

Monthly Town Board Meeting
March 1, 2012

The Town Board of the Town of Philipstown held their Monthly Meeting on the above date at 7:30 p.m., at the Town Hall, 238 Main Street, Cold Spring, New York.

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

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

REVIEW OF MINUTES

The Minutes of the Monthly Meeting of February 2, 2012, were reviewed.

Councilman Van Tassel made a motion, seconded by Councilwoman Budney and unanimously carried that the Minutes of the Monthly Meeting of February 2, 2012, are hereby approved as presented.

The Minutes of the Special Meeting of February 15, 2012, were reviewed.

Councilwoman Budney made a motion, seconded by Councilman Van Tassel and unanimously carried that the Minutes of the Special Meeting of February 15, 2012, are hereby approved as presented.

COMMITTEE REPORTS

CB – Councilwoman Montgomery reported on the items discussed at the February 14, 2012 meeting. Councilwoman Montgomery reported that the next meeting is scheduled for March 13th.

RECREATION – Councilman Van Tassel requested that Recreation Supervisor, Amber Stickle present this month’s report since she was present at the Town Board meeting.

RECYCLING – No report.

PLANNING BOARD - Councilwoman Montgomery gave a brief report on items that were addressed at the February 16, 2012 meeting.

ZONING – Councilman Van Tassel reported on the items addressed at the February 13, 2012 meeting.

HIGHWAY – Councilwoman Budney read the monthly report submitted by Highway Superintendent Roger Chirico. Supervisor Shea expressed the Board’s thanks to the Highway Superintendent for the completion of a temporary road at Winston Lane in Continental Village, as there was a real potentially dangerous situation at this site. The report is on file in the Town Clerk’s Office for anyone wishing to review.

BUILDING & LAND ACQUISITION – Supervisor Shea reported that the Town Board met with the owner of the former Butterfield Hospital site; he noted that the County presently has penciled in 6,000 sq. ft. for county services on this side of Putnam.

GVFD – In the absence of Jamie Copeland, Councilman Van Tassel reported on activities for the month of February 2012.

JULIA L. BUTTERFIELD LIBRARY – Councilwoman Budney read the monthly report of activities.

RECREATION REPORT:

Recreation Supervisor, Amber Stickle, reported that response to the Spring Program was very popular; classes filled up within 15 minutes. Mrs. Stickle stated that The Friends of Philipstown were planning a “Spring Splatt Mudder” and a “Mini Mudder,” which would be held as a fundraiser to help with the construction of the park building and the fields at the Philipstown Park. Mrs. Stickle stated that volunteers, sponsors and attendees are needed.

Mrs. Stickle further reported that the Recreation Commission’s topic of discussion was the North Highlands Park and the significant problems with the dog park (people driving cars onto the pathway and destroying the path; not cleaning up after their dogs; dogs running free). Mrs. Stickle expressed concern about safety and she asked to start the process with the Town Attorney and the Town Board to codify the rules at the park so that the Town can have help with enforcement. She also suggested that boulders be placed across the pathway to prevent traffic from going where it is not supposed to go. Mrs. Stickle stated that there has been some discussion to make the park a “resident only” park, as there seems to be some problems with non-residents abusing the fishing privileges.

Mrs. Stickle presented a proposal for repairing the gym floor at the Recreation Center. Three areas of the floor were starting to give-way and she felt it could become a significant safety hazard for sports programs being held in the gym. Mrs. Stickle obtained an estimate of \$2,000 - \$2,5000 for repairing of the floor.

Supervisor Shea asked for a resolution authorizing Recreation to spend not more than \$2,500.00 for the repair of the gym floor at the Recreation Center.

RESOLUTION #62-2012

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

RESOLVED, that the Town Board of the Town of Philipstown, hereby authorizes Recreation to spend not more than \$2,500.00 for the repair of the gym floor at the Recreation Center.

Claudio Marzollo asked if Town Attorney Doyle had a chance to look into the Commission's request for advertising signs. Town Attorney Doyle responded that he didn't think it was permissible. Supervisor Shea remarked that, by law, it was not permitted.

Councilwoman Montgomery requested that the Town Board get the ball rolling with forming a citizens association to look into the situation at the Town Park. Mrs. Stickle added that there was an incident a few weeks ago when an altercation occurred when someone tried to enforce the rules at the park. Mrs. Stickle added that rules need to be reviewed and made into laws so they can be enforced, but the legal aspect needed to be looked at first. Supervisor Shea stated that he was in favor of deferring to the Recreation Commission to deal with this. Mrs. Stickle stated that if the rules are not followed, there was a possibility that the dog park will have to be closed. Councilman Van Tassel added that it is a complicated situation – dogs running loose, children riding bikes, and people running – unless people follow rules, it's not going to work.

Supervisor Shea stated that if the situation continues to be a problem with the dogs, the dog park will definitely be closed. Councilwoman Budney stated that she knew adults who will not go there because the dogs go after them. Supervisor Shea added that it was hard to police something like this unless there was a presence. Mrs. Stickle stated that this was another idea that the Recreation was looking at – a part-time ranger situation.

Councilman Merandy made a statement regarding Mike Leonard's handling of the Planning Board meeting as the new Interim Chairman, and how smoothly everything ran.

TOWN OF PHILIPSTOWN
MONTHLY REPORT OF TOWN SUPERVISOR
MONIES RECEIVED AS OF MARCH 1, 2012

GENERAL & PART-TOWN FUNDS

Town Clerk Fees – 1/12	\$ 355.78
Town Clerk Fees – Dogs – 1/12	487.50
Justice Fees – 1/12	5,530.00
Justice Fees – 1/12	8,861.50
Tax Collection – General A Pro Rata	425.54
Tax Collection – Final Pay – General A	923,571.46
Tax Collection – Valley Lane	20,510.07
Bank Interest	53.65
Building Fees – 1/12	9,805.00
Tax Collection – General B	199,359.04
Tax Collection – General B Surplus	1,116.96

HIGHWAY FUND

Trident Insurance – Highway Truck Damage	\$ 2,250.61
I Vazquez Waste Oil	112.45
Tax Collector Final Pay	2,013,100.00
General Fund – Gas	398.60
Bank Interest	93.05

CONTINENTAL VILLAGE WATER DISTRICT

Bank Interest	\$ 12.63
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CONTINENTAL VILLAGE PARK DISTRICT

Clubhouse Fees	\$ 575.00
Tax Collection – Full Pay	104,912.82
Bank Interest	15.43

AGENDA

1. Resolution establishing a Petty Cash Fund for the Justice Court in the amount of \$200.00

RESOLUTION #63-2012

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 approves the establishing of a Petty Cash Fund for the Justice Court in the amount of \$200.00.

2. Resolution to appoint Councilwoman Nancy Montgomery to the Stormwater Committee as Local Public Contact, to fill the vacancy left by Barbara Scuccimarra.

RESOLUTION #64-2012

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 appoints Councilwoman Nancy Montgomery to the Stormwater Committee as Local Public Contact, to fill the vacancy left by Barbara Scuccimarra.

3. Recreation Commission to present the conceptual plan for the fields.

Recreation Supervisor, Amber Stickle, addressed ideas presented by the Recreation Commission on how to get started with the process. She reported that the Board Association gave a final presentation in February; that the Recreation Commission was looking at how the process can get started, as they didn't want the plan to get sidelined. Mrs. Stickle stated that after further discussion it was felt that the best way to start would be to take the north field at the Philipstown Park out of commission and use it as two (2) smaller fields; expand the north field to a full-size, multi-use athletic field; get it engineered properly; get it crowned, re-sodded, put in irrigation; drill a well and extend the parking lot at Philipstown Park. This would all happen in conjunction with the Friends of Philipstown's plans for the Park Pavilion building. Mrs. Stickle stated that this would put another full-size field in Philipstown that could be utilized by the schools, Pop Warner, etc. She added that she did present the Town Board with a proposed budget based on the Master Plan that was done approximately 8 years ago, and that in 2010, she did bring in an irrigation company to look at Philipstown Park and was given some preliminary estimates. Mrs. Stickle stated that she was looking for the Town Board's support to move ahead; to start gathering hard-core numbers; look for an engineer and to set up a workshop to see if there was more that the Town Board would like to see at the Park.

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Supervisor Shea thanked Mrs. Stickle and stated that this project would not impact the town budget since a bond for the roads would be paid off. He added that he had preemptively, already spoken with Bond Council and they were going to prepare different scenarios for some things.

Mrs. Stickle then requested the Town Board's support in starting conversations with Little League to start the process of re-locating the current Little League Field from the lower 9D property to the front field. Mrs. Stickle stated that the present Little League field has become a safety hazard. Mrs. Stickle remarked that the Little League would be pro-active in assisting in developing the field and that she was not looking for any financial contributions at this time; that there were a few grant applications in process and she was aware of other funding. Supervisor Shea requested that Mrs. Stickle prepare a memo to the Town Board referencing this.

A workshop is scheduled with the Recreation Commission and Field Committee for March 14, 2012, 7:30 p.m., at Town Hall.

4. Resolution authorizing a cost-increase for the Philipse Brook Road Bank Stabilization Project in the amount of \$11,965.71.

Town Clerk Merando reported that the reason for the increase was because an additional 30 linear feet of wall along Philipse Brook Road was required to protect the roadway. The Highway Superintendent and Town Engineer signed off on the cost-increase.

RESOLUTION #65-2012

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 authorizes the cost increase for the Philipse Brook Road Bank Stabilization Project in the amount of \$11,965.71.

5. Resolution authorizing the release of the 5% retaining fee associated with the Philipse Brook Road Stabilization Project, together with any 5% retaining fee that might be due in connection with the \$11,965.71 increase in said contract price, which was approved on March 1, 2012.

RESOLUTION #66-2012

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 the release of the 5% retaining fee associated with the Philipse Brook Road Stabilization Project, together with any 5% retaining fee that might be due in connection with the \$11,965.71 increase in said contract price, which was approved on March 1, 2012.

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6. Resolution authorizing Town Clerk Merando to change vendors for bottled water from Crystal Rock to Nestle Waters.

Town Clerk explained that Nestle Waters would furnish bottled water to all of the Town locations for .97¢/month for equipment rental for 2 years, and 5-gallon water containers for \$2.29, per location. Currently, the Town is paying a different amount at each location for the rental, which amounts to \$20.68. With the new proposal we would have the same equipment and water, which would amount to \$6.70.

RESOLUTION #67-2012

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

RESOLVED, that the Town Board of the Town of Philipstown hereby authorizes Town Clerk Merando to change vendors for bottled water from Crystal Rock to Nestle Waters.

7. Resolution approving the 2011 points listing for the Garrison Volunteer Ambulance Corp. Length of Service Award Program.

RESOLUTION #68-2012

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

RESOLVED, that the Town Board of the Town of Philipstown hereby approves the 2011 points listing for the Garrison Volunteer Ambulance Corp. Length of Service Award Program.

8. Resolution approving the 2011 points listing for the Philipstown Volunteer Ambulance Corp. Length of Service Award Program.

RESOLUTION #69-2012

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 approves the 2011 points listing for the Philipstown Volunteer Ambulance Corp. Length of Service Award Program.

9. Resolution retaining the services of Berger Engineering and Surveying, of 100 Fulton Avenue, Poughkeepsie, New York, to apply for a grant for flood mitigation and flood control projects in creeks, streams, and brooks impacted by Hurricane Irene and/or Tropical Storm Lee, in an amount not to exceed \$2,000.00

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RESOLUTION #70-12

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 approves retaining the services of Berger Engineering and Surveying, of 100 Fulton Avenue, Poughkeepsie, New York, to apply for a grant for flood mitigation and flood control projects in creeks, streams, and brooks impacted by Hurricane Irene and/or Tropical Storm Lee, in an amount not to exceed \$2,000.00.

10. Resolution appointed Anne M. Nichter to the Board of Assessment Review to fill the vacancy left by Dorothy Gilman, whose term will expire September 30, 2014.

RESOLUTION #71-2012

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 appoints Anne M. Nichter to the Board of Assessment Review, to fill the vacancy left by Dorothy Gilman. Term will expire on September 30, 2014.

Councilwoman Montgomery thanked Dorothy Gilman for her service to the BAR.

11. Code Enforcement Monthly Report.

Town Clerk Merando read the Monthly Report.

12. Schedule Workshops/Meetings. (See Agenda Item 3)

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

Councilman Van Tassel stated that a few deputy sheriffs' requested that the brush along the Route 9D/Breakneck corridor be cut back, as there is a hazard to pedestrians. Councilman Van Tassel will send a letter of request to the DOT.

A discussion ensued with regard to appointing Michael Leonard as Chairman of the Planning Board. It was decided to postpone until a resolution can be done formally.

Supervisor Shea reported on the Lakeland School District tax inequity. The Town Board met with the Continental Village residents to listen to their concerns and to organize a workshop with representatives from the State of New York. A second meeting was held and a representative from the State of New York attended and presented pertinent information as to what the facts were in the Lakeland School District, how the taxes were distributed and how taxes were levied. In attendance was Assemblywoman, Sandy Galef and Town of Philipstown Assessor, Brian

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Kenney. Assessor Kenney took a look at comps in the area, the assessments in the Lakeland School area and all of Continental Village area and has come up with a proposal that the Town would lower the overall valuation of the portion within the Lakeland School District by 7%, because what he's seeing is a possible over-assessment currently based on market conditions. Supervisor Shea stated that this would have an impact on people's taxes in the Lakeland School District – how much was not known. It also depends on what the Lakeland School District does – how they apportion the levy the next time around. Supervisor Shea stated that he did want to get out publicly that the Town did meet with the people, got parties in and had representatives from Senator Ball's office, formulated a plan, and are acting on it. Supervisor Shea thanked Brian Kenney and stated that the Town would work closely with the Lakeland School District. Assessor Kenney has written a memo, which Supervisor Shea will provide to Town Board members.

Councilwoman Budney reported that she has been working diligently on gathering historical information for Putnam County's Bicentennial booklet and thanked all those who assisted her.

Councilwoman Montgomery reported that she attended the Putnam County Arts Council's award ceremony. Several Philipstown organizations were recipients for the 2012 grant awards.

Councilwoman Montgomery further reported that she attended the New York State Association of Towns' training sessions, where several topics of interest were discussed. Councilwoman Montgomery added that one thing that was clear to her was that Philipstown was way ahead in regard to what NY State wants the town to work on and commended Supervisor Shea for his leadership.

AUDIENCE

Andy Chmar reported that on March 24th, from 10:00 a.m. to 3:00 p.m., at The Highlands on Route 9D, the Hudson Highlands Land Trust will be holding an Expo, entitled, "Peas to Bees, Backyard Farming."

Steve Rosario commended the Town Board's and the Recreation Commission's efforts to exhaust all options to keep the Dog Park open, and felt that it is a great asset. Mr. Rosario then commended the contractor who worked on Philipse Brook Road stabilization and stated that the Town would be in great shape if we could get the County to finish the work on Snake Hill.

Lee Erickson of Garrison commended the Town for their work on the tax relief for Continental Village.

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Ande Merante asked if there was going to be a town-wide cleanup this year. Supervisor Shea replied, "as of right now, no." Mr. Merante then asked if there was any discussion with continuing the trails along 9D south of Philipstown and, was there any discussion with Metro North regarding taking a piece of their right-of-way, close to the rail, close to the road, so that a highway rail could be installed to keep pedestrians off the road. Supervisor Shea reported that OSI and the DOT would be working on this. A meeting will be held in the next few weeks.

VACANCIES

Board of Assessment Review (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 \$1,349,829.36 are hereby approved as set forth in Abstracts 2A & 3.

Councilwoman Budney made a motion, seconded by Councilwoman Montgomery and unanimously carried that the Highway Vouchers in the amount of \$215,703.12 are hereby approved as set forth in Abstracts 2A & 3.

Councilwoman Montgomery made a motion, seconded by Councilman Van Tassel and unanimously carried that the CVPD Vouchers in the amount of \$2,065.42 are hereby approved as set forth in Abstracts 2A & 3.

Councilwoman Budney made a motion, seconded by Councilwoman Montgomery and unanimously carried that the CVWD in the amount of \$8,661.26 are hereby approved as set forth in Abstract 3.

There being no further business to discuss, Councilwoman Montgomery made a motion, seconded by Councilwoman Budney to close the Town Board Monthly Meeting at 8:50 p.m.

Respectfully submitted by,

Joan B. Clauss
Deputy Town Clerk