

PUTNAM VALLEY TOWN BOARD
REGULAR MEETING
WEDNESDAY, APRIL 21, 2021
6:00 PM

REGULAR MEETING AGENDA
MEETING HELD VIA ZOOM

Pledge of Allegiance

**PUBLIC HEARINGS ON THE NOISE ORDINANCE (REVISION #3), AND THE
ROARING BROOK LAKE COMCAST CONTRACT**

Assemblyman Kevin Byrne Report

1. Departmental Reports
2. Supervisor's Comments
3. Legislative Report
4. School Report
5. Resolution – 90 day Extension of Clerks position
6. Authorize Supervisor to sign solar grant contract with NYSERDA
7. Authorize Supervisor to sing contract with Unifirst Corporation
8. Parks and Rec Personnel
9. Districts – Seasonal Employee Additions
10. Audit of monthly bills
11. Approval of Minutes

PUTNAM VALLEY TOWN BOARD
PUBLIC HEARINGS
WEDNESDAY, APRIL 21, 2021
6:00 PM VIA ZOOM

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

ALSO PRESENT: Town Clerk Sherry Howard
Town Counsel Robert Lusardi

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

PUBLIC HEARINGS – NOISE LAW AMENDMENT REVISION #3

Presented by Supervisor Oliverio

Supervisor Oliverio said this is Revision #3 of the Noise Ordinance Amendment. We have listened to both sides and have tried to come up with a happy medium. No matter what is decided somebody will not be happy. We are trying to get it to where people are protected from sound without disrupting everyday life.

Resident Gary Larsen said he noticed the one (1) day celebration exception is still in, but at least the 15 minutes was taken out. He does not believe the one (1) day celebration should be in there at all as an exception. Supervisor Oliverio said that this revision of the Noise Ordinance does kick-in at 8:00 PM, so whatever is going on would have to end at 8:00. Mr. Larsen said he feels that in one (1) section of the law one (1) day celebrations are exempt from the 8:00 curfew, and in another part of the ordinance they are not, which seems contradictory. Mr. Larsen said he feels that any kind of celebration at all should not have an unlimited decibel level. He added that somebody could drive an 18 wheeler flat bed with concert size speakers into their yard and play music as loud as they want during the day, as long as they shut it down at 8:00 PM. There should be a decibel limit on parties. This is not to say there should be no parties, this is just to set up parameters. There should be rules and limits just as when you build a house. The Towns around us all have noise ordinances that make sense. He will send the Town Board a copy of Phillipstown's Noise Ordinance.

Resident Stacey Tompkins said we need to respect our neighbors. Ms. Tompkins says she has many parties and sometimes they can be a little noisy but she respects everybody. Where is this going? Where is this line drawn? At 8:00 at night in the summer it is still light out. Also, 70 decibels is too low. My speaking right now is probably 70 decibels. Who's going to monitor it and enforce it? She is completely against it.

Councilwoman Annabi said if someone wanted to abuse any law they can. One of the things mentioned was someone bringing in concert size speakers in a residential area. If someone were to do that and we don't change the noise ordinance would that fall under the Town's Nuisance Law? Town Attorney Lusardi responded and said there is a common law tort, (a nuisance), where you are unreasonably annoying another person by your conduct, or by use of your property. A nuisance can be anything i.e. smoke, noise, bells, odors etc. The Zoning Code or Noise Ordinance is a statutory provision outlining what the Municipality has set as limits. Those limits may be less than/or more than what constitutes a nuisance. They are two (2) different things but they do relate. One of the ways that they relate is that when you are claiming there is a nuisance from loud music by your neighbor, if there is a statute with a decibel level limitation attached, you now have a claim against your neighbor. The reverse of that is also true, now a neighbor can take advantage of the decibel level imposed, and can say he/she is following what the law says if there is a neighbor complaint. You as the Town Board are allowing loud music on specified days such as birthdays and holidays. Now to enforce this law you have to prove that it's not somebody's birthday. That is the problem.

Resident Christian Russo said that he agrees with Ms. Tompkins and Mr. Lusardi, he believes that a decibel level of 70 is going to be hard to enforce. It's almost conversational volume. If you have four (4) or five (5) people on your back porch talking you may be over the decibel level. Who and how will this be enforced? You are putting an Officer on a call for 15 minutes who may have more important issues to take care of. Mr. Russo thinks this is stepping over boundaries and is not a good idea.

Resident Rusmir Kolenovic said he is in favor of the amendments to the Ordinance. We do need some kind of way of keeping the peace. There are parties every weekend and he can't even open his window to get fresh air. Police Officers enforce speeding with a detector, so this would be enforcing sound with a detector. People want to party and have fun but if your pleasure is affecting my peace, that's where we don't meet. When you are drinking and partying you don't know how loud you are. We need to keep a nice quiet neighborhood.

Lake Peekskill Resident Mario DiGangi said to the gentleman who said 70 decibels is conversational level, this is not true. He went on to say 60 decibels is defined as conversation in a restaurant setting. 70 decibels is 10x that amount. 70 decibels is pretty high for a town law, most set their decibel level at somewhere between 55-65.

He also does not feel that the birthday party/national holiday exceptions are enforceable. Anybody can claim there is a birthday. No one is saying we can't have birthday parties; but we should not have noise that loud.

Gary Larsen spoke said he agrees that 70 decibels is too loud. This is from the property line and in Lake Peekskill our houses are really close together so this threshold will be easier to reach in our area. An Apple Watch can measure decibel levels so you can try using that to get an idea of noise.

Resident Henry Lopez asked has any consideration been given to Town and School events and how this is going to be enforced when they have an outdoor activity. Supervisor Oliverio said the School is its own Municipality. We have no say over what the School does on its own property. They have Municipal sanctity. Mr. Lopez said if they are having an outdoor event how are you going to enforce the Noise Ordinance? Supervisor Oliverio said again that they are their own Municipality but they tend to be cooperative. If we were to approach them and say can you abide by the Town's Ordinance I believe that they would. Mr. Lopez said if the School District can be cooperative why can't our neighbors be treated the same way? Supervisor Oliverio said because all of our neighbors don't always behave that way. Mr. Lopez then asked about Town Day. What if the people who own property near the Town Park do not want to hear the fireworks? What if they don't want to hear the music? Supervisor Oliverio said a Municipality tends to be exempt when tending to its own endeavors. It's a one (1) day event, and no has ever complained about it yet.

With no other comments Supervisor Oliverio motioned to adjourn this part of the Public Hearing. We will discuss this again at our May 5th meeting to see what the Town Board's feelings are. If residents still want to comment you are welcome to still contact us. Supervisor Oliverio said Resident Agnes Powe made a good suggestion but it would take time. She said a Commission should be formed with all sides represented, maybe they could come up with a compromise.

Councilman Luongo said do we still have the time limit included? Supervisor Oliverio said no we took this out. Councilman Luongo said so the neighbor has to endure the noise until he gets sick of it and calls the Police. What Law Enforcement Entity even has decibel meters to enforce this? When the Officer comes what happens? Supervisor Oliverio said the Officer reads the decibel level from his detector from the complainant's property line. He added that the Sheriff's Office does not have decibel meters but the State Police do have them. Councilman Luongo said we could still trouble enforcing this even if it gets passed. As soon as you go over the speed limit is a violation which cannot be said about this law.

Supervisor Oliverio motioned to adjourn the Public Hearing on the Noise Law Amendment Revision #3.

Seconded by Councilwoman Annabi, unanimously carried

319 Lake Drive

Lake Peekskill, NY 10537

April 21, 2021

Town of Putnam Valley Board Members

Town of Putnam Valley Town Supervisor

265 Oscawana Lake Road

Putnam Valley, NY 10537

Subject: Proposed Amendment to Chapter 82; "Noise" Ordinance

I write to comment on provisions of the proposed Amendment to Chapter 82 that sets forth and delineates exceptions. 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.

I have previously commented of the proposed rule and commend the Board for continuing its fact-finding, for holding public hearings and for continuing in its deliberations and for including measurable metrics in the current draft. I write at this time, to point to provisions in the current draft that remain problematic. The proposed draft now includes exceptions (82-7) for "1 day celebratory events (birthday parties or recognized federal holiday parties)". I support the parameter that stipulates that excessive noise should end by 8pm. But raise this question: shouldn't there be additional parameters? Are neighbors to endure a party that conceivably runs 12 hours? with the existing language a party could begin at 8 in the morning and go unimpeded straight through until 8pm. I ask that a beginning parameter or length of time be included...say for example no noise from a party should exceed a period of time; perhaps a 5 hour limit that could begin at any time but that must end by 8pm as being reasonable. I am familiar with many motor boat lakes that only permit such noise from noon to 4pm only on weekends. I find that too restrictive and no one is seeking that here in PV. But we as residents are entitled to certain hours of peace and quiet to while on our own properties, free of noise intrusion by our neighbors. Adding a length of time or beginning parameter would help.

Again, 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 potentially 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

Sherry Howard

From: Tony <tony333@optonline.net>
Sent: Tuesday, April 27, 2021 2:22 PM
To: Sherry Howard
Subject: Noise Ordinance

Hi Sherry,

Please pass my concerns to the Town Board that I have over the Noise Ordinance they want to pass.

Dear Putnam Valley Town board

This Day Time Noise Ordinance is a bad idea. I think you should keep the night time noise ordinance and if you want to tweak it a little that's fine. The 70 DbA level is too low for outdoors during the day time hours.

You have restricting revving of cars. In most cases that's not even enforceable. Let's say your neighbor likes to rev his engine before driving away. Are you going to have the police fine him on the say so of a (Karen) neighbor. No one measured the decibel level. Maybe his car Decibel level is 65 DbA.

I am a mechanic. I do most of the repairs and maintenance on my 4 vehicles and motorcycle and other gas powered devices (chainsaws, leafblower, etc.). Some times you have to rev them to trouble shoot a problem. It's not very often but it is a necessity. Are you going to fine me for that? Are you going to fine the repair shops in our area? You might just put them out of business. Just what we need less tax paying businesses in PV.

I don't see an exemption for Leaf Blowers & Lawn mowers. But you excepted chain saws, snow-blowers and generators. The noise level is the same on all of them and all of them are needed living here in the country. Why are you cherry picking.

I heard in one of your town hall meeting that the Town is except from all of these over reaching laws. If it's such a good law why are you except?

So if you pass this over reaching burdensome Law I expect you to follow it and live by it. So this years Town Day you better not have those loud speakers and No Fireworks. Tell all those loud people to whisper and the baseball games NO MORE CHEERING.

I own a house on Floradan road and my backyard neighbor is the Town Park. I tolerate all this stuff because I am a good neighbor. I believe in live and let live.

But if you force this ridiculous DAY TIME NOISE ORDINANCE on me well then I will have a change of heart. Then I will raise Hell about your very Noisy Town Park. Everyone that comes to the park will have to comply or be ticketed.

I hope you come to your senses and trash this DAY TIME NOISE ORDINANCE.

Just keep the NIGHT TIME NOISE ORDINANCE.

Thank you

Regards
Anthony Armerino
633 Peekskill Hollow rd
&
52 Floradan road

PUBLIC HEARING ON THE ROARING BROOK LAKE COMCAST CONTRACT

Presented by Supervisor Oliverio

Supervisor Oliverio said this is important to the residents of Lake Peekskill otherwise they will not have TV, phone or internet service. Comcast is the only bidder.

**Supervisor Oliverio asked for any Public Comment on this contract.
There were no residents who wished to make a Public Comment.**

Supervisor Oliverio said hearing no Public Comment the Public Hearing on the signing of the Roaring Brook Lake Contract is closed.

Seconded by Councilman Smith, unanimously carried

Councilwoman Annabi added that she wants to hold it open until May 5th. Supervisor Oliverio agreed and said they will hold it over and vote to sign the contract on May 5th.

Seconded by Councilwoman Annabi, unanimously carried

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ASSEMBLYMAN KEVIN BYRNE REPORT

Presented by Supervisor Oliverio

Assemblyman Byrne said he was saddened to hear that Supervisor Oliverio is retiring, he will be very much missed. He added that he wishes he could stop by Town Hall more often to give updates, but with the virus restrictions he can't do that.

Assemblyman Byrne said before Covid he used to have coffee and conversation events to meet and speak with his constituents in every single Town. Now with the virus he is going to have them outside at various locations. He is trying to access the Empire State Trail, but since that does not run through Putnam Valley he will find a spot to have one (1) here. The first one (1) is being held on May 2nd with everyone meeting in the Jilco Parking Lot. It begins at noon with coffee and conversation set up as a Q and A. Then at 1:00 there will be a walk on the Empire State Trail.

Assemblyman Byrne is also launching an Assembly District Art Competition for High School age children. We are partnering with the Putnam Arts Council to do this and will be accepting submissions in May. We are hoping to have an event to honor the applicants in June.

Assemblyman Byrne reported that the budget just passed. It was a little late as it was the year before. It is a 212 billion dollar budget, which is a very large budget, larger than the States of Florida and Texas combined. The good news is that for local budgets there is an increase in infrastructure funding for CHIPS (Consolidated Local Street and Highway Improvement Program). Last year 20% of your CHIPS money was withheld due to the pandemic; but it will now be released soon. Repairing the infrastructure benefits everybody and is a good way for tax dollars to be spent.

Also, the program that assists adults who have Cystic Fibrosis which had been defunded and eliminated in 2020 is being funded again. It is a very important program that helps people with this very serious respiratory illness.

Assemblyman Byrne said another hot topic issue that is being discussed at the County but is mainly on the local governments is the legalization of marijuana. The County does not have the ability to opt out; but local governments can opt out of having dispensaries and public places to smoke it, but no one can opt out of it being legal. Assemblyman Byrne believes that programs of medicinal marijuana access should be expended, but recreational marijuana should remain illegal. Supervisor Oliverio agreed with him on that. He said the Town of Putnam Valley had already opted out last year. It is important to note that this was not in the County's budget; and Assemblyman Byrne agrees because he believes that a revenue source that negatively affects public health should not be part of the budget. They did legalize it prior to the budget being passed. Assemblyman Byrne said there is an option for a Town to hold a Permissive Referendum.

If you have any questions or concerns you can call Assemblyman Byrne at his office at 845-278-2923.

DEPARTMENTAL REPORTS

Presented by Supervisor Oliverio

Councilman Luongo read the Putnam Valley Volunteer Ambulance calls for the month of March 2021 from Captain Sandy Bohl as follows:

There were 62 calls for the Month of March 2021

- 24 medical emergencies
- 4 car accidents
- 3 stand-by
- 7 mutual aid out; and
- 13 mutual aid out of County
- 11 mutual aid in

Councilman Luongo and Putnam Valley Volunteer Fire Department Member read their report for the month of February as follows:

- 1 Controlled Burn
- 6 PIAA's
- 3 Wires Down
- 8 Automatic Alarms
- 2 Investigations
- 4 Stand By/Mutual Aid

1 CO Detector
5 brush fires
3 EMS Assist
1 Fuel Leak/Spill

For a total of 34 calls and 541 man hours for the month of March 2021.

Please remember that the burn ban is still in effect so please be careful. Make sure you call the 845-225-4860 if you are going to burn, so the Sheriff's Department knows there is not a fire at your house.

Councilman Luongo read the following report from Highway Superintendent Larry Cobb:

The drainage projects that were started in Sunny Brook and Canopus Hill are now completed. They are now in the process of working on Albert Lane which is about 400 feet of pipe. They are putting together the plans for the roads that will be repaved this summer. Tree work and regular work is continuing.

Councilwoman Annabi said the library did not give her a report this month; but you can go on their website and view all of the stuff they are doing including virtual tours, book club, etc.

Councilwoman Annabi read the report from Mark Weiss for the Tompkins Corners Cultural Center as follows:

Sunday May 2nd at 2 PM – Pete Seeger Festival and crafts on the lawn.

May 13th – 16th – The new Putnam Theater Alliance will be presenting its first event on line. Check out Putnam Theater Alliance link on our website.

Sunday, May 16th – Tompkins Corners Poets' Corner Live on the Lawn – 3 PM with featured poet Raphael Kosek

Tuesday, May 18th – Monthly Zoom Circle of Song – 7PM

Sunday, May 22nd – 12 noon – Papermaking Workshop at the Center

Sunday, May 22nd – 6:30 PM – Multi-talented singer/songwriter Deni Bonet with Chris Flynn – live on the lawn

Please check our website for updates and details – go to tompkinscorners.org

LEGISLATIVE REPORT

Presented by Supervisor Oliverio

County Legislator Montgomery was on the zoom meeting and made her report as follows:

- Legislator Montgomery said Putnam County is again hosting its Hazardous Waste Clean-up day on May 1, 2021. You need to preregister at 845-808-1390 ext. 43150 at Fahnestock Park.
- There are many events happening for Earth Day. She gave a shout-out to Putnam Valley for your forums with the Community Choice Aggregation. Phillipstown adopted it, and the residents have the ability to opt-out, it has proven to be a great program.
- We were finally able to get the MOU, (Memorandum of Understanding), signed between the County and the Hudson Highlands Land Trust for Granite Mountain Preserve. They have been maintaining it all along.
- Commissioner Pena gave a report at the Physical Services Committee Meeting with an update on the County Roads Project which included Peekskill Hollow Road. She knows there are concerns about this project by both the residents and the Town Board members. She was assured by Commissioner Pena that he has been in communication with Supervisor Oliverio and will keep us updated along the way. Both County Legislator Gouldman and County Legislator Montgomery encouraged the Commissioner to keep the weight limit in place.
- At the Rules Committee Meeting this week they got an update from the Putnam Arts Council where they learned of the grant awardees and one (1) of them is the Tompkins Corners Cultural Center. They were awarded the grant based on the architecture of the Cultural Center. They received \$1,000.00 from the Putnam Arts Council. The art in Putnam County is very important, but the County only contributes \$13,000.00 per year. The Arts Council takes this money and then awards it to 12 different art organizations throughout Putnam County. The arts generates millions of dollars in income to Putnam County. It creates jobs, volunteerism, salaries, supplies, and participants go to our restaurants. She would like to see more money invested in arts and culture.

Councilwoman Annabi read the following report from County Legislator Gouldman

Putnam Valley Town Board Meeting – 4/21/2021

Legislator Bill Gouldman asked me to give his report this month.

**** April is National Donate Life Month. Legislator Gouldman encourages everyone to become an organ or tissue donor. 40% of Putnam County residents are registered donors. 35% of Adults in NYS are registered donors. The national average is 56%. NYS ranks last, of all the states, in percentage of adult organ donors. Let's bring NYS up in the ranks. Please become an organ donor and save a life.**

**** Spring is here. Once again Bill will be coordinating our Annual Town Clean Up. To be held on May 8th and will go till May 16. Legislator Gouldman will supply bags, safety vests, gloves and the necessary equipment to pick up the garbage.**

He would like for everyone to understand the total cost of littering.

- It pollutes the environment
- It affects and can kill wildlife
- It also affects the aesthetic look of our community.

If you are interested in putting together a team to clean up a specific area, please email the location and the number of people to him at

William.Gouldman@putnamcountyny.gov
or call his office at 845-808-1020. He will make sure
you get the proper tools to do the job.

The last few years were such a success with many groups
participating. Let's continue to work together for the
betterment of our community.

** There will be a Putnam County Household Hazardous
Waste Collection Day on Saturday, May 1. From 9am to
12 noon.

Location: Canopus Beach parking lot at Fahnestock Park,
Route 301 in Kent. Preregistration is required. Please visit
the Putnam County website at
www.putnamcounty.com/green-putnam
to schedule your appointment. For more information call
845-808-1390 ext. 43150.

** Many are feeling frustrated and fatigued during this
COVID crisis. If you are having an issue and need emotional
support you can receive free crisis counseling through NY
Project Hope. Please visit their website
www.NYProjectHope.org for coping tips and resources.

You can reach the Putnam County Crisis Hot Line at 845-225-1222

**** The Covid Vaccine is becoming more available. If you are having an issue getting an appointment or if you need more information on this please reach out to Legislator Gouldman at his office.**

**** Bill would like to thank the residents who have reached out to him regarding issues they need help with.**

**** Over the past few months several residents have contacted him about a variety of issues and he was able to help many.**

**** Legislator Gouldman is interested in your concerns. His door is always open. If you see something or have a problem or issue, call his office at 845-808-1020. If he can correct your issue, he will.**

Thank You

SCHOOL REPORT

Presented by Councilman Smith

Councilman Smith said he met with Superintendent Luft who told him that hybrid learning has ended. The students are now either all in or all out. At this time 85% of the students have returned five (5) days a week, they are following all of the safety precautions that the State has mandated.

The sports seasons are moving along; and spring sports are about to start.

May 18th is the School Budget Vote. If you would like an absentee ballot you need to request it this year and covid is a valid reason to obtain one (1). You can request one (1) from the PVCSD.org website or you can call Maureen Bellino at the District Office and request one (1) by May 11th. The budget has come in under the tax cap. Additionally, the two (2) School Board seats that are up are running unchallenged

The International Baccalaureate Diplomas will be awarded this June to Putnam Valley Students which an impressive accomplishment. This is a very high standard. End of the year celebrations are still being evaluated by State guidelines, this includes the prom, graduation, etc.

AMENDMENT TO THE AGENDA

Presented by Supervisor Oliverio

RESOLUTION #21-89

RESOLVED that the Town Board **ADD** the following item to the agenda

#9 – Authorize the Supervisor to go out to bid on the demolition of the Lake Peekskill Pump house.

#10B – Parks and Recreation Refunds

Seconded by Councilman Luongo, unanimously carried.

90 EXTENSION OF SENIOR CLERKS POSITION

Presented by Councilman Luongo

RESOLUTION #R21-90

RESOLVED, that the Town Board of the Town of Putnam Valley reappoint Karen Kroboth to the position of District Clerk on another 90 day provisional basis, as the original 90 days are up. She passed the Clerks Test but needs to pass the Senior Clerks Test when it is given. Salary will be at Step 2 of the CSEA Clerk Salary Schedule which is \$42,623.00.

Seconded by Councilwoman Annabi, unanimously carried

AUTHORIZE SUPERVISOR TO SIGN SOLAR GRANT CONTRACT WITH NYSERDA

Presented by Councilwoman Annabi

RESOLUTION #R21-91

RESOLVED, that the Town Board authorize the Supervisor to sign the grant contract with NYSERDA to install a ground mounted 6.5-kW Photovoltaic (PV) array system on the lawn on the side of the Putnam Valley Parks and Recreation Building. The amount of the award from NYSERDA is \$25,500.00. Additional money for the Town's share (\$15,400.00) will be provided through a grant with the New York State Dormitory Authority. Contract period with NYSERDA runs from December 18, 2020 – December 31, 2021. The Town Attorney has reviewed and approved this contract.

Seconded by Supervisor Oliverio for discussion.

Councilwoman Annabi said that Town Attorney Lusardi was concerned that this would be a lot of additional work for the Town. This grant, which came forward from Councilwoman Whetsel, and been watched by Facilities Manager Sue Manno who has been on top of this since the beginning. Town Attorney Lusardi said that with this grant comes fairly onerous record keeping and compliance requirements. The grant itself is for \$20,000.00 and he suggested that this comes with \$20,000.00 worth of record keeping expense, that's the only issue. Is it worth the managing of this grant? Supervisor Oliverio said he spoke to Ms. Manno and she understands the amount of work involved but is willing to take it on because she has invested so much time and energy in this grant which has taken ten (10) years to come to fruition. Councilwoman Whetsel said this grant is important in reducing our electrical costs and promotes the concept of moving forward using renewable energy. It is well worth the investment. Both Supervisor Oliverio and Councilman Smith agreed.

Supervisor Oliverio said they want to know the wattage used, the amount of money saved, and who is going to be in charge of the maintenance etc. Councilwoman Annabi asked if a 6.5 kilowatt photovoltaic array system will actually save us money. Supervisor Oliverio said we cannot get it any bigger. He added the amount of money we save will depend on usage. We have an oil heating system at Town Hall but it gets so cold in the winter in the offices that most of the offices supplement with portable electric heaters. The more electricity we use the more we will save. It goes back to the energy company and we get a discount on it. We are producing energy for them and they can lower our rates.

Councilman Luongo said we just did a lot of work on solar regulations. Are we going to have a problem ourselves doing it? He does not want to be a Town Board that is a do what I say and not what I do kind of place. Supervisor Oliverio said the size is minimal compared to what we are restricting. Councilwoman Annabi asked Attorney Lusardi if we were going to have any problems. Town Attorney Lusardi said these are free standing units and the voltage is fine. The new law has regulations for side yard setbacks that is the only thing that might possibly apply. As a Municipality we would be exempt from that. Supervisor Oliverio said we would follow the law and if it was necessary we could apply for a variance from the Zoning Department. Councilwoman Whetsel said we had solar engineers come out and review the property to find an appropriate area that would have the greatest access to sunlight. We were then able to go out to bid. We made sure there would be no additional cost to the Town, and we made sure it was going in an appropriate place.

Supervisor Oliverio had previously seconded for discussion.

The Town Board voted on the Resolution with 5 ayes and 0 nays; as such the Resolution is unanimously carried.

AUTHORIZE SUPERVISOR TO SIGN CONTRACT WITH UNIFIRST

Presented by Councilwoman Whetsel

RESOLUTION #R21-92

RESOLVED, that the Town Board authorize the Supervisor to sign the contract with Unifirst for rug service in the Town Hall and Parks and Rec. buildings. The contract is for three years with a 5% yearly price increase cap. This service is bi-weekly and will cost \$132.10 per month for both buildings. This will be a monthly savings of \$71.60 from what we are currently paying now. This expense has been included in the 2021 budget.

Seconded by Councilman Smith, unanimously carried.

AUTHORIZE SUPERVISOR TO GO OUT TO BID ON THE DEMOLITION OF THE LAKE PEEKSKILL PUMP HOUSE

Presented by Councilman Smith

RESOLUTION #R21-93

RESOLVED, that the Town Board of the Town of Putnam Valley authorize the Supervisor to go out to bid on the demolition of the Lake Peekskill Pump House.

Seconded by Councilman Luongo, unanimously carried.

Supervisor Oliverio explained that the Lake Peekskill Improvement District gave up their water supply over 20 years ago. The Department of Environmental Protection gave us time to get rid of the building and now they have put the iron in the fire. We have until July 1st to move on this and we will do it. There is a bid packet ready to go which has to be back by June 1, 2021.

PARKS AND REC PERSONNEL CHANGES

Presented by Councilman Luongo

RESOLUTION #R21-94

RESOLVED, that the Town Board of the Town of Putnam Valley approve the following additions to personnel:

Dannia Jaden, PV Children's Center – Childcare Ass't II, @ \$12.30 per hour.

Seconded by Councilman Smith, unanimously carried.

PARKS AND REC REFUNDS

Presented by Councilwoman Annabi

RESOLUTION #R21-95

RESOLVED, that the Town Board of the Town of Putnam Valley approve the following Parks and Recreation Refunds:

Yelena Roytershteyn 22 Melnick Place Lake Peekskill, NY 10537	\$627.30 PVCC Staying Remote
Atiya Patterson 40 Old Oregon Road Cortlandt Manor, NY 10567	\$738.00 PVCC Not attending
Mercedes Lewis 10 Elm Road Lake Peekskill, NY 10537	\$500.00 LPCC deposit refund

Seconded by Councilman Luongo, unanimously carried.

SEASONAL EMPLOYEE ADDITIONS

Presented by Councilwoman Whetsel

RESOLUTION #R21-96

RESOLVED, that the Town Board authorize the Supervisor to appoint the following 2021 seasonal employees for Lake Oscawana Weed Control. The appointments are effective May 1st, 2021 to October 1st, 2021.

1. Harvester Operator at a rate of \$24.25 per hour, no benefits
Matt Florio, 189 Tanglewyde Road, Lake Peekskill, NY 10537
2. Assistant Harvester Operator at a rate of \$23.25 per hour, no benefits
Earl Smith, 201 Canopus Hollow Road, Putnam Valley, NY 10579
3. Truck Driver at a rate of \$18.00 per hour, no benefits
Steven Mazzarisi, 17 Cherry Lane, Putnam Valley, NY 10579

Seconded by Councilman Smith, unanimously carried.

APPROVAL OF MINUTES

Presented by Councilman Smith

RESOLUTION #R21-97

RESOLVED, that the Town Board approve the Putnam Valley Town Board meeting minutes from March 17th and April 7th, 2021.

Seconded by Councilwoman Annabi, unanimously carried.

AUDIT OF MONTHLY BILLS

Presented by Councilman Luongo

RESOLUTION #R21-98

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

<u>VOUCHER NUMBERS:</u>	<u>AMOUNT:</u>
34228-34270	23,901.68
34005-34263	146,638.15
34026-34265	74,564.30

Seconded by Councilwoman Annabi, unanimously passed

Supervisor Oliverio expressed his appreciation to everyone who remembered his beloved dog Memphis who passed away. Memphis was as much part of our Town as anyone. He loved to come to the meetings and he loved to come to Town Hall. He was a great companion.

Councilwoman Annabi said she would like an update regarding the Marsh Hill survey. Supervisor Oliverio said Todd Atkinson's Company is preparing it as we speak.

Councilwoman Annabi reminded everyone that this weekend in conjunction with the Putnam Prevention Council there is a medicine take back event on Saturday at Town Hall between 9:30 AM and 12:30 PM.

Also this weekend there will be more street clean up. So far they have done Kramer's Pond Road, Church Road, and parts of Peekskill Hollow Road. This weekend they will be working on parts of Oscawana Lake Road. Councilwoman Annabi reported that so far our Town Highway Crew and the County Highway Crew have picked up about 60 bags of trash.

Councilwoman Annabi asked people to respect our community and stop throwing trash out of their car windows. Also Saturday from 10 AM to 4 PM there is a huge tag sale going on at the Town Park.

Councilman Luongo added that at the Town Park on Saturday the Fire Department is holding a Fire Prevention Event and a recruitment and retainment time.

Councilwoman Annabi said Gene Yetter from the Coast Guard Auxiliary wants to remind everybody that there is going to be a boating safety class on Sunday May 2nd from 8:30 AM to 5:00 PM at the Putnam Valley Town Hall. You do need to call and make a reservation because there are covid protocols in place. The cost for the class is \$25.00 per person. You can contact Gene Yetter at gyetter@optonline.net.

Councilwoman Annabi asked Councilman Smith a question she had after attending the last CCA virtual meeting. She said she asked a few questions of Jeff Domanski at the meeting and has not gotten an answer as of yet. The biggest problem is the mailings. She said from what she understood from Jeff, the contract needed to be signed, because they needed that to do the educational portion. According to Jeff, now, the education portion does not start until the whole Town is opted in which happens automatically, as you need to opt out if you choose not to be in it. The residents have not received any promised mailers, the only information that's out there right now is via zoom. We have a lot of seniors that do not know how to use zoom. They do not have the education that Jeff and Joule said they were going to bring forward to these residents. The second issue is the NYSE&G issue. They will not do the third party billing with NYSE&G. You have people with budget billing who will not be able to add this third party biller onto their NYSE&G bill which will also affect seniors. Supervisor Oliverio asked Councilman Annabi if she asked Mr. Domanski these questions to which Councilwoman Annabi said that she did.

Councilman Smith said he thinks Councilwoman Annabi is thinking about the two (2) educational areas that the Public Service Commission requires. There is a two month education and outreach period before any mailing is done. He added that Jeff has said if there are any people you want him to reach out to he will do that. Then after that there is another required education period, these are all by the Public Service Commission. Councilman Smith said he has been looking at other parts of the CCA recently and there are other communities around us that have been asking to be part of the CCA. Kent is looking into this as well and is very interested. We want to be careful about anything connected with this. This is not a done deal or a mandatory thing. This is an educational and outreach time where we investigate and find out about these things. Councilman Smith will mention this to Jeff and bring back the information; or you can ask him yourself. He realizes that the senior's in our Town have to have a presentation and have to be addressed. We are on an on-going quest to save our residents money.

Supervisor Oliverio said he is interested in the third party billing aspect. That is important to our seniors who are on a fixed budget. NYSE&G had said they can't do that if Joule is dealing with the supplier. Councilwoman Annabi said she was told by Jeff in an e-mail that NYSE&G will not do the budget billing for a third party company. That's a problem for most of our seniors. In addition, right now the Senior Center is still closed so you cannot communicate with our seniors there. She said that Joule said they were going to do postcards and mailings but that did not happen. Supervisor Oliverio said the postcards will go out after the initial education period. Councilwoman Annabi responded that the postcards go out because everyone would have to opt-in at that time. Supervisor Oliverio said we would have to sign a contract for that and we are not signing a contract. Councilman Smith said if you are saying that people are not getting this information and we have a resource or a way to get people information, that resource should be shared. This investigation is to cost us nothing. One (1) of the ways they have used is the zoom meeting. Jeff has sent out emails to the Library and other places asking if there is any group that can be addressed. Councilwoman Annabi said her concern and the concern she is hearing when the seniors come and pick up their lunches is they are looking for a mailer. Seniors are not adept at or they don't even have a computer to do a zoom meeting. They are expecting an explanation in the mail before they are opted in automatically to the program. The whole reason for the contract was to educate people with mailers, postcards etc. Councilman Smith said he never said there was a mailer as part of the educational process. Councilman Smith added that we can tell Joule of the problem with getting the information to Senior's and ask them to do a mailer. If they say they can't do that it would be a reflection on their company.

Councilwoman Annabi countered and said when Jeff Domanski spoke he said Joule and the not-for-profit would spend money on mailers to make sure all of our residents were aware of what this was about. Supervisor Oliverio said they have a pamphlet that he has seen which explains the process. They could mail that to our seniors so they would have that information in hand. We could give them a list of our senior's addresses. Councilwoman Annabi was under the impression that the whole Town was going to get these mailers as it does affect the entire Town. Councilman Smith said he was not sure that was communicated and the zooms are shown on TV on Channel 20.

Councilwoman Annabi asked Town Attorney Lusardi if he remembered the part of the Joule contract that the Board approved specifically stating that they were going to do educational mailers. Town Attorney Lusardi said he does remember the part about them doing education, but does not specifically remember them mentioning mailers.

County Legislator Montgomery said they went through this in Phillipstown and it was a long process. We also had the same consultant and she is confident you will receive the necessary information. She got so many things in her mailbox, so maybe it's a missed communication. If someone says I don't want to do this because they have no information, let's get them the information, it is available. There won't be that many people that will be frightened by this, it is new though.

Supervisor Oliverio said that Mr. Domansky said everything will be done with no cost to the Town, including the mailing. Councilman Smith that's why the education process is two (2) months not two (2) days, these are things that have to get worked out. He does not see this as a freight train rolling down the tracks.

Councilwoman Annabi said to County Legislator Montgomery that Mr. Domansky said that Joule has never dealt with NYSE&G, only very far upstate. The biggest concern we have is that they will not work with anyone who has budget billing.

Legislator Montgomery said maybe there is a way they can work this out, NYSE&G does offer third party vendors that they do bills for. Councilman Smith said he is fairly certain that Mr. Domansky said there had to be a request done in order to do that billing, it will not be done automatically, I will check this with him.

Town Attorney Lusardi said he was copied on an email from April 9th from Jeff Domansky where he was addressing this issue. Attorney Lusardi read the following from that email as follows: "Joule has CCA programs in NYSE&G territory upstate and my counterpart not-for-profit indicated that when a customer switches to an ESCO privately or via a CCA, a customer has to call the ESCO and ask them to put the electric supply into a budget. My upstate counterpart shared this FAQ language which we would adapt for our purposes including within the launch mail package if/when the CCA launches." Town Attorney Lusardi said so you do have to contact NYSE&G if this program goes through, but they will put you into a budget program. It's not like it's not available.

Councilman Luongo said the Fire Department will be at the Town Park from 10:00 AM to 4:00 PM. on Saturday. Also, on Saturday May 15th there will be a fundraising car show for our 75th anniversary at the Fire House. It starts at 10:00 AM and ends at around 2:00 PM. There will be prizes chosen by ticket. Cars cost \$10.00 and there is a \$5.00 admission fee, children under 12 are free. Masks are required.

Councilwoman Annabi suggested the Town Board have an Executive Session to discuss the appointment of the new Assistant Highway Superintendent. Supervisor Oliverio did not think that was necessary as he was meeting with the Union Attorney during the week. Councilwoman Annabi said that the Town Attorney who knows nothing of this should be informed because she thinks he should be involved in the meeting. Supervisor Oliverio said Highway Superintendent Cobb does not want anyone else in the meeting besides himself, Supervisor Oliverio and the Attorney for the Union. It will be a simple negotiation.

Supervisor Oliverio moved to close the meeting at 5:44 PM.

Seconded by Councilwoman Whetsel, unanimously carried.

Respectfully Submitted



**Sherry Howard
Town Clerk
05-03-2021**