

Monthly Town Board Meeting  
May 6, 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 April 8, 2010, were reviewed.

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

The Minutes of April 8, 2010, Public Hearing – Chapter 175-32-H, were reviewed.

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

The Minutes of the April 28, 2010, Weekly Town Board Meeting were reviewed.

Councilwoman Scuccimarra 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 April 13 2010, with five (5) items on the Agenda. The CAC's next scheduled meeting will be May 11, 2010.

**Recreation** – Councilwoman Montgomery reported that they met May 4, at which time Amber Stickle presented the financials. Summer registration is the highest it has ever been. The back to school kids and teens put on a great production of Aladdin. Councilwoman Montgomery, Councilwoman Scuccimarra and Claudio

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Marzollo helped with the senior luncheon, which was catered by Cappuccino. Other items discussed were Internships for kids from the schools to do community service at recreation. Claudio Marzollo reported on the Depot Theatre, which is doing a great production called "Honoring Grace".

There was an issue regarding a pipe at the park, for which Ms. Stickle submitted three bids and which hopefully can be approved tonight. Councilwoman Montgomery noted that the water tank in the park needs to be cleaned inside. Lastly, there was a discussion regarding the ceiling at the recreation department gym, and they will hopefully provide a final recommendation by next month.

**Recycling** – Councilwoman Budney reported that the Board wanted to thank the Directors of the Hudson Highlands Land Trust for the \$10,000 donation for the Cleanup, the Garrison Fire Company for the use of their facility, Garrison Fire Company members who helped the day of the cleanup, the Sheriff's Department for supplying deputies, the Highway Department for providing highway workers, the Town Clerk Tina Merando, Joan Claus and Theresa Crawley for the preparation of the bids, post cards and newspaper ads, Town Council John Van Tassel, Barbara Scuccimarra and Nancy Montgomery who helped on the day of the cleanup. It was very successful.

One more item, about co-mingling of recyclables and that is that they must be separated and put into the appropriate bins at the Recycling center.

**Planning Board** - Councilwoman Montgomery reported that the Planning Board met on April 15. There was one Public Hearing for La Montoya for 110 acres to be divided into 3 lots. The CAC will submit their recommendations to the Wetlands Inspector and an application will be made to the CAC. Mr. Gibbons suggested that before there was any more discussion about the driveway a proposal should go before the Highway Department.

On the regular Agenda - Scanga LLC presented their amended site plan for lot #4. They added additional landscaping that the Planning Board asked for. A resolution was passed approving and adopting the site plan. Next, Scanga lot #5 (parking lot) – the declaration was adopted and a resolution was passed. The next item was Winter Hill, which was a referral from the Zoning Board for a Special Use Permit due to concerns about the parking lot.

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**Zoning** – Councilman Van Tassel reported that the Zoning Board met on April 12 and there had been no Public Hearings. On the Agenda was one review for completeness for Theodore Timmer, which was scheduled for a Public Hearing on May 10, Eric and Brittany Chenser for a variance, Cynthia Wayne for a variance, Joseph Tomara for a variance. A declaration was read that the Zoning Board would become the lead agency in the SEQRA application for 20 Nassa place. The next Zoning Board meeting is scheduled for May 10th.

**Highway** – Councilwoman Budney read the monthly report prepared by Highway Superintendent Chirico. Discussed was the pipe installation on Old Albany Post Rd., and also noted was the fact that pipes and basins are continuously being cleared of debris. The highway department spent \$23,380.42 in man-hours grading dirt roads and \$4,246.65 for vehicle maintenance and repairs. There were 70 phone calls regarding road issues and concerns. A complete copy of this report is on file in the Town Clerk's Office.

**Building & Land Acquisition** – Supervisor Shea stated that there was no report for this month.

**GVFD** – Jamie Copeland read the activity report for the month. He announced the Blood Drive, which will take place Friday, May 7. All are Welcome! On May 1, they received argo training in Woodbury, CT. On May 12<sup>th</sup> they are holding a joint exercise with departments from Dutchess, Putnam, Westchester, Rockland and Orange Counties working on multi story incidents. They will be using Graymoor's multi story buildings for continued training.

**TOWN OF PHILIPSTOWN**  
**MONTHLY REPORT OF TOWN SUPERVISOR**  
**MONIES RECEIVED AS OF May 6, 2010**

**GENERAL & PART-TOWN FUNDS**

Building Fees – 4/10	\$ 8,120.00
Recreation Fees – 3/10	54,333.38
Town Clerk Fees – 3/10	600.65
Town Clerk Fees – 3/10	17.97
NYS DFY	1,847.00
NYS DFY	2,057.00
AW Scrap	2,368.00
AW Scrap	185.00
Bank Interest	487.26
Justice Fees - 4/10	7,475.00

**HIGHWAY FUND**

Putnam County Sheriff's Department (Gas)	\$ 918.77
General Fund Check	697.23
Bank Interest	599.78

**CONTINENTAL VILLAGE WATER DISTRICT**

Bank Int.	\$ 44.50
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**CONTINENTAL VILLAGE PARK DISTRICT**

Bank Int.	\$ 59.12
Clubhouse Fees	755.00
Taxes-Town of Cortlandt	46,485.00

**AGENDA**

**1. Andrea L. Reynolds of Community Foundation of Putnam County to address the Town Board.**

Town Clerk Merando introduced Andrea Reynolds. Ms. Reynolds thanked the Board for the opportunity to address them. She started by noting that the Community Foundation of Putnam County is our first resource for everything charitable. There are affordable alternatives to starting a private foundation, for a non-profit to manage their own endowment fund, or even creating a non-profit organization. Basically, they happily help people give their money away. The Foundation was founded in 1914 in Cleveland, OH. In 2005 they expanded into Ulster County and created a Board. They hired staff and received a 5-year grant that actually helps support operating costs for that foundation, as well as, created a challenge pool that can then be granted back out to Ulster County non-profits. They hope to do the exact same thing here in Putnam County. Community Foundation is a vehicle to create permanent funds to support Putnam County forever. Their intent is to bring more new charitable dollars to support the counties non-profits. They are an effective alternative to helping businesses, individuals and families to do their grant making.

**2. Resolution needed to Adopt Local Law.**

- **SEQRA/Negative Declaration (Roll Call Vote)**
- **Adopt Local Law (Roll Call Vote)**

**RESOLUTION #97-10**

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

**WHEREAS**, the Town Board of the Town of Philipstown has reviewed the EAF in connection with a Proposed Local Law to amend the Chapter 175 thereof entitled Zoning, to repeal Section 175-6.

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board authorizes the Supervisor to sign the EAF and hereby adopts a negative declaration.

**ROLL CALL VOTE**

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

**The resolution was thereupon declared duly adopted.**

**RESOLUTION #98-10**

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

**RESOLVED**, that the Town Board hereby adopts the Local Law, Chapter 175 of the Code of the Town of Philipstown, Repealing Section 175-6. (See Exhibit "A")

**ROLL CALL VOTE**

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

**The resolution was thereupon declared duly adopted.**

**3. Resolution appointing Amber Stickle as Director of Recreation & Parks for the Town of Philipstown.**

Supervisor Shea expressed how much Ms. Stickle is appreciated and how hard she works.

**RESOLUTION#99-10**

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

**RESOLVED**, that the Town Board of the Town of Philipstown hereby appoints Amber Stickle to the position of Director of Recreation & Parks.

**4. Resolution requesting the New York State Department of Transportation to conduct a study with regard to speed reductions on Route 9.**

Councilman Van Tassel said that he had approached the Transportation Safety Board of Putnam County to look into making this intersection safer for travel. He explained that there has been a number of accidents there and that by reducing the speed limit to 35 mph will help to slow the traffic and help to make it safer.

**RESOLUTION #100-10**

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

**WHEREAS**, the Town Board of the Town of Philipstown hereby requests that the New York State Department of Transportation (NYSDOT), initiate a study to reduce the speed limit on Route 9 between Hustis Road and Jaycox Road and on Fishkill Road between Lake Surprise Road and Route 9 in the Town of Philipstown; and

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**WHEREAS**, the Town Board agrees that due to the increased concentration this multi-use (hamlet) within the Town and the traffic conditions resulting therefore, warrant this speed limitation, and that such action would be in the best interest and safety of the citizens of the Town; and

**WHEREAS**, before such a reduction of speed limit can be established, it must be requested by the Town by Resolution, all subject to final approval and establishment of reduction of the speed limit by the New York State Department of Transportation;

**NOW, THEREFORE, BE IT RESOLVED** by the Town Board of the Town of Philipstown as follows:

1. That it deems the interest of safety requires the establishment of a maximum speed limit of 35 miles per hour along Route 9 between Hustis Road and Jaycox Road and on Fishkill Road between Lake Surprise Road and Route 9.
2. That the Town Clerk shall sign the necessary request for the New York State Department of Transportation to arrange for this action, and shall request the Putnam County Commissioner of Highways & Facilities to join with the Town in this request and procedure.

**5. Resolution whereby the Town Board adopts a policy and procedure stating that any Planning Board application that has been abandoned for at least one year is declared abandoned.**

Andy Merante, Planning Board Chairman, explained that some applications are inactive for a long period of time and the Planning Board feels that things could change in that time. Therefore, it would be better for the applicant to start a new application.

**RESOLUTION #101-10**

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

**WHEREAS**, pursuant to Town Law Article 16 and the provisions of the Code of the Town of Philipstown, the Town Planning Board processes various applications for land use approvals; and

**WHEREAS**, from time-to-time applicants fail to diligently pursue applications, abandoning their applications for periods of one (1) year or longer; and

**WHEREAS**, such delinquent or abandoned applications delay and are detrimental to operation of the land use approval system established by law;

**NOW, THEREFORE, BE IT RESOLVED** as follows:

That henceforth the following policy and procedure shall apply to all applications for land use approvals submitted to the Planning Board of the Town of Philipstown:

1. The Planning Board may deem any land use approval application upon which there has been no activity for a period of at least one (1) year to have been abandoned and discontinued by the applicant;
2. The Planning Board shall not adopt a resolution deeming an application abandoned unless the Planning Board has first given written notice to the application that, unless the applicant resumes active pursuit of the application within thirty (30) days, the Planning Board will deem the application abandoned and will discontinue review of it, and following such notice the applicant fails to resume active pursuit of the application;
3. Upon adoption by the Planning Board of a resolution deeming a land use approval application to have been abandoned, any surplus funds held in escrow for payment of consultants' review fees will be refunded to the applicant; and
4. Following adoption of a resolution deeming an application abandoned, a new application and payment of all application fees required by the Town Code shall be required before the Planning Board will consider any subsequent application for land use approvals for the subject property.

**6. Resolution authorizing the release of escrow funds in the amount of \$2,896.35 in the matter of Lloyd Zeiderman Escrow Account.**

**RESOLUTION #102-10**

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 release of escrow funds in the amount of \$2,896.35 in the matter of Lloyd Zeiderman Application.

**7. Resolution authorizing the release of escrow funds in the amount of \$3,852.00 in the matter of Boscobel Restoration Escrow Account.**

**RESOLUTION #103-10**

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



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**RESOLVED**, that the Town Board of the Town of Philipstown hereby approves the release of escrow funds in the amount of \$3,852.00 in the matter of Boscobel Restoration Application.

**8. Resolution authorizing the release of escrow funds in the amount of \$1,044.39 in the matter of Rodney Weber Escrow Account.**

**RESOLUTION #104-10**

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 approves the release of escrow funds in the amount of \$1,044.39 in the matter of Rodney Weber Application.

**9. Resolution authorizing the release of escrow funds in the amount of \$167.50 in the matter of Donneraille Ballyhooly Escrow Account.**

**RESOLUTION #105-10**

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 release of escrow funds in the amount of \$167.50 in the matter of Donneraille Ballyhooly Application.

**10. Code Enforcement Monthly Report.**

Town Clerk Merando read the monthly report for April 2010.

**11. Schedule Workshop/Meetings**

May 12 – Workshop to review Zoning changes @7:30pm  
June 16 – Workshop with Garrison Volunteer Fire Company

**12. Resolution authorizing Town Clerk Merando to advertise for the vacancy on the CAC.**

**RESOLUTION #106-10**

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

**RESOLVED**, that the Town Board hereby authorizes Town Clerk Merando to advertise for the vacancy on the CAC.

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**13. Discussion and appointments regarding the Budget Advisory Committee.**

Supervisor Shea noted that it had been talked about in the past to form a Budget Advisory Committee and get citizens involved in the budget process.

**RESOLUTION #107-10**

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

**RESOLVED**, that the Town Board hereby appoints the following people the Budget Advisory Committee:

Philippe Contennac  
Elizabeth Anderson  
Donna Pidala  
Nathaniel S. Prentice

**14. Amendment to Resolution #96-10 adding the following language “in the event the Town’s insurance does not provide for said defense and payment”.**

Town Clerk Merando stated that this is in the matter of Terio vs. Gary, et al

**RESOLUTION #108-10**

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

**RESOLVED**, that the Town Board approved the amendment to Resolution #96-10 adding the following language “in the event the Town’s insurance does not provide for said defense and payment”.

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

Councilwoman Scuccimarra read the monthly report for the Butterfield Library. Big Truck Day will take place on June 6 from 11:00 – 2:00pm. Admission is a donation. Those citizens looking for Community Service hours should consider volunteering - please contact Gillian Thorpe at 265-3040 ex.5. Through the generosity of Robert McCaffrey the library had a recycled bookstore on Main Street for 6 weeks, which raised a \$1,000 for the library. The library walkways project will go before the architectural review board and put out to bid this June. Per capita the Butterfield Library circulation outranks any other Putnam County Library.

Councilwoman Budney reminded everyone about the Census. She also announced that there would be a spring dinner for seniors sponsored by the

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Lions Club. The dinner will be held at the Methodist Church on Saturday, May 8, 2010.

Councilwoman Montgomery wanted to thank Corinder Swan from the Garrison Art Center who got a bunch of sponsors together to raise the funds to have Philipstown participate in "Art along the Hudson". The kick off meeting was last week. More than 230 people attended, with many different supervisors from other municipalities. Supporting the arts could benefit our community.

Councilman Van Tassel wanted to mention two items involving the Putnam Transportation Safety Board. First, his predecessor, Al Hosmer, long requested a program "keep seniors mobile" to be on this side of the county. The Transportation Safety Board will now offer this on May 13 at the Senior Center. This program involves bringing in an eye doctor, the sheriffs dept. and giving the seniors driving instructions. The second item is that there have been a slew of bus accidents in Town. A meeting involving the Transportation Safety Board, as well as NYS Police, Sheriffs Dept. and the Schools will be held at the Garrison School on May 10, which Councilman Van Tassel will attend.

Supervisor Shea said that both he and Councilwoman Scuccimarra attended a Garrison School Board Meeting to answer questions on the zoning. They do have some follow up with the school board, but a lot of questions were answered. Councilman Shea has been meeting with people each week to answer their questions and receive their input with regard to the proposed zoning.

Councilman Van Tassel announced a benefit for the Irvington police officer Osso who has a direct connection with the Town of Philipstown. This will take place on May 15 at the North Highland Fire Dept. from 5-8 pm

## **AUDIENCE**

An audience member brought up the traffic safety issue. He asked that maybe some one could come out and talk to the people who work or own business on Route 9 to see what the issues are. Learn what they see, and where the points of interest are. He suggested that maybe signage could be put up; points doubled, or add striping. Councilman Van Tassel thanked him for his input and said that they would consider.

## **VACANCIES**

CAC (1)  
CV Park District Advisory Committee (3)  
CV Water District Advisory Committee (2)

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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 \$98,399.29 are hereby approved as set forth in Abstracts 4A & 5.

Councilwoman Budney made a motion, seconded by Councilman Van Tassel and unanimously carried that the Highway Vouchers in the amount of \$42,199.32 are hereby approved as set forth in Abstract 4A & 5.

Councilwoman Scuccimarra made a motion, seconded by Councilwoman Budney and unanimously carried that the CV Park District Vouchers in the amount of \$32,591.68 are hereby approved as set forth in Abstracts 4A & 5

Councilman Van Tassel make a motion, seconded by Councilwoman Montgomery and unanimously carried that the CV Water District Vouchers in the amount of \$4,915.60 are hereby approved as presented in Abstracts 4A & 5.

### **ADJOURNMENT**

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

Respectfully submitted by,

Theresa Crawley  
Deputy Town Clerk