

Monthly Town Board Meeting
November 4, 2010

The Town Board of the Town of Philipstown 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
	Nancy Montgomery	Councilwoman
	Barbara Scuccimarra	Councilwoman
	John Van Tassel	Councilman

ABSENT:	Edward W. Doyle	Town Attorney
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Supervisor Shea opened the meeting with a Salute to the Flag.

REVIEW OF MINUTES

The Minutes of the Monthly Town Board Meeting of October 7, 2010, were reviewed.

Councilwoman Budney made a motion, seconded by Councilman Van Tassel and unanimously carried that the Minutes of October 7, 2010, are hereby approved as presented.

The Minutes of the Weekly Town Board Meeting of October 20, 2010, were reviewed.

Councilman Van Tassel made a motion, seconded by Councilwoman Scuccimarra and unanimously carried that the Minutes of October 20, 2010, are hereby approved as presented.

The Minutes of the Special Town Board Meeting of October 28, 2010, were reviewed.

Councilwoman Montgomery made a motion, seconded by Councilwoman Scuccimarra and unanimously carried that the Minutes of October 28, 2010, are hereby approved as presented.

The Minutes of the Bid Opening – Highway Materials of October 28, 2010, were reviewed.

Councilwoman Scuccimarra made a motion, seconded by Councilman Van Tassel and unanimously carried that the Minutes of October 28, 2010, are hereby approved as presented.

COMMITTEE REPORTS

HIGHWAY – Councilwoman Budney read the monthly report prepared by Highway Superintendent Chirico. A complete copy of this report is on file in the Town Clerk's Office.

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PLANNING BOARD - Councilwoman Montgomery reported on the October 21, 2010 meeting. She noted that there were 5 Public Hearings:

- Richard Timmons – 3 lot subdivision.
- Villetto Vaughn Hammond Corporation – proposed open pavilion and storage use on the 2nd floor. Formal parking access.
- Leiner/Francis/Corbett – lot line adjustment.
- Burner – 2 lot subdivision.
- Garrison Landing Holdings LLC.

RECREATION – Councilwoman Montgomery reported that the Recreation Commission met on October 26th. They reached 94% of their projected revenue for the year. The bid for the ceiling is in the paper this week. There has been discussion about having the La Cross organization possibly taking over the program and equipment. This is being worked out with Town Attorney Doyle. There is a Teen Night scheduled.

CAC – Councilwoman Scuccimarra reported that at the meeting on October 12, 2010, there were 6 items on the agenda.

- Liz Anderson – pond dredging.
- Hynes – renovation of cottage and installation of sub surface electric line within the wetland buffer.
- Colletta – construction of a driveway extension, garage and breezeway in a wetland buffer.
- Poole – demolition and rebuild of a garage.
- Burner – Planning Board referral - subdivision of 3-acre parcel.
- Garrison Landing Holdings LLC – subdivision referral from the Planning Board.

RECYCLING – Councilwoman Budney reported that the only thing she wanted to ask was that you **DO NOT** throw styrofoam in with the co-mingled items in the trailer at the Recycling Center.

BUILDING & LAND ACQUISITION – Councilwoman Budney had nothing to report.

ZONING – Councilman Van Tassel reported on the following items addressed at the October 4, 2010 meeting.

- Rodney Dow – Variance requested for the construction of a porch addition. Application was reviewed for completeness and approved.
- Kyle Good – Variance requested for construction of an addition to his residence. Public Hearing scheduled for November 8th.
- Anne Marie Reeve – Variance requested seeking a reduction to the requirement to provide 6,000 square feet of buildable area that contains a minimum dimension of 60 feet in every direction. Hearing postponed to November 8th by request of applicant.

Next meeting is scheduled for November 8, 2010.

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GARRISON VOLUNTEER FIRE DEPARTMENT – Jamie Copeland read the activity report for the month of October. Mr. Copeland noted the GVFD held their election, which went without a hitch. He also reported that they are hosting Cold Spring Fire Company at the Training Tower.

TOWN OF PHILIPSTOWN

MONTHLY REPORT OF TOWN SUPERVISOR

MONIES RECEIVED AS OF NOVEMBER 4, 2010

GENERAL & PART-TOWN FUNDS

Town Clerk Fees – 9/10	\$ 780.67
Justice Fees – 9/10	7,265.00
Justice Fees – 9/10	5,180.00
Tax Collection Misc.	340.83
Rec. Fees 9/10	70,552.16
Bank Interest	145.58

HIGHWAY FUND

Workers Comp. – D. Phillips	\$ 2,962.40
Brookfield Res. Junked truck	2,000.00
C.V. Fire Gas	129.14
P.C. Sheriff Gas	1,457.94
Bank Interest	296.30
General Fund Ck Gas	737.36
C.V. Fire Gas	57.77

CONTINENTAL VILLAGE WATER DISTRICT

Bank Interest	\$ 8.73
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CONTINENTAL VILLAGE PARK DISTRICT

Clubhouse Fees	\$ 200.00
Bank Interest	36.95

AGENDA

1. Resolution authorizing Supervisor Shea to sign the proposal from Ron Graner for Fire & Rescue Service Planning.

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Supervisor Shea deferred to Councilwoman Montgomery who has been working on this. Councilwoman Montgomery stated that this is a grant application that she and Town Clerk Merando have been working on for quite a long time. The contract has finally been received back from the State. The next step is to contract with a consultant. Mr. Ron Graner, who has a long history with fire service, has come highly recommended. The board has his proposal and Councilwoman Montgomery asks the Board to approve it.

RESOLUTION #163-10

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

RESOLVED, that the Town Board of the Town of Philipstown, hereby authorizes Supervisor Shea to sign the proposal from Ron Graner for Fire & Rescue Service Planning.

2. Resolution authorizing Supervisor Shea to sign the contract between the Town of Philipstown and New York State Department of State for a grant in the amount of \$8,550.00 for the Fire & Rescue Service Planning.

RESOLUTION #164-10

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

RESOLVED, that the Town Board of the Town of Philipstown, hereby authorizes Supervisor Shea to sign the contract between the Town of Philipstown and New York State Department of State for a grant in the amount of \$8,550.00 for the Fire & Rescue Service Planning.

3. Resolution authorizing the release of a \$10,000.00 bond to RB Land Holdings, TM#90.8-2-43 & 44.

Town Clerk Merando noted that we have a letter signed by Bob Emerick and David Klotzle, dated October 20, 2010, with regard to the return of the bond stating that no building permits or wetland permits are outstanding and no work is required to be done under any such permits. The \$10,000 bond may be returned.

RESOLUTION #165-10

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

RESOLVED, that the Town Board of the Town of Philipstown hereby approves the release of a \$10,000.00 bond to RB Land Holdings, TM#90.8-2-43 & 44.

4. Resolution authorizing the release of Escrow Funds to Quarry Pond in the amount of \$150,000.00, regarding Condition "M" of the Planning Board Approval.

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Town Clerk Merando noted that there was a letter from Chairman Anthony Merante dated October 28, 2010, stating that the Escrow Funds can be released. It was determined that the condition "M" in the approval granted to Quarry Pond, which required certain improvements to the Town Park portion of the property, have been satisfied.

RESOLUTION #166-10

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

RESOLVED, that the Town Board of the Town of Philipstown hereby approves the release of the Insurance Bond to Quarry Pond in the amount of \$150,000.00 regarding Condition "M" of the Planning Board Approval.

5. Resolution scheduling a Public Hearing for a proposed Local Law to amend the Code of the Town of Philipstown by deleting and repealing Article I of Chapter 55, "Dogs," and replacing it with a new Article I entitled "Licensing, Identification and Control of Dogs."

Supervisor Shea noted that there was a workshop held. He said that this new law will add some additional responsibility to the Clerk's office. It may also generate some revenue, which is a good thing. Councilman Van Tassel said that we must encourage people to license their dogs. Town Clerk Merando stated that the Public Hearing should be scheduled in November since this law must be in place by January 1, 2011. A Public Hearing is scheduled for Thursday, November 18, 2010, at 7:00pm.

RESOLUTION #167-10

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

RESOLVED, that a Public Hearing for a proposed Local Law to amend the Code of the Town of Philipstown by deleting and repealing Article I of Chapter 55, "Dogs," and replacing it with a new Article I entitled "Licensing, Identification and Control of Dogs," is hereby scheduled for November 18, 2010, at 7:00pm

6. Resolution scheduling a Public Hearing for a proposed Local Law to amend the Code of the Town of Philipstown by adding a new Chapter 131 to be entitled "Putnam County Pathways," which provides for the adoption of said Greenway Planning Program as land use policies, principles and guides in the Zoning Law and Land Development Regulations.

Town Clerk Merando noted that we have the approval from the Putnam County Division of Planning and from the Philipstown Planning Board. The EAF has also been secured.

RESOLUTION #168-10

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

RESOLVED, that a Public Hearing for a proposed Local Law to amend the Code of the Town of Philipstown by adding a new Chapter 131 to be entitled "Putnam County Pathways," which provides for the adoption of said Greenway Planning Program as land use policies, principles and guides in the Zoning Law and Land Development Regulations, is hereby scheduled for December 2, 2010, at 7:15 pm.

7. Resolution authorizing Supervisor Shea to sign the contract extension for Grant #2008-P-01, Hudson/Fjord Alternative Analysis.

Supervisor Shea said this grant is in regard to a proposal to connect Philipstown and Beacon with a walking trail right along 9D and remarked that it was a terrific idea.

RESOLUTION #169-10

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

RESOLVED, that the Town Board of Philipstown authorizes Supervisor Shea to sign the contract extension for Grant #2008-P-01, Hudson/Fjord Alternative Analysis.

8. Resolution authorizing Supervisor Shea to sign the Multi-Model Project Application Supplement with regard to Indian Brook Road's existing gabion wall.

RESOLUTION #170-10

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

RESOLVED, that the Town Board of Philipstown authorizes Supervisor Shea to sign the Multi-Model Project Application Supplement with regard to Indian Brook Road's existing gabion wall.

9. Discussion with regard to a complaint on 19 Schuyler Lane, Garrison, NY.

Kevin Donohue, Code Enforcement Officer for Philipstown, addressed the Town Board about a complaint from Paul Cantales with regard to the vacant lot owned by the Town, which is being used as a commercial depot for the storage of industrial equipment and a commercial truck owned by J.T. Tree Service. Mr. Cantales' letter also noted that this commercial traffic is a hazard to the residents and it could be a possible liability to the Town.

Mr. Donohue noted that this has been an ongoing situation going back to 2008, and he is asking the Town Board to take steps to alleviate the problem. He would recommend either having the Sheriff's Dept. patrol the site and issue citations, or posting on all town properties. Supervisor Shea agrees with contacting the sheriff and he will contact them tomorrow to discuss what can be done. Also needed is a policy regarding trespass. Town Attorney Doyle noted that we might well have no parking and no dumping ordinances that apply.

10. Schedule Meetings/Workshops

- November 10, 2010 - 7:30 pm Workshop
- November 15, 2010 - 7:00 pm EMS Pilot Team – Questions & Answers
- November 18, 2010 - 7:00 pm Public Hearing – Local Law – Dogs
- November 18, 2010 - 7:15 pm Adopt Final Budget
- December 2, 2010 - 7:15 pm Public Hearing – Putnam Pathways
- December 2, 2010 - 8:00 pm Monthly Meeting

11. Code Enforcement

Town Clerk Merando read the October Code Enforcement report. A copy of the report is on file at the Town Clerks office.

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

Supervisor Shea had one thing to bring up on the Quarry Pond project and that is that he received a note from Bill Balter about the first submission to the lead program – they received a Gold Rating for the two model home units. He is living up to everything he said he would. The homes are very nice and very energy efficient. They have been very responsive about addressing issues, having done planting and further developing their stormwater management plan to protect Clove Creek.

Councilman Van Tassel attended two meetings with regard to the truck traffic on Peekskill Road. There is a resident whose house literally is being knocked off its foundation each time a trailer truck comes through. He met and viewed the area with Sheriff Smith and former Highway Superintendent Gary? one day last week and they will need to address the structure of the road. There is a lot of traffic coming up that road. It was suggested to send the traffic up 9D, but that would also create a problem having the traffic go through the Village of Cold Spring. Councilman Van Tassel also scheduled a meeting with the Mayors of Nelsonville and Cold Spring. Unfortunately, Mayor Corless could not meet due to an emergency, but he did meet with Mayor Gallagher and Norm Olsen, a representative of the Putnam Transportation Safety Board, who is also a former DOT engineer. Mr. Olsen is very knowledgeable on planning different routes and suggested that the County do the structural changes, which would improve the road. The other thought was that possibly the road could be transferred over to a village street where you could reduce the speed limit to 15 mph. They are going to schedule another meeting with Mr. Olsen and Mayors Corless and Gallagher to come up with an alternate route. They have considered using Route 403 for all truck traffic or straight up 9D to get to 84, but this all still has to be worked out by the Town and two Villages. They will continue to work on the problem. The bridge is scheduled to be repaired in the spring.

Councilwoman Scuccimarra read the Butterfield Library report. She stated that the walkway is a hazard to the public and is need of repair. For more than a year the Library Facilities Committee has planned, designed and donated their time and talents to make this project a reality. They have saved the library thousands of dollars in in-kind

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services. This project will be funded through fund raising, not tax dollars. The first fundraiser, The Autumn Reception, will take place on Saturday, December 13 from 4 – 7pm. All are welcome. The library will celebrate their 85th birthday at the Autumn Reception. The Library Journal once again named the Butterfield Library as a Star Library. This is a huge honor.

Supervisor Shea just wanted to mention that there have been several meetings with the County with regard to Butterfield Hospital to work through a plan to avail that space to the Town. At the last meeting it seemed that the owner may be willing to develop the site to get it usable so that the Town and County would not have to get involved in that aspect of it. Since he is a developer and doing it privately, he would not be subject to the Wicks laws and it could be done at a more reasonable cost and get done a lot quicker. Then the Town and County could talk about leasing portions of the space. He went off to put together some proposals and they will get back together with the developer in the next couple of weeks. Supervisor Shea will speak with Legislator Tamagna tomorrow to establish that. They are pushing forward on the Butterfield property and hoping that the Town will have the use of that in the future.

AUDIENCE

David Vickery asked the Town Board about the saga of the traffic light on Route 9. Councilman Van Tassel said that he was told about a month ago that the bid was in the paper and would be returned in two weeks and that the work would start soon thereafter. Councilwoman Montgomery noted that the original letter was sent in 2007 and said that they have been putting pressure on them, but suggest that the Town residents could help by contacting the County also. Councilman Van Tassel said that he would be attending the Putnam County Safety Board Meeting on November 15 and would bring it up then. Supervisor Shea said he would bring this up tomorrow when he meets with Legislature Tamagna.

Lee Erickson wanted to ask what could be done about a neighbor who blows leaves onto his property. Supervisor Shea said that since they are not being blown onto a Town road then this would be a civil matter. Mr. Erickson asked about the same situation with snow and Supervisor Shea suggested that he could call the sheriff.

Andy Chmar wanted to know if the light on the North Highland Fire Dept. could be turned off again as it is blinding. Councilman Van Tassel suggested that he attend the Fire Dept. meeting, which is the 2nd Tuesday of the month at 7:30pm, and bring it up then. Mr. Chmar asked the Town Board if they had invited the newly elected officials of the County to one of our Monthly Town Board meetings to introduce themselves. Councilwoman Montgomery said she thought it would be a good idea.

Councilwoman Budney made an announcement with regard to the Variety Show sponsored by the Cold Spring Lions Club, which will be held on November 20, 2010 @7:00pm at Haldane. She noted that the proceeds go to the Philipstown Graduating Senior Scholarship Fund.

VACANCIES

CAC (1)
CV Park District Advisory Committee (3)
CV Water District Advisory Committee (2)

APPROVAL OF VOUCHERS

Councilwoman Montgomery made a motion, seconded by Councilwoman Budney and unanimously carried that the General Vouchers in the amount of \$72,652.13 are hereby approved as set forth in Abstracts 10A & 11.

Councilwoman Budney made a motion, seconded by Councilwoman Montgomery and unanimously carried that the Highway Vouchers in the amount of \$97,980.24 are hereby approved as set forth in Abstracts 10A & 11.

Councilwoman Budney made a motion, seconded by Councilwoman Scuccimarra and unanimously carried that the Continental Village Park District Vouchers in the amount of \$2,666.74 are hereby approved as set forth in Abstracts 10A & 11.

Councilwoman Montgomery made a motion, seconded by Councilwoman Scuccimarra and unanimously carried that the Continental Village Water District Vouchers in the amount of \$7,997.15 are hereby approved as set forth in Abstracts 10A & 11.

There being no further business to discuss, Councilwoman Montgomery made a motion, seconded by Councilwoman Budney to close the Town Board Monthly Meeting at 9:05 p.m.

Respectfully submitted by,

Theresa Crawley
Deputy Town Clerk