall be severed and shall be inoperative, and the remainder of this statute shall remain operative and binding on the Parties.”

## NEW CHAPTER 166; COMMUNITY CHOICE AGGREGATION (ENERGY) PROGRAM

### LOCAL LAW NO. 1-2020

#### A LOCAL LAW TO ESTABLISH A COMMUNITY CHOICE AGGREGATION (ENERGY) PROGRAM IN THE TOWN OF PUTNAM VALLEY

Be it enacted by TOWN BOARD of the TOWN OF PUTNAM VALLEY as follows:

The Code of the TOWN OF PUTNAM VALLEY is hereby amended by adding a new Chapter 166 entitled “COMMUNITY CHOICE AGGREGATION (ENERGY) PROGRAM,” to read as follows:

#### §1. Legislative Findings; Intent and Purpose; Authority.

- A. It is the policy of both the TOWN OF PUTNAM VALLEY (“Municipality”) and the State of New York to reduce costs and provide cost certainty for the purpose of economic development, to promote deeper penetration of energy efficiency and renewable energy resources such as wind and solar, and wider deployment of distributed energy resources as well as to examine the retail energy markets and increase participation of and benefits for Eligible Consumers in those markets. Among the policies and models that may offer benefits in New York is Community Choice Aggregation (“CCA”), which allows local governments to determine the default supplier of electricity on behalf of Eligible Consumers.
- B. The purpose of CCA is to allow participating local governments to procure energy supply service for Eligible Consumers, who will have the opportunity to opt out of the procurement, while maintaining transmission and distribution service from the existing Distribution Utility. This Chapter establishes a program (“CCA Program”) that will allow the Municipality and other local governments to work together through a shared purchasing model to put out for bid the total amount of electricity being purchased by Eligible Consumers within the jurisdictional boundaries of participating municipalities. Eligible consumers will have the opportunity to have more control to lower their overall energy costs, to spur clean energy innovation and investment, to improve customer choice and value, and to protect the environment; thereby, fulfilling the purposes of this Chapter and fulfilling an important public purpose.
- C. The Municipality is authorized to implement this CCA Program pursuant to Section 10(1)(ii)(a)(12) of the New York Municipal Home Rule Law; and State of New York Public Service Commission Case No. 14-M-0224, Proceeding on Motion of the Commission to Enable Community Choice Aggregation Programs (issued April 21, 2016) as may be amended, including subsequent orders of the Public Service Commission (PSC) issued in connection with or related to Case No. 14-M-0224, to the extent that orders related to Case No. 14-M-0224 enable actions by the Municipality.
- D. This Chapter shall be known and may be cited as the COMMUNITY CHOICE AGGREGATION (ENERGY) PROGRAM Law of the Municipality.

#### §2. Definitions.

For purposes of this Chapter, and unless otherwise expressly stated or unless the context otherwise requires, the terms in this Chapter shall have the meanings employed in the State of New York Public Service Commission’s Uniform Business Practices or, if not so defined there, as indicated below:

- A. AGGREGATED DATA shall mean aggregated and anonymized information including the number of

consumers by service class, the aggregated peak demand (kW) (for electricity) by month for the past 12 months, by service class to the extent possible, and the aggregated energy (kWh) for electricity by month for the past 12 months by service class.

- B. CCA ADMINISTRATOR shall mean the Town of Putnam Valley, or a third party CCA Administrator duly authorized to put out for bid the total amount of electricity being purchased by Participating Consumers. CCA Administrator is responsible for Program organization, administration, procurement, and communications, unless otherwise specified.
- C. CUSTOMER SPECIFIC DATA shall mean customer specific information, personal data and utility data for all consumers in the municipality eligible for opt-out treatment based on the terms of PSC CCA Order and the CCA program design including the customer of record's name, mailing address, telephone number, account number, and primary language, if available, and any customer-specific alternate billing name, address, and phone number.
- D. DATA SECURITY AGREEMENT shall mean an agreement between the Distribution Utility and the Municipality that obligates each party to meet, collectively, (i) all national, state and local laws, regulations or other government standards relating to the protection of information that identifies or can be used to identify an individual Eligible Consumer with respect to the CCA Administrator or its representative's processing of confidential utility information; (ii) the Distribution Utility's internal requirements and procedures relating to the protection of information that identifies or can be used to identify individual Eligible Consumer with respect to the CCA Administrator or its representative's processing of confidential utility information; and (iii) the PSC CCA Order and PSC rules, regulations and guidelines relating to confidential data.
- E. DEFAULT SERVICE shall mean supply service provided by the Distribution Utility to consumers who are not currently receiving service from an energy service company (ESCO). Eligible Consumers within the Municipality that receive Default Service, and have not opted out, will be enrolled in the Program as of the Effective Date.
- F. DISTRIBUTED ENERGY RESOURCES (DER) shall mean local renewable energy projects, shared renewables like community solar, energy efficiency, demand response, energy management, energy storage, micro grid projects and other innovative Reforming the Energy Vision (REV) initiatives that optimize system benefits, target and address load pockets/profile within the CCA's zone, and reduce cost of service for Participating Consumers.
- G. DISTRIBUTION UTILITY shall mean owner or controller of the means of distribution of the electricity that is regulated by the Public Service Commission.
- H. ELIGIBLE CONSUMERS shall mean eligible customers of electricity who receive Default Service from the Distribution Utility as of the Effective Date, or New Consumers that subsequently become eligible to participate in the Program, at one or more locations within the geographic boundaries of the Municipality, except those consumers who receive Default Service and have requested not to have their account information shared by the Distribution Utility. For the avoidance of doubt, all Eligible Consumers must reside or be otherwise located at one or more locations within the geographic boundaries of the Municipality, as such boundaries exist on the effective date of the ESA.
- I. ESCO or ENERGY SERVICES COMPANY mean an entity duly authorized to conduct business in the State of New York as an ESCO.
- J. NEW CONSUMERS shall mean consumers of electricity that become Eligible Consumers after the effective date of the ESA, including those that opt in or move into Municipality.

- K. PARTICIPATING CONSUMERS shall mean Eligible Consumers enrolled in the Program, either because they are consumers who receive Default Service from the Distribution Utility as of the Effective Date and have not opted out, or are New Consumers.
- L. PROGRAM ORGANIZER shall mean the group responsible for initiating and organizing the CCA. This group will typically secure buy-in from local governments and engage in preliminary outreach and education around CCA. The Program Organizer may be a non-profit organization, local government, or other third party. The Program Organizer and the CCA Administrator may be the same.
- M. PSC CCA ORDER shall mean the PSC's Order Authorizing Framework for Community Choice Aggregation Opt-Out Program, issued on April 21, 2016 in Case 14-M-0224, "Proceeding on Motion of the Commission to Enable Community Choice Aggregation Programs."
- N. PUBLIC SERVICE COMMISSION or PSC shall mean New York State Public Service Commission.
- O. SUPPLIERS shall mean ESCOs that procure electric power for Eligible Consumers in connection with this Chapter or, alternatively, generators of electricity or other entities who procure and resell electricity.

### **§3. Establishment of a Community Choice Aggregation (Energy) Program.**

- A. A Community Choice Aggregation (Energy) Program is hereby established by the Municipality, whereby the Municipality shall be authorized, but not required, to implement a CCA Program to the full extent permitted by the PSC CCA Order, as set forth more fully herein.
- B. The Municipality may act as aggregator or broker for the sale of electric supply to Eligible Consumers and may enter into contracts with one or more Suppliers for energy supply and other services on behalf of Eligible Consumers.
- C. The Municipality may enter into agreements and contracts with other municipalities, non-profits, consultants, and/or other third parties to i) develop and implement the CCA Program, ii) act as CCA Administrator, and/or iii) develop offers of opt-in distributed energy resources (DER) products and services to Participating Consumers, including opportunities to participate in local renewable energy projects, shared solar, energy efficiency, micro grids, storage, demand response, energy management, and other innovative Reforming the Energy Vision (REV) initiatives and objectives designed to optimize system benefits, target and address load pockets/profile within the CCA zone, and reduce costs for CCA customers.
- D. The operation and ownership of the utility service shall remain with the Distribution Utility. The Municipality's participation in a CCA Program constitutes neither the purchase of a public utility system, nor the furnishing of utility service. The Municipality shall not take over any part of the electric transmission or distribution system and will not furnish any type of utility service, but will instead negotiate with Suppliers on behalf of Participating Consumers.

### **§4. Eligibility.**

- A. All consumers within the Municipality, including residential and non-residential, regardless of size, shall be eligible to participate in the CCA Program.
- B. All consumers that are members of New York State Electric and Gas SC-1 Residential Service and SC-6 General Service for electric service shall be enrolled on an opt-out basis except for consumers
  - i) that are already taking service from an ESCO, ii) that have placed a freeze or block on their

account, or iii) for whom inclusion in the CCA Program will interfere with a choice the customer has already made to take service pursuant to a special rate. Those consumers may be enrolled on an opt-in basis.

C. New Consumers shall be enrolled on an opt-out basis.

#### **§5. Opt-Out Process.**

- A. An opt-out letter, printed on municipal letterhead, shall be mailed to Eligible Consumers at least 30 days prior to customer enrollment. The opt-out letter shall include information on the CCA Program and the contract signed with the selected ESCO including specific details on rates, services, contract term, cancellation fee, and methods for opting-out of the CCA Program. The letter shall explain that consumers that do not opt-out will be enrolled in ESCO service under the contract terms and that information on those consumers, including energy usage data and APP status, will be provided to the ESCO.
- B. All consumers shall have the option to opt-out of the CCA Program at any time without penalty.
- C. Termination fees shall not be charged to consumers that cancel their CCA service as a result of moving out of the premises served.

#### **§6. Customer Service.**

Participating Consumers shall be provided customer service including a toll-free telephone number available during normal business hours (9:00 A.M.- 5:00 P.M. Eastern Time, Monday through Friday) to resolve concerns, answer questions, and transact business with respect to the service received from the Supplier.

#### **§7. Data Protection Requirements.**

- A. The Municipality may request Aggregated Data and Customer Specific Data from the Distribution Utility provided, however, that the request for Customer Specific Data is limited to only those Eligible Consumers who did not opt-out once the initial opt-out period has closed.
- B. Customer Specific Data shall be protected in a manner compliant with, collectively, (i) all national, state and local laws, regulations or other government standards relating to the protection of information that identifies or can be used to identify an individual that apply with respect to the Municipality or its representative's processing of confidential utility information; (ii) the utility's internal requirements and procedures relating to the protection of information that identifies or can be used to identify an individual that apply with respect to the Municipality or its representative's processing of confidential utility information; and (iii) the PSC CCA Order and PSC rules, regulations and guidelines relating to confidential data.
- C. The Municipality must enter into a Data Security Agreement with the Distribution Utility for the purpose of protecting customer data.

#### **§8. CCA Advisory Group.**

A CCA Advisory Group is hereby established to develop and review CCA related proposals, act as the Municipality's agent in awarding said proposals, and forward information regarding such awards to the Town Board for ratification.

Membership to the CCA Advisory Group shall include the members of the Town Board

**§9. Administration Fee.**

The Municipality may collect, or cause to be collected, funds from customer payments to pay for administrative costs associated with running the CCA program.

**§10. Reporting.**

- A. Annual reports shall be filed with the Town Board of the Municipality by March 31 of each year and cover the previous calendar year.
- B. Annual reports shall include, at a minimum: number of consumers served; number of consumers cancelling during the year; number of complaints received; commodity prices paid; value-added services provided during the year (e.g. installation of DER or other clean energy services); and administrative costs collected. The first report shall also include the number of consumers who opted-out in response to the initial opt-out letter or letters.
- C. If a CCA supply contract will expire less than one year following the filing of the annual report, the report must identify current plans for soliciting a new contract, negotiating an extension, or ending the CCA program.

**§11. Effective Date.**

This Local Law shall be effective immediately upon passage.

**§12. Severability.**

The invalidity or unenforceability of any section, subsection, paragraph, sentence, clause, provision, or phrase of the aforementioned sections, as declared by the valid judgment of any court of competent jurisdiction to be unconstitutional, shall not affect the validity or enforceability of any other section, subsection, paragraph, sentence, clause, provision, or phrase, which shall remain in full force and effect.



Town of Putnam Valley Town Board  
265 Oscawana Lake Road  
Putnam Valley, New York 10579 (845)526-3280 Fax (845)528-3961  
[www.putnamvalley.com](http://www.putnamvalley.com)

December 9, 2020

INTENT TO BE LEAD AGENCY  
TOWN CODE REVISIONS  
265 OSCAWANA LAKE ROAD  
PUTNAM VALLEY, NY

WHEREAS, the Town Board of the Town of Putnam Valley has reviewed Chapter 82 of the Town Code entitled; "Noise" and has found that amendments to the Chapter are required in order to enhance the quality of life in the Town; and

WHEREAS, the Town Board is intent on providing renewable energy alternatives to the people of Putnam Valley and therefore have found in appropriate to add a new Chapter 166 to the Town Code entitled; "Community Choice Aggregation (Energy) Program" and

WHEREAS, the proposed action has been determined to be a Type I Action pursuant to the New York State Environmental Quality Review Act (SEQRA) 6 NYCRR Part 617; and

NOW THEREFORE BE IT RESOLVED THAT, pursuant to the applicable standards of SEQRA 6 NYCRR Part 617, the Town Board of the Town of Putnam Valley concludes that it is the appropriate agency to serve as Lead Agency for the coordinated environmental review of the proposed Type I Action; and

BE IT FURTHER RESOLVED THAT, the Town Board hereby declares its intent to be Lead Agency for the coordinated SEQRA evaluation; and

BE IT FURTHER RESOLVED, WHEREAS THAT, the Town Board hereby authorizes the Town Clerk to circulate the Lead Agency Notice to the other Involved and Interested Agencies indicating the Town Board's intention to serve as Lead Agency, including circulating the proposed ordinances and the Environmental Assessment Form (EAF)..

Motion:

Second:

Yea      Nay      Abstention      Absent

Sam Oliverio, Jr.

Jacqueline Annabi

Louis Luongo

Ralph Smith

Wendy Whetsel

BY:

Filed at the Office of the Town Clerk, Putnam Valley, New York  
On the Date of: \_\_\_\_\_





Town of Putnam Valley Town Board  
265 Oscawana Lake Road  
Putnam Valley, New York 10579  
(845)526-3280 Fax (845)528-3961  
[www.putnamvalley.com](http://www.putnamvalley.com)

December 10, 2020

RE: Proposed Amendments to Chapter 82 of the Town Code  
Proposed New Chapter 166 of the Town Code

Town of Putnam Valley Town Board  
265 Oscawana Lake Road  
Putnam Valley, New York 10579

Dear Involved or Interested Agency:

At its meeting held on December 9, 2020, the Town of Putnam Valley Town Board declared its intent to serve as Lead Agency for the coordinated environmental review of the proposed Type I Action described below; agreement among the Involved Agencies is requested pursuant to the applicable requirements set forth in SEQR, 6 NYCRR Part 617.

The Town of Putnam Valley is proposing an amendment to Chapter 82 of the Town Code entitled; "Noise" and the addition of a new Chapter 166 entitled; "Community Choice Aggregation (Energy) Program".("the proposed action").

The Town Board asks that each Involved Agency fill out the attached "Lead Agency Agreement" form either consenting or not consenting to the Putnam Valley Town Board serving as Lead Agency. Please return the attached form to the Town Board within 30 days of the date of this letter. Additionally, this letter will serve as formal request for review by Putnam County Planning under General Municipal Law 239-m.

Enclosed, please find the Full Environmental Assessment Form (EAF) and supplemental materials.

Please contact me with any questions.

Sherry Howard  
Town of Putnam Valley Town Clerk

Town of Putnam Valley Town Board  
Putnam County, New York

Type I Action - Coordinated Review

**INVOLVED AND INTERESTED AGENCIES**  
**DECLARATION OF INTENT TO BE LEAD AGENCY**

Date Mailed: December 10, 2020

Dear Involved or Interested Agency:

PLEASE TAKE NOTICE, at its meeting held on December 9, 2020, the Town of Putnam Valley Town Board declared its intent to serve as Lead Agency for the coordinated environmental review of the proposed Type I Action described below; agreement among the Involved and Interested Agencies is requested pursuant to the applicable requirements set forth in SEQR, 6 NYCRR Part 617.

The Town of Putnam Valley Town Board is proposing to amend the following chapter of the Town Code; Chapter 82 (Noise), and add a new chapter to the Town Code, Chapter 166 entitled; "Community Choice Aggregation (Energy) Program". The proposed ordinances are attached.

**SEQRA CLASSIFICATION AND IDENTIFIED INVOLVED AGENCIES**

The proposed action has been classified as a Type I Action, pursuant to 6 NYCRR Part 617. The following potential Involved and Interested Agencies have been identified:

**INVOLVED AGENCIES:**

Putnam Valley Town Board  
Putnam Valley Town Hall  
265 Oscawana Lake Road  
Putnam Valley, NY 10579

**INTERESTED AGENCIES:**

Putnam Valley Planning Board  
Putnam Valley Town Hall  
265 Oscawana Lake Road Putnam Valley, NY 10579

Putnam Valley Zoning Board of Appeals  
Putnam Valley Town Hall  
265 Oscawana Lake Road  
Putnam Valley, NY 10579

Putnam Valley Committee on the Conservation of the Environment  
Putnam Valley Town Hall  
265 Oscawana Lake Road  
Putnam Valley, NY 10579

Town of Philipstown Town Clerk  
PO Box 155  
Cold Spring, NY 10516

Town of Carmel Town Clerk  
60 McAlpin Avenue  
Mahopac, NY 10541

Town of Kent Town Clerk  
25 Sybil's Crossing  
Kent Lakes, NY 10512

Town of Cortlandt Town Clerk  
1 Heady Street  
Cortlandt Manor, NY 10567

Town of Yorktown Town Clerk  
363 Underhill Avenue  
Yorktown Heights, NY 10598

Putnam County Department of Planning, Development and Public Transportation  
2 Route 164, Suite #1  
Patterson, NY 12563

Westchester County Department of Planning  
148 Martine Avenue  
White Plains, NY 10601

### **COORDINATED ENVIRONMENTAL REVIEW PROCEDURES**

Under the applicable standards of SEQR, 6 NYCRR Part 617, the Town Board of the Town of Putnam Valley has concluded that it is the appropriate agency to serve as Lead Agency for the coordinated environmental review of the proposed Type I Action. At its regular meeting held on December 2, 2020, the Town Board of the Town of Putnam Valley declared its intent to serve as Lead Agency and authorized the Town Clerk to circulate this notice to the other Involved and Interested Agencies.

This notification along with a copy of the Long-form Environmental Assessment Form (EAF), and attached narrative will be sent to all Involved and Interested Agencies. The Town Board is requesting that each **Involved Agency** fill out the attached consent form. However, if any Involved Agency does not agree that the Town of Putnam Valley Town Board should be designated as the Lead Agency, it may follow the procedures set forth in SEQR, 6 NYCRR Part 617.

In addition, this document serves as a formal referral to Putnam County and Westchester County under General Municipal Law 239-m.

If you have any questions or comments, you may contact:

*Ms. Sherry Howard, Town Clerk  
Town of Putnam Valley Town Hall  
265 Oscawana Lake Road  
Putnam Valley, NY 10579  
Phone: (845) 526-3740 Fax: (845) 526-3307*

The Town Board of the Town of Putnam Valley asks that each **Involved Agency** fill out the attached "Lead Agency Agreement" form either consenting or not consenting to the Town Board of the Town of Putnam Valley serving as Lead Agency. Please return the completed form, and **any comments you may have on the application**, within 30 days of the date on which it was mailed to the TOWN CLERK at the above address.

If you do not respond within 30 days, it will be interpreted as consent that the Town of Putnam Valley Town Board serve as Lead Agency.

TOWN OF PUTNAM VALLEY TOWN BOARD  
TYPE I ACTION- COORDINATED ENVIRONMENTAL REVIEW

Amendment to Town Code  
**LEAD AGENCY AGREEMENT**

On behalf of \_\_\_\_\_ (INSERT NAME OF AGENCY) \_\_\_\_\_,

I acknowledge receipt of the Lead Agency notice on the above referenced matter, which was mailed on \_\_\_\_\_

The above named Involved Agency hereby:

*(Please Check One)*

AGREES that the Town of Putnam Valley Town Board serve as Lead Agency for the coordinated environmental review of the proposed action and requests that the undersigned continue to be notified of all filings and hearings on this matter.

DOES NOT AGREE to the Town of Putnam Valley Town Board serving as Lead Agency and wishes that \_\_\_\_\_ serve as Lead Agency.  
To contest Lead Agency designation, the undersigned intends to follow the procedures in accordance with SEQR 6 NYCRR Part 617.6.

Please return within 30 days of the mailing of this correspondence. In addition, please specify the jurisdiction that your agency has over this project and what issues you believe are relevant in connection with this project.

Ms. Sherry Howard, Town Clerk  
Town of Putnam Valley  
265 Oscawana Lake Road  
Putnam Valley, NY 10579  
Phone: (845) 526-3740 FAX: (845) 526-3307

\_\_\_\_\_  
Print Name      Title

\_\_\_\_\_

\_\_\_\_\_  
Signature      Date

\_\_\_\_\_

7A

To: Town Board  
From: Frank DiMarco, Parks and Recreation Director  
Subject: Parks and Recreation Refunds  
Date: November 30, 2020

Corryn Fisco  
57 Sherwood Road  
Cortlandt Manor, NY 10567

\$1,053.30  
PVCC  
Refund for not using PVCC

8A

**Karen Kroboth**

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**From:** Tom Phillips <tphill2@verizon.net>  
**Sent:** Tuesday, November 17, 2020 11:47 AM  
**To:** Karen Kroboth  
**Subject:** Town Board Resolution - Civil Penalty

11/17/20

Hi Karen,

As discussed, in reference to accepting the settlement for violation at 15 Florence Rd, TM 85.05-1-13. The \$1500.00 civil penalty has been paid and the building department has the check. As per your direction, I'm requesting the Town Board accept the penalty and through the next town board meeting issue resolution of acceptance and satisfaction.

Please acknowledge receipt.

Thank You  
Tom Phillips 914-548-4434

Best Regards,

Tom Phillips  
914-548-4434  
[Tphill2@verizon.net](mailto:Tphill2@verizon.net)



Scanned by McAfee and confirmed virus-free.

9A

# Memorandum

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**To:** TOWN BOARD MEMBERS  
**From:** JUDY TRAVIS – DISTRICT CLERK  
**Date:** 12/3/2020  
**Re:** Aquatic Weed Harvester – Lake Oscawana

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I formally request that the Town Board accept the lowest price and authorize the Supervisor to sign the contract, for a new Aquatic Weed Harvester for Lake Oscawana from Aquarius Systems, A Division of D&D Products, PO Box 215, North Prairie, Wisconsin 53153.

The lump sum price for a 7 foot cutting width is \$218,874.00

Bid opening minutes are attached for your review.





**BID OPENING FOR NEW AQUATIC WEED HARVESTER**  
**With compatible trailer**  
**LAKE OSCAWANA**  
**November 19, 2020**  
**2:00 PM**  
**Town Hall**

**Bid Opening for:** New Aquatic Weed Harvester with compatible trailer  
Lake Oswawana

**Present:** Sherry Howard, Town Clerk  
Karen Kroboth

The Town Clerk called the bid opening to order at 2:00 p.m.

**1 sealed bid was received and read as follows:**

- 1. Aquarius Systems**  
A Division of D&D Products Incorporated  
PO Box 215  
North Prairie, Wisconsin 53153

Lump sum purchase – 6 ft cutting width - \$209,626.00

Lump sum purchase – 7 ft cutting width - \$218,874.00

**Non collusion affidavit and signed and enclosed**  
**References enclosed**  
**Bid Bond enclosed**  
**Certificate of Insurance enclosed**

Meeting adjourned at 2:10 p.m. Bid will be turned over to the Town Board for their review.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Judith Travis".

Judith Travis  
District Clerk



**AQUARIUS  
SYSTEMS**  
A Division of D&D Products Inc.

**TOWN OF PUTNAM VALLEY  
OUTLINED PROPOSAL**

Proposal Number: 111720.01

| QUANTITY | DESCRIPTION                                                           | PRICE EACH*         |
|----------|-----------------------------------------------------------------------|---------------------|
| 1        | <b>HM-320 Aquatic Plant Harvester (6ft Harvester)</b>                 | <b>\$151,916.00</b> |
|          | Hatz 3H50 TIC Tier-4 Final Diesel Engine                              | Included            |
|          | 6 ft. Cutting Width w/ Dual Impact Protection                         | Standard            |
|          | Stainless Steel Barge                                                 | Included            |
|          | Electronic Joystick Control                                           | \$6,250.00          |
|          | Stainless Steel #1 Conveyor Frame                                     | \$1,900.00          |
|          | Stainless Steel Doubler Strip for added bottom protection             | \$2,250.00          |
|          | Moveable Jib Crane                                                    | \$2,500.00          |
|          | Standard Duty Stainless Belting                                       | \$4,630.00          |
|          | Full Stainless Steel Platform                                         | \$4,895.00          |
|          | UHMW Wear Strips Underneath #1 Conveyor                               | \$2,150.00          |
|          | Gantry Crane for Placing and Removing Buoys                           | \$8,740.00          |
|          | <b>Alternate (Not Included in Total) - Carbon Steel Full Platform</b> | <b>\$3,395.00</b>   |
|          | <b>Alternate: Standard Duty Galvanized Belting</b>                    | <b>Standard</b>     |
|          | Access Platform Attached to <u>Left</u> Side of #3 Conveyor           | Standard            |
|          | Raised Storage Conveyors (approx. 2" off hull for ease of cleaning)   | Standard            |
|          | Flat Rung Ladders                                                     | Standard            |
|          | Environmental Marine Safe Hydraulic Oil & Grease                      | Included            |
|          | Permanent Mounted Aluminum Fuel Tank                                  | Standard            |
|          | Color Scheme: Light Blue                                              | Standard            |
|          | Basic Spare Parts & Tool Kits                                         | Included            |
|          | Large Sun/Rain Bimini Canopy                                          | Included            |
| 1        | <b>TR-23 Standard Trailer</b>                                         | <b>\$15,750.00</b>  |
|          | 2" Pintle Ring Hitch                                                  | Standard            |
|          | 9,000 lb. Electric Winch                                              | Standard            |
|          | (2) 5000 lb. Capacity Jack Stands                                     | Standard            |
|          | <b>Freight - One Truck</b>                                            | <b>\$5,250.00</b>   |
| ~        | <b>TOTAL</b>                                                          | <b>\$209,626.00</b> |



**AQUARIUS  
SYSTEMS**  
A Division of D&D Products Inc.

PO Box 215  
200 North Harrison Street  
North Prairie, Wisconsin 53153 U.S.A.  
Phone: 262-392-2162

**TOWN OF PUTNAM VALLEY  
OUTLINED PROPOSAL**

Proposal Number: 111720.01

| QUANTITY | DESCRIPTION                                                          | PRICE EACH*         |
|----------|----------------------------------------------------------------------|---------------------|
| 1        | <b>HM-420 Aquatic Plant Harvester (7ft Harvester)</b>                | <b>\$162,084.00</b> |
|          | Hatz 3H50 TIC Tier-4 Final Diesel Engine                             | Included            |
|          | 7 ft. Cutting Width w/ Dual Impact Protection                        | Standard            |
|          | Stainless Steel Barge                                                | Included            |
|          | Electronic Joystick Control                                          | \$6,250.00          |
|          | Stainless Steel #1 Conveyor Frame                                    | \$2,200.00          |
|          | Stainless Steel Doubler Strip for added bottom protection            | \$2,600.00          |
|          | Moveable Jib Crane                                                   | \$2,500.00          |
|          | Standard Duty Stainless Belting                                      | \$5,540.00          |
|          | Full Stainless Steel Platform                                        | \$5,595.00          |
|          | UHMW Wear Strips Underneath #1 Conveyor                              | \$2,365.00          |
|          | Gantry Crane for Placing and Removing Buoys                          | \$8,740.00          |
|          | <b>Alternate (Not Included in Total): Carbon Steel Full Platform</b> | <b>\$3,850.00</b>   |
|          | <b>Alternate: Standard Duty Galvanized Belting</b>                   | <b>Standard</b>     |
|          | Access Platform Attached to <u>Left</u> Side of #3 Conveyor          | Standard            |
|          | Raised Storage Conveyors (approx. 2" off hull for ease of cleaning)  | Standard            |
|          | Flat Rung Ladders                                                    | Standard            |
|          | Environmental Marine Safe Hydraulic Oil & Grease                     | Included            |
|          | Permanent Mounted Aluminum Fuel Tank                                 | Standard            |
|          | Color Scheme: Light Blue                                             | Standard            |
|          | Basic Spare Parts & Tool Kits                                        | Included            |
|          | Large Sun/Rain Bimini Canopy                                         | Included            |
| 1        | <b>TR-23 Standard Trailer</b>                                        | <b>\$15,750.00</b>  |
|          | 2" Pintle Ring Hitch                                                 | Standard            |
|          | 9,000 lb. Electric Winch                                             | Standard            |
|          | (2) 5000 lb. Capacity Jack Stands                                    | Standard            |
|          | <b>Freight - One Truck</b>                                           | <b>\$5,250.00</b>   |
|          | <b>TOTAL</b>                                                         | <b>\$218,874.00</b> |

9B

# Memorandum

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**To:** TOWN BOARD MEMBERS  
**From:** JUDY TRAVIS – DISTRICT CLERK  
**Date:** 12/1/2020  
**Re:** BARGER POND C-SLAP PROGRAM

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I formally request that the Town Board approve the expenditure of \$420.00 for volunteers in the Barger Pond Park District to participate in the New York Federation of Lakes C-slap program (Citizens Statewide Assessment program) for 2021.

\$370.00 is the fee for the Cslap participation and \$50.00 is the NYSFOLA membership fee.



10

December 7, 2020

To: Town Board

From: Sherry Howard

Subject: Hiring of Sub for the Month of January

I respectfully request the Putnam Valley Town Board authorize the Supervisor to hire Carol Sukup as a substitute employee to cover in the Town Hall offices during the month of January 2021 for help during tax collection. We have an employee who is out and this is our busiest month. She will be on an as needed basis; and will not receive benefits. Her salary per hour will be \$13.00.

Thank-you,

Sherry Howard

Town Clerk



December 05, 2020

To: Town Board

From: Sherry Howard

Subject: Approval of minutes

I respectfully request the Putnam Valley Town Board authorize the Supervisor to accept the Town Board minutes from November 18<sup>th</sup>, and December 2, 2020

Thank-you,

Sherry Howard

Town Clerk