

Monthly Town Board Meeting
October 6, 2011

The Town Board held their Monthly Meeting on the above date at 8:00 p.m, at the Town Hall, 238 Main Street, Cold Spring, New York.

PRESENT

Richard Shea	Supervisor
Betty Budney	Councilwoman
Barbara Scuccimarra	Councilwoman
Nancy Montgomery	Councilwoman
John Van Tassel	Councilman
Edward W. Doyle	Town Attorney

APPROVAL OF MINUTES

The Minutes of the Monthly Town Board Meeting of August 4, 2011, were reviewed.

Councilwoman Budney made a motion, seconded by Councilwoman Scuccimarra and unanimously carried that the Minutes of the Monthly Town Board Meeting of August 4, 2011, are hereby approved as presented.

The Minutes of the Public Hearing of August 31, 2011, Valley Lane & Brookside Drive Road Improvements were reviewed.

Councilwoman Budney made a motion, seconded by Councilwoman Scuccimarra and unanimously carried that the Minutes of the Public Hearing of August 31, 2011, Valley Lane & Brookside Drive Road improvements are hereby approved as presented.

The Minutes of the Weekly Town Board Meeting of August 31, 2011, were reviewed.

Councilwoman Montgomery made a motion, seconded by Councilwoman Budney and unanimously carried that the Minutes of the Weekly Town Board Meeting of August 31, 2011, are hereby approved as presented.

The Minutes of the Monthly Town Board Meeting of September 1, 2011, were reviewed.

Councilwoman Budney made a motion, seconded by Councilman Scuccimarra and unanimously carried that the Minutes of the Monthly Town Board of September 1, 2011, are hereby approved as presented.

COMMITTEE REPORTS

CAC – Councilwoman Scuccimarra reported that they met on September 13, 2011. There were four items on the agenda: Garrison Golf Club, Highlands Golf Club, Sharon and Edward

Monthly Town Board Meeting
October 6, 2011

Krupps, and John and Claire Capacella. The next meeting will be held on Tuesday, October 11, 2011.

Recreation – Councilwoman Montgomery reported that Recreation was on track with the budget, expenditures and revenues. She said that they had suffered some damage due to Hurricane Irene, which will be submitted with the Town FEMA application. “Castle Run to the River,” a very exciting event, will be held this Sunday. There will be a barbecue and entertainment after the race. This event is a fundraiser for the Friends of Philipstown Recreation Department. There will be a senior luncheon on Wednesday and the theatre will be doing “Gleeful,” which will open on October 21.

Recycling - Councilwoman Budney reported that on Saturday October 8, 2011, Putnam County would have a Household Hazardous Waste Day. For appointment time and more information call 845-808-1390 ext 43150. You must pre-register. This is open only to Putnam County residents - no commercial establishments.

Planning Board – Councilwoman Montgomery reported that they met on September 21, 2011. There were two items on the agenda: Villetto and the Mountain Trace subdivision. The next meeting will be held on October 20, 2011.

Zoning – Councilman Van Tassel attended the September 12, 2011 meeting. There was one application for review for completeness for William Mordhorst. Next meeting will be on October 24, 2011.

Highway - Councilwoman Budney read the monthly report submitted by Highway Superintendent Roger Chirico. The report is on file in the Town Clerk’s Office for anyone wishing to review. She spoke about some of the work needed for the damage done by Hurricane Irene. Mr. Chirico asked for patience at this time as they are doing everything they could and certain procedures need to be followed. Councilwoman Budney thanked Mr. Chirico for doing a great job on the roads to make them safe for the residents.

Building & Land Acquisition - No report.

GVFD –Jamie Copeland read the report for the month of September. They had a few key events: a ceremony at Graymoor on 9/11; they hosted an extrication drill with their mutual aid partners on the 24th, and they had the opportunity to provide a getaway car for Alison Pataki. October 9 – 15 is Fire Prevention Week with visits scheduled to Haldane, Cold Spring Nursery, Garrison k-8, Philipstown Recreation, and St. Philips. The public is invited to the Firehouse on the 15th of October with food and refreshments available.

Butterfield Library- Councilwoman Scuccimarra reported that Philipstown residents could save money by using the Library. They can use the library pass for museums, learn basic drawing, take a creative writing workshop, earn CPR certification, and take a defensive driving course. For more information on library events visit “ButterfieldLibrary.org” and click on the calendar button. Highlights of upcoming events: this Saturday learn CPR course (approved by

Monthly Town Board Meeting
October 6, 2011

the American Heart Assoc.), on Saturday, October 22 from 11:00am to 1:00pm, they will hold their annual Halloween Party for young children.

TOWN OF PHILIPSTOWN

MONTHLY REPORT OF TOWN SUPERVISOR

MONIES RECEIVED AS OF OCTOBER 6, 2011

GENERAL & PART-TOWN FUNDS

C.T.V. Fees – 6/11	\$17,981.00
AW Scrap Metal	1,445.00
Hudson Baylor	102.25
Justice Fees 8/11	5,185.00
Justice Fees 8/11	6,850.00
Town Clerk Fees-Dogs 8/11	497.00
Town Clerk Fees 8/11	539.72
C.T.V Fees	10,866.00
Hudson Baylor	136.50
Rec. Fees 8/11	75,412.78
NYS Per Capita Aid	33,820.00
Bank Interest	157.48
Lease Direct Refund	240.00
Building Dept. Fees	10,764.00

HIGHWAY FUND

P.C. gas	\$623.67
P.C. gas	1,524.92
Bank Interest	317.25

CONTINENTAL VILLAGE WATER DISTRICT

Bank Interest	\$3.98
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CONTINENTAL VILLAGE PARK DISTRICT

Clubhouse	\$300.00
Bank Interest	33.41

AGENDA

1. David Bender of Citi Notify to address Town Board.

Greg Bender (son of David Bender) of Citi Notify, a White Plains-based company, addressed the Town Board and audience about their automated communication systems for emergency notifications for schools as well as towns and cities. He said they presently work with the Garrison School District. The Town could utilize the system for notifications of meetings and workshops to any resident that wishes to subscribe. The Fire Companies could also use it for emergency notifications. The cost to the town would be \$3,000 a year to send out unlimited phone, email and text messages. Facebook and Twitter notifications could also be made available. Councilman VanTassel asked what kind of backup system they have. Mr. Bender said that they are on redundant data centers nationwide over voice switching – 11 different voice carriers. Supervisor Shea explained that they are looking to do this because there has been interest from residents and that this would be a great opportunity to get meeting schedules out to the public. Councilwoman Montgomery asked about sharing the services with the schools. Mr. Bender said it is a good idea and that it is a part of their business plan and that other towns/cities are looking at doing this. An audience member asked about renewal rates. He wanted to know what was going to happen in the future. Would the rates increase? Mr. Bender said they have not had any rate increases in a long time. Mr. Rolston said he felt that this would be an invasion of his privacy. Supervisor Shea said that they would be looking for a subscriber list – it would be for people who would sign up. Liz Armstrong asked how this would fit in with the New York alert system, which is free. Councilman Van Tassel said that he believes that it is a similar system but only goes through the phone systems not email and or any other system.

Supervisor Shea asked if there was anyone in the audience who wanted to address the Town Board with regard to the roads. He announced that Roger Chirico, Highway Superintendent was here tonight to answer questions. Mr. Lithgow Osborne respectfully asked that the culvert and road repair on Route 9 and Indian Brook Road be done as quickly as possible because the detour is quite roundabout and in an emergency it could be critical. Dan McAvoy wanted to know the status of the work to date. The residents would like to know how long it would take to finish the repairs – a month, a year, two years? Roger Chirico stated that there was quite a lot of damage and the extent of time allowed is too short. Mr. Chirico said that they hired three outside contractors to get priority areas open so emergency services could get in and out. He was in the area with the DEC today to see if they could expedite the work. He noted that there are permits required and he was hoping that they would waive this, but they did not. FEMA requires designs and all of this takes time. Mr. Chirico said that they might have to apply for a temporary access bridge because this would give them a year to repair that culvert. He has applied for an extension on Indian Brook Road and will probably know more on the extension of the permit next week. Cleaning up is taking place right now. The original permit was to dig a diversion trench and put a pipe in to divert the water because you have to work dry. The diversion trench failed during Hurricane Irene. He has used 700 tons of material just to get roads accessible. He noted that the other road in bad condition is Winston Lane. Supervisor Shea asked Mr. Chirico if there was a time line for this work? Mr. Chirico said that

he would know better on Tuesday. An audience member asked about the other end of Indian Brook. Mr. Chirico said that this is a real problem. He noted that they have a small crew and do most everything in-house, and they search for money wherever they can. Supervisor Shea said that he wants to make it clear that money is not an issue for these repairs, "Right now any roads that need to get fixed this Town Board is completely 100% willing to fund." They can go to outside vendors, but the issue now is that there are permits that must be obtained and engineering drawings that have to be done. The Town Board has been out to review all the roads. The things they are trying to work through right now is getting a schedule of time and costs to arrange funding. They are not in fear of bonding out. This is what will have to happen. This will be a lot of money. It will be in excess of \$1,000,000.00. Mr. Chirico said that what they are trying to do is to get everything up front so that they are ready when they get the go signal. Supervisor Shea said to be clear "they are not going to wait for FEMA to refund us. We will do the work up front and then look for the refund from the grant." Mr. McAvoy again asked what the schedule is going to be. He said it is very frustrating not knowing. Mr. Chirico asked for patience as they are doing everything they could. Another audience member asked about releasing water from the dams. Supervisor Shea said this is something the DEC is in charge of. Mr. Chirico asked Supervisor Shea about the debris in the brooks. Supervisor Shea said that FEMA would bring in mitigation experts to do assessments. Councilman Van Tassel announced that FEMA would be coming back with the Mobile Disaster Relief Center at the North Highlands Firehouse on October 14 and 15 from 8 am to 8 pm. Anyone who has not applied can take this opportunity or anyone who has been denied can re-apply.

2. Resolution appointing Mary Ellen Finger as a member of the Planning Board to fill the vacancy left by Michael Gibbons, whose term will expire March 31, 2013.

RESOLUTION #185-2011

The following Resolution was presented by Councilwoman Scuccimarra, seconded by Councilman Van Tassel and unanimously carried;

RESOLVED, that the Town Board hereby appoints Mary Ellen Finger as a member of the Planning Board to fill the vacancy left by Michael Gibbons, whose term will expire March 31, 2013.

3. Resolution accepting the resignation of Walter Garschagen from the Recreation Commission.

RESOLUTION #186-2011

The following Resolution was presented by Councilwoman Montgomery, seconded by Councilwoman Scuccimarra and unanimously carried;

RESOLVED, that the Town Board hereby accepts the resignation of Walter Garschagen from the Recreation Commission.

4. Discussion regarding a request from Patti McCormack Smith, P.E. to waive the required bond in the matter of a site-plan submission for Mr. John Rodak.

Monthly Town Board Meeting
October 6, 2011

Ms. Smith stated that she is representing Mr. Rodak, who is the subject of a violation for having too many vehicles on his property. She is seeking relief for a bond of \$5,000.00.

After some discussion, Town Attorney Doyle questioned the requirement of a bond. Supervisor Shea and the Town Board, along with Town Attorney Doyle, decided to table this matter to further discuss with Andy Merante and David Klotzle to clarify the wording of bond or deposit.

RESOLUTION #187-2011

The following Resolution was presented by Councilwoman Scuccimarra, seconded by Councilwoman Montgomery and unanimously carried;

RESOLVED, that the Town Board hereby tables this item for further discussion and clarification.

5. Resolution authorizing Town Clerk Merando to advertise for vacancies on the Recreation Commission and Board of Assessment Review.

RESOLUTION #188-2011

The following Resolution was presented by Councilwoman Budney, seconded by Councilwoman Scuccimarra and unanimously carried:

RESOLVED, that the Town Board hereby authorizes Town Clerk Merando to advertise for vacancies on the Recreation Commission and Board of Assessment Review.

6. Resolution authorizing Town Clerk Merando to advertise for bidders for the 2012 Highway Materials.

RESOLUTION #189-2011

The following Resolution was presented by Councilwoman Scuccimarra, seconded by Councilwoman Montgomery and unanimously carried;

RESOLVED, that the Town Board hereby authorizes Town Clerk Merando to advertise for bidders for the 2012 Highway Materials.

7. Resolution appointing Susan Downey to an exempt position as Clerk to the Highway Superintendent effective October 3, 2011.

RESOLUTION #190-2011

The following Resolution was presented by Councilwoman Scuccimarra, seconded by Councilwoman Montgomery and unanimously carried;

RESOLVED, that the Town Board hereby appoints Susan Downey to an exempt position as Clerk to the Highway Superintendent, effective October 3, 2011.

Monthly Town Board Meeting
October 6, 2011

8. Resolution appointing Maureen Etta to the competitive position of Full Time Clerk in the Highway Department effective October 3, 2011

RESOLUTION #191-2011

The following Resolution was presented by Councilman Van Tassel, seconded by Councilwoman Scuccimarra and unanimously carried;

RESOLVED, that the Town Board hereby appoints Maureen Etta to the competitive position of Full Time Clerk in the Highway Department, effective October 3, 2011.

Supervisor Shea asked if there were additional items that need to be added to the agenda at this time. Town Clerk Merando said there was and the first was a memo from Amber Stickle requesting that the Town Board authorize Town Clerk Merando to advertise for the bulk fuel delivery at the Recreation Center.

RESOLUTION #192-2011

The following Resolution was presented by Councilwoman Budney, seconded by Councilwoman Scuccimarra and unanimously carried;

RESOLVED, that the Town Board hereby authorizes Town Clerk Merando to advertise for the bulk fuel delivery at the Recreation Center.

Town Clerk Merando said the next item is regarding the third party electrical inspection for compliance with the New York State Uniform Fire Prevention and Building Code. Supervisor Shea said that this is to authorize the Code Enforcement Officer to send a letter off to the County so that he gets included in the electrical inspection loop. The Code Enforcement Officer has been finding out that people are filing for permits and only finds out when he gets paper work/stickers from the County. He said that we are not committing to anything, just sending the letter over to the County for their review.

RESOLUTION #193-2011

The following Resolution was presented by Councilman Van Tassel, seconded by Councilwoman Montgomery and unanimously carried;

RESOLVED, that the Town Board hereby authorizes the Code Enforcement Officer to send a letter to the County requesting the he be included in the loop for electrical inspections.

The next item is the appointment of Attorney Kevin P. Irwin as an alternate special prosecutor in connection with vehicular and traffic law violations. Supervisor Shea said that Justice Steiner had approached the town last year to appoint an Assistant D.A. because we lose a lot of revenue dismissing traffic tickets, whereas we could be prosecuting them here with an ADA. Justice Tomann has seen the results and is also interested in doing this.

RESOLUTION #194-2011

The following Resolution was presented by Councilwoman Scuccimarra, seconded by Councilwoman Budney and unanimously carried;

WHEREAS, the office of Laura Roberts serves as Town Attorney for the Town of Philipstown, which includes the prosecution of Vehicle and Traffic Law violations on behalf of the Putnam County District Attorney's office; and

WHEREAS, due to scheduling conflicts, Laura Roberts is occasionally not available to appear before the Philipstown Justice Court in connection with the Vehicle and Traffic Law violations; and

WHEREAS, Laura Roberts wishes to have Attorney Kevin P. Irwin act as an alternate prosecutor on her behalf in connection with the Vehicle and Traffic Law violations before the Philipstown Justice Court; and

WHEREAS, it is necessary to obtain the authorization of the Putnam County District Attorney for the appointment of Attorney Kevin P. Irwin to act as an alternate special prosecutor on behalf of Laura Roberts in connection with the Vehicle and Traffic Law violations and Penal Law violations before the Philipstown Justice Court; and

WHEREAS, the Town Board wishes to authorize the appointment by the Putnam County District Attorney's office of Attorney Kevin P. Irwin as an alternate special prosecutor in connection with the Vehicle and Traffic Law violations and Penal Law violations before the Philipstown Justice Court;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Philipstown hereby authorizes the appointment of Attorney Kevin P. Irwin as an alternate special prosecutor in connection with the Vehicle and Traffic Law violations and Penal Law violations before the Philipstown Justice Court; and

BE IT FURTHER RESOLVED, that the appointment of Attorney Kevin P. Irwin as an alternate special prosecutor in connection with the Vehicle and Traffic Law violations and Penal Law violations before the Philipstown Justice court shall become effective immediately upon receipt of the authorization letter from the Putnam County District Attorney.

9. Schedule Workshops/Meetings.

Budget Workshop Meeting - Thursday, October 13 @ 7:00pm

EMS group - Tuesday, October 11 @ 7:30pm - NHFD (meeting of the chiefs with regard to the Ron Graner report)

RESOLUTION #195-2011

The following Resolution was presented by Councilwoman Montgomery, seconded by Councilwoman Scuccimarra and unanimously carried;

RESOLVED, that the Town Board hereby schedules the Public Hearing for the 2012 proposed Budget for November 10, 2011 @ 7:30 pm:

Monthly Town Board Meeting
October 6, 2011

Continental Village Park District Budget	7:30pm
Continental Village Water District Budget	7:35pm
Philipstown Ambulance Contract	7:40pm
Garrison Ambulance Contract	7:45pm
Cold Spring Fire Contract	7:55pm
Garrison Fire Contract	8:05pm
Continental Village Fire Contract	8:30pm
General Budget	8:45pm

10. Code Enforcement Monthly Report.

Town Clerk Merando read the Monthly report, which is on file at the Town Clerk's office.

11. Any other business that may come before the Town Board.

Councilman Van Tassel attended the September 14 meeting of the Putnam County Transportation Safety Board where the topic was Hurricane Irene and the damage to the roads in the County. Adam Steibling came from the Bureau of Emergency Service and without a doubt the western side of the County had more damage than the eastern side. The biggest road closure was Route 9 and Jack Rd., then Snake Hill. There was a lengthy discussion about the preparedness of the Towns and Sheriff Smith gave us an A+. The red light was discussed and he was told that the light would be functioning within two weeks. Unfortunately, Central Hudson has been busy and he believes this is the reason for it not working yet.

Councilwoman Budney reported that officials with NYS Emergency Management Office (FEMO) and the Federal Emergency Management Agency (FEMA) are urging New York residents whose properties have been damaged by Hurricane Irene, be alert for and report potential fraud. To protect yourselves, always ask for identification. Never sign anything or give out personal information. If you believe you have been a victim of a scam, please contact your local law enforcement and report it to the NYS office of the Attorney General - call help line at 1-800-771-7755 or go online at www.ag.ny.gov.

Councilwoman Budney met with Putnam County, which is announcing the celebration of its Bicentennial in 2012. They have invited the Town of Philipstown to participate in as many events as possible during this celebration and would like our cooperation and assistance with compiling a historical book of Putnam County. They would like our submission to include a history of our town along with current and antiquated photographs, and a complete list of previous supervisors and other elected officials from its inception. December 15 was given as the deadline.

Councilwoman Scuccimarra reported that the Department of Environmental Conservation conducted an audit of the Town's municipal separate Stormwater sewer systems - MS4 on September 29, 2011. The purpose of the program evaluation was to determine the town's compliance with the terms of the state pollutant discharge elimination system and to evaluate the current implementation status of the Town's Stormwater management program. The

Monthly Town Board Meeting
October 6, 2011

results were found to be satisfactory. Supervisor Shea noted that all of the work was done in-house.

Councilwoman Montgomery had the opportunity to go to the Garrison Volunteer Fire Dept. emergency management training - "NIMS" training. They actually did an incident action plan last night. She also met with two gentlemen from the Department of Homeland Security who will give her a tour of the Orange County emergency operations center. Councilwoman Montgomery also spoke with Bill Mazzuca, who will give her a tour of the Westchester Emergency operations center.

Councilman Van Tassel, Supervisor Shea and Councilwoman Scuccimarra attended the Fields Committee meeting, which was held at Haldane. It went well with about 65 people from the public attending. The study will take about two–three weeks for the safety issues. The meeting will be aired on the municipal channel.

AUDIENCE

Carol Donick of the Desmond-Fish Library, asked the Town Board what would be the best way to work with the town on the budget process. She asked if they should do a presentation as they did last year. Supervisor Shea said that they could if that is what they wanted to do and he would be willing to meet with her to discuss the process.

Lee Ericson asked about the light on Route 9. He stated that there was an accident again today and requested the Town Board put more pressure on the County. Councilman Van Tassel said that he did call Rich Dillman today, but has not received a call back as yet.

Joe Regele had a series of questions he had asked back in May, which have not been answered. He came to several meetings and was told the Board would get to it and it is now October 6 and he has not heard anything. He presented his written questions to Town Clerk Merando, which he would like to see addressed. He has been asking to have discussions on the budget since May and has been put off. He was deeply offended two weeks ago when he attended a public meeting and had everyone turn their backs on him. Nine people sat around the table and he had to sit in the audience and could not hear what was going on. Councilman Van Tassel said that this was the format of all workshops and this was nothing personal. Supervisor Shea said that they will be meeting with the fire department first and then arrangements will be made to meet with Mr. Regele, within a week, to discuss the budget.

Dave Vickery said that he thinks Joe Regele was being a little harsh on the Board with regard to the workshops. He has attended many workshops and if he could not hear what was being said he would ask them to speak up and they did. He would suggest only one improvement for the workshops and that would be to have copies of any documents that are being discussed. What he really wanted to ask is why is there no sign for the Town Dog Park. No one knows where it is. Councilman Van Tassel said that they do not want too many residents using it. Councilwoman Montgomery said that she is not a fan of signs, but maybe there is another way of letting residents know where it is. Mr. Vickery also wanted to know about signage for the

Monthly Town Board Meeting
October 6, 2011

light on Fishkill Road and Route 9. Councilman Van Tassel said that there would be a temporary sign on the southbound side that will be illuminated for two weeks.

VACANCIES

Board of Assessment Review (1)
Recreation Commission (2)
CV Park District Advisory (3)
CV Water District Advisory (2)

APPROVAL OF VOUCHERS

Councilwoman Budney made a motion, seconded by Councilman Van Tassel unanimously carried that the General Vouchers in the amount of \$142,279.60 are hereby approved as set forth in Abstracts 9A & 10

Councilwoman Scuccimarra made a motion, seconded by Councilwoman Budney and unanimously carried that the Highway Vouchers in the amount of \$174,108.96 are hereby approved as set forth in Abstracts 9A & 10.

Councilwoman Montgomery made a motion, seconded by Councilwoman Scuccimarra and unanimously carried that the CV Park District Vouchers in the amount of \$3,174.95 are hereby approved as set forth in Abstract 10.

Councilwoman Budney made a motion, seconded by Councilwoman Scuccimarra and unanimously carried that the CV Water District Vouchers in the amount of \$13,283.02 are hereby approved as presented in Abstract 10.

ADJOURNMENT

There being no further business to discuss, Councilwoman Budney made a motion, seconded by Councilwoman Montgomery to close the Monthly Meeting at 10:15 p.m.

Respectfully submitted by,

Theresa Crawley
Deputy Town Clerk