

PUTNAM VALLEY TOWN BOARD
PRE-WORK SESSION
WEDNESDAY, MAY 05, 2021
5:00 PM

PRE-WORK SESSION AGENDA

Pledge of Allegiance

Supervisor's Comments

1. Discussion of revision #3 of noise ordinance
2. Authorize Supervisor to sign Comcast Contract.
3. Set Public Hearing for Zoom Meeting on RBL Parking Regulations and No Parking on Aqua Lane for 5/19/21.
4. Authorize Supervisor to sign the retainer for legal action against the PFAS chemical manufacturers.

Facilities

5. Authorize Supervisor to sign Canon Lease Agreement for Parks & Rec. Copy Machine.

Highway

6. Approve purchase of Vacall Allsweep Model AS-13D

PUTNAM VALLEY TOWN BOARD
PRE-WORK SESSION
WEDNESDAY, MAY 05, 2021
5:00 PM

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.

SUPERVISOR'S COMMENTS

Supervisor Oliverio said congratulations and thank you to Sheryl Luongo for doing the Military Banners which honors our Town's Veterans. There are 40 new ones this year along with the ones from last year. Thank you to Doug Montarulli, and the Highway Crew especially Sean Van Horn, Shawn Keeler, Jason Cobb, and Mike Lesson.

DISCUSSION OF REVISION #3 OF NOISE ORDINANCE

Presented by Supervisor Oliverio

Supervisor Oliverio said you can't please everyone, but our current law is unenforceable. It outlaws too many things that should not be outlawed like fireworks and people who set up shooting ranges on their own property. It also currently limits construction and things like that. He asked the Town Board for their thoughts and opinions and wanted to know if they should move forward with it.

Councilwoman Annabi said the Revision would also be unenforceable because you can't guarantee the Sheriff will come. It also includes a fine or jail time for up to 15 days which is insane. It also leaves residents to have to prove that it is someone in the family's birthday. Supervisor Oliverio said there would be no jail time for the first offense. He said he guesses for right now we will have to live with what we have.

Councilman Luongo said there are too many limits to Revision #3. It does not allow for Graduation parties or other occasions like a wedding reception. He has some concerns about the conditions. He added you can't party after 8:00 at night but you can start partying at 8:00 in the morning and go 12 hours; so he cannot vote for the law.

Councilman Smith said the research he has done leaves him thinking this is a steep mountain to climb; but he does not want to give up. Resident Agnes Powe suggested a committee be formed of people in the community who could discuss it and come up with something satisfactory to the majority. He feels badly for people who have to deal with those who are unneighborly.

Councilwoman Whetsel said she agrees with Councilman Smith. She does not understand people who are not respectful. She noted that someone mentioned how much sound carries across the lake. She wondered how many people have complained about noise in the last few years. Supervisor Oliverio said he has had six (6) noise complaints in his six (6) years in office. He said the current law is useless and restrictive so we do need a solution.

Councilwoman Annabi asked Town Attorney Lusardi if he could come up with something after hearing everyone's concerns. Attorney Lusardi said he is more than willing to help but his 1st draft was not well received. He thought that a commission was a good idea and he would help with it. Supervisor Oliverio said Councilman Smith could head this up as he is the Lake Peekskill liaison. Councilman Smith suggested there should be a representative from every district. Supervisor Oliverio agreed and said for now the current law will remain as is.

Councilman Luongo said we need to close the Public Hearing which was still open from our last meeting.

RESOLUTION #R21-99

RESOLVED, that the Town Board of the Town of Putnam Valley does hereby close the Public Hearing on the Amendments to the Noise Ordinance held on April 21, 2021 at 6:00 PM via zoom (Revision #3).

Seconded by Councilwoman Annabi, unanimously carried.

AUTHORIZE SUPERVISOR TO SIGN THE COMCAST CONTRACT

Presented by Councilman Luongo

RESOLUTION #R21-100

RESOLVED, that the Town Board of the Town of Putnam Valley does hereby close the Public Hearing on the Comcast Contract that was held on April 21, 2021 at 6:00 PM via zoom (Revision #3).

Seconded by Councilwoman Annabi, unanimously carried.

RESOLUTION #R21-101

RESOLVED, that the Town Board of the Town of Putnam Valley does hereby authorize the Supervisor to sign the Roaring Brook Lake Comcast Contract for the Roaring Brook Lake Community for their cable and telephone service.

Seconded by Councilwoman Whetsel, unanimously carried.

ROLL CALL VOTE

| | |
|----------------------|-----|
| COUNCILMAN SMITH | AYE |
| COUNCILMAN LUONGO | AYE |
| COUNCILWOMAN ANNABI | AYE |
| COUNCILWOMAN WHETSEL | AYE |
| SUPERVISOR OLIVERIO | AYE |

By a vote of 5 AYES to 0 NAYS the Resolution passes.

**SET PUBLIC HEARING FOR ZOOM MEETING ON RBL PARKING REGULATIONS
AND NO PARKING ON AQUA LANE FOR 5/19/2021**

Presented by Councilwoman Annabi

Councilwoman Annabi said Roaring Brook Lake would like a law for parking regulations. It will match what the rest of what our districts have. The law and zoom instructions for the Public Hearing will be posted on our website.

RESOLUTION #R21-102

RESOLVED, that the Town Board set a Public Hearing date of May 19, 2021 at 6:00 via zoom to hear public comment on Parking Regulations for Roaring Brook Lake. Immediately following there will be a second Public Hearing for "No Parking" on Aqua Lane as it is a fire hazard, emergency usage.

Seconded by Councilman Smith, unanimously carried

**AUTHORIZE SUPERVISOR TO SIGN THE RETAINER FOR LEGAL ACTION
AGAINST THE PFAS CHEMICAL MANUFACTURERS**

Presented by Councilwoman Whetsel

Seconded by Supervisor Oliverio for discussion.

Supervisor Oliverio said the State of New York's Department of Health recently came out with a warning about PFAS chemicals. They are the fire retardant chemicals in foam that they use in airports when planes catch on fire, or what they use in our clothes to keep them from burning. They found out that PFAS is a long term carcinogen that may cause cancer if you have too much exposure over many years. It is also insidious because a tablespoon poured into a swimming pool will permeate molecularly throughout the entire pool. It disburses throughout the water. The State has gone to an extremely low level where they claim it could be toxic. We have the lowest amount and yet we have got to set up this huge remediation filtration system as does the Elementary School. We have been told that the amount we have here at Town Hall will not harm us; but because there is a trace in there we must filter the water. This is very expensive and will cost tens of thousands of dollars. All of the Towns and all of the School Districts are joining together in a law suit against the manufacturers of this. We are not asking for damages, just the cost of the remediation. When they were doing the study they discovered that the manufacturers of this chemical knew it was a carcinogen so they are now being taken to task by this legal consortium. There is no cost to us at all. The School District is part of this as well. This does not affect the Middle School and the High School, just the Elementary School. We have never used that foam here but it could be at a house or a factory a mile away but it got into the aquifer.

RESOLUTION #R21-103

RESOLVED, that the Town Board sign a retainer contract with Napoli Shkolnik, PLLC, Attorneys At Law, 360 Lexington Avenue, NY, NY 10017; Re: the investigation of potential groundwater contamination by PFC's.

Previously seconded by Supervisor Oliverio for discussion.

Supervisor Oliverio voted aye
Councilman Smith voted aye
Councilwoman Annabi voted aye
Councilwoman Whetsel voted aye
Councilman Luongo abstained as he is a member of the Putnam Valley Volunteer Fire Department

By a vote of 4 ayes and 1 abstention the Resolution is passed.

AMENDMENT TO THE AGENDA

Presented by Councilman Smith

RESOLUTION #21-104

RESOLVED that the Town Board **DELETE** the following item on the agenda.

#5 – Authorize the Supervisor to sign the Canon Lease Agreement for a Parks and Rec copy machine.

Seconded by Supervisor Oliverio for discussion

Supervisor Oliverio said we got a bid from Canon, Counsel Lusardi reviewed it and there are some areas of concerns. We are going to wait until those concerns are resolved and then we can vote on it.

The Resolution was voted on and was carried with 5 ayes and 0 nays.

AUTHORIZE SUPERVISOR TO SIGN CANON LEASE AGREEMENT FOR PARKS AND REC COPY MACHINE

This item was removed from the agenda, (see Resolution above)

APPROVE PURCHASE OF VACALL ALLSWEEP MODEL AS-13D

Presented by Councilman Luongo

RESOLUTION #R21-105

RESOLVED, that the Town Board authorize the Highway Department to purchase a new Vacall Allsweep Model AS-13D from BAHR Sales, Inc. on Sourcewell contract #122017-GRD for the price of \$300,160.27. The truck will be paid for from the 2021 Highway Budget and new BAN at the end of the month.

Seconded by Councilwoman Annabi, unanimously carried.

Supervisor Oliverio said after this month all meetings will be held live, and the Public will be let in, with a maximum of 10 allowed at one (1) time. We can spread the chairs around to allow for social distancing. The Town Board Members will return to the podium. The Town Hall employees are 100% vaccinated, and the Highway Department is about 90% vaccinated. The buzzer at Town Hall will remain in place for safety.

Supervisor Oliverio moved to close the meeting at 5:28 PM.

Seconded by Councilwoman Annabi unanimously carried.

Respectfully Submitted



Sherry Howard
Town Clerk
05-07-2021

