

Monthly Town Board Meeting  
January 5, 2012

The Town Board of the Town of Philipstown held their Monthly Meeting on the above date at 8:15 p.m., at the Town Hall, 238 Main Street, Cold Spring, New York.

PRESENT:	Richard Shea	Supervisor
	Betty Budney	Councilwoman
	Nancy Montgomery	Councilwoman
	David Merandy	Councilman
	John Van Tassel	Councilman
	Edward W. Doyle	Town Attorney

Supervisor Shea opened the meeting with a Salute to the Flag.

Supervisor Shea welcomed David Merandy as the new member of the Board.

**REVIEW OF MINUTES**

The Minutes of the Bid Opening of December 28, 2011, Bank Stabilization for East Mountain Road South, were reviewed.

Councilwoman Budney made a motion, seconded by Councilman Van Tassel and unanimously carried that the Minutes of the Bid Opening of December 28, 2011, Bank Stabilization for East Mountain Road South, are hereby approved as presented.

**COMMITTEE REPORTS**

**CAC** – No report.

**RECREATION** – Councilman Van Tassel reported that construction and installation of the generator for the Disaster Center was underway. Councilwoman welcomed the two (2) new Recreation Commission members, John Maasik and Stephanie Hawkins. Supervisor Shea extended thanks to Councilman Van Tassel for his involvement with the construction and installation of the generator.

**RECYCLING** – No report.

**PLANNING BOARD** - Councilwoman Montgomery reported on the items addressed at the December 8<sup>th</sup> Planning Board Meeting.

**ZONING** – Councilman Van Tassel reported that there was no meeting scheduled in December. Next meeting is scheduled for January 9<sup>th</sup>.

**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.

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**BUILDING & LAND ACQUISITION** – No report.

**GVFD** – Jamie Copeland reported on activities for the month of December 2011.

**TOWN OF PHILIPSTOWN**  
**MONTHLY REPORT OF TOWN SUPERVISOR**  
**MONIES RECEIVED AS OF JANUARY 5, 2012**

**GENERAL & PART-TOWN FUNDS**

Justice Fees – November 2011	\$10,345.00
Justice Fees – November 2011	7,385.00
Town Clerk Fees – November 2011	385.36
Town Clerk Fees – Dogs – November 2011	319.00
Hudson Baylor	91.50
NYS DFY 2010	1,778.00
NYS DFY 2010	1,596.00
Putnam County Mortgage Tax	131,968.79
Recreation Fees – November 2011	29,486.54
Erie Insurance Refund	189.00
Recreation Fees – December 2011	23,000.00
CTV Fees	11,433.00
Town Clerk Fees – December 2011	1,269.25
Town Clerk Fees – Dogs – December 2011	441.00
A. W. Scrap	959.00

**HIGHWAY FUND**

NYS CHIPS	\$ 4,364.96
Putnam County OFA Gas	562.02
Putnam County Sheriff's – Gas	1,959.35
General Fund – Gas	593.86
Bank Interest	131.63

**CONTINENTAL VILLAGE WATER DISTRICT**

Bank Interest	\$ 2.63
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**CONTINENTAL VILLAGE PARK DISTRICT**

Clubhouse Fees	\$ 500.00
Bank Interest	15.37

**AGENDA**

**1. Resolution accepting the resignation of Dorothy Gilman from the Board of Assessment Review, effective immediately.**

**RESOLUTION #48-2012**

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 accepts the resignation of Dorothy Gilman from the Board of Assessment Review, effective immediately.

Supervisor Shea then requested that an advertisement be place to fill two (2) vacant positions on the Board of Assessment Review.

**RESOLUTION #49-2012**

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

**RESOLVED**, that the Town Clerk is hereby authorized to place an advertisement in the PCN&R to fill two (2) positions on the Board of Assessment Review.

**2. Code Enforcement Monthly Report**

Town Clerk Merando read the Monthly Code Enforcement Report.

**3. Schedule Workshops/Meetings**

January 18, 2012	Recreation (Amber Stickle) 7:30 p.m.
	Kevin Donohue 8:00 p.m.

Supervisor Shea reported that a meeting was forthcoming regarding the Hudson/Fjord Trail and connecting Cold Spring with Beacon on a walking trail.

Councilwoman Montgomery reported that a meeting with Senator Joe Brent's office was scheduled for January 19<sup>th</sup>, regarding FEMA and hazard (inaudible) and the process of applying for grants.

Councilman Van Tassel questioned if a workshop should be scheduled to discuss Highway Superintendent Chirico's letter regarding a cell phone policy. Councilwoman Montgomery stated that there is an \$11,000.00 fine if caught using a cell phone while working. Supervisor Shea stated that the Board will look into whether or not there is some kind of policy regarding use of cell phones while driving a town vehicle.

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Town Attorney Doyle questioned if this subject was just for Highway and remarked that hands-free is permissible in New York State. Councilman Van Tassel stated that he was not sure if that was permissible with a CDL. Town Attorney remarked that if he, the Assessor or Building Inspector was driving and had a hands-free set and calls the Town Clerk's office, it was legal. He stated that he was trying to find out what the Board wanted to address; that if it was highway, the Town has a Union Contract and that labor counsel (Judy Mayle), should be contacted as she may already have a policy pertaining to this subject. Supervisor Shea stated that he would contact Ms. Mayle.

Councilwoman Montgomery asked if the Board was trying to address private use of cell phones during working hours, that use of hands-free in case of an emergency was fine but the use of hands-free while working was not acceptable.

## **AUDIENCE**

Ann Chestnut of the PCN&R questioned Highway Superintendent's statement (Committee Reports) regarding cleaning out a resident's brook. She stated that some time ago, one of the Board members made reference to the fact that a person was not allowed to set foot into a brook without DEC authorization or something along those lines. Ms. Chestnut stated that she would like some clarification on this. Supervisor Shea responded saying that he made statements relating to a couple of things. One being that the Board was not encouraging residents to go into rushing brooks and start dragging things out. Supervisor Shea added that people with private culverts should engage the services of someone or if comfortable doing it, remove debris from the culvert. He added that if a resident was going to do any real work in a stream involving disturbing the bottom using a machine, a DEC permit was required, but there are minor things that a resident can do, such as moving branches back from the sides and removing dead trees before they fall down into the brooks.

Ms. Chestnut then asked if the Town Board knew of any resident in Philipstown who may have received notification from their insurance company advising that they should clear dead branches off their trees. Supervisor Shea replied that he had no idea.

Garrison resident, Lee Erickson asked if the board had heard anything more from the New York State "stream team;" that he was still seeing a lot of dead trees. Supervisor Shea replied that so far, he had not and that the Town Board was still working with the DEC.

Audience member asked about the path from Cold Spring to Beacon and whether Garrison might be included. Supervisor Shea stated that he thought the path should go all the way to Peekskill. Mention of rerouting the trolley was also briefly discussed.

Referencing the bus stop on Route 9 (Winston Lane), Councilman Van Tassel advised the Board that the Sheriff's Department had patrols out for an extended period of time; that there are now illuminated signs there. Councilman Van Tassel extended his thanks to Sheriff Smith, all the patrols and Highway Superintendent Chirico for all their help.

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**VACANCIES**

Board of Assessment Review (1)  
CV Park District Advisory Committee (3)  
CV Water District Advisory Committee (3)

**APPROVAL OF VOUCHERS**

Councilman Van Tassel made a motion, seconded by Councilwoman Montgomery and unanimously carried that the General Vouchers in the amount of \$687,417.26 are hereby approved as set forth in Abstracts 12A & 1.

Councilwoman Budney made a motion, seconded by Councilwoman Montgomery and unanimously carried that the Highway Vouchers in the amount of \$83,912.77 are hereby approved as set forth in Abstracts 12A & 1.

Councilman Van Tassel made a motion, seconded by Councilwoman Montgomery and unanimously carried that the CVPD Vouchers in the amount of \$3,788.38 are hereby approved as set forth in Abstract 12A.

Councilwoman Budney made a motion, seconded by Councilwoman Montgomery and unanimously carried that the CVWD Vouchers in the amount of \$12,595.15 are hereby approved as set forth in Abstracts 12A & 1.

There being no further business to discuss, Councilman Van Tassel made a motion, seconded by Councilwoman Budney to close the Town Board Monthly Meeting at 8:35 p.m.

Respectfully submitted by,

Joan B. Clauss  
Deputy Town Clerk