

Regular Meeting of the Town Board of Putnam, October 9th, 2014

The meeting was opened and began by auditing the bills, the Supervisor's monthly report and the Town Clerk's monthly report. The meeting was started with Supervisor John LaPointe leading the Pledge of Allegiance. Roll call was taken with the following members present:

Present: Supervisor John LaPointe
Councilman Greg Harris
Councilman Kevin Hart
Councilwoman Cathie Burke
Councilwoman Shirley Randall

Others present:

Patricia Wilson (Town Clerk); Mary Jane Dedrick (Deputy Town Clerk); Gary Treadway (Highway Superintendent); Bob Rudt, Cee McKenzie, Darlene Kerr, Bert Windle, Peter Leyh, Nathan Hall, Michael O'Connor and Town Attorney John Brietenbach.

Resolution #89

ACCEPT THE MINUTES OF THE SEPTEMBER 2014 TOWN BOARD MEETING

On motion of Councilman Harris, seconded by Councilwoman Burke the following resolution was ADOPTED; Ayes 5, Nays 0

Resolution #90

ACCEPT THE SUPERVISORS MONTHLY REPORT FOR SEPTEMBER 2014

On motion of Councilman Hart, seconded by Councilwoman Randall the following resolution was ADOPTED; Ayes 5, Nays 0

Resolution #91

ACCEPT THE TOWN CLERKS MONTHLY REPORT FOR SEPTEMBER 2014

On motion of Councilwoman Burke, seconded by Councilman Harris the following resolution was ADOPTED; Ayes 5, Nays 0

Resolution #92

PAY AUDITED BILS

On motion of Councilman Hart, seconded by Councilwoman Burke the following resolution was ADOPTED; Ayes 5, Nays 0

RESOLVED that bills be paid on Abstract #10 in the following amounts:

General Account	# 272 - 301	\$ 12,918.58
Highway Account	# 174 - 193	\$ 14,819.19
Royal Anchorage	# 4	\$ 375.00
Black Point Sewer District	# 8	\$ 13,363.96

CORRESPONDENCE

Supervisor LaPointe received a letter of resignation from the Honorable Dennis Kane, Justice of Putnam Town Court. He will continue his judicial duties until 10-31-14. He explains that due to personal health issues and employment opportunity restraints, as well as his court work, dates and time, he will be unable to continue as Town Justice.

Resolution #93

RESIGNATION OF THE TOWN JUDGE

On motion of Councilman Harris, seconded by Councilman Hart, the Town Board agreed to accept Judge Dennis Kane's resignation as Putnam Town Justice.

Supervisor LaPointe will contact the Judge from Clemons to make arrangements for him to fill in until other arrangements can be made.

COURTESY OF THE FLOOR

Bert Windle

Mr. Windle has come tonight to represent himself and his family. We have been here 25 years and for 25 years he has seen his taxes go up. He wants to compliment the Board, he also finds fault with the Board with regards to the issue of the previous assessor and the money that was lost due to neglect or lack of concern was approximately \$6,000.00. He was told by the Supervisor that the check was in the mail year after year. Mr. Windle would like to request reimbursement from her for the monies that she lost. Supervisor LaPointe points out that the money was received a couple of months ago and has been deposited. The Supervisor will get a copy for Mr. Windle.

The Town Supervisor wrote a letter to one of the B.A.R. representatives, terminating his position, and each of the Board members signed the letter. In Mr. Windles opinion it was bad judgment at best and illegal at worst. Not only was it wrong, but it sent a bad message to others members of the B.A.R.. Mr. Windle also points out that about a year ago, the Supervisor reported that they would no longer accept correspondence or courtesy of the floor from people that were not in attendance for the Town Board meeting, and he feels that to take away someone's ability to have input to the Board and openly read into the minutes is wrong. Mr. Windle also discussed equalization rates from 2005 and 2010. On the recommendation of the previous assessor, they hired Maxwell Appraisal Service,

and in his opinion that was the biggest disaster the town has ever seen. Mr. Windle continued to express his concerns for the Lake George property owners and his dissatisfaction with the taxes and the former assessor as well as her job performance.

At this point, the Supervisor reminded Mr. Windle that the allotted 5 minutes for courtesy of the floor had been met. Another attendee offered his time to Mr. Windle, at which point the Supervisor explained that any extension of time would be granted by the Board, and it would not be passed from person to person. Another 5 minutes was awarded to Mr. Windle as a courtesy. Mr. Windle proceeded to continue expressing his concern for the actions of the former assessor. Councilman Hart asked Mr. Windle why he continued to express concern for a person that has since been replaced and is no longer in that position, with the Supervisor stating that he was "beating a dead horse" and to please get to his point. Mr. Windle then expressed his concern about the recent B.A.R. dismissal and possible replacement.

Peter Leyh

Mr. Leyh had previously asked the Board to consider extending the courtesy of the floor time limit from 5 minutes to 10 minutes and states that he never received any response to this issue. He would like to know if the Board has considered this change? Supervisor LaPointe responded that he felt 5 minutes was fair and that it was up to the Board's discretion to extend the time limit. Mr. Leyh would like the Board to take another month to consider his request and get back to him.

Mr. Leyh stated that in last months meeting, he informed the Board that the mats that were laid to clean up the Asian Clams at the Glenburnie site, cost \$40,000.00, and it was not recorded and therefore he would like that recorded into the minutes. Supervisor LaPointe stated that he had never seen that number from anyone and asked Mr. Leyh to get him something official. Mr. Leyh felt that the Supervisor did not trust him or his word.

Mr. Leyh then wanted to address his dismissal from the B.A.R.. Mr. Leyh feels that he has done his job "extraordinarily well". Supervisor LaPointe explained that he felt that Mr. Leyh was not performing the job with an "open mind", however the Board has since rescinded the termination and it would be addressed. Mr. Leyh requested something in writing along with an apology. A heated discussion followed with many accusations. Councilman Hart suggested that they address this with a civil matter and that they would get with the Towns Council and they would clear this issue up. Mr. Leyh feels that the Supervisor was "coming at him and making accusations", Councilman Hart stated that this was a formal meeting and it should be addressed as such and that they would get with the Town Council and clear the matter up. Mr. Leyh was under the impression that it would be addressed tonight, and wanted to know if there was going to be a formal letter, stating that what was done was illegal and unjust and that he expected an apology. Further stating that the Supervisor nor the Board members attended the B.A.R. meetings and could not know what went on. Mr. Leyh feels that he was dismissed from the Board for his opinion. The Supervisor stated that Mr. Leyh would not be receiving an apology from him. Councilman Hart asked if they could move forward. The Supervisor asked

Mr. Leyh if there was anything else, and he stated that there was and that he wanted it noted in the minutes that "he himself and a lot of other people are really getting tired of all the little remarks being made against people here at the Board and behind their backs, things like bully, big mouth, snitch, one trick pony, two faced, enemy, side kick, weak link", and so many of them and it was unbelievable and feels that it has to stop.

Councilman Hart asked where that was coming from and Mr. Leyh stated that "it wasn't from you Kevin". Mr. Leyh did not voice any names but rather addressed it as "this man here and this man over here", stating that they were all comments made publicly and he had people to "back him up". The Supervisor responded that he did not recall making any of those remarks in any public meeting, with Mr. Leyh going on that the Supervisor referred to him as a "weak link" in past minutes. Mr. Leyh continued to confront the Supervisor with accusations. Supervisor LaPointe stated that Mr. Leyh did not have any professional training to make an opinion of a guy that has a professional opinion, stating that he had no training of being an assessor. Councilman Hart responded that Mr. Leyh "was right about people making comments about other people and making derogatory comments" and that they should not make them and that they should remain open minded. Supervisor LaPointe asked if there was anything else and informed Mr. Leyh that his time was up.

PLANNING BOARD

Planning Board representative, Bob Rudt, reports the following:

- 1: There was a Public Hearing on Susan Kneller's project.
- 2: A simple project in Gull Bay regarding a roof at the Loepers.

Councilman Hart asked Mr. Rudt if they had heard from Little and O'Connor Attorneys regarding the Sheila White project and the options that are available to the Planning Board in requesting from the White's, what their options are before you issue a building permit. A discussion was held between the Town Attorney and the Town Board with regards to the Sheila White project and what is implied on their part and what is expected according to Town law. The Town Attorney explained that for this particular procedure, the Board was the lead agency. The Town Board is the authority that decides whether it should be a development zone or not. You can consult with the Planning Board and ask them for their recommendation. Councilman Hart discussed the options that are available to the Planning Board, before they issue a building permit. He points out that the option implied that we need to have that open development area for the whole town as opposed to this individual parcel and you can require those individuals to upgrade the roads before a building permit is issued. Last month the Planning Board was asking the Town Board to approve an open development. Attorney Brietenbach feels that it is over and above this particular application. Councilman Hart asked if we could require that the developer provide them with a surety bond? Councilman Hart feels that as a Town Board member "I want to protect every Town individual, because if we do it incorrectly the Town will end up paying for it." Attorney Brietenbach explains that is why the Town Board has to determine whether or not it should be an open development zone. It

is then recommended that the application goes back to the Planning Board because they are more in tune with these types of development issues than the Town Board is. Then after everyone deliberates on it, they can then make a decision. Councilman Hart wants that to happen and they want the Planning Board to be the lead agency. Attorney Brietenbach states that "you are the lead agency for this particular procedure, the Town Board should have the authority to decide what should be or not." He points out that you can consult with the Planning Board for certain issues. Maybe there is a better way to solve all the road problems in town. Be careful that you don't lump the entire town issues in with this particular application relative to the White Sub-division.

Attorney Michael O'Connor came tonight to give his side of the agreement. He gave each member a copy of the Planning Board minutes. He explained each issue, information that pertained to the project. He will return when the other party's involved in the decision attends. He agrees with the Town Attorney that it is the town Boards decision.

HIGHWAY

Highway Superintendent Gary Treadway reports that the crew has been working on the Liddle Harris Road, then they will go to the Best road. It was also reported that Harlan's truck broke down and it was being repaired in Albany.

OLD BUSINESS

Cummings Park Progress

Supervisor LaPointe reports that he had a conversation with Dave Connor from Gellibrand's office. They will meet next Wednesday with the Railroad people at the Town Hall. The Supervisor also mentioned that the pavilion was being built.

Boat Launch

The Supervisor reports that Mary Jane and everyone else has done a good job. There was about 1300 to 1400 boats in and out.

NEW BUSINESS

Public Hearing - 2015 Budget

There will be a Public Hearing on the budget at 7PM on the next Board meeting on November 13th.

Resolution #94

REVIEW BOARD APPOINTMENT

On motion of Councilman Harris, seconded by Councilwoman Burke, the following resolution was ADOPTED; Ayes 5, Nays 0

RESOLVED, that Star Pinkowski does agree to serve on the Town of Putnam Review Board for another term.

Peter Leyh

Supervisor LaPointe and the Town Board will send a formal letter to Mr. Leyh regarding rescinding the letter of termination from the B.A.R..

On motion of Councilwoman Burke, seconded by Councilman Hart to adjourn the Regular Meeting at 8:05PM.

Respectfully submitted _____ Patricia Wilson,
Town Clerk.

John LaPointe _____ Supervisor

Greg Harris _____ Councilman

Shirley Randall _____ Councilwoman

Cathie Burke _____ Councilwoman

Kevin Hart _____ Councilman