

Monthly Town Board Meeting
January 3, 2013

The Town Board of the Town of Philipstown held their Monthly Meeting on the above date at 7:51 p.m., at the Town Hall, 238 Main Street, Cold Spring, New York.

PRESENT:	Nancy Montgomery	Deputy Supervisor
	Betty Budney	Councilwoman
	John Van Tassel	Councilman

ABSENT:	Richard Shea	Supervisor
	David Merandy	Councilman

Deputy Supervisor Montgomery opened the meeting with a Salute to the Flag.

REVIEW OF MINUTES

The Minutes of the Monthly Meeting of December 6, 2012, were reviewed.

Councilwoman Budney made a motion, seconded by Councilman Van Tassel and unanimously carried that the Minutes of December 6, 2012, are hereby approved as presented.

COMMITTEE REPORTS

CAC – Councilwoman Montgomery reported that the CAC did not hold a meeting in December.

RECREATION – Councilman Van Tassel reported that he and Councilman Merandy attended the December 21st meeting, which covered the security system which should be fully functional by the end of next week (January 11), and will require some flex hours by employees to cover the operation until 6:00 p.m. Councilman Van Tassel reported further that Recreation Director Stickle requested authorization to develop a lock-down policy, as well as a background check policy for all employees and coaches. These requests were approved and Recreation Director Stickle intended to utilize the Putnam County Sheriff's department to assist her with development and implementation of these policies. Recreation Director Stickle also advised the Commission that the Winter Program will start in early January. The next meeting of the Commission will be held on January 29th at 7:30 p.m.

RECYCLING – Councilwoman Budney reported that the landfill will no longer be accepting electronics and efforts to accept these were underway.

PLANNING BOARD - Councilwoman Montgomery reported that no meeting was held in December. She reported that Mary Finger and Michael Leonard attended a meeting with the Putnam County Chamber of Commerce to discuss Philipstown's business outlook plans for the future.

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ZONING – Councilman Van Tassel reported that no meeting was held in December and no meeting will be held until February 11, 2013.

HIGHWAY – Councilwoman Budney read the December monthly report submitted by Highway Superintendent Roger Chirico. The report is on file in the Town Clerk’s Office for anyone wishing to review.

BUILDING & LAND ACQUISITION – Councilman Van Tassel reported that the Town Board was still awaiting plans for the American Legion Hall from the architect.

GVFD – Betsy Calhoun reported on monthly activity of the Garrison Volunteer Fire Department.

**TOWN OF PHILIPSTOWN
MONTHLY REPORT OF TOWN SUPERVISOR
MONIES RECEIVED AS OF JANUARY 3, 2013**

GENERAL & PART-TOWN FUNDS

Recreation Fees – 11/12	\$ 42,471.51
C.T.V. Fees	17,444.00
PERMA Ins. Credit	241.00
NYS DFY – 2011	2,620.00
Recreation Fees – 12/12	25,000
Putnam County Mortgage Tax	137,295.67
Town Clerk Fees – 12/12	275.75
Town Clerk Fees – Dogs – 12/12	391.00
Building Fees – 12/12	6,142.00
Bank Interest	65.48

HIGHWAY FUND

NYS FEMA	\$ 101,488.79
Putnam County – Gas	155.00
General Fund – Gas	116.79
Putnam County Gas	1,681.69
NYS FEMA	27,654.58
NYS CHIPS	21,167.33
Bank Interest	175.83

CONTINENTAL VILLAGE WATER DISTRICT

Bank Interest	\$ 2.32
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CONTINENTAL VILLAGE PARK DISTRICT

Clubhouse Fees	\$ 575.00
Bank Interest	10.79

AGENDA

1. Resolution authorizing Supervisor Shea to sign the contract between the Town and the Putnam County Humane Society for fiscal year 2013.

RESOLUTION #44-2013

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

RESOLVED, that the Town Board of the Town of Philipstown hereby authorizes Supervisor Shea to sign the contract between the Town and the Putnam County Humane Society for fiscal year 2013.

2. Resolution referring six (6) proposed Local Laws to the Putnam County Division of Planning and the Philipstown Planning Board.

Deputy Supervisor Montgomery stated that she had discussed these with Supervisor Shea and noted her reservations about sending onto the County Division of Planning. Deputy Supervisor Montgomery added that she would prefer to postpone this item until the next Town Board meeting, as there were a lot of details that needed to be resolved. She stated further that the Wetlands Inspector also had reservations and in an e-mail to Supervisor Shea, requested a postponement. Deputy Supervisor Montgomery then asked for a motion to postpone.

RESOLUTION #45-2013

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

RESOLVED, that the Town Board of the Town of Philipstown hereby postpones approval of Item #2, Resolution referring six (6) proposed Local Law to the Putnam County Division of Planning and the Philipstown Planning Board.

3. Resolution authorizing Supervisor Shea to sign the lease agreement between the Town and the Garrison Landing Association Inc., for use of the Depot Theatre.

Deputy Supervisor Montgomery stated that this lease was not the lease that Recreation Director was able to comment on, that there was some confusion on the Town Attorney's note that he had approved the lease. Deputy Supervisor Montgomery stated that it was thought that the approval note was an old note from a previous lease. Deputy Supervisor Montgomery added that the new lease needed some "tweaking," and requested a motion to postpone the signing of the lease agreement until the next Town Board meeting.

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RESOLUTION #46-2013

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

RESOLVED, that the Town Board of the Town of Philipstown hereby postpones approval of Item #3, Resolution authorizing Supervisor Shea to sign the lease agreement between the Town and the Garrison Landing Association Inc., for use of the Depot Theatre until the next Town Board meeting.

4. Code Enforcement Monthly Report

Town Clerk Merando read the December 2012 Monthly Report.

5. Schedule Workshops/Meetings

January 9, 2013	7:30 p.m.	Workshop - Garrison Fire Department
January 16, 2013	7:30 p.m.	Workshop - Discussion on Roads
January 23, 2013	7:30 p.m.	Workshop – Building Department

Garrison resident, Andy Chmar asked if the ESP workshop had been rescheduled. Deputy Supervisor Montgomery responded that it had not been rescheduled.

AUDIENCE:

Mary Ellen Finger, owner of Horsemen trail Farm, stated that she had two (2) items, the first was whether there was any movement on her request letter of November 7, 2012, for a refund. Deputy Supervisor Montgomery replied that Supervisor Shea was referring her request to an attorney and had not heard anything. Mrs. Finger stated that it was an issue that was decided by Steve Gaba (Planning Board Attorney), at a Planning Board meeting, that there might be a conflict of interest and to consider having it reviewed by Robert Cinque. Deputy Supervisor Montgomery stated that it was discussed and suggested that Mr. Gaba review it, that Mr. Gaba's ruling is his ruling as the Planning Board Attorney, but Supervisor Shea chose to have the Town Attorney (Edward Doyle), review it , so she hadn't heard any details as to whether that has been done.

Ms. Finger stated that she was hoping that there had been a decision made by Town Attorney Doyle. Councilman Van Tassel, Councilwoman Budney and Deputy Supervisor Montgomery responded that if there was, they hadn't heard anything. Deputy Supervisor Montgomery added that the Supervisor may have. Ms. Finger asked when she could expect to hear? Deputy Supervisor Montgomery replied that she would get a message to the Supervisor advising him that Ms. Finger had inquired and could he reach out to her. Councilman Van Tassel stated that this subject was discussed at the December 6th Town Board meeting. Ms. Finger remarked that she will wait to hear from Supervisor Shea.

Ms. Finger's second item pertained to the topic that was discussed with the Town Board before, which is the stormwater discharge onto her property. Ms. Finger stated that she had serious concerns, one of which is that she heard for the second time that the discharge of excess storm water was illegal and that there were definitely real irregularities when she reviews the whole history of the Millwood Lane development. Ms. Finger stated that she did contact the Code Enforcement Officer (Kevin Donohue), that Highway Superintendent Chirico recommended. Ms. Finger did speak with the CEO and was quite disappointed to find out that his method of testing relied on "finding pebbles to drop into a drain hole to hear if the water splashes, and because he didn't hear it splash, he couldn't determine if the water that is being piped down is in that wetland at the top of Deer Hill, a subdivision that was developed about 10 years after the original Knollwood Lane subdivision was approved, which was developed in hydric(?) soils – a wetland area." Ms. Finger went on to say that she had a skating pond in her back yard – that she was having livestock in a field that is always wet and swampy – there was damage to the soils and it causes health problems, which she is now experiencing with her livestock that she has never seen before. Ms. Finger stated that she now has her first case of meningeal worm and now has to worry about 24 homes and stormwater that may be carrying their Chemlawn fertilizers and pesticides that are piped basically into her property.

Ms. Finger stated that she would like to have a little more commitment to 21st century techniques and was asking for something to be done, as she didn't want to have to... she would really like to have this resolved at the local level – to let home rule take care of this. Ms. Finger stated that she didn't want to contact the DEC and Ags. & Markets to help her or go to other agencies that might come down hard when they see that the Town is (inaudible) a wetland illegally onto her property. She added that she would like to have somebody work with her as she didn't want to have to keep coming to the Town Board meetings and broadcast to the entire town that the town is doing an illegal act and dumping onto her property – that there may be problems that have long-term affects.

Councilwoman Montgomery stated that Supervisor Shea has been handling this and she would follow up with him and inform him that Ms. Finger was especially concerned with this situation.

VACANCIES

Recreation Commission (1)
CV Park District Advisory Committee (3)
CV Water District Advisory Committee (2)

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APPROVAL OF VOUCHERS

Councilman Van Tassel made a motion, seconded by Councilwoman Budney and unanimously carried that the General Vouchers in the amount of \$88,297.73 are hereby approved as set forth in Abstracts 12A & 1.

Councilwoman Budney made a motion, seconded by Councilman Van Tassel and unanimously carried that the Highway Vouchers in the amount of \$162,264.41 are hereby approved as set forth in Abstracts 12A & 1.

Councilman Van Tassel made a motion, seconded by Councilwoman Budney and unanimously carried that the CVPD Vouchers in the amount of \$10,063.68 are hereby approved as set forth in Abstracts 12A & 1.

Councilwoman Budney made a motion, seconded by Councilman Van Tassel and unanimously carried that the CVWD Vouchers in the amount of \$5,679.65 are hereby approved as set forth in Abstracts 12A.

There being no further business to discuss, Councilwoman Budney made a motion, seconded by Councilman Van Tassel to close the Town Board Monthly Meeting at 8:27 p.m.

Respectfully submitted by,

Joan B. Clauss
Deputy Town Clerk