

Monthly Town Board Meeting
February 2, 2012

The Town Board of the Town of Philipstown held their Monthly Meeting on the above date at 7:33 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.

Special Meeting of the Philipstown Depot Theatre Development Corps

The Philipstown Depot Theatre Development Corporation held a Special Meeting on the above date at 7:33 p.m., at the Town Hall, 238 Main Street, Cold Spring, New York.

AGENDA

Election of additional Director:

Claudio Marzollo noted that the Board of Directors of the Philipstown Depot Theatre has nominated Stephanie Hawkins a member of the Recreation Commission, for election as an additional director.

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

RESOLVED, that Stephanie Hawkins is elected a director of the corporation for a term ending at the Annual Meeting in 2015.

There being no further business to discuss the Special Meeting was closed at 7:35 p.m.

REVIEW OF MINUTES

The Minutes of the Year End Meeting of December 29, 2011, were reviewed.

Councilman Van Tassel made a motion, seconded by Councilwoman Budney and unanimously carried that the Minutes of the Year End Meeting of December 29, 2011, are hereby approved as presented.

The Minutes of the Philipstown Depot Theatre Development Corp Annual Meeting of January 5, 2012, were reviewed.

Monthly Town Board Meeting
February 2, 2012

Councilwoman Budney made a motion, seconded by Councilwoman Montgomery and unanimously carried that the Minutes of the Philipstown Depot Theatre Development Corp Annual Meeting of January 5, 2012, are hereby approved as presented.

The Minutes of the Friends of Philipstown Recreation Inc. Annual Meeting of January 5, 2012, were reviewed.

Councilwoman Montgomery made a motion, seconded by Councilman Merandy and unanimously carried that the Minutes of the Friends of Philipstown Recreation Inc. Annual Meeting of January 5, 2012, are hereby approved as presented.

The Minutes of the Reorganization Meeting of January 5, 2012, were reviewed.

Councilwoman Budney noted that David Merandy's title is not Councilwoman as indicated in the minutes. Councilwoman Montgomery would like to change the title given for Information Officer to Information Liaison.

Councilwoman Budney made a motion, seconded by Councilwoman Montgomery and unanimously carried that the Minutes of the Reorganization Meeting of January 5, 2012, are hereby approved as modified to reflect the following changes: David Merandy, Councilman not Councilwoman and a change of the title for Councilwoman Montgomery, Information Officer to Information Liaison.

The Minutes of the Monthly Town Board Meeting of January 5, 2012, were reviewed.

Councilwoman Montgomery made a motion, seconded by Councilman Van Tassel and unanimously carried that the Minutes of the Monthly Town Board Meeting of January 5, 2012, are hereby approved as presented.

The Minutes of the Weekly Town Board Meeting of January 18, 2012, were reviewed.

Councilwoman Budney made a motion, seconded by Councilwoman Montgomery and unanimously carried that the Minutes of the Weekly Town Board Meeting of January 18, 2012, are hereby approved as presented.

COMMITTEE REPORTS

CB – Councilwoman Montgomery did not attend the meeting this month. She reported that they do have a heavy agenda for the February 14, 2012 meeting. Supervisor Shea asked Councilwoman Montgomery if she had the Resolution, which designated the Conservation Board, and she responded “yes”. He stated that there seems to be some confusion on authority and the resolution lays out the administrative authority responsibilities.

RECREATION –Councilman Van Tassel reported that he and Councilman Merandy attended the meeting on January 31, 2012 at which time Amber Stickler reported that the ice-skating event was attended by 150 residents with 100 no shows. She also advised that the spring

Monthly Town Board Meeting
February 2, 2012

book would be out next week and registration would begin on the 13th of February. On February 15 there will be a senior brunch, 70 seniors signed up. Claudio Marzollo reported that he has turned over the Chair of the Depot Theatre to Steven Ives after serving as chair for 15 years. Councilwoman Montgomery wanted to elaborate a little saying that this was a vision that Claudio had, to create what is now the Depot Theatre. She noted that they went into a building that was not being used and did renovations, putting in their time and money. The Depot Theatre is now very popular with world-class series, great programs that give residents an opportunity to express their art. She is sad to see Claudio go and she and Supervisor Shea welcomed Steven Ives.

Councilman Van Tassel went on to report that Amber thanked Lou Kingsley for taking down a tree at the Quarry Pond park at no cost, and thanked the Cold Spring Baptist Church for donating 50 folding chairs to the community center. She also reported on the installation of the generator given to us by Homeland Security through Putnam County thanking Pidala Electric, Valenti Concrete, Roger at the Highway Department and Councilman Van Tassel.

Councilman Van Tassel reported that there was discussion on the following: security and abuse at the Town Parks and the commission in the near future will present a plan for background checks, and medical training for coaches. The commission approved a proposal for replacement of lights at the community center parking area for safety reasons. A workshop to discuss the field studies project was scheduled. Supervisor Shea thanked Councilman Van Tassel for his work heading up the job on the installation of the generator.

RECYCLING – No report. Councilwoman Budney just wanted to say that she had decided to close the landfill last Saturday due to the weather and would do so in the future due to inclement weather.

PLANNING BOARD - Councilwoman Montgomery reported on the items addressed at the January 19th Planning Board Meeting. The next meeting will be held on the 3rd Thursday of the month at the VFW at 7:30pm

ZONING – Councilman Van Tassel reported on the items of the January 9th meeting. Town Code Enforcement Officer, Kevin Donohue, gave a detailed report on all questioned codes and zoning issues. The next meeting will be held on February 13th.

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. Councilwoman Budney had pictures available to review of the Winston Lane work. Supervisor Shea noted that the thrust of the temporary road on Winston Lane is to get the school bus back in there so we don't have the safety issue on Route 9.

BUILDING & LAND ACQUISITION – No report. Supervisor Shea said that he had received a couple of calls from seniors with regard to the Butterfield site, asking whether a senior center was planned there since there was no mention of it in the paper. He said that a senior facility is in the plans and has drafted a letter in support of the concept for that site. Councilman Merandy said that he would encourage everyone to look at the site because he does not see

Monthly Town Board Meeting
February 2, 2012

how it fits in that space. He asked, "Do we want something crushed in there like that?" Councilman Van Tassel noted that we (the Town) do not have any say in this - it is the Village of Cold Spring. Supervisor Shea reiterated his commitment to seniors.

GVFD – Jamie Copeland reported on activities for the month of January 2012. Mr. Copeland reminded everyone that they are all volunteers and they do it because it is an honor to serve. He then read a letter from a grateful spouse of a badly injured woman whom Garrison volunteers had rescued. The Red Cross has their Blood Drive on February 9 and 10th at the firehouse and they have a regularly scheduled training night on the 16th.

**TOWN OF PHILIPSTOWN
MONTHLY REPORT OF TOWN SUPERVISOR
MONIES RECEIVED AS OF FEBRUARY 2, 2012**

GENERAL & PART-TOWN FUNDS

Tax Coll. Gen A – Partial Pay	200,000.00
Justice Fees – December 2011	10,920.00
Justice Fees – December 2011	5,715.00
P.C. Cemetery 2011	1,470.00
Tax Coll. Surplus	.49
Tax Coll. Gen A – Partial Pay	500,000.00
Tax Coll. Butterfield Library	276,000.02
Tax Coll. Gen A – Partial Pay	500,000.00
Tax Coll. CV Fire	254,029.08
Tax Coll. CS Fire	66,541.05
Tax Coll. NH Fire	717,623.93
Tax Coll. Garrison Fire	596,269.09
Hudson Baylor	76.95
Bldg. Fees	11,559.00
Interest	34.64

HIGHWAY FUND

Gen. Fund Gas	309.46
P. C. Sheriff's Gas	1,682.98
Tax Coll. Hwy-Partial Pay	500,000.00
P.C. Gas	1,357.30
P.C. Gas	962.87
CV Fire Gas	51.85
Bank Interest	109.76

CONTINENTAL VILLAGE WATER DISTRICT

Monthly Town Board Meeting
February 2, 2012

Tax Coll.-Full Pay	102,242.94
Bank Interest	109.76

CONTINENTAL VILLAGE PARK DISTRICT

Bank Interest	14.40
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AGENDA

1. Resolution authorizing Supervisor Shea to sign the agreement between Putnam County Department of Health and the Town of Philipstown for the administration of the W.I.C. Program.

Supervisor Shea asked Town Attorney Doyle if he has seen this agreement. Town Attorney Doyle said that he approves it.

RESOLUTION #51-2012

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

RESOLVED, that the Town Board of the Town of Philipstown, hereby authorizes Supervisor Shea to sign the agreement between Putnam County Department of Health and the Town of Philipstown for the administration of the W.I.C. Program.

2. Resolution accepting the Agreement and Cash Maintenance Bond in the matter of Holubar's Subdivision.

Supervisor Shea asked Attorney Doyle if he had seen it. Attorney Doyle said that he worked on it with Bob Cinque and they accepted it as presented.

RESOLUTION #52-2012

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

RESOLVED, that the Town Board hereby accepts the Agreement and Cash Maintenance Bond in the matter of Holubar's Subdivision.

3. Resolution authorizing the release of Escrow Funds on the Constance Bakall and the Berner Family subdivision application.

RESOLUTION #53-2012

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

RESOLVED, that the Town Board hereby authorizes the release of Escrow Funds on the Constance Bakall and the Berner Family subdivision application.

4. Resolution authorizing Supervisor Shea to sign the agreement between the Town of Philipstown and Judith Mayle for legal services

Supervisor Shea said that we use Judith Mayle for labor disputes and contract negotiations and she has always given good advice.

RESOLUTION #54-2012

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

RESOLVED, that the Town Board of the Town of Philipstown hereby authorizes Supervisor Shea to sign the agreement between the Town and Thomas, Drohan, Waxman, Petigrow & Mayle, LLP to provide legal services at the rate of \$200.00 per hour for attorneys, and \$95.00 per hour for paralegal services for the period of January 1 through December 31, 2012.

5. Resolution accepting the resignation of Anthony Merante as Chairman of the Planning Board effective immediately.

Supervisor Shea said that this is not accepting the resignation from the Planning Board, but only resigning as Chairman of the Planning Board. Town Attorney Doyle said that the letter does say from the Board. Supervisor Shea said that he would like Mr. Merante to stay on the Board, therefore would like to table this item until they can get a letter modifying this. He had a brief discussion with Mike Leonard to take on the job as interim Chairman and he has accepted.

RESOLUTION #55-2012

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

RESOLVED, that the Town Board hereby agrees to table this item until further discussion and modification of the letter.

6. Resolution to re-appoint the following to the Zoning Board of Appeals for a five (5) year term:

Robert Dee	term will expire	March 31, 2017
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RESOLUTION #56-2012

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

RESOLVED, that the Town Board hereby re-appoints Robert Dee to the Zoning Board of Appeals for a five (5) year term which will expire March 31, 2017.

Monthly Town Board Meeting
February 2, 2012

7. Resolution to re-appoint the following to the Philipstown Planning Board for a four (4) year term:

Pat Sexton, Member term will expire March 3, 2016

RESOLUTION #57-2012

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

RESOLVED, that the Town Board hereby re-appoints Pat Sexton to the Philipstown Planning Board for a four (4) year term which will expire March 3, 2016.

8. Resolution to re-appoint the following to the Philipstown Conservation Board for a two (2) year term:

Eric Lind, Interim Chair.	term will expire	March 31, 2014
Andrew Galler, Member	term will expire	March 31, 2014
Robert Repetto, Member	term will expire	March 31, 2014
Mark Galezo, Member	term will expire	March 31, 2014

RESOLUTION #58-2012

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

RESOLVED, that the Town Board hereby re-appoints Eric Lind, Andrew Galler, Robert Repetto and Mark Galezo to the Philipstown Conservation Board for a two (2) year term which will expire March 31, 2014.

9. Resolution adopting the 2012 Building Department Fee Schedule to be effective for all new applications submitted on or after February 6, 2012.

- Supervisor Shea noted that this is not a lot of new fees, but a breakdown of fees and payments. It will allow people to pay as you go, rather than paying for the whole project at once. It also consolidates certain things. He has discussed with Kevin Donohue and feels comfortable with it.

RESOLUTION #59-2012

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

RESOLVED, that the Town Board hereby adopts the 2012 Building Department Fee Schedule to be effective for all new applications submitted on or after February 6, 2012.

10. Schedule Workshops/Meetings

February 29 @7:30pm - Workshop on Butterfield site.

Councilwoman Montgomery asked to put Tom Lannon, of Putnam County, on the agenda of the March Town Board meeting to talk about the NY Alert program which is a free emergency notification service.

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

Councilman Van Tassel said that he had a lengthy discussion with Putnam County Emergency Services about our shelter at the Recreation Center and although the Red Cross does provide services - the odds of them coming here and staffing our center are slim to none, unless it is a local event. We are planning to have a first level outreach program to teach people to be prepared to stay in their home. We will form some sort of group to staff our own shelter, with the guidance of the Red Cross. In the next few months we are going to work on a plan to better prepare Philipstown to be self-sufficient in the future.

Councilwoman Budney would like to set up tours of three cemeteries in the area as part of the Bicentennial Celebration on June 30, 2012 and is asking for volunteers. If you are interested please call her at 845-265-3508, 845-265-3329 or 845-265-5200.

Councilman Van Tassel asked that Supervisor Shea approve a proposal from Pidala Electric for Site Lighting for the Town of Philipstown Recreation Center. Councilwoman Montgomery noted that the money is already in the Recreation Department budget.

Resolution #60-2012

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

RESOLVED, that Supervisor Shea approved the proposal from Pidala Electric, for site lighting for the Town of Philipstown Recreation Center not to exceed \$3,600.00.

Supervisor Shea had a meeting with a representative of the Cornell Cooperative Extension, which is also working with the DEC regarding climate change. The State of New York is taking seriously how to plan for what is coming with these events. They are going around interviewing Towns to see what kind of experiences they have had and what preparations they are making for future events. We will get a report on that. This is a first step to help take into account where things get developed, where flood plans are needed.

AUDIENCE

Anne Chestnut asked Councilman Van Tassel about the Red Cross meeting he had with regards to a shelter here. She said this was big news that the Red Cross would not staff a shelter here. Councilman Van Tassel said that "they did not say they wouldn't, if it were a local emergency here they could staff it. The problem is that in a widespread emergency they just do not have the staff". Councilwoman Montgomery said that the protocol is the county determines the needs and calls the Red Cross. The Town cannot call the Red Cross directly; it has to go through the Bureau of Emergency Services.

Dave Vickery commended the Board and Town Clerk on how rapidly they acted in implementing the new law of getting all of the minutes/documents on the web site for the Town Meetings. He then said that he would like to put his concerns forward with regard to the fee for letter of “no violation letter” @\$175 per property tax map number. Supervisor Shea said that this applies to some one who already had a violation and needs to prove that it has been cleared up. It is not a blanket order asking everyone to prove that they had no violations. Mr. Vickery then asked what the status was on Knollwood Lane with two lots that the Town owns that were supposed to be used for Stormwater mitigation. There was supposed to be a retention basin but it was never put in. There has been erosion and sediment has accumulated and the basin is now filled up. He talked to Roger Chirico who said that they would come in during the winter when the ground is frozen and remove some of the sediment, but so far nothing has been done. He is asking for the Town to do something, even selling the property. Supervisor Shea said that he was out there looking and has had a discussion with the Code Enforcement Officer about putting in some sort of detention there. He does not think selling the lots is a good idea unless some improvements are done. He said, “The Town will be doing something”.

Councilman Merandy asked about FEMA reimbursements – how do we fund, do we have enough money in the budget for all the work that is being done? Supervisor Shea said that we have been on top of it and once we get an invoice we should get refunded pretty quickly. If we have to bond out in the short term we can do it relatively quickly, which can be renewed one time without penalty. So far we have not had to. Some of the bigger projects may have to be bonded out but we do have a cushion right now. We are still getting pricing for the big projects right now.

Andy Chmar asked about the Walmer Lane Bridge. He is curious whether there has been any progress. He wrote several notes to Tom Lannon, and hasn't heard back from the recent ones, but said that Mr. Lannon did not sound very hopeful. Mr. Chmar said that they (the residents) did grade the road. Their major concern is the response time for emergency vehicles. Supervisor Shea said that Kevin Donohue was out there with the FEMA representative who questioned the ownership of the bridge. Supervisor Shea noted that there are some options from the DEC for removal of what is in the stream. There are also some options for the Town to do it as an improvement district, which we can talk about. Mr. Chmar said they would be interested in any idea to replace that bridge which is not owned by anyone living there now. Supervisor Shea said that it would be beneficial for all the residents to get together and consider some agreement such as a Homeowners Associate taking charge of the road/bridge maintenance program.

Liz Armstrong asked what the Town received from FEMA. Supervisor Shea said that he did not have those figures yet. We have not received the monies yet for the projects, but know it is in the pipeline since all the applications have been submitted so we will be receiving it.

VACANCIES

Board of Assessment Review (1)

Monthly Town Board Meeting
February 2, 2012

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

APPROVAL OF VOUCHERS

Councilwoman Montgomery made a motion, seconded by Councilman Van Tassel and unanimously carried that the General Vouchers in the amount of \$502,881.39 are hereby approved as set forth in Abstracts 1A & 2.

Councilwoman Budney made a motion, seconded by Councilwoman Montgomery and unanimously carried that the Highway Vouchers in the amount of \$350,675.38 are hereby approved as set forth in Abstracts 1A & 2.

Councilman Van Tassel made a motion, seconded by Councilwoman Montgomery and unanimously carried that the CVPD Vouchers in the amount of \$18,660.84 are hereby approved as set forth in Abstract 1A & 2.

Councilwoman Budney made a motion, seconded by Councilwoman Montgomery and unanimously carried that the CVWD Vouchers in the amount of \$13,308.21 are hereby approved as set forth in Abstracts 1A & 2.

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 9:02 p.m.

Respectfully submitted by,

Theresa Crawley
Deputy Town Clerk