

**PUTNAM VALLEY TOWN BOARD**  
**TOWN BOARD MEETING**  
**WEDNESDAY, JANUARY 20, 2021**  
**6:00 PM**

This meeting is being held on zoom

Pledge of Allegiance

**PUBLIC HEARINGS:**

1. Noise Ordinance
2. Political Signage
3. Community Choice Aggregate
4. Comcast Contract – Roaring Brook

Immediately Following:

**TOWN BOARD MEETING AGENDA**

Departmental Reports  
Supervisor's Comments  
Legislative Reports  
School Report

1. Resolved to authorize Supervisor to survey entrance to Marsh Hill Preservation area
2. Building Department:
  - a. Accept December 2021 Daily Fee Report
  - b. Accept 2020 yearly fee report
3. Parks and Recreation Refunds
4. Accept Barger Pond Lake monitoring services from Northeast Aquatic
5. Personnel changes
6. Approval of Minutes
7. Audit of Monthly Bills
8. Budget Transfers and Amendments

**PUTNAM VALLEY TOWN BOARD**  
**PUBLIC HEARINGS**  
**WEDNESDAY, JANUARY 20, 2021**  
**6:00 PM**

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

**ALSO PRESENT:** Town Clerk Sherry Howard  
Town Counsel Robert Lusardi

Pledge of Allegiance and moment of silence for our men and women in our Armed Forces.

Supervisor Oliverio opened the Public Hearings and welcomed everyone. The Town Clerk called the meeting to order and announced the Public Hearing topics. Supervisor Oliverio said there will be a three (3) minute time limit for each speaker. Supervisor Oliverio said we are doing this on zoom due to the surge of Covid cases in our area; and the new strain has been discovered in Westchester. We need to be cautious and do the right thing.

**NOISE ORDINANCE LAW**

Presented by Supervisor Oliverio

The first comment came from resident Nina Esposito who lives on Marsh Hill Road. She said her voice alone probably meets the decibel level presented in this new law. She is concerned that putting a cap on the amount of noise we are allowed to make will hamper the reason she moved here in the first place. She moved here so her boys can ride their four wheelers and have a good time. Noise does echo where she lives, and are we going to cause unneeded problems with our neighbors because of such an ordinance?

Supervisor Oliverio said we hear what you are saying. This is everyone's time to express their concern; but the Town Board cannot answer everyone tonight. We will take all comments into consideration.

Mario DiGangi, a Lake Peekskill resident, reminded everyone that Putnam Valley already has a noise law.

He said the intent of that law which reads, "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." He went on to say this amendment is needed to make this law enforceable during the day. Excessive noise during the day can be as disruptive as excessive noise at night especially with so many of us working from home now. People talking outside, (even loudly), is not the issue - the problem comes from extremely loud sustained music from certain neighbors. He has registered the music coming from his neighbors at over 80 decibel levels. This is over 100 times the level of normal conversation. This issue is about problems that already exist between neighbors and needs to be solved.

Resident Stacey Tompkins of West Shore Drive disagrees with the noise ordinance but understands we must respect our neighbors. We have boats, lawnmowers etc. that we still need to be able to use. There needs to be a happy medium. I run machines for a living and what is next. What rights are going to be looked at next? We need to be able to work and live together. There is always a knee-jerk reaction whenever anything happens. we don't have to make a law for every incident.

Lake Peekskill resident Jane Kaufman stated there is some vindictiveness that seems to be going around. She said there is already a law in place and the noise she finds disruptive are gun shots and fireworks. This law is to enable enforcement, but the way she understands it is that the Officer has to witness the noise to enforce it. If we record the decibels would that be good enough? Also, is this for any time of day?

Supervisor Oliverio said the noise ordinance speaks for itself. Right now the law cannot be enforced because there is no gauge to judge the noise. Ms. Kaufman said if this law is being amended to be able to gauge the decibels so that violators can be warned or prosecuted she would be for it to keep the peace on the lake.

Resident of Roaring Brook Lake, Margaret Brown, said she is against the limits as being unrealistic. The decibel level is being set too low so it limits many activities. She feels gun shots are heard often here because many people move here to hunt or shoot at targets. This law is too restrictive and is government over reach.

Resident Laurie Polis lives on the southern tip of Lake Oscawana. She said on the water sound is significantly magnified. When her children were little a neighbor across the Lake used to play Eminem very early in the morning and the lyrics used to scare her girls and they would cry. We have to be careful though, of too much censorship, but those lyrics were vulgar. At that time she called the Sheriff who went to this neighbor and asked them to chill in a nice way, it didn't really help. She does feel badly for people with young children because you can't turn off something auditory. You should be able to enjoy your home in peace.

Alan Paley who lives at 31 Hemlock Point Drive North said he is in favor of adopting an Ordinance that can be enforced because it is necessary in today's world when neighbors don't want to respect the peace and quiet of other neighbors. He believes this ordinance is way overbroad and would make illegal activities that should not be illegal. The general thrust of the law is to make any noise produced by a device that's over 70 decibels in a residential neighborhood illegal. There is only one (1) exception to that which is the use of any yard equipment. This means if you are using a power tool to build something that's illegal under this law. Maybe it won't be enforced, but that's what the law says. Air conditioning units also produce over 70 decibels, so they would be illegal. Why can't you draft a law that makes accomplishes the goal without making our everyday activities illegal? The law as written will also apply to motorboats on Lake Oscawana. Supervisor Oliverio said on Facebook that he thinks the law only applies to the land; but it does not specifically say that. Please go back and adopt a law that is enforceable but is narrow enough that it doesn't affect our everyday activities.

Resident, Anthony Charles, who resides at 55 Lake Front Road, said he read the law in detail and he also read Supervisor Oliverio's Facebook post, he believes the law as written is inconsistent with what Supervisor Oliverio's Facebook post said. "At 70 decibels my dog can't bark and my dishwasher can't run". We also love our boats. Unless you can narrowly define this, what are the real concerns, it sounds like this problem centers on loud music, and can we limit the writing of the law to just address these things? If we limit concerns boats and cars people will be leaving the lake and property values will drop.

Gary Larsen spoke next in favor of the amendment to the Noise Ordinance. The Town Code Enforcer and the Sheriff's Department are not going to go around looking for loud talkers. This is only in the event that one neighbor disturbs the peace of another neighbor. As it's written right now there is no remedy to that and this amendment will fix that.

Resident Travis Webster who lives in Lake Peekskill voiced his opinion in favor of the amendment to the Noise Ordinance. He wrote a letter to the Board already, and does not see this effecting machinery or parties and music. This is connected to unreasonable bass at all times of the day, regularly, and is not resolved because there is no recourse in its current form.

Rusmir Kolenovic, who resides at 27 Unadilla Road, said he is for the Noise Ordinance because of his own personnel experience. He comes up here on the weekends to enjoy his peace and quiet and there are parties going on every weekend through the entire summer. He calls out the Troopers, but the parties still go on. He has tracked the noise down to about four blocks from his home. If we can stop this then he is 100% for it.

Resident Cole Caulfield said he lives in Lake Peekskill and is also in support of the amendment to the Noise Ordinance. Some of the houses near him are about 15 feet apart.

The neighbors do talk to each other first but when someone is attacking someone with noise that is not how a community works. We do need a backstop and if the police are coming out and saying they can't enforce this then we do have to do something. If you want to play really loud music you can move a little further north and have more property, this way no one can complain about you.

Resident, Eileen Reilly, said she thought we were amending the noise code to establish a decibel code; so that if people were not being responsible with noise there would be some kind of recourse. She lives on the north end of Oscawana Lake and has no problems with hearing the boats or her neighbors. Most Towns do have a decibel code to protect everybody from disrespectful people, so she supports this.

Resident Lisa Diaz wrote a letter to the Board so she is just reiterating her stance. She said when things become excessive and when we look to the Sheriff but he does not have the tools to be able to assist this is a big concern. We do need a limit or boundary in the law which shows the current Ordinance has a defect. We need a guidance or limit or enforcement, so she is in favor of the amendment.

Drew Brown a resident of Roaring Brook Lake spoke next and said he also sent a letter which said a law can't be enforced arbitrarily. Whatever is written becomes the law. So if you are going to put a law in place that says 65 decibels and then say off the record where are going to selectively enforce it, you can't do that. This means you are making even loud active conversation illegal at 65 decibels. If you are sitting on a beach or at the park and having a loud conversation you will not be compliant with the law. Once you pass this law it is enforceable no matter what. What if someone has 10 acres and an ATV, you are making so they will not be able to use it. If you are after a rude neighbor there are already harassment laws on the books. This is a broad overreach. It reminds him of when the Town wanted to pass a law to be able to walk in and inspect rental houses whenever they wanted to just to be able to get rid of them.

Ronald Brunnell, of 31 Chippewa Road in Lake Oscawana said Supervisor Oliverio made a misleading quote on Facebook which said the intent of the new law is not to go after people with jet skis and power equipment, it is just for the people playing really loud music. Then the law should say what the intent is and it shouldn't be left to interpretation. One day down the road when Supervisor Oliverio is no longer there we don't want the next person to say we have this law and we have to enforce it. We are in favor of being neighborly so the law should not be as open-ended as it is.

Abele Park Resident, Chris Prezzano said there have been some really good points brought up. He understands that for the most part it won't be enforced, but you can't pick and choose once it's a law. According to this law you can't run any motorized vehicle for more than five (5) minutes. So you can't run your car in the winter to let it heat up. If you are having problems with your neighbors they can call the Sheriff if you are idling your car.

He would like this law to be a little more defined before it is passed.

Resident Nancy Franklin, who lives on Chippewa Road, said she is in favor of the law because many people around the lake are not respectful of their neighbors. She looked at the CDC website which said noise above 70 decibels over a prolonged period of time can damage your hearing. Noise pollution is an increasing problem so the Noise Law is necessary.

Jeff Corin who lives on Shawnee Road asked Supervisor Oliverio if he had asked an acoustical engineer help him on this. They are the ones who may be able to help us. Supervisor Oliverio said this is a good suggestion. We did not ask someone like that, we looked at what the surrounding Towns had in their laws.

Resident Noah Levy from West Shore Drive said the law is too restrictive as it would affect ATV's, motorcycle, power tools, and boats. His children would also be too loud for this law and he does not want to be put in any position where he is forced to break any law. It is not fair to put a law on the books where people would be forced to break it.

Resident Gene Yetter said this is kind of challenging for the residents of Lake Peekskill because of the close density they have to their neighbors. How much privacy can you expect living on a small piece of land so close together? There has to be an expectation of noise traveling when you live so close together. The reality is when you live in a small area it can't apply the same as someone who has a lot of acreage. He disagrees with the law as written. If you talk to your neighbor and ask them to hold it down and they said no that is harassment. So what this law does that is different from that is unclear. As a neighbor we have to work together and our laws have to make practical sense.

Paul Gregory, who resides at 120 Lake Front Road, is not in agreement with the amendment for the Noise Ordinance. The laws which govern harassment should be enough.

Supervisor Oliverio said the law as it is now in our code has been on our books for quite a while since 2002, we are just adding a decibel level.

Supervisor Oliverio moved to close this part of the Public Hearing. The Town Board will still be accepting emails, letters and phone calls from residents until they vote on the amendment to the Noise Ordinance. Please send your comments to the Town Clerk at [showard@putnamvalley.com](mailto:showard@putnamvalley.com) and she will pass them on to the Town Board.

Councilman Smith seconded the motion to close this part of the Public Hearing, which was unanimously carried.

Alan H. Paley  
31 Hemlock Point Drive North  
Putnam Valley, NY 10579

January 11, 2021

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

Proposed Amendment of the Town Noise Ordinance

Dear Supervisor Olivario and Members of the Town Board,

Though amending the existing Town noise ordinance to make it more readily enforceable is a laudable objective, I strenuously object to the proposed amendment because it goes far beyond that and would make the use of many daily devices a violation of the Town Code.

Section 82-4 of the proposed amendment states that "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." Section 82-5 A provides that no person shall operate a device that produces a sound in a residentially zoned district in excess of 70 dB during the day or 55 dB at night. The sole exclusion from this very broad prohibition is the use of yard maintenance equipment in the normal maintenance of properties from 8 am to 8 pm.

The broad prohibition imposed by these two sections would make it a violation for residents to do many common activities. Nor would any of the very limited exceptions set forth in Section 82-7 of the ordinance provide any relief. These exceptions are not applicable to residents except for the use of a generator during a power outage. It is worth enumerating a few of the common activities that would run afoul of the proposed amendment so the Town Board can fully appreciate the scope of the law it proposes to impose on the residents:

1. According to the internet, air conditioning units, whether individual room units or central air units, generally make more than 70 dB of noise. Thus, unless the air conditioner is far enough from the property line, which in many areas of Putnam Valley is not feasible, the use of an air conditioner would violate the proposed law.
2. Power tools used in construction and home maintenance, such as saws, drills, air compressors, sanders, etc., all make more than 70 dB of noise. The proposed law would make it illegal to use these tools on most properties within the Town.
3. Power washers, used by many to clean docks, patios, outdoor furniture, cars, boats and even the exterior of houses, make more noise than 70 dB and would be no longer usable within the Town.

In addition, the language of the proposed amendment is so broad that it would make it illegal for most motorboats to operate on Lake Oscawana. When I mentioned this to Supervisor Olivario, he assured me that the noise ordinance is purely land based. However, that is directly contradicted by the existing noise ordinance to which this a proposed amendment. Section 82-5B(6) of the existing noise ordinance

expressly prohibits the use of any motorboat over two horsepower during specified hours unless it has an underwater exhaust or muffler. So unless this was adopted to apply to motorboats as they are being trailered on the roads of Putnam Valley, it would seem intended to apply to boats operated on Lake Oscawana, the only waterbody within the Town of Putnam Valley that allows motorboats. Lake Oscawana is undeniably within the geographical boundaries of the Town of Putnam Valley. The proposed amendment would make it illegal to make any noise in excess of 70 dB by the use of any device within the Town boundaries. Because virtually all motorboats and jet skis make more than 70 dB of noise, it would be illegal under the proposed amendment to use our boats and jet skis on Lake Oscawana.

In response to concerns raised by Putnam Valley residents on Facebook, Supervisor Olivario claimed that the proposed amendment is "minor adjustment". If by that he meant that only a few sentences are being replaced, perhaps one could accept that response. But if one considers the effect of the proposed changes, it is anything but a "minor adjustment". The general prohibition of existing section 82-4 states that "No person shall make, cause or permit to be made unreasonable, unreasonably loud, disturbing or unnecessary noise within the geographical boundaries of the Town of Putnam Valley." This is clearly targeted at noise that most people would agree constitutes a public nuisance. In contrast, the proposed amendment would replace this targeted prohibition with far more expansive language that bans all noise within the Town except as authorized in section 82-5, which only permits noise below 70 DB during the day and 55 dB at night. This is hardly a "minor adjustment".

In another response to a concern expressed on Facebook, Supervisor Olivario stated that the noise ordinance is land based and would not apply to motorboats operating on Lake Oscawana. In support of that contention, he pointed to Section 82-5B(2), which prohibits the operation of engines in residential zones outdoors during specified hours, including idling for more than five minutes. This provision specifically includes motorboats and nothing limits its application to motorboats on land. More importantly, as discussed above, nothing in the proposed amendment would exclude motorboats operating on Lake Oscawana from its broad prohibition against making any noise in excess of 70dB.

I understand the need to have an enforceable noise law and fully support the effort to amend the existing law so that it is more enforceable. But I believe it is a grave mistake to amend the law in a manner that forces its residents to rely on the good judgment of whomever is enforcing the law or a court to avoid being convicted of a violation of the law for engaging in daily activities that no one would consider to be inappropriate behavior. The Town Board should adopt an amendment narrowly tailored to the purpose.

Respectfully submitted,

  
Alan H. Paley



Begin forwarded message:

**From:** LB <[2LBernstein@gmail.com](mailto:2LBernstein@gmail.com)>  
**Subject:** Proposed noise law changes  
**Date:** January 6, 2021 at 10:44:28 EST  
**To:** [wendywhetsel@gmail.com](mailto:wendywhetsel@gmail.com)

Hi, Wendy. I hope you are well.

I want to share my general opinion of the proposed noise law changes. Without going into any detail about the specifics of the law, I gather from something Sam said that the changes are in response to a particular situation in Lake Peekskill. From the perspective of good governance, rather than legislate from the point of special interests, why not consider the needs of the entire town and address all noise concerns instead of imposing on the entire town a solution to a problem that exists only in one place. For sure, there are noise issues all over and they will only get worse over time. While noise complaints range from leaf blowers to loud music to fireworks, noise is noise and all can be annoying regardless of its source if it is loud. Addressing one and not the others is a piecemeal approach that will lead to a patchwork of laws that may be contradictory and ultimately unenforceable. With the current draft, as Sam explained it to me, my neighbor cannot play loud music in his back yard but can sit in a raft on the lake, off my shoreline and blast his music to his heart's content. How is that a just law? I urge the Town Board to undertake a review of the entire noise ordinance, invite input from the entire community and consider legislation that addresses noise more broadly. What works for one neighborhood has to work for all. If this is an issue primarily in the denser neighborhoods and districts, why not create a noise overlay zone that would exclude larger properties and less dense areas where noise may not be a cause of concern.

Thanks for your consideration,  
Best wishes for a healthy new year.  
Lynne Bernstein

Dear Sam and Jackie,

Meg and I are traveling this week but wanted to send this letter for consideration in discussion of the proposal for a noise ordinance. If appropriate, we welcome it to be added to the public comments at the meeting on Wednesday January 6<sup>th</sup>.

We vehemently oppose the proposed legislation of putting noise decibel limits for the entire town. We feel that this law is unnecessary, overreaching and will completely restrict resident's rights to use their properties. Many residents own sufficient property in Putnam Valley which allows them to participate in target shooting, ride motorized vehicles such as ATVs and dirt bikes, etc. This law will eliminate these rights for them. If a resident's dog barks at a cat and the owner doesn't hear it, or another neighbor is fixing the muffler on their car, they are both breaking the law. As per the proposed 65 decibels before 6pm and 55 decibels after 6pm, any children playing sports on their lawn will also be out of compliance and, per the proposal, subject to fines and arrest.

We sympathize with the resident who has been harassed by their neighbor with maliciously loud music. However, there are, unquestionable, perfectly good remedies for this using existing statutes. This requires evidence and proof and willingness on the part of the Sheriff's Department to participate. Noise at this level represents a threat to the neighbor's hearing. It also threatens property that is shaken from their shelves. As such, after a warning, the next time it occurs, it may be categorized as harassment, disturbing the peace and/or creating a public nuisance. This would not only resolve this resident's problem but would not take away the rights of the other 11,000 residents to enjoy their properties. Furthermore, it would actually save countless calls to the Sheriff's Department over which they will need to determine volume levels of a radio at someone's poolside. These calls would dramatically reduce police response time, cause ill-will with the Deputies and effectively allow any chronic complainer to "weaponize" the police.

Passing laws designed for discretionary enforcement is a very dangerous road on which to tread. While potentially well-meaning, it provides power that may be used by future Sheriff's, Deputies and town leaders in ways not intended today.

Several years ago, the town tried to pass a law that allowed the building inspector to walk into rental properties at will, with no warrant, "from time-to-time," just because one or two rental houses had more people living in them than code allowed. The laws were already in place to stop this, yet the town was considering the imposition of draconian (and unconstitutional) laws to remedy a single case. Fortunately, the town was vehemently opposed to it and it stopped. If there is a problem with someone being inconsiderate with music, then the town should work with the Sheriff's Department to resolve it using the adequate laws that are currently on the books.

Again, we urge that the town work with the Sheriff's Department to resolve the problem that this neighbor is having but not to pass laws on the entire town that open a "Pandora's Box" of complaints. No municipality should ever pass laws for discretionary enforcement. This opens the door for abuse by residents against neighbors they don't like and for misuse by law-enforcement, either current or in the future.

Thank you in advance for your time and consideration,

Drew and Meg Brown

Dear Putnam Valley Board Members:

I am writing to express my strong support of the proposed amendment to the Noise Law, which would prohibit unnecessary, excessive noise during the daytime hours in Putnam Valley.

As we all know, no law is about one person, one set of neighbors, or one community. However, the behavior of certain individuals can make clear the need for such a law. In the spirit of explaining why a reasonable daytime noise law for Putnam Valley is essential, I would like to share my personal experience with excessive noise as a resident of Lake Peekskill.

In order to tell my story accurately, I want to be completely transparent with you: the severe problems with noise that my husband and I, as well as about 20 other neighbors on Lake Drive have experienced, have been due to a single person – Jeff Wilkens of 314 Lake Drive. Mr. Wilkens has posted several times recently on the Lake Peekskill News Facebook page to express his opposition to the amendment and to claim that neighbors' complaints against him are largely false and intended to harass him and his family, including a claim that someone called the police because his 3 year-old daughter was laughing too loudly outside. I have no idea if that last claim, which seems absurd, is true. But my own experience—and that of many of my immediate neighbors—with Mr. Wilkens shows that he is far from the innocent victim he portrays himself to be. We are also not dealing with an isolated incident, such as an annual child's birthday party. Mr. Wilkens' consistent pattern of behavior and effect on a large group of residents over the last two years demonstrates why this amendment is necessary.

Let me preface my account by assuring you all that those of us who support an amendment are only asking that the *current* Putnam Valley noise law be made enforceable during the daytime hours. The current law reads:

**82.2. Intent.**

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.

**82.4. Prohibition.**

No person shall make, cause or permit to be made unreasonable, unreasonably loud, disturbing or unnecessary noise within the geographical boundaries of the Town of Putnam Valley.

For the past two years, those of us living on West Lake Drive and Tanglewylde Road in Lake Peekskill have experienced detriment to our lives, health, and enjoyment of property due to "disturbing, excessive, or offensive noise." Because this disturbance largely happens during the day, we have not been able to seek protection under the provisions of the law cited above. That this noise happens during the day does not make it any less disturbing, offensive, or disruptive than noise that happens at night; in some ways, it is more disturbing, as it disrupts those of us who work from home.

For the last two years, Mr. Wilkens has owned a truck fitted out with a 12,000-watt speaker—a "mobile club" as he called it on FB. He has kept the truck parked at the front of his property, in close proximity (due to the narrowness of Lake Drive) to our house across the street at 307 Lake and that of our neighbors Travis and Gary at 313 Lake. In warm weather, Mr. Wilkens has habitually blasted music from his truck so loudly—especially the bass—that the windows and floors of several houses in the vicinity vibrated with the noise. Our neighbors have measured readings of over 80dB *inside their house with the door and windows closed*. 80dB is *100 times* the sound level of normal conversation (60dB). Many other neighbors have complained—to me, on Facebook forums, to elected officials, to the police—about how this noise has adversely affected them. Many of us work from home now, and the noise and bass

vibration have made it impossible to concentrate on work or participate in Zoom meetings (including for several of us who are teachers and teach our classes from home during the day). Our neighbor Gary had to change his work hours to avoid working in the late afternoon when Mr. Wilkens often played his music. There were times when we had to get in the car and leave our homes because the sustained noise— which continued for hours—was unbearable. Another neighbor, who compared the bass vibrations to somebody violently banging on his front door, said that it terrified his two young daughters. At one time or another, many of us have asked Mr. Wilkens to turn down his music, and his typical response is that it is his property, he can do what he wants, and the law doesn't prohibit daytime noise. I also have a direct text message from Mr. Wilkens saying that he will play his music even louder "just to piss you off."

Both to record this noise and to protect ourselves in the wake of physical threats Mr. Wilkens has made against us, my husband and I installed outdoor security cameras last year. We have hours of footage demonstrating the extreme volume of Mr. Wilkens' music. I also have many videos recording myself from my front door or back deck while holding a dB meter. At its worst, the music is well over the 70dB limit proposed by the amendment.

I have made a YouTube channel featuring a selection of these videos to give you a sense of how excessive this music is (though, frankly, the videos cannot capture the live physical sensation of the thumping bass accompanying the music). Please take a look at these videos. The address is <https://www.youtube.com/user/MDiG42/videos>.

Finally, it's worth emphasizing that Mr. Wilkens is being disingenuous when he portrays himself in social media posts as someone who is simply trying to enjoy his property being harassed by over-sensitive neighbors. One day last summer, Mr. Wilkens consecutively blasted two songs from the 1970s that are famous gay anthems—"YMCA" and "It's Raining Men." Mr.

Wilkens mainly plays rap and house/dance music; we have never, in two years, heard him play anything like these old disco songs. This happened a day after my husband and I had complained about loud music. Although this might strike some as a trivial incident, it demonstrates that Mr. Wilkens understands that he can use his music as a form of targeted (in this case also homophobic) harassment against his neighbors. Finally, shortly after some neighbors had called the police on Mr. Wilkens for having a loud party, he posted a sign on his front property: "My neighbors listen to great music, whether they want to or not." Is this the kind of thing someone would do who believes that he is acting in good faith and simply exerting his rights as a property owner? Is this the kind of thing someone would do who claims that he only wants to protect his right to enjoy reasonably loud outdoor time with his three-year-old daughter, family, and friends (which nobody I know would object to)?

If this amendment to the noise law does not pass, it will send a clear message to Mr. Wilkens—and others in Putnam Valley—that this behavior is fine and carries no consequences. My neighbors and I might be forced to find another expensive and stressful remedy to this problem, such as filing a civil nuisance suit against Mr. Wilkens. Such an action would only increase the tension among us, which has bordered on physical violence (Mr. Wilkens has threatened to physically harm my husband). We have also discussed the possibility, as have our neighbors, of moving from Lake Peckskill. This is not a minor problem. It severely impacts our quality of life. During warm spring and summer days, we never know when this music will suddenly appear to ruin our day or when it will stop.

We desperately need the Board to understand how untenable and painful this situation has been for so many of us. My neighbors and I do not wish to prevent families from playing music at parties, or a young child playing outside with her dog. My husband and I in particular

are not looking to pick a fight with Mr. Wilkens or make his life difficult. We are simply asking—pleading—for a reasonable law that will prevent him (and any other Putnam Valley residents who might be so inclined) from playing music at whatever volume he wishes, whenever he wishes. Mr. Wilkens choose to live in a densely packed residential neighborhood, not an isolated rural area. Living with neighbors comes with responsibilities towards them.

Finally, I understand that there are concerns about fair enforcement of the amendment and objections to amending a law to address a problem affecting only one (or a few) neighborhoods across Putnam Valley. Countless thousands of towns in the area and across the country have dB daytime noise laws and presumably manage to enforce the law fairly. And the noise laws *already* on the books in Putnam Valley have long been responsibly enforced by the Sheriff's Office during nighttime hours. What would make enforcing a daytime law so different? Finally, failure to approve this amendment would send a clear message to all residents of Putnam Valley that anything goes during the day: *anyone* could play music as loudly as they wished for as many hours as they wished, and possibly even for malicious reasons, and their neighbors would have no recourse. If Mr. Wilkens' behavior has already been so disruptive, it's frightening to imagine what he will do if the amendment fails, thus sending him the message that his behavior is acceptable. If amending the noise law is not the solution to this problem, the Board must come up with an alternate solution—such as amending the Disturbing the Peace ordinance so as to cover this kind of excessive daytime noise.

In weighing the benefits against the drawbacks of this amendment, I'd ask you to ask yourselves if you would accept living under the kind of circumstances I have described. If you had to face the constant prospect of having your day disrupted by extremely loud music, would you not want a law to protect your ability to enjoy your home? We are simply asking the Putnam

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residents of Putnam Valley. We are simply asking that the noise law *already on the books*—

“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”— be enforced.

Sincerely,

Mario DiGangi

307 Lake Drive

Lake Peekskill

YouTube channel: <https://www.youtube.com/user/MDiG42/videos>



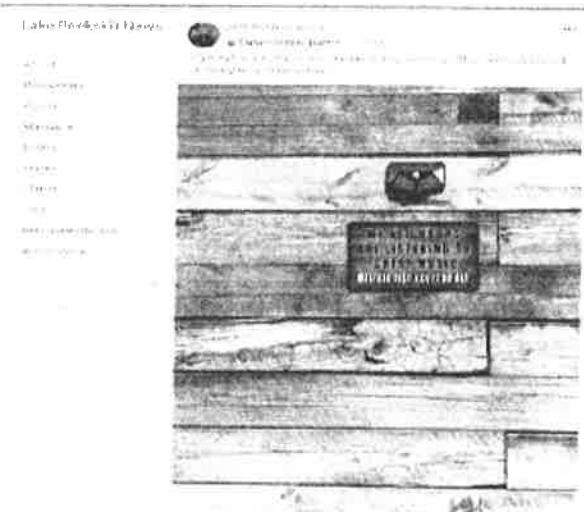
January 6, 2021

Dear Putnam Valley Town Board Members,

As two residents of Lake Drive in Lake Peekskill, we write in support of the proposed revisions to the Town Noise Ordinance that allow for daytime decibel parameters. We support these revisions because, during 2020, our personal and professional lives have been negatively impacted by a disrespectful neighbor's (Jeff Wilkens of 314 Lake Drive) consistent and unreasonably high-watt portable bass. We regularly hear music blasts and vibrations coming from this device, which is often attached to his SUV, but is also detachable and sometimes propped in his front yard directed at neighbors' homes. From this device, we have recorded 80-90 decibels from ~90-100 feet away with smartphone applications; our back windows, storm doors, and kitchen glassware often vibrate and rattle as a result. Sounds and vibrations can last 15-20 minutes to 4+ hours during daytime weekday and weekend hours.

We do not write to single out one instance of unneighborly behavior (in fact, we know such instances occur throughout Putnam Valley). Instead, we share an example of the current noise ordinance's limitations *as written*. We believe the proposed noise ordinance revisions will help other Putnam Valley residents like us who find themselves in unneighborly noise situations. Further, we do not envision the revisions, in any way, as a method for policing residents' playing children, neighborhood parties, or reasonable day-to-day activities.

Several households have sought to open dialogue with said neighbor about this situation. In doing so, some households have been threatened and mocked by members and visitors of the 314 Lake Drive household. Attached is a picture now posted at the driveway at 314 Lake Drive, and which was also posted by Jeff Wilkens in the Lake Peekskill Facebook Group on Memorial Day Weekend. The sign reads "My neighbors are listening to good music whether they like it or not."



When residents have sought support from the Putnam Valley Police Department, officers have told us we have no recourse because of how the law is currently written for daytime hours. Ultimately, this noise situation is framed by many (especially the offending neighbors) as the neighborhood's burden to bear.

**Per the COVID-19 pandemic and per our rights as tax-paying residents, we shouldn't have to live our lives bearing this kind of disruptive noise harassment, which negatively impacts our peace of mind and our personal and professional lives (at present, we both work from home), and which certainly "annoys, disturbs, injures or endangers or interferes with the sleep, comfort, repose, health or safety" (current noise ordinance, 82.3) of our neighborhood. Our neighborhood is an otherwise peaceful place made up of residents who take a "live and let live" approach, and we seek your support on this matter.**

Sincerely,  
Travis Webster and Gary Larson  
Residents of 313 Lake Drive  
Lake Peekskill, NY

319 Lake Drive  
Lake Peekskill, NY 10537

December 22, 2020

Lisa  
Diaz

Town of Putnam Valley Board Members

Town of Putnam Valley Town Supervisor

265 Oscawana Lake Road

Putnam Valley, NY 10537

**Subject: In support of Proposed Amendment to Chapter 82: "Noise" Ordinance**

I write in support of the proposed Amendment to Chapter 82. Enactment of this Amendment is essential to the peaceful environment and enjoyment of Lake Peekskill. It pains me that such a measure is necessary. I would have hoped that good will and kindness towards neighbors would have driven an honor system and voluntary compliance to the existing guidance embodied in the original Chapter. But that is not the case.

Instead I find that a neighbor diagonally across from me has consistently disturbed the peace by use of a "nightclub grade" amplifier sound system. I have repeatedly approached the individual to play his music but without the base. He has ignored my requests. The vibrations from this sound system have affected my house. When I return home from errands and he has used the system, my paintings and wall hangings are askew. When I am home, I can feel the vibrations, my windows rattle and I get a headache. Further the excessive noise comes without warning. My contractor and I were repairing my roof this past spring. The blast came on so suddenly and at such volume that he lost his footing and nearly slipped off the house.

Moreover, the individual seems to have some vendetta against the two households directly across the street from him. The individual has told me directly that he has an anger management issue, and from my observations, I believe him. I can see it in full affect from my observations of how he treats the neighbors. He weaponizes the base noise and at unpredictable moments sends short blasts of just the tone directly at them; but of course the vibration hits all of us neighbors with adjacencies.

At various times we, the surrounding and affected neighbors have called the Sheriff's office. They occasionally respond, but then advise that there is no standard in the Ordinance that they can enforce. We also know that the vibrations and excessive noise starts, but within 5 minutes prior to the arrival of the Deputies, the noise cuts off. We do not know for sure, but that behavior is suspicious and it is possible that the individual has a police scanner.

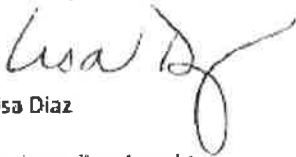
The individuals on either side of the individual have reported instances of when their home life has been negatively impacted. During these days of Covid-19, with children studying from home their ability to concentrate has been impacted. In addition, people working from home have found it difficult to do their work and participate in Zoom meetings. That is how excessive the noise is.

Neighbors from across the lake have reported to me that the heavy vibrations from the sound system travel through the rock and water and can be felt on Lake Drive East. The LPCA made an investigatory visit on one such occasion and verified the vibrations on East Lake Drive.

I also find that as the Administrator of the Lake Peekskill News (LPN), the offending individual has posted tirades and threats against his neighbors who have made complaints against the excessive noise. He has stated that he has freedom of speech and can do what he wants at any time without government intervention. His message resonates with many who join him in opposition to excessive government oversight on a host of issues. I will say to the Board, be not dissuaded. I know many of those LPN members. I know with full confidence that if they found themselves subjected to the disturbances that we have been, they would support the Amendment enactment as well.

In closing I want to acknowledge and thank Supervisor Oliverio for his guidance and support for those of us so negatively impacted by this excessive noise. I cannot fully convey how important it is to recognize how much excessive noise disturbs the peaceful enjoyment and well being of our Lake Peekskill Community; and potential the animals as well. And the critical importance of providing enforcement tools to the Sheriff and to the Town Supervisor. I urge you to enact this Amendment. Thank you.

Sincerely,



Lisa Diaz

cc: Jaqueline Annabi

Louie Luongo

Ralph Smith

Wendy Whetsel

Sam Oliverio

\*\*sent via USPS and email\*\*

From what I hear is that this new ordinance was drafted up because apparently, we have the famous Hatfield and McCoy families living in PV. If the original problem was neighborly disputes then the town should draft something along the lines of just that. The town should be looking to update this section below, and just add some decibel levels for the sheriff.

NOISE RESTRICTIONS WHICH SHALL BE VARIOUS BUT NOT 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.

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We need direct and precise laws that solve specific problems, not some generic broad brush on all scenarios. By leaving the law vague and up to interpretation gives high quality lawyers, savvy judges, and disgruntled police officers a club to hit the common folk without the capital. I believe if you have a specific problem you handle it with a direct solution.

Also, as I read through this amendment, I see under the residential zone district limitations that the only day time exceptions have to do with lawn care equipment.

**§ 20-2 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 the 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 6:00 a.m. to 6:00 p.m., noise levels within any residentially zoned district shall not exceed Seventy (70) dB(A). Notwithstanding the foregoing, however, in the normal maintenance of properties from 8 a.m. to 6 p.m. yard maintenance equipment including but not limited to lawn mowers, weed whackers, snow blowers, chain saws and leaf blowers may be used for a reasonable and customary amount of time during which noise levels shall not exceed 110 dB measured at the adjoining property line.

**(b).**

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

**Commercial zoned district limitations:**

Noise levels within any commercial/zoned districts shall not exceed Seventy (70) dB(A) and shall also conform in all respects to the performance standards set forth in Chapter 165, Zoning.

The only time I see any vehicle is at the end when they mention about idling your vehicles during the hours of nighttime. Again, if this stuff is not written down and spelled out, I fear that people could be abused and attacked by the law, left at the mercy of the judge or how much you can spend on a lawyer. Plus, I see no exemption on aquatic activities, I continue to hear that this is a land-based ordinance but I do not see that written down.

I would also like to touch on the following section about breaking rocks and machines to hammer. If you are working on your own property and not a commercial business you should be able to rent a machine, pull proper permits and dig an inground pool or set up your yard as you wish. Seems as this law directly attacks Monday-Friday blue collar workers. The average men and women of the valley do most of their own renovations as it is too expensive to hire a contractor, let alone someone who has heavy machines. The section below should be updated to allow property owners to work on their own personal properties on weekends not holidays and commercial businesses should be stuck to the weekdays.

**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.

Sincerely,

Jacob Flegar

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**Sherry Howard**

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**From:** Robert Mann <rmann@robertmann.com>  
**Sent:** Wednesday, January 20, 2021 7:03 PM  
**To:** Sherry Howard  
**Subject:** Noise Ordinance

Dear Sherry,

I would like to state my objection to the proposed noise ordinance. As I understand it there are already existing noise laws on the books and perhaps they need to be better enforced. BUT modifying the laws by making them broader and harder to define will not lead to better enforcement, rather it will lead to a more capricious and less neighborly environment. I suggest the town board consider a more clearly defined ordinance that specifically details how the decibel level will be recorded and then applied to specific outside noise whether produced by man or machine and whether during the day or night. We all deserve the right to enjoy our property and our devices without it infringing on the our neighbors rights for peaceful enjoyment of their properties. The guidelines for this good neighborly coexistence if to be determined by government needs to be very clearly described.

Thank you,

Robert

Robert Mann  
40 Cold Spring Road  
Putnam Valley, NY. 10579

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From: mclaughlin [mailto:kemcloughlin@optonline.net]

Sent: Wednesday, January 20, 2021 4:43 PM

To: Sam Oliverio <soliverio@putnamvalley.com>; Jackie Annabi <annabipvtb@gmail.com>; Wendy Whetsel <wwhetsel@putnamvalley.com>; Louie Luongo <lluongopvtb@optonline.net>; Ralph Smith <ralph2016smith@gmail.com>

Cc: Sherry Howard <showard@putnamvalley.com>

Subject: PV NOISE ORDINANCE letter

**FROM A PRACTICAL PERSPECTIVE, the decibel levels and conditions listed in the proposed noise ordinance would be difficult to enforce and in some situations simply unreasonable.**

The consideration of "NOISE" in terms of decibel level is something that I had to check in order to relate to the levels listed in the proposed law.

According to the CDC, a normal conversation or an air conditioner have a decibel level of 60. Yet in the law, it states that during the hours of 6pm to 8am, noise levels shall not exceed 55 dB.

Thus, if you are outside speaking with a neighbor or children are playing with excited voices after 6pm, we would exceed the noise level. As most lakefront residents are aware, sounds travel across water. Thus, I hear sounds from people on boats as well as across the lake, but I would not expect them to be regulated.

An air conditioner or heat pump running overnight would exceed 55 dB level as well.

**SECTION B 6.** With consideration of lake effect sounds, please note that fishermen, some of whom launch from the marina on Dunderberg Rd., often start out before dawn, i.e. 5am or earlier. Most motorboats have powerful engines which by the owners to dash around the lake to their favorite fishing spots.



**POLITICAL SIGNAGE LAW**

Presented by Supervisor Oliverio

Supervisor Oliverio said we are just looking to eliminate the very large signs and have a time set for putting them up and taking them down. The time would be 45 days before a Primary and a week after an election ends. Councilwoman Annabi said we picked 45 days to include absentee ballot time.

There was no public comment on the Political Signage Law.

Supervisor Oliverio moved to close this part of the Public Hearing. The Town Board will still be accepting emails, letters and phone calls from residents until they vote on the amendment to the Political Signage Law. Please send your comments to the Town Clerk at [showard@putnamvalley.com](mailto:showard@putnamvalley.com) and she will pass them on to the Town Board.

Councilman Smith seconded the motion to close this part of the Public Hearing, which was unanimously carried.

**COMMUNITY CHOICE AGGREGATE LAW**

Presented by Supervisor Oliverio

Supervisor Oliverio asked for any Public Comment on the Community Choice Aggregate Law.

Resident Leo Alves said his questions were being directed to Jeff Domansky. Supervisor Oliverio said Mr. Domansky will answer all questions after everyone had spoken to answer anything that was asked. Mr. Alves said these are his questions and comments. Mr. Alves said at the October meeting of the Town Board he posed several questions to Mr. Domansky. He felt the answers he got from Mr. Domansky were filled with a lot of different acronyms of different agencies and programs and was very hard to follow. He said, please I ask him to make his answers simpler to the following questions:

1. If Community Choice Aggregation deals with electricity only, and the power must be renewable and derived from New York State – what's the source of the energy? What percentage of hydro, what percentage of solar, what percentage of wind?
2. The Town of Brookhaven in Long Island is offering Community Choice Aggregation. Brookhaven has a population of nearly ½ million people. Other Towns are following suit. How can Community Choice Aggregation offer green energy to potentially millions of people? Aren't the green energy sources by definition limited? Does New York State have a surplus of green energy that is currently not allocated?

3. Is any of the energy provided by Community Choice Aggregation derived from fossil fuels?
4. Would any of the energy derived from Community Choice Aggregation be from non- New York State sources?
5. What do you mean when you say CCA would purchase green energy credits?

Resident Margaret Brown said she is against the fact that we are automatically enrolled and have to opt-out. That leaves room for people to not know that they have to opt-out of the program. Some of these programs are just “feel good programs” like the solar farm attempting to be built in Cortlandt Manor. In reality solar farms sound great until you realize in reality they have to deforest land to build one (1). Some of this green energy may be harvested in a way that is not good for the environment although she does not know this for sure.

James Casey asked if the CCA will prioritize green energy over low price? Supervisor Oliverio said Mr. Domansky will answer that at the end of the Public Comment.

Resident Alan Paley said he is generally in favor of green energy and thinks it is something that we need to do. His concern is that he noted that the energy provider said they will not charge a termination fee if you are moving. That says to him that they can charge a termination fee if you just want to terminate because you find the rate is too high. Upon doing some research Mr. Paley found that in the case of some of these programs charge lower rates in the first six (6) months to a year and then their rates are often significantly higher than what NYSE&G is charging. If you then opt-out you are often charged an indeterminate termination fee. If you leave NYSE&G you don't have to pay and he would hate to any resident pay a large fee which they cannot afford. In these times of economic dislocation he would hate to see that happen to anyone.

Stacey Tompkins agrees with Mr. Paley and Ms. Brown in that she believes that people won't realize that they have to opt-out and it's another thing that the Town is trying to control for us. It will not be easy for people to opt-out of this.

Nina Esposito agrees with the fear that people will not realize that they have to opt-out of this program if they are not interested.

Summer Resident Claudia Levy said she is unaware of this program and has received no information about it. Supervisor Oliverio said that is what this Public Hearing is about. This “Enabling Law” is only to allow the Company to educate and inform the community about the program that is all it is for.

Janette Yetter said if this is called Community Choice then we should not be put into it automatically. We should have the option to opt-in if we want.

Resident Jeff Corin asked how did you pick this company. Supervisor Oliverio said no company has been picked yet. Councilperson Smith introduced this program to us and we will have input in responding at the end.

Resident Monica Bourgie said she has a problem with the customer specific data that would be shared with the PSCCCA and that we would need to opt-out. Our personal information would have to be shared with a 3<sup>rd</sup> party vendor in order for us to drop-out. Ms. Bourgie has a serious problem with that.

Councilwoman Annabi has two (2) questions for Mr. Domansky:

1. She understands if someone has budget billing it would be automatically transferred. If someone has budget billing according to NYSE&G the delivery would be part of the budget billing but the new supply would have to be renegotiated back with NYSE&G. Is this correct information?

2. Do we have to choose an Administrator tonight or by February 3<sup>rd</sup>? Is the Administrator going to be doing all of the education process or not? Who will be doing the education process for our residents?

Mr. Jeff Domansky said these are all very good questions. Mr. Domansky is an Executive Director of a non-profit that is a partner of one (1) of the approved Administrators for CCA programs which is called Joule. They are based in Westchester and have not been chosen yet for this program that Putnam Valley is considering.

Mr. Domansky continued and said on the nature of the opt-out portion of the program, it is important to note the history of the state of energy supply market places. In the late 1990's a decision was made in a number of States including New York to have utility companies focus on delivering energy to customers -not in producing the supply of energy. When this happened it created a market place where a number of companies were established to generate electricity by various means and to supply it for the utility companies to deliver. Due to this, two (2) options happened for the customers. (1). - you could go with what the State determined at the time to be a default choice; or (2). - If you made no choice than the utility company made the choice for you with no profit. There was additionally a market place where people could make a private choice. This program enabled by the State in 2016 brought two (2) good options together – namely using renewable green energy supplies and keeping costs at a competitive rate for consumers. A third win baked into the program by the Public Service Commission was a consumer protection aspect because so many people have had a bad experience in the energy market place. This includes fixed rates that had been offered in the past and after a time then became variable. The idea of a Community Choice Aggregation Program is something allowed by the State but has to be acted upon by Cities, Towns and Villages. They have to pass a Local Enabling Law which would allow them to go forward with the exploration and potential to be part of a Community Choice Aggregation Program.

This Enabling Law is the first of 12 steps needed to become part of this program. There is the ability by State Order for a Town to self-administer a program; but of more than the 150 local governments who have chosen to part of the CCA in the State, none of them have chosen to self-administer because the burden is high.

There are two (2) organizations who administer this program that are working across the State one (1) is called Good Energy who are working in New York City, and the other is called Joule which is based in Westchester. All of the burdens which are outlined in the implementation plan are on the administration team. These are complex topics as energy is a second language for everybody. We are there for education and outreach to help explain the specifics of this program and to understand the energy market place better.

Opting-out is a key basic requirement of this program. The power of the CCA is in the ability to get renewables from New York State at a competitive rate comes from the power of numbers. The bulk buying nature of this program comes from the community participating in high numbers the suppliers bid knowing there will be a certain number of demand so they can offer competitive pricing. There is a requirement by the State to do a great deal of outreach to communities - this is a minimum of 60 days. We have meetings and are willing to go to any meetings in Town for us to speak to the community. This allows the community to see if this is a good fit for them. A customer can opt- out or opt-in again at any time and there is never a fee to do either. You can opt-out by phone, mailer, or on line at any time ever. There are no fees or penalties for opting out or opting in.

There is no exchange of funds from the Town to the Administration Team either. The administration fee has to be included in the supply rate that the suppliers bid through the request for proposals. So that administration fee, which is 8 100<sup>th</sup> of a percent per kilowatt hour, has to be baked into the rate; and that rate still has to be approved by the community.

All of the paperwork and filings are done by the Team that the Municipality chooses. We seek to minimize the burden.

The Joule Team is really interested in advancing and increasing the amount of renewable power into the New York State grid. The State allows several options for what a renewable source is. We currently only allow suppliers to provide wind, solar or hydro power. The State allows bio gas and additional sourcing. A mix of those three (3) can be provided – so when a supplier bids to be a supplier they must offer a 100% renewable rate. Another option is a mix of renewables and a small amount of fossil fuels which a resident can choose if they would like. There may be an advantage of cost savings in this type of program. It remains as an option and there is no fee to opt-in or opt-out of this standard program either. The standard program is mix of renewables and fossil fuels.

As far as the question of credits – the way the renewable energy marketplace works is that there are two (2) parallel markets. One (1) is the price on the actual electrons that are generated by the power source. Electrons have to be paid for by the consumer because they produce our actual energy. Then there is a secondary market (and an additional price) on an electron which tells you where the electron was made - this is called a renewable energy credit (which acts much like a shirt label). The renewable energy credit acts like the shirt label because it tells you where the electron was made and it has a secondary price because it is desirable and so it has value in the market place. Utility companies pay for these to meet mandated requirements on renewable production. Fossil Fuels electrons have a “shirt label” to but they have no value (no credit). This is a way to foster renewable energy production. This has very real implications in driving demand for renewable production.

When a supplier bids with a renewable rate they know by looking at the size of the demand and membership in a community what the rate will be. They reserve in the market place the credits to meet the demand for those partner communities plus a cushion regardless of the opt-out rate. Right now it is mostly hydro and wind power. There is a lot more renewable production going on-line soon. We do know what the mix is because the supplier provides us with reports to that.

To the question of how much is there? Mr. Domansky said there is not an unlimited supply of renewables. There is always the possibility that the demand will outstrip the supply and communities would have to wait. That would be a beautiful problem for us to have.

In terms of savings, in Westchester in 2 and ½ years they have demonstrated that this program can save the consumer money. The pandemic has caused some issues with the rates because the rate is fixed and not variable - there are no hidden fees. You can call us at any time with questions and we are also available by phone and e-mail.

As to the question about data security – that is another aspect of consumer protection. There is no sharing of individual account or consumption data. There is a period at the end of the exploration phase, (after sufficient public outreach), that if the Department of Public Service and/or the Department of Public Service Commission approves the outreach, there can be a request made to the utility company to say this community wants to proceed. When this happens there can be a request made to the utility company to share an anonymous informational bulk data about demand for the whole community. This lets the bidder know how much energy to bid on. There is no personal information shared at that point. At some point a letter will be sent to every eligible customer if the program goes forward. The account data is not shared – the supplier just sends a letter which starts the opt-out period. There is a 30 day window in which to opt-out.

Joule does prioritize renewables over price. They want to use this program to promote more renewables on the grid – but a consumer can go with the Standard Program anytime they want.

Budget Billing – there will be lots of public outreach. Every billing arrangement a customer has will remain in place. This is a program that is done through the existing utility bill. People will still pay the same amount each month.

Supervisor Oliverio asked Mr. Domansky to explain to the public that by us signing the “Enabling Law” it only commits us to the education part of the program – it does not commit us to the actual program itself. Mr. Domansky said given the potential benefit of this program every community should go down this path. You are only picking an administrator to do the educating and the outreach - that’s the only commitment you are making by passing this law. The State decides if the Administrator has done enough to make the community understand what is happening – it’s just for the exploration. It is all about the power of the marketplace to achieve outcomes where everybody benefits. The Town can move forward at its own rate and an administrator does not have to be chosen right away. The education outreach does not begin though until the administrator is hired. Councilman Smith added that none of the burden of the education for this program will not fall to anyone that works at Town Hall and no one will be hired at Town Hall to administer this program.

Supervisor Oliverio moved to close this part of the Public Hearing. The Town Board will still be accepting emails, letters and phone calls from residents until they vote on the CCA Enabling Law. Please send your comments to the Town Clerk at [showard@putnamvalley.com](mailto:showard@putnamvalley.com) and she will pass them on to the Town Board.

Councilman Smith seconded the motion to close this part of the Public Hearing, which was unanimously carried.

**Subject: Re: Community Choice**

I concur with Steven's evaluation: potential benefits do not exceed potential problems. There are other ways to accomplish green energy.

On Sun, 17 Jan 2021 at 15:25, Steven B David <[shd3@nyu.edu](mailto:shd3@nyu.edu)> wrote:

I have read the online material on community choice. I don't see a particular benefit for the town or, with any certainty, for individuals. That is to say, there is no assurance of lower rates and the requirement for individuals to opt out. The program calls for each town to designate an "administrator". If this is to be a paid position, I am definitely opposed. If the duties of the administrator are to be assigned to someone with an existing town position, is there to be a stipend? Whether or not there is a stipend, I would be opposed without a clear understanding of the benefits. Town officials seem to be busy enough with their current responsibilities. BTW NYSEG is a leader among utilities in purchasing renewable electricity. A policy that I do favor.

I think it fair to have these questions answered before any public hearing.

**Sam Oliverio**

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**From:** Heritage <heritage@bestweb.net>  
**Sent:** Tuesday, January 05, 2021 9:34 PM  
**To:** Jacqueline Annabi; Louie; Sam Oliverio  
**Subject:** Public Hearings

Without a lot of editorialization, I wanted to let you know that,

- 1) While I understand the merits, I do not support establishing a Community Choice Aggregation (CCA) program in Putnam Valley.
- 2) While I understand the concerns, I do support the adoption of the amendment to Chapter 82 of the Town Code.
- 3) I have no opinion relative to the placement of political signs on public property.

Thank you for your time and attention:

Agnes Powe  
PO Box 325  
39 Morrissey Drive  
Putnam Valley, NY 10579



TO: PUTNAM VALLEY TOWN BOARD MEMBERS  
FROM: Kathleen McLaughlin, 100 West Shore Drive  
DATE: January 20, 2021  
RE: COMMUNITY CHOICE AGGREGATION

1. Residents have made their own choice regarding electricity as multiple companies have mailed options to their homes. **WE HAVE CHOSEN TO REMAIN WITH NYSEG!**

2. Residents are still not aware that they would be automatically thrust into this community choice aggregation upon the vote of the Town Board. Thus, **the burden of not joining this program will fall on the residents who will be required to "OPT OUT"**.

To hold a public hearing without first providing public information about this significant change is troubling.

As you are aware, many of our neighbors travel to warmer climates, during these winter months. Most have no knowledge of the Town Board's actions regarding this proposed action of a community choice aggregation program.

Essentially, all residents are being left to conduct their own research into the basic details of this program as your action will impact the entire Town of Putnam Valley. Extensive details are provided on the NYSEDA website as well as information on the EPA website. There are some basic issues itemized in their literature.

**3. WHAT ARE THE ADMINISTRATIVE COSTS to PV residents?** The text of the law states that the Town "will be the CCA Administrator". The EPA cites administrative costs as a potential negative. The TOWN will certainly incur costs as CCA Administrator.

**THE NYSEDA FAQ CCA DOCUMENT STATES:** "The Administrator is responsible for program organization, administration, procurement, and communications, unless otherwise specified..

**What is the financial responsibility for participating municipalities?** Administration and operation costs incurred by the Community Choice Aggregation program may be covered through an administration fee paid by customers per kilowatt-hour (kWh) or therm. This fee is negotiated with the energy service provider that will be selected during the Community Choice Aggregation Administrator's competitive procurement process. The utility may charge additional fees for customer-related data." ...

**NYSEDA "How are Community Choice Aggregation programs funded?"** The PSC authorized Community Choice Aggregation programs to collect a rate-based administration fee, which covers organization's expenses for communications and outreach assistance, customer service, support to municipalities, and legal fees associated with managing the program."

#### **4. IS THE TOWN BOARD CONSIDERING AN ENTIRELY 100% GREEN SOURCE OR MIXED OPTIONS?**

NYSEDA FAQ: "**Is Community Choice Aggregation considered "green"?**

"Depending on local needs and priorities, communities may elect to provide a 100 percent renewable energy product as the default supply mix. This choice will significantly increase the environmental benefits of the Community Choice Aggregation program, but may cost somewhat more than a nonrenewable product. Other Community Choice Aggregation programs may provide customers with power supply mix options. For example, a Community Choice Aggregation program may offer a basic option, a green option, or something in between. In this case, individual customers are given full discretion over which option they choose. In either case, the Community Choice Aggregation Administrator may seek prices for a range of product types and then decide which option is best to meet local needs.

**UNDERLYING QUESTION: NYSERDA FAQ : "How much will I save?"**

"Even though Community Choice Aggregation programs are well positioned to achieve lower, fixed-rate electricity prices for participating consumers, savings are not guaranteed. That being said, the program may be designed so that it will not go forward unless the supplier's price is less than last year's utility price. However, there is no guarantee that the utility price will be lower than the Community Choice Aggregation price for the entire term of the Community Choice Aggregation's supply contract. "

**An overview of basic issues is contained in the following statement, which should be clarified for all residents before the Town Board votes on this matter. The NYSERDA CCA toolkit contains a draft municipal letter which begins:**

*" Drafting Note: This letter should reflect the specific terms of the Electric Service Agreement. For example, prices may be fixed or variable. There may be early termination fees. The power may be 100% renewable or not. The Electric Service Agreement may include the development of Distributed Energy Resources (DER) or not. In addition, the municipality may want to note that it does not guarantee that the CCA will save money for participating customers."*

**RELEVANT ISSUE: The EPA cites that the OPT-IN vs OPT-OUT clauses can be confusing to consumers.**

**ADDITIONAL CONCERN:** Information re each resident, i.e., name, address, phone, electric account/usage, etc. will be given to this third party.

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Dear Sherry,

Following are my comments for the public hearing that will be held today on the proposed laws regarding noise and "Community Choice" aggregation of electricity services. Please include my comments as part of the record of the meeting.

First of all, I hope that we will be able to have more than one hearing on these important pieces of legislation and also that we could have at least one "live" meeting at an in person hearing so that citizens may be heard. In case the town officials are unaware, as per the Governor's "orders," public gatherings are allowed in our town buildings, especially our largest public space paid for by the taxpayers, the Ambulance Corps building. Just think how well the November 3rd election went and that was with hundreds of people coming out to vote. No doubt we would not see anything like those numbers at a public hearing such as this, so why not schedule one before a vote is taken?

Unfortunately, citizen participation does not seem to be a consideration for anything that this administration does as is evident by the times and places that they have these meetings. It is simply not possible for most people to be available at 5 or 6 o'clock, especially commuters. Why not go back to having meetings at 7 or 8pm? Oh wait, that might encourage too many people to actually come out and see what our town board is up to.

In any event, I am opposed to both of these proposals as I shall explain below:

**1. Noise ordinance-** we already have a substantive noise ordinance on the books so we do not need yet another law to harass the good people of Putnam Valley. How about you enforce the laws that are already on the books instead of creating more problems for everyone?

Meanwhile- this law is at best a nuisance, at worst, unconstitutional. Look at some of the language and provisions:

- a) No person shall be permitted to "make noise" within the town of Putnam Valley except to the extent authorized by section 82-5.
- b) The act of "singing or talking" which are audible more than 100 feet from the source are prohibited.
- c) Any sound which "annoys, disturbs or interferes" with someone's sleep is also prohibited.

These are clear violations of our most basic civil rights as well as being subjective determinations that could result from something like a disagreement between neighbors about noisy dogs or vehicles. Surely we do not have to create a situation where such a dispute ends up with a potentially criminal prosecution by the Sheriff or other law enforcement agency.

**2. Electric service aggregation-** The town board should know that we are not children- WE DO NOT NEED THE TOWN BOARD TO TELL US WHERE TO BUY OUR ELECTRICITY. I have printed out the fact sheet from NYSERDA regarding this program and just as I suspected, this is an extremely complex program that needs to be more fully discussed rather than having a single hearing

during a pandemic when there is limited public participation. (Of course, with this town board, that's a desirable feature, not a bug.)

Once the town passes this law to set up the CCA, residents will be **MANDATED** to purchase electricity from this energy supplier and will have to exercise an option to get out of it once the town sets up the program. Additionally, there will be unknown administrative and operating costs that will be paid for **BY THE CUSTOMERS** on a per kilowatt hour basis. Clearly there is way more here than meets the eye and the town board has an obligation to provide more transparency before passing the enabling legislation.

As a long time resident and taxpayer, I am appalled that Supervisor Oliverio and the town board members can't find something better and more productive to do with their time than to think up ways to make our lives even more difficult than they already are. The covid crisis has destroyed our businesses, our livelihoods and our way of life, yet none of you even take this into consideration as you come up with rules and regulations or raise our taxes. None of you even acknowledge the problems that your neighbors are having while you dream up new and better ways to screw us. Frankly, you should all be ashamed of yourselves.

Sincerely,

**Patty Villanova**

We attended the recent town Zoom meeting regarding the Community Choice Aggregation program. We would like to state that we do not support the program and will opt out if it does go into affect.

Our main objections are:

1. There is no financial advantage to offset the inconveniences of switching and entering into contract.
2. We feel that the program does not benefit the members of our town - especially now when fellow members are struggling with Covid and the resulting economic impact.

Sincerely,

James Casey

### **COMCAST CONTRACT FOR ROARING BROOK LAKE**

Presented by Supervisor Oliverio

Supervisor Oliverio said this is just for Roaring Brook Lake. He contacted Verizon and Optimum and they were not interested, they are waiting for 5G to expand. The contract has not changed it is just being extended.

There was no public comment on the Comcast Contract for Roaring Brook Lake.

Supervisor Oliverio moved to close this part of the Public Hearing. The Town Board will still be accepting emails, letters and phone calls from residents until they vote on the Comcast Contract. Please send your comments to the Town Clerk at [showard@putnamvalley.com](mailto:showard@putnamvalley.com) and she will pass them on to the Town Board.

Councilman Luongo seconded the motion to close this part of the Public Hearing, which was unanimously carried.

Resident Ellen Friedman asked if Comcast has privileges in the rest of Putnam Valley. Supervisor Oliverio said no, only Roaring Brook Lake. Once you establish a company their infrastructure exists in that area.

**PUTNAM VALLEY TOWN BOARD**  
**TOWN BOARD MEETING**  
**WEDNESDAY, JANUARY 20, 2021**  
**6:00 PM**

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

**ALSO PRESENT:** Town Clerk Sherry Howard  
Town Counsel Robert Lusardi

**Departmental Reports**

Presented by Supervisor Oliverio

Councilman Luongo and Putnam Valley Volunteer Fire Department Member gave the following report for the month of December 2020.

Calls:

5 EMS Assists  
8 PIAA's  
11 Automatic Alarms  
6 Wires Down  
1 propane leak  
3 Mutual Aid

There were 34 calls for the month - 303 man hours. There were 412 calls for the year 2020. Councilman Luongo said, if you do the math that is more than one (1) call per day. Councilman Luongo said they had their elections in December.

They have a new Chief who is Ken Rohrauer III

1 <sup>st</sup> Assistant Chief	Frank DiMarco
2 <sup>nd</sup> Assistant Chief	Vito Rizzi
Captain	James Lutz III
1 <sup>st</sup> Lieutenant	J D Apostolico
2 <sup>nd</sup> Lieutenant	Travis Gembecki
2 <sup>nd</sup> Lieutenant	Brian Angstadt
2 <sup>nd</sup> Lieutenant	Tom Sawyer

**Elected Fire Police Officers**

Captain	Mario Peri
1 <sup>st</sup> Lieutenant	Juan Garcia
2 <sup>nd</sup> Lieutenant	Mike Gona

President	Sheryl Luongo
Vice President	Larry Cobb Sr.
Recording Secretary	Ann Spoonhour
Treasurer	Mike Burlingham
Financial Secretary	Lois Rizzi

There are seven (7) Board Members – the two (2) newly reelected Board Members are Eric Mignano and Greg Schiffer. The other five (5) Board Members are Mark Backus, Sean Keeler, Ed McCarthy, Derek Rooney and Frank Rush III. We had to cut our installation ceremony short due to Covid. Councilman Luongo swore them all in – it was a great honor to be able to do that.

## **School Report**

Presented by Councilman Smith

Councilman Smith said he checked in with Dr. Luft who said they are doing their best to have in-school instruction whenever possible. There is a lot to do with who has to quarantine etc. They are doing the best they can with the hybrid learning and the virtual learning. They have a couple of successful students who won high honors in their Science Research Program. They are Regeneron Semi-Finalists which puts them in the top 300 in the Country. Emma Silverman and Alliyah Steele won \$2,000.00 dollar scholarships and a \$2,000.00 donation was made to the School for reaching that level. We also have student Leanna Diodati who is an All-State Choral winner, that is the highest honor that you can get in the State.



**SUPERVISOR'S COMMENTS**

Supervisor Oliverio said we are having a Covid spike right now across the County. We have to social distance, wear masks, and wash our hands. The vaccine will probably not be wide spread across the County until spring/summer. There is a vaccine shortage, and a vaccine container shortage.

Assessor Sheryl Luongo spoke about the Military Banner Program. She said this is the time to order your Military Tribute Banner, the ordering ends on February 15<sup>th</sup>. Anyone can order a banner. The ones from last year will go up in April and the new ones will go up then as well. The banners go up for Memorial Day and come down on Veteran's Day. If you do want your banner back you can have it. If you have any questions my number is 845-661-2082 or you can email at [sluongo@putnamvalley.com](mailto:sluongo@putnamvalley.com).

**COUNTY EXECUTIVE UPDATE**

Presented by Councilwoman Annabi

Councilwoman Annabi read a statement from County Legislator Odell regarding the Covid vaccines.

**Sherry Howard**

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**From:** Jacqueline Annabi <annabipvtb@gmail.com>  
**Sent:** Monday, February 08, 2021 3:16 PM  
**To:** Jacqueline Annabi  
**Cc:** Sherry Howard  
**Subject:** CORRECTED Statement from MEO that I read

It should be easier and faster to get COVID-19 vaccine, but the hard truth is that a lot of our most vulnerable residents are having to wait too long to be vaccinated, Putnam County Executive MaryEllen Odell said.

Putnam County has almost 18,000 residents aged 65 or older. An estimated 2,600 residents work in law enforcement, firefighting or other protective service occupations. Another 6,200 or so residents work in education and libraries, which the Census lumps together. Then there are 3,900 healthcare practitioners, technologists and technicians. And don't forget nursing home and group home staff and residents. All of those residents and more are eligible for vaccination under state rules.

"More than 30,700 Putnam residents are eligible under state rules to receive a COVID-19 vaccine," County Executive Odell said. "But this week, the state has allocated just 200 vaccines to our health department to inoculate essential workers and 200 vaccines to a pharmacy to administer to senior citizens. If you can't get an appointment for a vaccine, that's why. We are working with the state to try and get more vaccine."

Right now, there are only three options for vaccination in the county: The Putnam County Department of Health, which is running clinics in Carmel and Philipstown but only for eligible essential workers; Putnam Hospital Center, which is only authorized to vaccinate healthcare professionals; and Drug World in Cold Spring, which is authorized for senior citizen vaccinations only. We are waiting for data from the state to tell us how many doses of vaccine have been dispensed countywide since the start of the program and how many vaccinations have been administered.

The Putnam County Health Department has run three vaccine PODs (points of dispensing), two in Carmel and one in Philipstown, and has vaccinated nearly 1,000 people in the five weeks since the vaccines were made available.

Because the health department has been tasked by the state with vaccinating only a very narrow group of essential workers, it does not schedule appointments online. Instead, the appointments are distributed equally among organizations whose members the department is required to vaccinate. Still, it is worth checking the health department's website regularly in case it is given the flexibility to vaccinate a broader scope of residents in the future. [https://linkprotect.cudasvc.com/url?a=https%3a%2f%2fwww.putnamcountyny.com%2fhealth%2f&c=E,1.67h5CRkiUCPfW2u0G7MjxCp1UFRBTMpoiAtSciixw8Gbc4Jsd-T-GFBBIMV\\_rsN5u0P8GvW7qo23SUytICTF2xu5clFPV9v8oELvWh8BZbmOU6rh5tQ,&typo=1](https://linkprotect.cudasvc.com/url?a=https%3a%2f%2fwww.putnamcountyny.com%2fhealth%2f&c=E,1.67h5CRkiUCPfW2u0G7MjxCp1UFRBTMpoiAtSciixw8Gbc4Jsd-T-GFBBIMV_rsN5u0P8GvW7qo23SUytICTF2xu5clFPV9v8oELvWh8BZbmOU6rh5tQ,&typo=1)

"We are just trying to be fair and work within the guidelines the state has given us," said Kathy Percacciolo, PCDOH Supervising Public Health Nurse. "We are very experienced at organizing and operating mass vaccination PODs, and we hope the state will allow us to vaccinate more of our residents when supplies increase."

Drug World, a pharmacy at 55 Chestnut Street in Cold Spring, was selected by the state to run COVID-19 vaccine clinics for those aged 65 and older. The pharmacy vaccinated 140 seniors last week at St. Mary's in-the-Highlands church, also on Chestnut Street in Cold Spring, and is expected to hold vaccination clinics regularly as supply allows. To check for an appointment, visit [https://linkprotect.cudasvc.com/url?u=https%3a%2f%2fwww.drugworld.com%2f&c=E,1,IHqQhPhG1KkZex93EWJ9XnbUjTcoSr2K-Vf8nw6lADvqnPvW9mayiNHBrAGXu84aIS\\_1EB-7V3Z0ENg2CSfvoXLQ8lBRGHpT7pj7xh\\_2QNhVsP5Ja2WCInR&typo=1](https://linkprotect.cudasvc.com/url?u=https%3a%2f%2fwww.drugworld.com%2f&c=E,1,IHqQhPhG1KkZex93EWJ9XnbUjTcoSr2K-Vf8nw6lADvqnPvW9mayiNHBrAGXu84aIS_1EB-7V3Z0ENg2CSfvoXLQ8lBRGHpT7pj7xh_2QNhVsP5Ja2WCInR&typo=1)

The same is shortage of supply is at work for those trying to get an appointment at one of the big regional vaccine centers run by the state, like the Westchester County Center in White Plains. Appointments at those sites are booked through the end of April, the websites say. To check their availability, visit <https://am-i-eligible.covid19vaccine.health.ny.gov/>

"We recognize there is concern about the wait for vaccines," said Michael Nesheiwat, MD, Commissioner of Health. "One thing that is important to realize is this was not completely unexpected. We need to look at vaccine implementation as the long-term project it is—more of a long-distance race and not an all-out sprint. It is an enormous undertaking and not physically possible to roll out large numbers of vaccines in an instant." Despite the frustration at the current scarcity of vaccine supply, the good news is that more vaccines are expected to be approved in the near future. There will soon be enough vaccine for everyone that wants to get vaccinated.

And, the public health practices we've been following continue to work: wearing masks, social distancing and frequent hand washing.

Jacqueline Annabi  
Town of Putnam Valley  
Councilwoman

> On Feb 8, 2021, at 3:14 PM, Jacqueline Annabi <annabipvtb@gmail.com> wrote:

>

> That's not the right one I read sorry I'll send you the corrected one

>

> Jacqueline Annabi  
> Town of Putnam Valley  
> Councilwoman

>

>

>> On Feb 8, 2021, at 2:20 PM, Jacqueline Annabi <annabipvth@gmail.com> wrote:

>>

>>

>> From the Putnam County Health Department:

>>

>> DATE: January 21, 2021

>>

>> ELIGIBLE GROUPS: 1a and 1b. More info here:

>> <https://covid19vaccine.health.ny.gov/phased-distribution-vaccine>

>>

>> VACCINE APPOINTMENT AVAILABILITY:

>> Putnam County does not have vaccine availability at this time.

>>

>> A closed COVID vaccine Point-of-Dispensing clinic (POD) by the Putnam County Department of Health has been scheduled on January 21. As directed by NYS, the eligible specific essential employees in Phase 1b who live or work in Putnam County will be notified by their employer or union.

>>

>> As per direction from New York State, PCDDH is unable to vaccinate adults 65 years and older not employed in the eligible groups at this time. Pharmacies and private healthcare providers will provide vaccinations when availability allows.

>>

>> NYS vaccination sites may have changing availability. To check for

>> appointments at a NYS vaccination site, please click here or visit

>> <https://am-i-eligible.covid19vaccine.health.ny.gov/>

>> When a Putnam County DOH Point of Distribution clinic (POD) is scheduled, the link will be sent directly to specific organizations or shared on this website and social media as appropriate.

>>

>> The health department is made aware of our vaccine allotment and assignments from NYS on a weekly basis. As such, Putnam will be scheduling Point of Distribution clinics less than 1 week in advance for the first dose.

>>

>> If you live in Putnam and work in another county in one of the eligible categories, please have your union representative reach out to us at COVID19@putnamcountyny.com. If you work in Putnam in one of the eligible categories and your employer did not receive the registration link for the January 21 POD, please have your union or employer reach out to us at COVID19@putnamcountyny.gov.

>>

>> The best place to stay up to date with vaccine announcements is our

>> website at

>> <https://linkprotect.cudasvc.com/url?a=https%3a%2f%2f%2fwww.putnamc>

>> [ountyny.com%2fhealth.&c=E,1,frAS5Rx7l6xslqCuy9KJoZ5dToD7QivjJLFXnJhbc](https://linkprotect.cudasvc.com/url?a=https%3a%2f%2f%2fwww.putnamc)

>> [GaN9F9YZK\\_deE9jpdfZtw\\_tNoo65zsGnldVM5g7tuDDbJ0v9GXqXTJcajWUO1cks-4,&t](https://linkprotect.cudasvc.com/url?a=https%3a%2f%2f%2fwww.putnamc)

>> [ypo=1](https://linkprotect.cudasvc.com/url?a=https%3a%2f%2f%2fwww.putnamc) We are eager to vaccinate our community and thank you for your

>> patience as the rollout continues.

>>

>> As more vaccine becomes available to local health departments and more groups are eligible for vaccination, additional closed PODs will be scheduled for people who live and work in Putnam County. Once the vaccine is more widely available, the health department will share public POD information with local newspapers and online news sites, post on our website and share on social media. This information will be updated as more information becomes available.

>>

>>

>>

>> Jacqueline Annabi

>> Town of Putnam Valley

>> Councilwoman

>>

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## **AUTHORIZE SUPERVISOR TO SURVEY ENTRANCE TO MARSH HILL ROAD PRESERVATION AREA**

Presented by Councilman Luongo

Supervisor Oliverio said he will be putting this out to bid to a minimum of three (3) places – it should not cost that much. It is only for the entrance to Marsh Hill Road. So we can see what property it is we own – this will include staking it.

### **RESOLUTION #21-18**

**RESOLVED** that the Town Board authorize the Supervisor to go out to bid to hire a surveyor to survey the entrance to the Marsh Hill Preservation Area.

Seconded by Councilwoman Annabi for discussion.

Councilwoman Annabi said we are not authorizing you to get a surveyor, we are authorizing you to go out to bid for a surveyor. The Resolution above has been altered to reflect that.

The Resolution with the addition of the words "to go out to bid" added has been unanimously carried

**BUILDING DEPARTMENT REPORT- DECEMBER 2020**

Presented by Councilwoman Annabi

**RESOLUTION #R21-19**

**RESOLVED**, that the Town Board accept the Building Department daily fee report and summary for the month of December 2020, for filing with the Town Clerk.

Seconded by Councilman Luongo, unanimously carried

1/4/2021

**TOWN OF PUTNAM VALLEY**  
**OFFICE OF BUILDING & ZONING**  
**265 Oscawana Lake Road**  
**Daily Fee Report - Summary**

From: 12/1/2020 To: 12/31/2020

<b>Fee Type</b>	<b>Count</b>	<b>Amount</b>
ADDITION/ALTERATION	4	\$2,971.00
DECK	1	\$75.00
DEM/R	1	\$100.00
ELECTRI APP/NY ELEC	12	\$360.00
ELECTRIC APP/SWIS	19	\$570.00
FENCE/WALL	2	\$150.00
GAS/PROPANE	6	\$500.00
GENERATOR PERMIT	11	\$900.00
HVAC	6	\$450.00
MG	8	\$600.00
MI	4	\$300.00
OIL TANK	3	\$375.00
OPERATING PERMIT	1	\$100.00
PERM	3	\$257.00
PL	2	\$150.00
RE	12	\$14,336.00
RU	1	\$125.00
SEARC	26	\$3,900.00
SOLAR PANELS	2	\$929.00
WOOD STOVE PERMIT	1	\$75.00
WT/S	4	\$400.00
<b>Total Fees Collected:</b>	<b>129</b>	<b>\$27,623.00</b>
<b>Cash</b>	<b>1</b>	<b>\$100.00</b>
<b>Check</b>	<b>128</b>	<b>\$27,523.00</b>

**BUILDING DEPARTMENT REPORT- 2020 YEARLY REPORT**

Presented by Councilwoman Whetsel

**RESOLUTION #R21- 20**

**RESOLVED**, that the Town Board accept the Building Department yearly fee report and summary for the year of 2020 for filing with the Town Clerk.

Seconded by Councilman Smith, unanimously carried



*yearly*

1/7/2021

**TOWN OF PUTNAM VALLEY**  
**OFFICE OF BUILDING & ZONING**  
 265 Oscawana Lake Road  
**Daily Fee Report - Summary**

From: 1/1/2020 To: 12/31/2020

<u>Fee Type</u>	<u>Count</u>	<u>Amount</u>
ADDITION/ALTERATION	37	\$16,899.00
BEDROOM COUNT REQUEST	4	\$200.00
CW	5	\$375.00
DECK	8	\$1,444.00
DEM/C	1	\$500.00
DEM/R	8	\$800.00
ELECTRI APP/NY ELEC	86	\$2,580.00
ELECTRIC APP/SWIS	146	\$4,380.00
FENCE/WALL	17	\$1,275.00
FIRE INSPECTION	1	\$100.00
GAS/PROPANE	84	\$6,475.00
GENERATOR PERMIT	60	\$4,650.00
HVAC	76	\$6,300.00
IN GROUND POOL	1	\$525.00
MG	53	\$3,975.00
MI	28	\$3,519.00
OIL TANK	46	\$4,825.00
OPERATING PERMIT	6	\$600.00
PELLET STOVE	5	\$375.00
PERM	86	\$22,006.00
PERNC	3	\$20,960.00
PL	42	\$4,220.00
RE	61	\$37,655.00
RHCS	2	\$500.00
RU	13	\$1,625.00
SEARC	236	\$35,250.00
SI	1	\$150.00
SOLAR PANELS	11	\$4,401.00
TENT	1	\$125.00
TREE	5	\$375.00
WELL	2	\$150.00
WETADM	13	\$650.00
WETL	14	\$1,500.00
WOOD STOVE PERMIT	3	\$225.00
WT/S	29	\$2,900.00
<b>Total Fees Collected:</b>	<b>1194</b>	<b>\$191,489.00</b>
<b>Cash</b>	<b>46</b>	<b>\$4,130.00</b>
<b>Check</b>	<b>1146</b>	<b>\$187,229.00</b>

**PARKS AND RECREATION REFUNDS**

Presented by Councilman Smith

**RESOLUTION #R21- 21**

**RESOLVED**, that the Town Board accept the January 2021 refunds for the Parks and Recreation Department as follows:

Damarie Cardona-Reilly 70 Red Mill Road Cortlandt Manor, NY 10567	\$269.00 PVCC refund for not using PVCC
Jennifer Travis 19 Spruce Street Lake Peekskill, NY 10537	\$500.00 LPCC Deposit Refund

Seconded by Councilwoman Annabi, unanimously carried.

**ACCEPT BARGER POND LAKE MONITORING SERVICES FROM NORTHEAST AQUATIC**

Presented by Councilman Luongo

**RESOLUTION #R21-22**

**RESOLVED**, that the Town Board accept the proposal from Northeast Aquatic Research, LLC, 74 Higgins Highway, Mansfield Center, CT 06250 for lake monitoring services on Barger Pond to ascertain the pond condition, for 2020/2021. Several assessments will be done with a total project cost of \$12,835.00. The scope of work is attached for your review.

It was agreed by residents at the 2021 District Budget Meetings that one-third of the cost would be paid for by each of the two (2) Park Districts, (Barger Pond Park District and Putnam Acres Park District), as well as the private Three Arrows Community. The Town has already received \$4,300.00 from Three Arrows.

Seconded by Councilwoman Annabi, unanimously carried

**PERSONNEL CHANGES**

Presented by Councilwoman Annabi

**RESOLUTION #R21-23**

**RESOLVED**, that the Town Board appoint Karen Kroboth to the position of District Clerk on a 90 day provisional basis dependent upon her passing both the Clerk and Senior Clerk Tests when they are given. Salary will be at Step 2 of the CSEA Clerk Salary Schedule which is \$42,623.00.

Councilwoman Annabi said it should not be based on the Clerk and Senior Clerk tests because it should be based on the Clerk Exam, and redone when she is made Senior Clerk. Supervisor Oliverio said he spoke to Paul Eldridge who recommended it be done this way because the classification for the position is Senior Clerk. This does not mean she automatically becomes a Senior Clerk. These tests will be given in late March or early April. Councilwoman Annabi asked if this makes her part of the Union – it should not until she takes the tests. Supervisor Oliverio said she cannot become part of the Union until she passes the tests. This Resolution makes her a provisional employee only. Supervisor Oliverio will be interviewing whoever is already on the Civil Service list that is interested. Councilwoman Annabi said this is a Civil Service position and that is why it was not posted to the public. We are going to all miss Judy Travis who is retiring. This is a large complicated job and that is why it is a Senior Clerk position.

Seconded by Councilwoman Whetsel, unanimously carried.

**APPROVAL OF MINUTES**

Presented by Councilwoman Whetsel

**RESOLUTION #R21-24**

**RESOLVED** that the Town Board authorize the Supervisor to approve the minutes from the December 9 and December 16, 2020 Town Board Meetings. Also, the December 16, 2020 Organizational Meeting Minutes; and the January 6, 2021 Prewrite Session Meeting minutes

Seconded by Councilwoman Annabi, unanimously carried

**AUDIT OF MONTHLY BILLS**

Presented by Councilman Smith

**RESOLUTION #R21-25**

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

<b><u>VOUCHER NUMBERS</u></b>	<b><u>AMOUNTS</u></b>
33451-33580	11,356.00
33479-33577	57,701.62
33495-33560	10,722.94
33195-33398	33,274.57
33241-33354	89,511.50
33259-33360	45,590.11

Seconded by Councilwoman Annabi, unanimously carried.

**BUDGET TRANSFERS AND AMENDMENTS**

Presented by Councilman Luongo

**RESOLUTION #R21-26**

**RESOLVED**, that the Town Board approve the following budget transfers and amendments:

*yearly*

1/7/2021

**TOWN OF PUTNAM VALLEY  
 OFFICE OF BUILDING & ZONING  
 265 Oscawana Lake Road  
Daily Fee Report - Summary**

From: 1/1/2020 To: 12/31/2020

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PERNC	3	\$20,960.00
PL	42	\$4,220.00
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RHCS	2	\$500.00
RU	13	\$1,625.00
SEARC	236	\$35,250.00
SI	1	\$150.00
SOLAR PANELS	11	\$4,401.00
TENT	1	\$125.00
TREE	5	\$375.00
WELL	2	\$150.00
WETADM	13	\$650.00
WETL	14	\$1,500.00
WOOD STOVE PERMIT	3	\$225.00
WT/S	29	\$2,800.00
<b>Total Fees Collected:</b>	<b>1194</b>	<b>\$191,489.00</b>
<b>Cash</b>	<b>46</b>	<b>\$4,130.00</b>
<b>Check</b>	<b>1146</b>	<b>\$187,229.00</b>

Date Prepared: 01/20/2021 10:48 AM

**TOWN OF PUTNAM VALLEY**  
**Budget Adjustment Form**

GLR4150 1.0  
 Page 2 of 2

Account No.	Account Description	Amount
SM08.1990.410	DAM.FENCING FOR CARP	150.00
SM08.7180.400	BEACH.SUPPLIES	-0.01
SM08.8160.431	SOLID WASTE DISPOSAL	0.01
SM09.8320.453	WATER.CHEMICALS	7.88
SM09.8320.472	WATER.MAINTENANCE AND REPAIRS	-7.88
<b>Total Amount:</b>		<b>0.00</b>

Date Prepared: 01/20/2021 10:48 AM

**TOWN OF PUTNAM VALLEY**  
**Budget Adjustment Form**

GLR4150 1.0  
 Page 1 of 1

Year: 2020      Period: 12      Trans Type: B2 - Amend      Status: Posted  
 Trans No: 113848      Trans Date: 12/31/2020      User Ref: MANGELICO  
 Requested:      Approved:      Created by: MANGELICO      01/20/2021  
 Description: BUDGET AMENDMENTS FOR FISCAL YEAR ENDED 12/31/2020

Account # Order: Yes  
 Print Parent Account: No

Account No.	Account Description	Amount
A.1010.400	TOWN BOARD.PLANNING/LEGAL CONSULTING	1,625.00
A.1420.400	LAW.SPECIAL LEGAL COUNSEL	21,582.29
SW01.6320.416	WATER PURCHASE	3,722.00
<b>Total Amount:</b>		<b>26,930.29</b>

Seconded by Councilwoman Annabi, unanimously carried

**PUBLIC COMMENT**

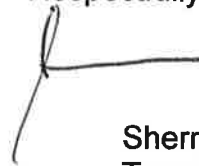
Councilwoman Annabi asked about the sanitization of the Town Hall Building. I know we sanitized about a month ago, but are you looking into a monthly procedure or purchasing a unit that our maintenance guy can do? Supervisor Oliverio said he looked into it and it's cheaper to do the monthly cleaning, I do not want to buy the equipment because it requires maintenance and the additional purchase of the chemicals. The equipment itself costs about \$4,000.00. We also don't have anybody trained to use it. Supervisor Oliverio said the treatment is good for 90 days so he would rather have the building cleaned every six (6) weeks or so. The minute someone walks in with Covid, even after the building has been cleaned, and you walk into their air stream all the sanitizing in the world cannot keep you safe unless you have your mask on. Councilwoman Annabi asked if Supervisor Oliverio looked into the night time fogger. Supervisor Oliverio said he did not look into the fogger. Councilwoman Annabi said it is something the company monitors and can do at night. Supervisor Oliverio said how can a fogger in the middle of the hallway do all that? Councilwoman Annabi said it is on the website of this company we have used, you should call them up and ask them. Councilman Luongo said the training to use the machine if you purchased it is less than ½ an hour. The cost for the equipment is not that expensive, under \$2,000.00. He said our maintenance person could be doing this once a week, every week. You can even spray on paper, it is such a fine mist. He will get some more information. Councilwoman Annabi said we should be more proactive. The new strain is more potent and we should be careful. When you are wearing your mask you have to have your nose covered too. It just takes a second for someone to catch it. Supervisor Oliverio will look into it.

Resident Leo Alves said if you look on the Town's website you will see the names of all the people on the various Boards and Commissions. What is lacking are the names of the members of the Climate Smart Task Force. The minutes of that Board are not there either. Councilman Smith and Videographer Anthony Arrien will take care of this tomorrow. Mr. Alves would also like to see their minutes so he can know what is going on.

Supervisor Oliverio moved to close the meeting at 8:22 PM.

Seconded by Councilman Luongo, unanimously carried.

Respectfully Submitted



Sherry Howard  
Town Clerk  
02-08-2021

