

Monthly Town Board Meeting
March 3, 2011

The Town Board of the Town of Philipstown held their Monthly Meeting on the above date at 8:22 p.m., at the Town Hall, 238 Main Street, Cold Spring, New York.

PRESENT:

Richard Shea	Supervisor
Betty Budney	Councilwoman
Barbara Scuccimarra	Councilwoman
John Van Tassel	Councilman
Edward W. Doyle	Town Attorney

ABSENT: Nancy Montgomery Councilwoman

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

REVIEW OF MINUTES

The Minutes of the Philipstown Performing Arts Development Corporation Annual Meeting were reviewed.

Councilwoman Scuccimarra made a motion, seconded by Councilman Van Tassel and unanimously carried that the Minutes of the Philipstown Performing Arts Development Corporation Annual Meeting, are hereby approved as presented.

The Minutes of the Friends of Philipstown Recreation, Inc., and Annual Meeting were reviewed.

Councilwoman Budney made a motion, seconded by Councilman Van Tassel and unanimously carried that the Minutes of the Friends of Philipstown Recreation, Inc., Annual Meeting, are hereby approved as presented.

The Minutes of the Re-organization Meeting of January 6, 2011, were reviewed.

Councilwoman Budney made a motion, seconded by Councilman Van Tassel and unanimously carried that the Minutes of the Re-organization Meeting of January 6, 2011, are hereby approved as presented.

COMMITTEE REPORTS

CAC – Councilwoman Scuccimarra reported that the CAC met on February 8th and addressed four (4) items.

Monthly Town Board Meeting
March 3, 2011

- John & Jill Coletta, requesting a Wetlands Permit for construction of a driveway extension, garage and breezeway in a wetland buffer.
- Dominic & Debra Santucci, submission of revised plans and Planning Board referral. Applicant has reduced the subdivision from 5 to 3. Road plans are for all using a common driveway. CAC committee will make recommendations and report back to the Planning Board.
- Jonathan Rose requested a Wetlands Permit for work within the wetlands property. The CAC committee plans a site visit in March (already done March 2nd).
- Ricky Ventura, seeking advice on revising site plans that involve wetlands. Plan includes new entrances off of Route 9. CAC committee expressed concern with drainage and other issue and a site visit is scheduled.

Next meeting is scheduled for March 8th.

RECREATION – No report.

RECYCLING – Councilwoman Budney reported that she attended a solid waste meeting on February 10th with supervisors from other towns, as well as Mary Rice from the Putnam County Health Department. Councilwoman Budney stated that the Town has to make aware of every type of waste stream in the town; where it was going and how much of every kind of waste was being generated; where recyclable items go after the Highway Department transports them, and how much money the Town is generating. Councilwoman Budney informed the Board that she already has this information and has submitted it to Ms. Rice. One question that Councilwoman Budney had was, who will take recyclable Styrofoam? Councilwoman Budney stated that the Putnam County Health Department will be holding meetings through the schools, as well, and haulers will get permits through the County Health Department, not the Town.

Councilwoman Budney reported that a new program, “Pay As You Grow” was discussed, and it is working well in about 2,000 communities across the country and was found to be economically and environmentally sustainable. Under this type of program, residents only pay for what they throw away. Ms. Rice and Councilwoman Budney would like to set up a workshop with the Town Board to discuss the “Pay As You Grow” program.

Supervisor Shea asked why the Putnam County Health Department wanted to know how much money the Town was generating. Councilwoman Budney responded that she had no idea.

PLANNING BOARD – No report.

Monthly Town Board Meeting
March 3, 2011

ZONING – Councilman Van Tassel reported that he attended the February 14th meeting. The following items were discussed:

- Dean Anderson and Joseph Liberti requested a variance for 4 Dale Lane. The applicants seek to divide their property into two (2) lots; one would conform to R80 zoning but would not meet the R80 requirements due to environmental restrictions on the land. Application was found complete and a public hearing is scheduled for March 14th.
- A public hearing was held for Lyons Realty Co., for a soil mining permit for property located at 3175 Route 9, Cold Spring. A presentation was made explaining the process. Considerable discussion ensued by the community with regard to a number of environmental factors. Soil mining application requires parallel permits from the Town and State DEC. The Town cannot act any further until the DEC SEQRA is complete, at which point the public hearing will continue.
- A public hearing was scheduled for Mary Dawn, which was postponed at the request of the applicant.

HIGHWAY – Councilwoman Budney read the Highway Report prepared by Highway Superintendent Chirico and is on file in the Town Clerk’s Office for review by the public.

BUILDING & LAND ACQUISITION – No report.

GARRISON VOLUNTEER FIRE DEPARTMENT – Councilwoman Scuccimarra read the report from Michael Delmonte.

BUTTERFIELD LIBRARY - No report.

TOWN OF PHILIPSTOWN

MONTHLY REPORT OF TOWN SUPERVISOR

MONIES RECEIVED AS OF MARCH 3, 2011

GENERAL & PART-TOWN FUNDS

Justice Fees, 1/11/11	\$ 3,835.00
Justice Fees, 1/11/11	4,857.50
Tax Collector, General A – Pro Rata	7.58
Tax Collector, Continental Village Fire	249,329.11
Tax Collector, North Highlands Fire	710,241.78

Monthly Town Board Meeting
March 3, 2011

Town Clerk Fees, 1/11/11	\$	697.09
Bank Interest		203.09
CTV Fees		17,498.00
Quill Refund		127.79
Justice Fees, 2/11/11		6,931.00
Justice Fees, 2/11/11		7,955.00
Recreation Fees, 1/11/11		50,171.36

HIGHWAY FUND

Putnam County Check – Gas – Sheriff/OFA	\$	1,917.45
General Fund Check – Building Inspector – Gas		246.54
General Fund Check – Gas		312.76
Tax Collector – Highway Final Pay		1,644,289.00
Bank Interest		180.46

CONTINENTAL VILLAGE WATER DISTRICT

Bank Interest	\$	33.88
---------------	----	-------

CONTINENTAL VILLAGE PARK DISTRICT

Bank Interest	\$	223.63
---------------	----	--------

AGENDA

1. Resolution accepting the resignation of Josephine Doherty as member of the Planning Board, effective March 31, 2011.

Town Clerk Merando read Ms. Doherty's resignation letter. Supervisor Shea stated that Planning Board Chairman, Ande Merante, might want to attend the April Town Board Meeting regarding Ms. Doherty. Town Clerk Merando stated that the Planning Board would be presenting Ms. Doherty with a plaque on April 13th and was requesting that the Town Board members attend.

Supervisor Shea then remarked that it was with regret that the Town Board accepts Ms. Doherty's resignation, as she has been a great member; was always prepared and was a hard worker. He added that the Board appreciated her 20 years of service and thanked her.

RESOLUTION #69-2011

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

RESOLVED, that the Town Board of the Town of Philipstown hereby accepts the resignation of Josephine Doherty as a member of the Planning Board, effective March 31, 2011.

Monthly Town Board Meeting
March 3, 2011

Councilwoman Budney suggested that a letter of “thanks” be sent to Ms. Doherty.

2. David Vickery to address and question the Town Board with regard to Local Laws.

Mr. Vickery presented the Board with several thoughts and suggestions ranging from changing the agenda to allow citizen comment before any vote on an agenda item; laws defining the board members and their terms; qualifications for service on various volunteer committees, boards, commissions and citizen advisory councils; members of the Planning Board and Zoning Board residing in zoning district; abandoning the process of the closed door or private interviews; advertising vacancies; individuals serving on more than one (1) board; conflicts of interest. A copy of Mr. Vickery’s thoughts and suggestions are available in the Town Clerk’s office.

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
Vacancy (J. Doherty)	term will expire March 31, 2015

RESOLUTION #70-2011

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

Resolved, that the Town Board hereby re-appoints Anthony Merante, Chair, to the Philipstown Planning Board to a 4-year term, which expires March 31, 2015.

RESOLUTION #71-2011

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

Resolved, that the Town Board hereby re-appoints Kim Conner, Member, to the Philipstown Planning Board to a 4-year term, which expires March 31, 2015.

RESOLUTION #72-2011

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

Resolved, that the Town Board hereby re-appoints Kerry Meehan, Member, to the Philipstown Planning Board to a 4-year term, which expires March 31, 2015.

Supervisor Shea then addressed interviews, stating that interviews are personnel issues and believed that it was within the Board’s rights to conduct these in private. Town Attorney Doyle conferred that interviews were personnel issues.

3a. Resolution authorizing Town Clerk Merando to advertise for a vacancy on the Philipstown Planning Board.

RESOLUTION #73-2011

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

Resolved, that the Town Board hereby authorizes Town Clerk Merando to advertise for a vacancy on the Philipstown Planning Board.

4. Resolution authorizing Supervisor Shea to sign a Parade permit for the Twin River Council of the Boy Scouts of America and waive the fees associated with the same.

RESOLUTION #74-2011

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

Resolved, that the Town Board hereby authorizes Supervisor Shea to sign a Parade permit for the Twin River Council of the Boy Scouts of America and waive the fees associated with the same

5. Town Clerk Merando to discuss the discontinuance of General Code Supplements to interested agencies.

Town Clerk Merando informed the Board that General Code supplements have become quite expensive. She added that the policy has always been that the Town paid for supplements for the Code Books – that the last supplement cost the Town \$3,200. She further reported that the Town Code was now on the Town website – that there was 53 people presently receiving the supplements and it was her suggestion that only the Town Attorney, Town Justice, Code Enforcement and the vault were the only supplements that should be paid for by the Town. The Town Clerk's office presently has booklets on Land Use, Zoning, Wetlands and Steep Slopes, which members of the Planning Board can utilize them. It is not necessary to have the complete Code Book.

Supervisor Shea asked if it was the Town Clerk's intent if someone wants the entire code book they would still be able to purchase it them self? Town Clerk Merando replied "yes." Town Clerk Merando then presented a proposed Resolution for the Town Board's consideration, which was reviewed by Town Attorney Doyle.

Supervisor Shea asked Town Attorney Doyle if he agreed with the Town Clerk's recommendations, at which time Town Attorney Doyle replied that he did agree

Monthly Town Board Meeting
March 3, 2011

and if people wanted to continue to get supplements, they could continue to do it through General Code – that other municipalities do so.

RESOLUTION #75-2011

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

WHEREAS, the Town Board of the Town of Philipstown has in the past, purchased the Town Code Supplements for anyone who had purchased a Code Book; and

WHEREAS, due to the cost associated with providing the Supplements, the Town Board wishes to discontinue providing said Supplements at no cost;

NOW, THEREFORE, BE IT RESOLVED that the Town Board does hereby discontinue providing said supplements at no cost, except for the Town Attorney, Code Administrator, Town Justice and Vault; and

BE IT FURTHER RESOLVED, that the Town Board hereby requests Town Clerk Merando to contact all parties on the Distribution List that this practice will no longer continue; and

BE IT FURTHER RESOLVED, that all parties, except as set forth herein will be responsible for the cost associated with reproduction and purchase of their Town Code Supplements.

6. Re-appointments to the Board of Assessment Review.

Jamie Adams, Chairman	term will expire Sept. 30, 2015
Michael Leonard, Member	term will expire Sept. 30, 2015
Dorothy Gilman, Member	term will expire Sept. 30, 2015
Discussion – Member attendance	

Supervisor Shea requested that Agenda Item 6 be tabled until the April Town Board Monthly Meeting.

RESOLUTION #76-2011

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 tables Agenda Item 6 until the April Town Board Monthly Meeting.

7. Code Enforcement Monthly Report.

Monthly Town Board Meeting
March 3, 2011

Supervisor Shea stated that it was his feeling that the Town would see the traffic light in the Spring.

Councilwoman Scuccimarra informed the Board that she and Wetlands Inspector, David Klotzle, would be giving a talk on Stormwater at Continental Villages annual meeting on Friday, March 4th at 8:00 p.m.

Councilwoman Budney announced that the American Cancer Society would be holding a "Relay for Life" in Philipstown on June 4th; that people were needed to help, as well as team captains and sponsors for the event. She further reported that on March 4th, a meeting would be held at the Baptist Church at 5:30 p.m., which will involve a luncheon or dinner for cancer survivors. A kick-off event is also scheduled for March 27th at the Chalet on the Hudson from 3:00 p.m. to 5:00 p.m.

AUDIENCE

Cold Spring resident, Joseph Giachinta, requested that the Town Board consider paving of Lane Gate Road from Route 9 in. He addressed the drainage problems and the problems the drainage from the rains is causing. He also addressed the issue of Route 9 and how badly it was falling apart and requested that the Town Board speak with the DOT about paving Route 9.

Councilwoman Scuccimarra informed Mr. Giachinta that she and Superintendent of Highways, Roger Chirico, were planning on doing an inventory of the roads that are continually washed out and the costs involved.

Supervisor Shea stated that he, Superintendent of Highways Chirico, an attorney and engineer and two (2) property owners met at the site in question. Supervisor Shea added that two (2) private engineering studies were being conducted, but he knew that the Town had some concerns to address.

Garrison resident, Rose Tallis, addressed the Board regarding a letter that she had written regarding the "Historic Overlay." Supervisor Shea informed Ms. Tallis that he indeed had received and read the letter, and that the Town Board would be reviewing the "Historic Overlay District" on Wednesday, March 9th.

Catherine Garnsey, a reporter from the Putnam County News & Recorder, questioned the reasons for automatically reappointing members of a 'board', and what qualifications members had. She stated that it didn't seem right to just automatically reappoint someone.

Supervisor Shea responded that it was not automatic, that he has voted against reappointing members in the past, but most times people are reappointed. He added that the Board does go back and speak with the candidates involved,

Monthly Town Board Meeting
March 3, 2011

check on their track record and their work record, and a Town Board member always attends all meetings. Supervisor Shea remarked that the Board feels that in the beginning when a candidate is appointed, the Board appoints them because they have interviewed a number of candidates and found that candidate to be the best choice. He added that once a candidate is on a Board, they are doing their work, gaining experience, the likelihood of them being reappointed was high. Supervisor Shea stated further that he felt there probably should be term limits, which was something the Town Board would have to discuss.

Councilwoman Budney questioned whether there was a possibility of conducting a Town-wide Cleanup. Supervisor Shea responded that the Board would have to look at the budget before making a decision.

VACANCIES

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

APPROVAL OF VOUCHERS

Councilwoman Budney made a motion, seconded by Councilman Van Tassel and unanimously carried that the General Vouchers in the amount of \$1,627,814.75 are hereby approved as set forth in Abstracts 2A & 3.

Councilwoman Budney made a motion, seconded by Councilwoman Scuccimarra and unanimously carried that the Highway Vouchers in the amount of \$108,353.78 are hereby approved as set forth in Abstracts 2A and 3.

Councilwoman Budney made a motion, seconded by Councilwoman Scuccimarra and unanimously carried that the CV Park District Vouchers in the amount of \$889.87 are hereby approved as set forth in Abstract 3.

Councilman Van Tassel made a motion, seconded by Councilwoman Budney and unanimously carried that the CV Water District Vouchers in the amount of \$1,407.20 are hereby approved as presented in Abstract 3.

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 9:45 p.m.

Respectfully submitted by,

Joan B. Clauss
Deputy Town Clerk