

Monthly Town Board Meeting  
April 4, 2013

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

ABSENT:	David Merandy	Councilman
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Supervisor Shea opened the meeting with a Salute to the Flag.

**REVIEW OF MINUTES**

The Minutes of the Monthly Town Board Meeting of March 7, 2013, were reviewed.

Councilman Van Tassel made a motion, seconded by Councilwoman Montgomery and unanimously carried that the Minutes of the Monthly Town Board Meeting of March 7, 2013, are hereby approved as presented.

**COMMITTEE REPORTS**

**CB** – Councilwoman Montgomery reported that three items were discussed: David Baker, James Glick and Lyons subdivision. The next meeting will be on April 9, 2013. Councilwoman Montgomery mentioned that there is a great opportunity right here at the Hamilton Fish Library on May 29, 2013 to learn more about invasive species and to help contribute to our knowledge and control of infestations here in New York. It is called “I Map Invasives” and in this training session you can learn how to track data and help control this. These sessions are being held all over the state.

**RECREATION** – Neither Councilman Van Tassel or Councilman Merandy attended the meeting this month. John Mason was present to go over what was discussed at this months meeting. Mr. Mason announced that they met March 26, 2013 and that they have added a new member – Joel Conybear. Mr. Mason said that the committee also talked about; the summer brochure which will come out next week. Registration begins April 15 for residents and April 22 for non-residents. There will be a benefit for the Depot Theatre at the end of May and more details will be forthcoming. This weekend The Philipstown Depot Youth Theatre will be putting on a production of “Musical Mystery Tour”. Tickets are almost sold out so if you are interested please go to “brownpapertickets.com”. The Friends of Philipstown will be holding the 2<sup>nd</sup> annual “Spring Splat Mudder” on April 21. Mr. Mason reported that the theatre would be moving the costumes from GVFD #1 to the recreation center. He also announced that Recreation would be offering an early bird discount for the eight (8) week summer camp. Campers must register by June 21 in order to get discount and the cost would be \$1,080. The next meeting will be held on the last Tuesday of the month.

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Claudio Marzollo, Friends of Philipstown said that he would like to request a resolution to appoint Joel Conybear to the Board of the Friends of Philipstown. Supervisor Shea asked that this be done at next Wednesday's workshop. It was agreed and will be put on the agenda.

**RECYCLING** – Councilwoman Budney reported that the center will be closed this Saturday, April 6, 2013. She also said that no electronics would be accepted at the center until the County signs an agreement with the vendor. Legislator Scuccimarra said that the County had not, as yet, received the contract.

**PLANNING BOARD** - Councilwoman Montgomery read the report for Councilman Merandy who was not at tonight's meeting. The meeting was held on March 21, 2013 and there were two (2) Public Hearings: Neill and Friary of Graymoor.

**ZONING** – Councilman Van Tassel reported that he attended the March 11, 2013 meeting and there was one item on the agenda; Appeal #883 – James Glick. The next meeting will be April 8, 2013.

**HIGHWAY** – Councilwoman Budney read the March report, which is on file at the Town Clerks office for review.

**BUILDING & LAND ACQUISITION** – There was nothing to report this month.

**GVFD** – Betsy Calhoun reported that they would be holding a "Community Day – NY Recruit Day" on April 28, 2013 from 11:00am – 3:00pm. All four of the fire companies will be represented at Garrison Station #2 on Route 9. There will be activities, entertainment and food. What she is trying to do is emphasize reaching out to organizations in Philipstown. They can bring brochures, maps describing their activities that they can share with the community. She said that they had a terrific communication problem with the Planning Board with regard to Graymoor, but they are getting that worked out. Councilwoman Montgomery said that this event – Recruiting – is a major NYS recruitment. It is important for us to get the word out about the fire departments and what they do and what they have to offer. Councilman Van Tassel noted that this is a statewide initiative and all the firehouses will be open to the public on that day. Councilwoman Budney asked Ms. Calhoun if the firehouse would be available on May 4 for the Spring Cleanup. Ms. Calhoun said she would look into that and would confirm.

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**TOWN OF PHILIPSTOWN  
MONTHLY REPORT OF TOWN SUPERVISOR  
MONIES RECEIVED AS OF APRIL 4, 2013**

**GENERAL & PART-TOWN FUNDS**

Town Clerk Fee 2/13	\$227.85
Town Clerk Fee 2/13	335.50
Justice Fees 2/13	6,610.00
Recreation Fees 2/13	35,210.56
Bank Interest	189.49

**HIGHWAY FUND**

General Fund – gas	\$655.56
Put. Co. Gas	3,144.02
NYS CHIPS	21,495.07
Bank Int.	320.65

**CONTINENTAL VILLAGE WATER DISTRICT**

Bank Interest	\$7.63
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**CONTINENTAL VILLAGE PARK DISTRICT**

Clubhouse Fees	\$350.00
Bank Interest	19.11

**AGENDA**

**1. Resolution appointing Councilman Merandy as liaison to the Planning Board.**

**RESOLUTION #68-2013**

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

**RESOLVED**, that the Town Board appoints Councilman Merandy as liaison to the Planning Board.

**2. Resolution authorizing Amber Stickle to apply for a credit card through M & T Bank to be used by all departments if needed and authorize Supervisor Shea to sign said application.**

Town Clerk Merando said that there were some changes to this and there is no application. She spoke with Steve Gaba today and he said that there was no problem with that. All Supervisor Shea would have to do is notify the bank of his approval to issue the card. Supervisor Shea said that they originally were looking at a \$500 credit limit, but have decided that \$1,000 would be better.

**RESOLUTION #69-2013**

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

**RESOLVED**, that the Town Board authorizes Supervisor Shea to contact M & T Bank to issue a credit card to be used by all departments if needed with a credit limit of \$1,000.00

**3. Resolution approving additional work to the landscaping contract to include pruning and weeding at the Town Hall.**

Supervisor Shea said that we have received multiple proposals and we will be going with Marc Landscaping. This contract is for all the properties.

**RESOLUTION #70-2013**

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

**RESOLVED**, that the Town Board hereby approves the 2013 contract for landscaping at all Town properties to include the additional work of pruning and weeding at the Town Hall.

**4. Resolution authorizing a donation in the amount of \$300.00 to the Nelsonville Fish & Fur for this year's "Kids Fishing Day" scheduled for May 5, 2013.**

**RESOLUTION #71-2013**

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

**RESOLVED**, that the Town Board hereby authorizes a donation in the amount of \$300.00 to the Nelsonville Fish & Fur for this year's "Kids Fishing Day" scheduled for May 5, 2013.

- 5. Resolution authorizing Supervisor Shea to sign the contract between the Town and the County of Putnam Real Property Tax Services to prepare all documents related to tax collection.**

Town Clerk Merando pointed out that this is done every year.

**RESOLUTION #72-2013**

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

**RESOLVED**, that the Town Board hereby Supervisor Shea to sign the contract between the Town and the County of Putnam Real Property Tax Services to prepare all documents related to tax collection.

- 6. Resolution appointing Frederick Osborn III as Marriage Officer for one day only on Saturday July 27, 2013.**

Supervisor Shea said this is for one day and one day only.

**RESOLUTION #73-2013**

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

**RESOLVED**, that the Town Board hereby appoints Frederick Osborn III as Marriage Officer for one day only on Saturday July 27, 2013.

- 7. Town Clerk to discuss hours of operations, meeting schedules and times that General Code failed to update in the Code.**

Town Clerk Merando said that Councilwoman Montgomery brought this to her attention. She stated that the attached resolutions were sent to General Code, but were not incorporated into the Town Code. She will follow up to make sure that General Code makes the necessary changes.

- 8. Resolution authorizing Kevin Donohue to assist the Village of Cold Spring's Building Inspector when needed.**

Supervisor Shea said that this is about inter-municipal cooperation. If the village needs the building inspector for one day or so we are happy to help out.

**RESOLUTION #74-2013**

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

**RESOLVED**, that the Town Board hereby authorizes Kevin Donohue to assist the Village of Cold Spring's Building Inspector, when needed.

**9. Resolution authorizing Supervisor Shea to sign the affidavit of compliance in connection with the contract between the Town and Putnam County's WIC Program.**

Town Clerk Merando noted that this is one of the documents required by the County to send us the contract.

**RESOLUTION #75-2013**

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 affidavit of compliance in connection with the contract between the Town and Putnam County's WIC Program.

**10. Code Enforcement Monthly Report.**

Town Clerk Merando read the Monthly Report for March, which is on file in the Town Clerks office.

Town Clerk Merando announced that there was an additional item to be addressed.

**Add on #1** –contract between the Putnam County Office of the Aging and the Town for the year 2013.

Supervisor Shea asked to put this off until next Wednesday so that he and the Board has time to review.

**11. Schedule Workshops/Meetings.**

April 10, 2013 - Weekly Workshop – to discuss; Friends of Recreation appointment, ESP, contract for the Office of the Aging.

**12. Any other business that may come before the Town Board.**

Supervisor Shea wanted to make everyone aware that Metro North would be doing work at the Garrison Station to remove a decorative canopy over the entrance to the pedestrian tunnel

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beneath the railroad tracks. He read a letter from Terrence McCauley, Manager of government and community relations for Metro North which included pictures of the dilapidated condition and noted that the new passenger platform is now located south of the old station so this canopy serves little purpose anymore. Supervisor Shea said, "If anyone has concerns please feel free to send your comments to the Town and we will forward them on to Metro North."

Supervisor Shea said that Councilman Merandy and he were finalizing the comments for the Highway Civil Service negotiations. They met last night and have a final offer and will get it off to the CSEA to finalize the contract.

Councilman Van Tassel said they would be having an emergency preparedness meeting on April 11, 2013 at 4:00pm. Amber Stickle, Councilwoman Montgomery, Kevin Donohue and Mayor Falloon will be there to go over our preparedness. Councilwoman Montgomery said that she, Amber Stickle and Kevin Donohue went to FEMA training program in Maryland and they will be giving a full report on this at the May Town Board meeting.

Supervisor Shea has been working with the Town Attorney on a resolution calling for sales tax revenue sharing with the County. He will be in touch with our Legislative representative Barbara Scuccimarra to go over this and will discuss at next Wednesday's workshop. If anyone has a comment on it please write it for next Wednesday.

Councilwoman Budney said that the Putnam County Historic Museum was looking for old pictures of people and buildings pertaining to the West Point Foundry and businesses that came after that. You can contact them at 845-265-4010 if you would be interested in helping them out.

### **AUDIENCE**

Steve Rosario addressed the Town Board with regard to what he felt as micro managing the Garrison Volunteer Fire Department. He felt that this department was being picked on; the other fire departments were not required to make monthly reports to the Town Board or to provide reports on how monies were being spent. Mr. Rosario feels that the standard is not the same for all the fire departments and noted that this has an impact on morale.

Supervisor Shea said that they recognize the dedication of all Garrison Fire Department members/volunteers and appreciate all they do. To the issue of responsibility and micro managing he does not think that it is micro managing just to be good fiscal stewards of taxpayer monies. This is in the contract and something that was agreed upon by the department. He said, "We are not looking to be there on day-to-day business, but we do need to know when there is going to be a large expenditure". He does not think it unreasonable to say when there is going to be this kind of project that the Town Board be notified. He went on to note that as far as our relationship with other fire companies all the companies are different; Cold Spring Fire Company is a village municipal company and we have very little to say, North Highland Fire Department is a district which is a completely different setup, Continental Village Fire Department is split between two Counties, multiple townships and we only pay a portion of their budget. We have been down there and have seen their books and gone through policies

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with them. Supervisor Shea said that he needs certain information so that when someone asks questions he can speak in an intelligent and informed way.

Councilman Van Tassel interjected that they did meet with the GVFD and asked for the budget for the bathroom, but to date have not received. This is why they asked Ms. Calhoun again tonight about the budget. Councilman Van Tassel said that when the chief was here three months ago telling the Board that they were in dire need of radios for communication the Town Board supported that request 100%, at a cost of \$25,000. Then we find out tonight that approximately \$20,000 has been spent on a bathroom we knew nothing about. So according to your contract you are in violation. The Town Board only found out through the Building Department, when the request came to waive the fee for a building permit. We asked several times for a budget on what has been spent, but as yet have not received. Councilman Van Tassel said that it is the Town Boards job to monitor the budget of the Garrison Volunteer Fire Department. Mr. Rosario said that it is the Town Boards job to monitor the other fire departments and none of them come to the Town Board meeting. Councilwoman Montgomery said that the GVFD agreed to coming to the meetings. Supervisor Shea said that it was an initiative taken on by the GVFD to get out in front of things by reporting on what they were doing.

Mr. Joe Regele stated that he came to ask questions about just this issue. He said that the question of the bathroom was actually raised in 2009/2010 when Councilwoman Montgomery was working on getting the emergency generator at the Recreation Center so that the center could be used as an emergency shelter. He said that the \$20,000 for the bathroom is shown on their financial statement of 2009. Mr. Regele said the issue was raised "why do we need a fifth bathroom when money is so tight?". The Town Board issued explicit instructions not to go ahead with this bathroom and he thought that the issue was dead until he saw an article in the PCNR that it was going forward. He asked, "How is this going to be paid for since money is so tight?" He pointed out that the fire company in 2011 closed their books with a surplus of \$47,000.00; prepaid expenses of \$35,000 and \$12,000 net increase in assets. They also received a \$10,000 increase in their budget from the Town. It seems that the Town Board does not know how much money is available since the GVFD does not provide reports on a timely basis.

Ms Calhoun said, "I think it is utterly despicable to continue this conversation" and takes exception to the attitude, to the substance of what Mr. Regele and the Town Board has said. "It is a waste of time, energy and is insulting." She feels the reason there is a bad relationship is because they have not been treated as peers, as responsible people. They are able to manage their budget and save money. They are doing the best they can and are sick and tired of hearing about this bathroom. She said, "I am not going to tell you what it cost. I don't know what it costs – so there. This is the last time I am going to say anything about this." Supervisor Shea and Councilman Van Tassel agreed that her statement was unacceptable. "We are just asking for a budget for an expenditure," Supervisor Shea said "and we will get it there is no doubt about that".

Mr. Rosario said that this is an example of what he was saying earlier. The bathroom is symbolic of other issues they face with the Town Board. Supervisor Shea asked "what other

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issues". Mr. Rosario said that he would get back to him. Supervisor Shea said there hasn't been very much interaction in the past year, but he is not sure where the pressure is coming from.

Mr. Bob Juby came to follow up on the question he posed at a previous meeting on the red lights. Councilman Van Tassel said that he did address that with the Department of Transportation engineer, Rich Dillman. They did go out and found that there was an issue with timing on the light at Fishkill Road and Route 9. They did not find any issues with the other light, at Route 403 and Route 9. Mr. Juby still feels like something should be done at the gas station since it seems that many people do not know what to do there. On another note, another concern is with a storm water problem on East Mountain Road South – where there is a culvert (he had some pictures) that was covered up with leaves and gravel making the water run around the grate causing damage to the road. Mr. Juby said he personally cleared one of the clogged grates and the Highway Department crews clear the other regularly but the enormity of the problem defies repeated efforts. He asked that something be done about the metal grates, as they do not work on the dirt roads. Councilman Van Tassel asked him to send the pictures electronically to him and to highway.

Stephanie Hawkins (newly elected Trustee from the Village of Cold Spring) announced that she was the liaison for the Town.

Legislator Scuccimarra announced that April 27, 2013 is the next "medications take back day". She said this is becoming a real problem because pharmaceutical contamination is showing up in our water. You should not throw medication down the toilet and or drains. Any medications can be taken to Putnam Hospital from 9:00 am – 2:00 pm. Councilman Van Tassel asked if we could get a representative over here because it is hard for some people to get over to Putnam Hospital. Legislator Scuccimarra said that the sheriff is involved and she would ask to see if we could have some one come over to this side of the County to collect them.

Councilman Van Tassel announced that we are in a "red flag" warning due to dry conditions and are at high risk for brush fires. There is also a burning ban by NYS DEC from March 15 thru May 15, 2013.

Mr. Dave Vickery just wanted to say that he thinks that the light at Fishkill Road and Route 9 seems to be working out.

Andy Chmar announced that on April 13, 2013 that "Alien Invaders" will be coming to the Highland's Country Club. The workshop on invasive species is free and starts at 10:00am, lunch included. You must sign up to attend.

Councilman Van Tassel announced that April 13, 2013 is opening day for Little League, which will take place at the North Highland field this year.

## **VACANCIES**

CV Park District Advisory Committee (3)

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CV Water District Advisory Committee (3)

**APPROVAL OF VOUCHERS**

Councilman Van Tassel made a motion, seconded by Councilwoman Budney and unanimously carried that the General Vouchers in the amount of \$90,237.79 approved as set forth in Abstract 3A & 4

Councilwoman Budney made a motion, seconded by Councilwoman Montgomery and unanimously carried that the Highway Vouchers in the amount of \$68,568.88 are hereby approved as set forth in Abstracts 3A & 4

Councilman Van Tassel made a motion, seconded by Councilwoman Montgomery and unanimously carried that the CVPD Vouchers in the amount of \$2,791.45 are hereby approved as set forth in Abstract 3A & 4.

Councilwoman Budney made a motion, seconded by Councilwoman Montgomery and unanimously carried that the CVWD Vouchers in the amount of \$6,656.54 are hereby approved as set forth in Abstracts 4.

There being no further business to discuss, Councilwoman Budney made a motion, seconded by Councilman Van Tassel to close the Town Board Monthly Meeting at 9:05 p.m.

Respectfully submitted by,

Theresa Crawley  
Deputy Town Clerk