

Monthly Town Board Meeting
February 3, 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

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

COMMITTEE REPORTS

CAC – Councilwoman Scuccimarra reported the CAC Meeting did not meet last month due to the weather.

Recreation – Councilwoman Montgomery reported that the Recreation Commission did not meet as yet this month. Recreation’s spring book should be out next week. They are planning a teen ice-skating night event for March, also an upcoming senior luncheon. Anyone interested in coming out to help with the luncheon, please do so.

Recycling - Councilwoman Budney said the only thing she has is that if it snows again next Saturday the Recycling Center will probably not be open.

Planning Board – Councilwoman Montgomery noted that there was a workshop prior to the regular meeting to discuss the new zoning draft law and formal comments were issued to the Town Board on January 27, 2011. She reported on the items addressed at the regular Planning Board Meeting. There were two Public Hearings at the January 20 meeting. The next Planning Board Meeting is scheduled for February 17, 2011 at 7:30pm at the VFW Hall in Cold Spring.

Zoning – Councilman Van Tassel reported on the four (4) items addressed at the Zoning Board Meeting of January 10, 2011. The next Zoning Board meeting is scheduled for Monday February 14, 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. Superintendent Chirico met with Supervisor Shea to discuss the enormous amount of oil used to heat the Highway garage. The oil is used strictly for heating and hot water. The current heating system is old and is need of repair. As a result of the meeting the Highway Department will be preparing a bid package for installment of insulation at this facility. The Highway

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Department is asking residents to remove their vehicles from town roadways from November 15 thru April 15. This is necessary for the Highway Department to maintain the roads during the winter months. At no time should snow from your driveway, walkways or any part of your property be pushed, plowed, or shoveled onto town roads. Code Enforcement and the Sheriffs Dept. have been notified of this and it will be strictly enforced.

Building & Land Acquisition - No report.

GVFD – Jamie Copeland, President of the Garrison Fire Department read the report for the month. He also noted they are having a Blood Drive which will be held on next Thursday and Friday from noon to 7:00pm.

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TOWN OF PHILIPSTOWN

MONTHLY REPORT OF TOWN SUPERVISOR

MONIES RECEIVED AS OF FEBRUARY 3, 2010

GENERAL & PART-TOWN FUNDS

Town Clerk Fees – 12/10	\$ 9.85
Justice Fees – 12/10	4,425.00
Justice Fees – 12/10	4,040.00
Tax Collection-Gen A-Partial Pay	1,800,000.00
Tax Collection-Gen A-Final Pay	240,027.42
Hudson Baylor	125,75
Tax Collection-JLB Library	276,000.00
Tax Collection-GVFD	585,771.01
Tax Collection- CS Fire/Philipstown #1	49,900.05
Tax Collection-Gen B-Full Pay	233,636.00
Building Fees – 1/11	4,112.00

HIGHWAY FUND

General Fund Bldg. Gas	\$126.99
C.V. Fire Co. Gas	282.46
Tax Collection-Partial Pay	700,000.00

CONTINENTAL VILLAGE WATER DISTRICT

Tax Collection-Unpaid Water	\$22,464.00
Tax Collection-Full Pay	161,161.81

CONTINENTAL VILLAGE PARK DISTRICT

Tax Collection-Full Pay	\$117,351.04
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AGENDA

1. Resolution authorizing the implementation and funding of the State Multi-Modal Program – aid for eligible costs of a capital project and appropriating funds.

Town Clerk Merando noted that this is for the work that the Highway Department did on Indian Brook Road and the retaining road.

RESOLUTION #59-2011

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

RESOLVED, that the Town Board authorizes the implementation and funding of the State Multi-Modal Program – aid for eligible costs of a capital project and appropriating funds.

2. Resolution needed to authorize Supervisor Shea to sign the Master Agreement for the Multi-Modal Program Project.

Town Clerk Merando said this was done before but the state sent us all the wrong forms so this must be done again.

RESOLUTION #60-2011

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

RESOLVED, that the Town Board hereby authorizes Supervisor Shea to sign the Master Agreement for the Multi-Modal Program Project.

3. Resolutions to re-appoint the following to the Philipstown Planning Board:

- | | | |
|-----------------------------|------------------|----------------|
| • Anthony Merante, Chair | term will expire | March 31,2015 |
| • Kim Conner, Member | term will expire | March 31, 2015 |
| • Kerry Meehan, Member | term will expire | March 31, 2015 |
| • Josephine Doherty, Member | term will expire | March 31, 2015 |

RESOLUTION #61-2011

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

RESOLVED that the Town Board will table the re-appointment of the Planning Members.

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4. Resolution to re-appoint the following to the Conservation Advisory Council:

- Lew Kingsley, Member term will expire March 3, 2013
- M.J. Martin, Member term will expire March 3, 2013

RESOLUTION #62-2011

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 re-appoints Lew Kinsley as a Member to the Conservation Advisory Council whose term will expire on March 3, 2013.

RESOLUTION #63-2011

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

RESOLVED, that the Town Board of the Town of Philipstown hereby re-appoints M.J. Martin as a Member to the Conservation Advisory Council whose term will expire on March 3, 2013.

5. Resolution to re-appoint the following to the Philipstown Zoning Board of Appeals:

- Leonard Lim, Member term will expire March 31, 2016

RESOLUTION #64-2011

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 re-appoints Leonard Lim as a Member to the Philipstown Zoning Board of Appeals whose term will expire on March 31, 2016.

6. Resolution authorizing Supervisor Shea to sign the agreement allowing the Department of the Army to enter the property at the Town Park to retrieve any ammunition that may be present as a result of former military training activities at West Point. (Nunc Pro Tunc)

Supervisor Shea noted that West Point asked for permission to retrieve any ammunition that may be present due to former military training activities. Andy Chmar was asked if he knew any more about this and he stated that it is just a precautionary measure.

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RESOLUTION #65-2011

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 allowing the Department of the Army to enter the property at the Town Park to retrieve any ammunition that may be present as a result of former military training activities at West Point. (Nunc Pro Tunc)

7. Resolution authorizing Supervisor Shea to sign the Intermunicipal Agreement between the Town and the County of Putnam regarding public works.

Town Clerk Merando said that Town Attorney, Ed Doyle, has reviewed and made some wording changes. Supervisor Shea said that the old agreement had expired and the Town would like to have shared services with the county.

Councilwoman Scuccimarra said this came about when Roger Chirico borrowed some equipment and it broke. He called the county and was told that if he broke it he had to fix it. Roger then called Paul Aldridge who came right over and said that we need a better agreement.

RESOLUTION #66-2011

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

RESOLVED, that the Town Board of the Town of Philipstown hereby authorizes Supervisor Shea to sign the Intermunicipal Agreement between the Town and the County of Putnam regarding public works.

8. Code Enforcement Monthly Report.

Town Clerk Merando read the Monthly Report.

9. Schedule Workshops/Meetings.

Supervisor Shea reminded everyone about the Public Hearing for Zoning being held on February 9, 2011.

Supervisor Shea said in light of current events that we should have a policy regarding carrying a firearm and or weapon on Town property. Town Attorney Doyle has drafted a local law. We will post signs once the law is adopted. They also intend to have a workshop training session with the Sheriff's department that will inform the Town Board as to what to do in certain situations. This is just a precautionary measure and he thinks it is prudent.

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- Public Hearing – Local Law entitled “Weapons Prohibited”

RESOLUTION #67-2011

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

RESOLVED, that the Town Board hereby schedules a Public Hearing on a local law entitled “Weapons Prohibited” for March 3, 2011 at 7:30pm at the Town Hall.

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

Supervisor Shea said that with the zoning in mind he wanted to address an article in the newspaper this week that contained several inaccuracies, one being that there are 17 overlays. There are only 8 overlays and 9 zoning districts, which are distinctly different. He also wanted to say that the latest overlay - Historic Preservation Overlay was not snuck in at the last moment. It was something that was talked about. He personally called the COP, and other groups were notified. He just doesn't see the downside of adaptive reuse of historic properties. It would bring in more revenue for the town and create jobs. It would be low impact business. He also wanted to say that he takes issue with the paper printing an article from an anonymous source who said he/she was afraid of retribution from the Planning Board for their comments. This is an insult to the Planning Board. The Planning Board members are professionals and take their jobs seriously.

Councilwoman Montgomery said she spoke with RFG consulting today and they have not received any information from the state, county or any local departments about the fire study. Councilman Van Tassel said at a meeting the other night they did request an extension. Councilwoman Montgomery said that each department was notified that we did get the grant. She took on this unpopular initiative to file for the grant and hire an unbiased professional to open up a dialogue between the Town Board, the community and each department. It's no secret that across the country volunteers are facing critical issues losing numbers, manpower and growing demand. We have enjoyed the protection and dedication of volunteer fire and EMS for 115 years. For the safety of our volunteers and the residents she feels it is her responsibility to insure that these services are sustainable. We need to have these comments/input to move forward with this. She is hoping to get this information so the Town Board can look at it.

Councilwoman Scuccimarra attended the Senator Ball's “First elected official summit and advisory council meeting” today in Carmel. It was an informal meeting and they had a lot of the elected officials from all over the county. Senator Ball is reaching out to find out what our top issues are. Councilwoman Scuccimarra presented a survey from the meeting for Supervisor Shea to look at. Some of the question were “ What is the first unfunded mandate the state should eliminate?”. “What state regulations that you encounter need to be simplified or

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eliminated?” “What are the opportunities for department consolidation in your town and county?”. Senator Ball asked for items that our town might need help with. Whether we needed assistance in obtaining open grant monies.

Councilwoman Scuccimarra then read the report from the JLB Library.

Councilman Van Tassel attended a series of meetings regarding the athletic field in Philipstown. Currently it is a unified effort with Town of Philipstown, Haldane, Garrison schools and the Village of Cold Spring to formulate a plan to address field use and lack of quality of our current facilities. The Town and Haldane will be assigning co-chairs to this committee and the Town has selected Amber Stickle and Haldane has selected Tom Cunningham. There has been some data collected thus far as to field usage by the community and school based groups. The current feeling is to turn over this info, as well as all the surveys that Joe Regele has loaded electronically for us, to a professional, because there is a huge amount of usage if you look at all the groups in the town that use these fields. We have fields all over the place and not one of them is a class A field. Councilman Van Tassel's feeling is that the Town needs one class A field - a "Field of Dreams". He had the privilege last year of coaching and went all over Dutchess, Ulster and Putnam Counties and our fields are by far the worst. The thought is to get all these groups together and formulate a plan. We will be getting together again on February 9 at 7:30 am.

AUDIENCE

Joe Regele addressed the board with regard to a win win situation and it comes on the heels of an article he saw on the on-line paper – "Philipstown.info" – about Garrison School refinancing their construction bond for an attractive rate and saving approximately \$350,000 for the Garrison taxpayers by refinancing. He had subsequently written a letter to the Garrison Volunteer Fire Dept. who has an outstanding mortgage of a little over \$1,000,000 and 10 years left at a rate of just under 7% and he has requested that the fire company consider refinancing their mortgage. This could save the taxpayers money. He believes that the fire company ended 2010 with a reserve of about \$400,000, which is to be used for the purchase of equipment. They could use \$200,000 and pay down the 7% mortgage and refinance. This would have a significant impact on the debt service. He would like to ask the Town Board to request the fire company to have a workshop and get together to figure out the best way to refinance this mortgage and also use a portion of the idle cash to pay it down. This is a time sensitive issue because there is an April 1st deadline to notify the lender that you either intend to repay or refinance. You can only do this once a year. Just by prepaying \$100,000 the Town will save \$36,000 over the life of the mortgage. Supervisor Shea said he called the Treasurer and informed him that if there is an opportunity to save money he wants to do this. He realizes that this is time sensitive. He will get some dates and everyone can get together.

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Lee Erickson asked the Town Board to consider imposing term limits for all the appointed Board members. He said the Village seems to be looking towards adopting that in the Comprehensive Plan; the County has turned it down but may take it under advisement again. He thinks it would give someone an opportunity when there aren't any vacancies to apply or at least be interviewed for possible positions. Councilwoman Montgomery said it is something they have talked about and noted that there are several openings now that have not been filled. Supervisor Shea said that it is something they will talk about.

Another issue Mr. Erickson asked was directed to Councilwoman Budney about snow removal. He said that people are pushing snow out of their driveways onto the road, which leaves a mess. Supervisor Shea advised Mr. Erickson that he could call the sheriff since this is creating a hazard and the Highway Department.

Mr. Erickson then said that with regard to the Historic Overlay that he is in favor of it but thinks that there should be some language that protects the same business use that the other business' go through as far as oversight - Planning Board, site plan if necessary. He also thinks that any property under those acreages, any historic properties, should apply as long as the neighbors/properties that adjoin aren't in conflict with that. Supervisor Shea said that they had talked about that and if someone is going to change residential property to commercial property you need a good enough buffer to protect the rights of the neighbors.

Mike Gibbons complained about the voice audio on the tapes on the Board meetings being aired on the cable channel. Supervisor Shea asked Town Clerk Merando if she has contacted Roger O'Connor of Cablevision. She said that she has, but nothing has been done. Councilwoman Montgomery said she could offer help. Maybe she could get Cecelia to help. Town Clerk Merando noted that Cecelia has been here, but cannot figure it out either. Supervisor Shea said that he would get in touch with Roger O'Connor and arrange a meeting.

An audience member asked if there had been an incident on our Town property with someone carrying and or using a firearm? Supervisor Shea said we did not have an incident where firearms were used but an incident at a meeting where someone claimed they were "packing"/carrying. It turned out to be someone making a bad joke at the wrong time. Supervisor She said the gun law came up just in light of what happened in Arizona and also with direct conversations with the Putnam County's Sheriff Department and he thinks it is a good idea.

VACANCIES

Recreation Commission (1) Patty O'Rourke
CV Park District Advisory (2)
CV Water District Advisory (3)

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APPROVAL OF VOUCHERS

Councilwoman Montgomery made a motion, seconded by Councilwoman Scuccimarra and unanimously carried that the General Vouchers in the amount of \$683,028.53 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 Highway Vouchers in the amount of \$294,929.89 are hereby approved as set forth in Abstract 1A & 2.

Councilwoman Budney made a motion, seconded by Councilwoman Scuccimarra and unanimously carried that the CV Park District Vouchers in the amount of \$15,483.69 are hereby approved as set forth in Abstracts 1A & 2.

Councilwoman Scuccimarra make a motion, seconded by Councilwoman Budney and unanimously carried that the CV Water District Vouchers in the amount of \$19,538.43 are hereby approved as presented in Abstracts 1A & 2.

ADJOURNMENT

There being no further business to discuss, Councilwoman Budney made a motion, seconded by Councilwoman Montgomery to close the Monthly Meeting at 9:00 p.m.

Respectfully submitted by,

Theresa Crawley
Deputy Town Clerk