

Monthly Town Board Meeting
March 4, 2010

The Town Board of the Town of Philipstown 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 open the meeting with a Salute to the Flag.

REVIEW OF MINUTES

The Minutes of the Monthly Town Board Meeting of February 4, 2010, were reviewed.

Councilwoman Montgomery made a motion, seconded by Councilwoman Budney and unanimously carried that the Minutes are hereby approved as presented.

COMMITTEE REPORTS

CAC - Councilwoman Scuccimarra reported that the CAC met on February 9, 2010, with five items before them. The CAC's next scheduled meeting will be March 9, 2010.

Recreation – Councilwoman Montgomery announced that the senior luncheon was rescheduled due to inclement weather. She briefly discussed the work schedule for the removal of the ceiling tiles and then announced that the summer recreation flyer would be released soon.

Recycling - No report.

Planning Board - The Planning Board did not meet due to the weather. There is a scheduled site visit for March 14th and their monthly meeting will be on March 18, 2010, at the VFW.

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Zoning - Councilman Van Tassel reported that he attended the meeting of February 8, 2010. There were three public hearings and three applications for review.

Highway – Councilwoman Budney read the monthly report prepared by Highway Superintendent Chirico. Some items discussed were downed trees, recycling center, snow removal, grading, cleaning pipes and basins. The highway department spent \$4,004.63 for vehicle maintenance and repairs. There were 30 phone calls regarding road issues and concerns. A complete copy of this report is on file in the Town Clerk's Office.

Not only did Councilwoman Budney thank the Highway Department for their hard work during this storm, but also the entire Town Board recognized the work done. County Legislator Vincent Tamagna also expressed his appreciation for all the work the Highway Department did.

Building & Land Acquisition – No report.

GVFD - Jamie Copeland, representing the Garrison Fire Company, reviewed the number of calls that were responded to in February. He announced that the fire department was on storm standby. He cautioned the public never to drive over or under downed electrical wires. He also reported that there were some families that were housed at the firehouse during the storm. The firehouse also served as a staging area for Central Hudson and the Putnam County Highway Department.

He announced that Garrison Fire and Cold Spring Fire would from this time forward, auto respond to any structure fire.

Additional training in HAZMAT is currently underway; two firefighters are now going through the course.

Mr. Copeland's final comment was that the un-audited report would be submitted to the Town at the end of the month.

TOWN OF PHILIPSTOWN
MONTHLY REPORT OF TOWN SUPERVISOR
MONIES RECEIVED AS OF March 4, 2010

GENERAL & PART-TOWN FUNDS

Justice Fees 1/10	\$ 7,800.00
Justice Fees 1/10	\$ 5,710.00
Tax Coll. Butterfield Library	\$ 275,999.96
Tax Coll. Surplus	\$.42
Tax Coll. C.V. Fire Dist.	\$ 256,828.91
Tax Coll. Philipstown #1	\$ 59,660.04
Tax Coll. NHFD	\$ 700,988.86
Tax Coll. G.V. Fire	\$ 742,115.10
Tax Coll. Pro Rata	\$ 35.97
Tax Coll. Gen. A Final Pay	\$ 721,886.03
Bldg. Inspection Fees	\$ 9,008.00
Tax Coll. Gen B Pro Rata	\$ 463.01
Bank Int.	\$ 96.92
Rec Fee 1/10	\$ 44,852.41

HIGHWAY FUND

Putnam County Sheriff's Gas	\$ 1,079.48
Tax Collector Final Pay	\$1,256,615.93
Perma Loss Ck	\$ 1,950.00
Bank Int.	\$ 110.16

CONTINENTAL VILLAGE WATER DISTRICT

Bank Int.	\$ 13.22
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CONTINENTAL VILLAGE PARK DISTRICT

Bank Int.	\$ 19.67
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AGENDA

1. Gillian Thorpe to address Town Board regarding Butterfield Library.

Gillian Thorpe gave a summary of their annual report. She explained that this years' circulation has grown from 46,000 to 55,000 items checked out of the library. The library has increased their hours by offering Sunday hours, and they issued 250 new library cards.

She then read a letter received from a resident expressing her gratitude for the assistance that was given to her niece regarding college application. She noted in the letter, it wouldn't have been possible for this service if she didn't read the newsletter from Butterfield Library, which reported on this type of service.

2. Resolution approving the 2009 Philipstown Conservation Advisory Council Annual Report.

Supervisor Shea stated that this document lays out the activities for all Wetland Applications. He thanked the members of the CAC for all their hard work.

RESOLUTION #68-10

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

RESOLVED, that the Town Board hereby approves the 2009 Philipstown Conservation Advisory Council's Annual Report and authorizes the Town Clerk to forward said report to the New York Department of Conservation as required by New York State Law.

3. Resolution appointing Maureen Etta as Clerk to the Highway Department effective February 17, 2010.

RESOLUTION #69-10

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

RESOLVED, that the Town Board hereby appoints Maureen Etta as a full-time Clerk to the Highway Department effective February 17, 2010.

4. Resolution authorizing Supervisor Shea to sign a three (3) year contract with Cornerstone Telephone Company.

Town Clerk Merando asked if the Town Board would consider tabling this matter, as she would like additional time to research other options.

RESOLUTION #70-10

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

RESOLVED, that the Town Board hereby tables the matter of a three year contract with Cornerstone Telephone Company until the Town Clerk has researched other options.

5. Resolution needed approving a payment of \$3,200 to Putnam County Soil & Water Conservation District for the town's portion toward a grant for MS4. (Roll Call Vote)

RESOLUTION #71-10

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

RESOLVED, that the Town Board hereby approves the payment of \$3,200 to Putnam County Soil & Water Conservation District for the towns portion toward a grant for the MS4.

ROLL CALL VOTE

Present

Supervisor Shea	AYE
Councilwoman Montgomery	AYE
Councilwoman Budney	AYE
Councilwoman Scuccimarra	AYE
Councilman Van Tassel	AYE

6. Resolution scheduling a Public Hearing for a Proposed Local Law to Amend the Zoning Law – Section 175-32H.

RESOLUTION #72-10

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

RESOLVED, that the Town Board hereby schedules a Public Hearing on April 8, 2010, at 7:45 p.m. at the Town Hall, 238 Main Street, Cold Spring, New York. The purpose of the Public Hearing is to hear comments for/against a proposed Local Law to amend the Code of the Town of Philipstown, Chapter 175 thereof entitled Zoning, to change Section 175-32H – Accessory Buildings in Residence Districts.

7. Bond Resolution re: Fire Alarm System @ Recreation. (Roll Call Vote)

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RESOLUTION #73-10

The following Resolution was offered by, Councilwoman Montgomery, who moved its adoption, seconded by Supervisor Shea, to-wit:

BOND RESOLUTION DATED MARCH 4, 2010

A RESOLUTION AUTHORIZING THE PURCHASE AND INSTALLATION OF A FIRE ALARM SYSTEM FOR THE RECREATION DEPARTMENT AT ST. MARY'S IN AND FOR THE TOWN OF PHILIPSTOWN, PUTNAM COUNTY, NEW YORK, AT A MAXIMUM ESTIMATED COST OF \$65,000 AND AUTHORIZING THE ISSUANCE OF \$65,000 BONDS OF SAID TOWN TO PAY THE COST THEREOF.

BE IT RESOLVED, by the affirmative vote of not less than two-thirds of the total voting strength of the Town Board of the Town of Philipstown, Putnam County, New York, as follows:

Section 1. The purchase and installation of a fire alarm system for the Recreation Department at St. Mary's in and for the Town of Philipstown, Putnam County, New York, including improvements incidental thereto, is hereby authorized at a maximum estimated cost of \$65,000.

Section 2. The plan for the financing of the aforesaid maximum estimated cost is by the issuance of \$65,000 bonds of said town, hereby authorized to be issued therefore pursuant to the Local Finance Law.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is five years, pursuant to subdivision 35 of paragraph a of Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of the bonds herein authorized will not exceed five years.

Section 4. The faith and credit of said town of Philipstown, Putnam County, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of an interest on such bonds becoming due and payable in such year. There shall annually be levied on all the taxable real property of said Town, a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

Section 5. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the Supervisor, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as

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may be prescribed by said Supervisor, consistent with the provisions of the Local Finance Law.

Section 6. All other matters except as provided herein relating to the bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same, including the consolidation with other issues, and also the ability to issue bonds with substantially level or declining annual debt service, shall be determined by the Supervisor, the chief fiscal officer of such Town. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the Supervisor shall determine consistent with the provisions of the Local Finance Law.

Section 7. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or
- 2) The provision of law which should be complied with at the date of publication of this resolution are not substantially complied with, and an action suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or
- 3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 8. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 9. This resolution, which takes effect immediately, shall be published in summary form in the Putnam County News & Recorder, which is hereby designated as the official newspaper of said Town for such purpose, together with a notice of the Town Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

Richard Shea, Supervisor	VOTING	___AYE___
Betty Budney, Councilwoman	VOTING	___AYE___
Barbara Scuccimarra, Councilwoman	VOTING	___AYE___
Nancy Montgomery, Councilwoman	VOTING	___AYE___

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John Van Tassel, Councilman

VOTING ___AYE___

The resolution was thereupon declared duly adopted.

8. Resolution approving the 2009-point listing for the GVAC LOSAP program.

RESOLUTION #74-10

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

RESOLVED, that the Town Board hereby approves the 2009 point listing for the Garrison Volunteer Ambulance Corp's Length of Service Award Program.

9. Code Enforcement Monthly Report.

Town Clerk Merando read the Monthly Report.

10. Resolution authorizing the Town Board to sign the amendment to the Garrison Fire Company's Contract agreeing to hold harmless the Town of Philipstown.

RESOLUTION 75-10

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

RESOLVED, that the Town Board hereby approves and will sign the amendment to the Garrison Fire Company's Contract agreeing to hold harmless the Town of Philipstown.

11. Resolution appointing Michael Leonard as a member of the Philipstown Planning Board.

RESOLUTION #76-10

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

RESOLVED, that the Town Board hereby appoints Michael Leonard to serve as a member of the Philipstown Planning Board, whose term will expire March 31, 2012, filling the vacancy of Andrew Pidala.

10. Schedule Workshop/Meetings

The following meetings were scheduled:

- March 24, 2010 – Town & Villages at Village Office re: recycling.

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- April 20, 2010 – Town & Village with Cablevision @ C.S. Firehouse

RESOLUTION #77-10

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

RESOLVED, that the Town Board hereby reschedules the Town Board Monthly Meeting to April 8, 2010, at 8:00 p.m. at the Town Hall, 238 Main Street, Cold Spring, New York.

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

Councilwoman Scuccimarra reported that she attended a meeting sponsored by Sandy Galef regarding the consolidation of courts. This project will be a substantial undertaking as there are many considerations. She reminded everyone that Nelsonville Court is willing to consolidate.

Councilman VanTassel reported that he attended the Putnam County Traffic Safety Board meeting and the county has purchased a DWI simulator, which will be touring throughout the county at area schools.

He also reported that the county has a new program called “Keep Seniors Moving.” He hopes that sometime in April the county will present the program at the senior center.

He then read a letter addressed to the NYSDOT requesting that they begin the process of reducing the speed limit to 35 mph on Route 9 between Hustis and Jaycox Roads. A request was also submitted for a 35 mph speed limit on Fishkill Road between Lake Surprise Road and the Route 9 intersection. This will coincide with the traffic light on that intersection. He is also requesting additional signage and speed reduction devices along Route 9 before the Hamlet section at Perk’s Plaza.

Councilwoman Budney reminded everyone that the Census questionnaire will be arriving around March 15th and stressed that it is important to fill it out and mail the document as quickly as possible.

AUDIENCE

Joe Regele explained that on Route 9D between Upper and Lower Station Roads, vehicular traffic speeds up to many times, 60 mph. He asked if this area of Route D could also be considered for a speed reduction.

Councilman Van Tassel responded saying that the purpose of the Traffic Safety Board is to review dangerous areas. He stated that the area between Upper and Lower Station Roads would be looked at in the future.

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Lee Erickson requested that the Town Board give the general public enough time to process the revised zoning law prior to having a workshop. He also questioned whether or not the workforce housing would be removed from the document. Supervisor Shea responded saying that it would be removed. Currently, it is supply and demand, and the Town doesn't have that demand. He added that to take on workforce housing at the same time as the new zoning would be an enormous task. This would be addressed at a later date.

Carlos Salcedo thanked the Highway Department for all their hard work during the most recent snowstorm. He added that any dollars that are invested in equipment, pays off during times as these. He also commented on the commitment of the highway crew.

He then turned his comments to the revised zoning law and what plans the Town Board has to disseminate information to the public. He asked if there would be a press release and would there be someone to answer questions for the residents prior to the workshop.

Supervisor Shea responded saying that the information would be available at the libraries, on the website and announcements in the PCNR. In so far as fielding questions before the workshop, it is his belief that is what the workshop will be about. He encouraged everyone to submit a question in writing before hand, as that would be helpful so that the consultant would be prepared. Written comments tend to be well thought out. Discussion continued with regard to Mr. Salcedo's concerns, at which time Supervisor Shea commented that having someone available at the Town Hall all the time to answer questions is not realistic. Supervisor Shea noted that if the Town Board were overwhelmed with questions the night of the workshop, the workshop would be continued.

Councilwoman Scuccimarra added that she found the written comments very helpful, which led to scrutinizing each letter against the proposed changes.

It was noted that the upcoming workshop would be on residential properties. Supervisor Shea commented that there had been numerous workshops held on businesses.

Joe Regele questioned workforce housing and why it's not going to be addressed now. Supervisor Shea commented that workforce housing is a project unto itself, and if the Town Board were to concentrate on that at this time, nothing would get passed.

Ande Merante noted that workforce housing in Fishkill is manned with a full-time staff. He also took this opportunity to thank the County Legislator and the County Highway Department for the assistance given to clear snow in the Village of Nelsonville. There was a brief discussion with regard to recovering funds from

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the storm, and it was suggested that both villages and the town submit collectively for fund recovery.

VACANCIES

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

APPROVAL OF VOUCHERS

Councilwoman Montgomery made a motion, seconded by Councilman Shea and unanimously carried that the General Vouchers in the amount of \$2,268,659.92 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 \$81,828.75 are hereby approved as set forth in Abstract 2A & 3.

Councilwoman Montgomery made a motion, seconded by Councilman Van Tassel and unanimously carried that the CV Park District Vouchers in the amount of \$1,922.08 are hereby approved as set forth in Abstracts 2A & 3.

Councilwoman Budney make a motion, seconded by Councilwoman Scuccimarra and unanimously carried that the CV Water District Vouchers in the amount of \$3,075.11 are hereby approved as presented in Abstracts 2A & 3.

ADJOURNMENT

There being no further business to discuss, Councilwoman Montgomery made a motion, seconded by Councilwoman Budney to close the Town Board Monthly Meeting at 9:15 p.m.

Respectfully submitted by,

Tina M. Merando
Town Clerk

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