

Monthly Town Board Meeting  
APRIL 5, 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
	David Merandy	Councilman
	Edward W. Doyle	Town Attorney

ABSENT:	John Van Tassel	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 1, 2012, were reviewed.

Councilwoman Montgomery made a motion, seconded by Councilwoman Budney and unanimously carried that the Minutes of the Monthly Town Board Meeting of March 1, 2012, are hereby approved as presented.

The Minutes of the Bid Opening of March 8, 2012, were reviewed.

Councilwoman Budney made a motion, seconded by Councilwoman Montgomery and unanimously carried that the Minutes of the Bid Opening of March 8, 2012, are hereby approved as presented.

**COMMITTEE REPORTS**

Supervisor Shea congratulated Councilwoman Budney on being chosen as a “Woman of Distinction” for her lifetime achievements and thanked her for all she has done for the Town. Councilwoman Budney thanked the Town Board for nominating her. The other Town Board members also offered their appreciation for her hard work.

**CB** – Councilwoman Montgomery attended the March 13, 2012 meeting and reported on the items addressed. John Benjamin addressed the board on the reclassification of a stream on his property and Wetland Inspector, David Klotzle, offered assistance to Mr. Benjamin on how to get this stream classified. Acting Chairwoman Martin discussed training opportunities for members of the Conservation Board and it was noted that town e-mails for each Board member were established. All e-mail addresses and passwords will be forwarded to Town Clerk Merando.

**RECREATION** –Councilman Merandy read the report in the absence of Councilman Van Tassel. The meeting took place on March 27, 2012 and the items discussed were: lease renewal for the Depot Theatre; signing of the lease with the MTA for a propane tank; building and grounds report of a leak in the water tower; work still in progress to get a new generator up

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and running, and the RFP for engineering of the north field. Audience member, Mr. Bob Dwyer, had questions on the field study. Then the grass-mowing contract was discussed and the question arose as to why Recreation was responsible for the VFW and Town Hall. The Commission then went into Executive Session to discuss security improvements. The Town Park will open on April 21. The summer book will be available on April 11, and on April 16, the summer registration will begin. Councilman Merandy noted that the "Spring Splat" was a success bringing in approximately \$7,000.

**RECYCLING** – Councilwoman Budney announced that the Recycling Center will be closed this Saturday for the holiday. She also announced that there would be a Townwide Spring Clean up for Philipstown residents, which will be held on May 12 from 8:00am to 1:00pm, at the Garrison Volunteer Fire Department. Only two trips will be allowed. No tires and no items with freon will be accepted.

**PLANNING BOARD** - Councilwoman Montgomery reported on the five items addressed at the March 15th Planning Board Meeting: Drake Petroleum, ESP, Garrison Properties, LLC Viewsave LLC and 3 Horseman's Trail. The next meeting will be held on April 19, 2012.

**ZONING** – No report this month.

**HIGHWAY** – Councilwoman Budney read the monthly report submitted by Highway Superintendent Roger Chirico. The report is on file in the Town Clerk's Office for anyone wishing to review. Supervisor Shea thanked Mr. Chirico for all the work with FEMA.

**BUILDING & LAND ACQUISITION** –Supervisor Shea asked for input from the Town Board regarding property owned by the Town on Knollwood Lane, which Dave Vickery is interested in buying. The Town Board approved going forward with this and will discuss further.

**GVFD** – Jamie Copeland reported on activities for the month of March 2012. Mr. Copeland noted that they would be hosting a Wild Lands Training that will be given by Putnam County personnel on April 19, 2012. The Primary Election will be on April 24 at the firehouse, on April 27, the Fire Department will be receiving delivery of a new Pumper truck, and the Townwide Clean Up will be on May 12. Mr. Copeland stated that in response to the question raised about Fire Protection District vs. Fire District, the department has invited experts to come and speak about the benefits of both and they are in the process of trying to decide what works best for the community.

**BUTTERFIELD LIBRARY** - Gillian Thorpe reported on the activities at the Library and noted that they will have a big celebration for National Library Week in April. On April 13 at 7:30pm, during National Library Week, they will be holding a fundraiser. She asked people to sign up for e-newsletters. The annual report will be mailed out in May. Ms. Thorpe also reminded people that the library offers museum passes, and if anyone has an e-reader, the library can show them how to use it or help with any other problems. The library does have e-readers and nooks available to borrow.

**TOWN OF PHILIPSTOWN  
MONTHLY REPORT OF TOWN SUPERVISOR  
MONIES RECEIVED AS OF APRIL 5, 2012**

**GENERAL & PART-TOWN FUNDS**

Trident Ins.-Town Hall Damage	2,065.00
Justice Fees – 2/12	5,743.00
Justice Fees – 2/12	4,075.00
Recreation Fee – 1/12	64,543.16
C.T.V Fees	17,963.00
Gilbert Rodner Sm.Claims Refund	1,121.84
T.C. Fees – 2/12	239.10
T.C. Fees – Dogs 2/12	353.00
AW Scrap	1,018.00
C.T.V. Fees	11,189.00
Bldg. Fees – 2/12	3,985.00
Bldg. Fees – 3/12	11,526.00
Hudson Baylor	88.50
Rec. Fees – 2/12	27,586.07
Interest	176.98

**HIGHWAY FUND**

Gen. Fund Gas	355.84
P. C. Sheriff's Gas	490.85
NYS Fema Ck	18,890.45
NYS Fema Ck	26,818.72
Village of Nelsonville salt	749.76
Bank Interest	250.73

**CONTINENTAL VILLAGE WATER DISTRICT**

	10.17
Bank Interest	

**CONTINENTAL VILLAGE PARK DISTRICT**

Clubhouse Fees	625.00
Bank Interest	19.00

**AGENDA**

**1. Honorary Resolution for Anne M. Nichter.**

Supervisor Shea read the following honorary resolution to Anne Nichter. He thanked her for all her work.

**RESOLUTION #72-2012**

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

**WHEREAS**, Anne Nichter was elected Assessor for the Town of Philipstown on January 1, 2000; and

**WHEREAS**, through Anne's long and distinguished service, she has displayed the highest ideals of character and conduct to support our citizens; and

**WHEREAS**, Anne was constantly striving to serve her community to provide important and flexible assistance to meet the needs of all residents; and

**WHEREAS**, Anne, through a dedicated effort and a sense of professionalism, continuously updated her skills and technical knowledge to prepare for New York State requirements each year; and

**WHEREAS**, Anne's dedicated interest and devotion to her duties as Assessor, has had a valuable effect on this community, and we wish to extend to her our sincere appreciation for her outstanding performance of her duties;

**NOW, THEREFORE BE IT RESOLVED**, the Town Board expresses their deepest gratitude to Anne M. Nichter for her countless contributions and exemplary service to our community, and best wishes for a long, happy and productive retirement.

**BE IT FURTHER RESOLVED** that we the undersigned members of the Town Board and Town Officers of the Town of Philipstown, by this Resolution, do hereby pay tribute to Anne M. Nichter for her many years of service provided to our community.

**2. Mr. & Mrs. Jerry Albanese to address the Town Board with regard to various concerns i.e. Indian Brook Road West, planned repairs, etc.**

Mr. Albanese thanked the Town Board for giving him, and his wife, the opportunity to be here. He said that the residents of Indian Brook Road and Constitution Marsh have a planned voluntary debris removal/cleanup of the road from Route 9D to Route 9 on Saturday, April 14, and are asking the Town's participation by picking up the debris, chipping stacked branches, picking up logs too big to chip, and assist in removing fallen trees. Mr. Albanese asked for the Town's help in getting snapped utility poles (Verizon/Cablevision/Central Hudson) removed.

He went on mention that the state is working on the Route 9D bridge – sandblasting and painting and was informed by the person in charge that it would be painted a bright shiny red. He asked for the Town Boards’ assistance with the DEC to get another color.

Mr. Albanese went on to ask if something could be done about the graffiti. He suggested, maybe education in the school and/or a flyer be sent out.

One last issue he would like to bring to the Boards attention is the collapsed bank on the road. He hopes that whatever is done can be done in such a way that it maintains the pristine environment and would like to be involved. Supervisor Shea asked Roger Chirico where we stand with this work. Mr. Chirico said that they were trying to pick out some kind of material for the wall. They had been waiting to see if the road was on the National Registry and found that this part of the road is not.

Mr. Albanese had one more thing and that was the noise generated by a herd of donkeys from an adjoining property and asked what could they do about this? Supervisor Shea said that this is a civil matter and it would be really difficult to do something about it. He will have the Code Enforcement Officer go out and look at the property in question.

**3. Discussion regarding the lease agreement between the Town and the Garrison Landing Association.**

Supervisor Shea stated that Garrison Landing Association is asking for an increase for this years lease because of the amount of work they are going to do this year. Councilwoman Montgomery said that in the past, volunteers have done all of the work. She added that she is not opposed to an increase, but would like to know what kind of work is going to be done. She said the other outstanding issue is the parking plan, which was supposed to have been done. Supervisor Shea commented that they have not had an increase in quite a number of years and the increase is nominal - \$1,000. Councilman Merandy asked if this could be discussed further at the workshop. Supervisor Shea said that they would put off discussing until next Wednesday (April 11).

**4. Resolution accepting the resignation of Anthony Merante as Chairman of the Philipstown Planning Board.**

Town Clerk Merando stated that Mr. Merante resigned on January 23<sup>rd</sup> of this year, but at the previous Town Board meeting it was tabled for further discussion and modification of his letter. Mr. Merante will now stay on as a member and only resign as Chairman.

**RESOLUTION #73-2012**

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 accepts the resignation of Anthony Merante as Chairman to the Philipstown Planning Board

**5. Resolution appointing Michael Leonard as Chairman of the Philipstown Planning Board.**

Supervisor Shea thanked Mr. Leonard for stepping up.

**RESOLUTION #74-2012**

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

**RESOLVED**, that the Town Board hereby appoints Michael Leonard as Chairman of the Philipstown Planning Board.

**6. Resolution authorizing Supervisor Shea to sign the contract between the Town and Putnam County Real Property Tax Service for services provided for tax processing.**

**RESOLUTION #75-2012**

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

**RESOLVED**, that the Town Board hereby approves Supervisor Shea signing the contract between the Town and Putnam County Real Property Tax Service for services provided for tax processing.

**7. Resolution supporting the Putnam County Sheriff declaring the month of April as "Teen Driver Safety Awareness Month."**

Supervisor Shea stated that he received a letter from the Sheriff citing statistics and programs, which the Town Board wants to support.

**RESOLUTION #76-2012**

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

**RESOLVED**, that the Town Board hereby supports the Putnam County Sheriff in declaring the month of April as "Teen Driver Safety Awareness Month."

**WHEREAS**, statistics and experience demonstrate that the greatest danger to our youth in Putnam County, and throughout our country, are the dangers posed from traffic crashes; and

**WHEREAS**, highway crash statistics inform us that although teen drivers make up only 7% of the driving populations, they comprise 18% of the injury related automobile crashes; and

**WHEREAS**, the leading cause of accidental deaths to our youthful population throughout the United States are automobile accidents; and

**WHEREAS**, analysis shows us that the reasons for teen overrepresentation in injury related automobile crashes include: driver inexperience, excessive speed, unnecessary risk taking, inattentive driving and use of alcohol and drugs; and

**WHEREAS**, in Putnam County, we have too often experienced a tragedy with the death of a teen driver at the wheel. Many of these deaths have occurred during the spring and summer months with a high incidence rate during the period leading up to prom season; and

**WHEREAS**, all accidents are preventable and crash rates can be lowered through the use of education and awareness programs through the use of our school systems, law enforcement programs and youth services organizations such as Boy Scouts, Girl Scouts, Junior RTC programs and the Civil Air Patrol, just to name a few; and

**WHEREAS**, these programs work best when there is a period set aside for local government at every level, our school districts and churches, synagogues and youth service organizations coming together to provide these education programs;

**NOW, THEREFORE, BE IT RESOLVED**, that we, the Town Board of the Town of Philipstown, declare April 2012 as Teen Driver Safety Awareness Month in Putnam County; and

**BE IT FURTHER RESOLVED**, that we encourage all levels of government, our school districts, law enforcement, our churches and synagogues, our youth service organizations and all the citizens of Philipstown, support programs that promote teen driver safety awareness in Philipstown, thereby protecting one of our most precious resources, our children and grandchildren.

**8. Resolution approving the 2011 Annual Conservation Board Report and authorize Town Clerk Merando to forward to the New York State Commissioner of the Department of Environmental Conservation.**

Supervisor Shea said that this is something they are mandated to do every year for the Conservation Board.

**RESOLUTION #77-2012**

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

**RESOLVED**, that the Town Board hereby approves the 2011 Annual Conservation Board Report and authorize Town Clerk Merando to forward to the New York State Commissioner of the Department of Environmental Conservation.

**9. Resolution of support for the LGE Grant.**

Supervisor Shea noted that this local government efficiency grant would be used to take a look at the Town's facilities and all the things that would be involved in either updating Town Hall or moving. A professional would be retained to evaluate what the pros and cons would be.

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Supervisor Shea noted that Nelsonville and Cold Spring participated in sending resolutions of support. The grant would be a 10% match – up to \$35,000 - \$3,500 match.

**RESOLUTION #78-2012**

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

**WHEREAS**, the Town of Philipstown is preparing for New York State Department of State Local Government Efficiency grant (LGE) for the 2011-2012 funding cycle; and

**WHEREAS**, the Town Board of the Town of Philipstown supports the application for a LGE grant to study consolidation of services; and

**WHEREAS**, the Town of Philipstown proposes to apply for funding to study the fiscal benefits of consolidating the Town municipal operations and serves from three buildings to one building; and

**WHEREAS**, the Town of Philipstown proposes to apply for funding to study the fiscal benefits of consolidating certain services with the Village's of Cold Spring and Nelsonville including, court services and building department;

**NOW, THEREFORE BE IT RESOLVED**, that the Town Board of the Town of Philipstown would execute a Memorandum of Understanding with the Village's of Cold Spring and Nelsonville upon successful receipt of the grant.

Joe Regele asked if this would include taking a look at the value of this property if it were to be sold. Supervisor Shea said he would imagine that whatever the disposition is, this would be addressed in the report.

**10. Resolution awarding the bid for the 2012 Jeep Grand Cherokee, Sports Utility to Main Motorcar in the amount of \$27,538.00.**

Supervisor Shea explained that the Highway Department went out to bid for this. This vehicle will be used by the Highway Department. The present vehicle would be passed down to Code Enforcement to replace their inoperable vehicle.

**RESOLUTION #79-2012**

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

**RESOLVED**, that the Town Board awards the bid for the 2012 Jeep Grand Cherokee, Sports Utility to Main Motorcar in the amount of \$27,538.00.

**11. 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 6, 2012.**



**RESOLUTION #80-2012**

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 Club for this years "Kids Fishing Day" scheduled for May 6, 2012.

**12. Discussion regarding the upcoming "Bike/Walk to School Week".**

Supervisor Shea said that this is a statewide initiative sponsored by the Village of Cold Spring to get people out and active by biking and walking. It will also help cut down on emissions. He said that it will be easy for the residents within the village, but might be difficult for those who have to come across Route 9. He will ask the sheriff for extra patrols for this, as suggested. Allowing children to participate would be the decision of parents. Supervisor Shea thanked Mayor Gallagher for informing the Town Board. For more information, contact Haldane School and you can get a tee shirt. An audience member suggested that the Fire Departments, in addition to the Sheriff's Department, also have peace officer status and could possibly assist.

**13. Code Enforcement Monthly Report.**

Town Clerk Merando read the monthly report, which is on file in the Town Clerks office for review. Supervisor Shea reported that he met with Kevin Donohue to work through some issues with the County regarding electrical and fee issues.

Town Clerk Merando noted that she had two additional items:

1<sup>st</sup> item - the Recreation Department wants to do an RFP for the Town Park North Field irrigation and parking lot. The commission approved the RFP for Town Board approval at their March meeting and Amber Stickle wants to advertise for the proposals. Joe Regele asked if this wasn't an agenda item at Wednesday's workshop. Supervisor Shea said that it was, but since Town Clerk Merando was able to get it on the agenda tonight, they wanted to do this tonight. Mr. Regele, who is usually a taxation and spending watchdog, said that he would like to see more time spent on this – not to rush into it. He said that there should be more public discussion and it should be done right. He feels that spending money on sodding the field would be like throwing money away and that a synthetic field would make more sense. Supervisor Shea said that the school (Haldane) also has plans to do a field and would probably be going out to referendum for their field. Therefore, the Town Board did not feel that this was a good time for the Town to do the same in light of the economy. Because this is a maintenance issue, they want to get one field into really good shape. Supervisor Shea said that they can have another workshop on this issue, but that there has been a tremendous amount of public process on this whole issue. Councilwoman Montgomery asked what the scope of the discussion would be at the workshop – would it be the scope of the RFP? Supervisor Shea responded that is what the discussion would be. Councilman Merandy reiterated what had been done so far to get to this point and that Haldane would have more success with a referendum. Supervisor Shea said that this item would be tabled until next Wednesday's workshop, April 11, 2012. Mr. Regele then asked why we couldn't post what is

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going to be covered/discussed at the workshops because residents can't attend all the meetings. This way they would know which ones they would like to attend.

**RESOLUTION #81-2012**

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

**RESOLVED**, that the Town Board tables the request to advertise for proposals for the RFP for the North Field in the Town Park until Wednesday's workshop, April 11, 2012.

Councilman Merandy requested that the subject of a meeting be posted on the TV and website. Town Clerk Merando said that it is done now on the website and can be done on the TV in the future.

2<sup>nd</sup> item - to authorize Town Clerk Merando to advertise for bidders for the Townwide Cleanup

**RESOLUTION #82-2012**

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

**RESOLVED**, that the Town Board hereby authorizes Town Clerk Merando to advertise for bidders for the Townwide Cleanup.

**14. Schedule Workshops/Meetings.**

Workshop – Wednesday, April 11, 2012 – discussion on proposals for the RFP.

Councilwoman Montgomery announced that Councilman Van Tassel has a representative from the Red Cross coming to next month's meeting for Shelter Preparedness. The presentation would take approximately ½ hour. Anyone interested can attend and become certified in Shelter Preparedness.

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

Councilwoman Montgomery had one thing and that was about allowing the Citizens of Philipstown to air the Town Board Meetings. Town Clerk Merando explained that this is public record and the Town does allow the CD or tape to be loaned out. The Town Clerk's office is now copying the disk and giving it to whom ever requests a copy. Councilwoman Montgomery noted that the Village had an issue with this and they wisely established a contract between the Village and the Citizens of Philipstown. Councilwoman Montgomery will ask the Village for a copy of their contract.

Councilwoman Budney announced that on Saturday, June 9, 2012, the American Cancer Society would be holding their "Relay for Life" at Mayor's Park. Volunteers and participants are needed for the event. If interested, Kathy DiSalvo should be contacted at (914) 804-3112. Councilwoman Budney also stated that she needs volunteers for tours of the Philipstown

cemeteries to give tours, tour leaders or just attending - on Saturday, June 30. Councilwoman Budney can be reached at (845) 265-3508. Councilwoman Budney also thanked President Tony Bardes and the members of the Citizens of Philipstown for their congratulatory letter in the PCN&R, and State Senator Greg Ball for making all of this possible for the "Women of Distinction." She then thanked everyone for all the support she has been given.

Supervisor Shea said that he wrote a letter to DOT about the brush situation on Route 9D and they responded stating that they are taking action on that.

## **AUDIENCE**

Joe Regele had one quick question on revenue. Mr. Regele asked what the Town Board was doing with regard to the development at Osborne Castle and Cybercon? What if anything is the Town doing to try to increase our tax base? Supervisor Shea said that he has never seen any plan on this. He said that they have had multiple meetings with them, but to date have not received anything. Mr. Regele asked, "Since we have a limited tax base, is there an initiative or any thought on how the Town can go out and attract business?" Supervisor Shea said they have, and right now Entergy is looking to build a commercial building out on Route 9, with low intensive use (an Emergency Operations Center), that is before the Planning Board. Then there is Scanga Woodworking, who has received approval for an extension to double the size of their business.

Lee Ericson asked if there could be a sheriff's car for the Kids Fishing event. Supervisor Shea said that they always have one, but would make sure they are there. Mr. Ericson also asked if there would be a mass mailing to every tax paying resident on the Field Study to get them involved so there is no excuse for people not showing up. He said that he agrees with Mr. Regele as to having an A and B plan. Supervisor Shea said the plan right now is budget neutral.

Liz Armstrong asked if workshop information could be put on the website (i.e. if it is taking place or not and topics).

Lee Ericson asked if limited public comment could be taken at the workshops. Supervisor Shea said that comment is allowed, but there have been times when they needed to get something done and they are working on the nuts and bolts of this.

## **VACANCIES**

Board of Assessment Review (1)  
CV Park District Advisory Committee (3)  
CV Water District Advisory Committee (2)

Councilwoman Montgomery asked if we could have Town Clerk Merando advertise for the vacancies on the CV Park District Advisory Committee.

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**RESOLUTION #83-2012**

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

**RESOLVED**, that the Town Board hereby authorizes Town Clerk Merando to advertise for the positions on CV Park District Advisory Committee.

**APPROVAL OF VOUCHERS**

Councilwoman Budney made a motion, seconded by Councilwoman Montgomery and unanimously carried that the General Vouchers in the amount of \$114,441.08 are hereby approved as set forth in Abstracts 3A & 4.

Councilwoman Budney made a motion, seconded by Councilwoman Montgomery and unanimously carried that the Highway Vouchers in the amount of \$84,176.37 are hereby approved as set forth in Abstracts 3A & 4.

Councilwoman Budney made a motion, seconded by Councilwoman Montgomery and unanimously carried that the CVPD Vouchers in the amount of \$1,738.73 are hereby approved as set forth in Abstract 4.

Councilwoman Montgomery made a motion, seconded by Councilwoman Budney and unanimously carried that the CVWD Vouchers in the amount of \$1,408.79 are hereby approved as set forth in Abstracts 4.

There being no further business to discuss, Councilwoman Montgomery made a motion, seconded by Councilwoman Budney to close the Town Board Monthly Meeting at 9:45 p.m.

Respectfully submitted by,

Theresa Crawley  
Deputy Town Clerk