

Monthly Town Board Meeting
December 4, 2008

The Town Board of the Town of Philipstown held their Monthly Meeting on the above date at 8:32 p.m. at the Town Hall, 238 Main Street, Cold Spring, New York.

PRESENT:

William Mazzuca	Supervisor
Betty Budney	Councilwoman
Richard Shea	Councilman
Nancy Montgomery	Councilwoman
Barbara Scuccimarra	Councilwoman
Edward W. Doyle	Town Attorney

Supervisor Mazzuca opened the Meeting with the Salute to the Flag.

REVIEW OF MINUTES

The Minutes of the Public Hearing of November 5, 2008 – 2009 CVWD Budget 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 Public Hearing of November 5, 2008 – 2009 CVPD Budget were reviewed.

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

The Minutes of the Public Hearing of November 5, 2008 – Philipstown Ambulance were reviewed.

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

The Minutes of the Public Hearing of November 5, 2008 – Garrison Ambulance were reviewed.

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

The Minutes of the Public Hearing of November 5, 2008 – Cold Spring Fire were reviewed.

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

Monthly Town Board Meeting
December 4, 2008

The Minutes of the Public Hearing of November 5, 2008 – General Fund were reviewed.

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

The Minutes of the Monthly Town Board Meeting of November 6, 2008 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 – Councilman Shea reported on the six applications before the CAC. He once again thanked the members for all their work.

Recreation – Councilwoman Montgomery reported that everything is running great at the Recreation Department and encouraged everyone to attend the children’s performance of Star Wars at the Depot Theatre this weekend.

Recycling - Councilwoman Budney reminded everyone that the Town still has the trailer at the landfill for televisions, computers and monitors, air conditioners, etc.

Planning Board – Councilwoman Montgomery reviewed the items addressed at the November 20th meeting. The next Planning Board Meeting is scheduled for January 22, 2009.

Zoning - Councilwoman Scuccimarra reviewed the items addressed at the November 24th meeting.

Highway – Councilwoman Budney reported that drainage was installed on Esselbourne Road. Personnel are conducting routine maintenance, such as removing leaves, clearing pipes and waterways daily. On Sunday, November 30th the Highway Department was called out to sand various roads. Winterization of equipment is underway. She also reminded everyone that between November 15th and April 15th, residents are asked to remove their vehicles from roadways, and at no time should snow from walkways and driveways be pushed or blown onto town roads. Storm drains are for the runoff of water from snow. If someone should notice a storm drain that is clogged or in need of repair, please call the Highway Department to report it.

Supervisor Mazzuca announced that the traffic light at the intersection of Route 9 and Fishkill Road has been approved and thanked Al Hosmer for his continued work on this project.

Building & Land Acquisition – Councilman Shea reported that the stair project is completed; the painting will be done in the spring. Supervisor Mazzuca thanked

Monthly Town Board Meeting
December 4, 2008

Councilman Shea and Town Clerk Merando for their overseeing of the projects at the town hall.

AGENDA

1. Discussion with regard to the financing of the improvements to the Cortlandt Lake Dam.

Michael Phalen explained that on November 10th the Supervisor held a meeting with regard to the rehabilitation of the Cortlandt Dam project. The thrust of the conversation was the need to procure additional funding over and above the \$651,000.00 that was awarded to the park district. The Town of Cortlandt engineering went out to bid for the project. The first set of bids came back with only one bidder; the second bid came back with the lowest bidder at \$1,070,000.00, which was substantially higher than the original estimate. In view of the fact that the park district has a commitment from the DEC for the \$651,000, it was determined to accept the bid rather than jeopardize the funding from the DEC. At the Supervisor's meeting, discussion then ensued with regard to mechanisms for bonding the remainder of the project.

Town Attorney Doyle has forwarded his recommendations to all interested parties to either bond jointly or independently.

Mr. Phalen broke down the percentages for each of the Towns if bonding was going to be a joint endeavor. Also, Town Attorney Doyle explained that if bonding were with all municipal entities, an Inter-municipal Agreement would have to be prepared. The question arose as to whether portions would be established at the beginning of the bonding, or are the three towns going to recalibrate the ratios every year. If it were recalibrated every year it would put a burden on the Assessing Offices. Discussion continued with regard to the method of bonding, at which time the Town Board directed Town Attorney Doyle to pursue bonding the Town of Philipstown's portion of the bond.

RESOLUTION #236-08

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

RESOLVED, that the Town Board hereby authorizes Town Attorney Doyle to proceed with individual financing for the Cortlandt Dam Project and;

BE IT FURTHER RESOLVED, that Town Attorney Doyle inform the Town of Cortlandt and Putnam Valley of the Town of Philipstown's intention to finance the above project independently.

2. Resolution is needed authorizing Town Attorney Doyle to order title insurance on 4 lots with regard to Drainage Easements for Old Albany Post Road and draft Easement Agreements for said four lots and to assist the owners in seeking consent from any Lender to subordinate their loan to the Drainage Easements.

Monthly Town Board Meeting
December 4, 2008

Town Attorney Doyle stated that he and Councilman Shea have met at the site with Ron Gainer and spoke with the property owners. The theory is that by not doing this work, the town's road is threatened. It has already been damaged on more than one occasion as a result of the damming and flooding that has occurred - once very seriously to the point where a good section of Old Albany Post Road was washed out and impassable. It is to the town's advantage to obtain easements to be able to do the necessary work to protect the town road.

Councilman Shea stated that the Town Board appreciates the patience of the residents on that road, as a solution has been a long time coming. He explained that the town couldn't do the work in the stream as it runs through private property. Work in the stream needs to be completed in order to protect the town road. Appropriate size culverts are needed so the peak flow of that stream can be handled. Then the town can address the concerns on the road. He noted that this is the first phase of the project. The next phase will be the drainage work and addressing the surfacing of the road.

RESOLUTION #237-08

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

RESOLVED, that the Town Board hereby authorizes Town Attorney Doyle to Order Title Insurance on all 4 lots, work with Surveyor Glenn Watson to draft descriptions for the Easement areas on all 4 lots, draft Easement Agreement for all 4 lots and then to assist the owners in seeking consent from any Lender to subordinate their loan to the Drainage Easements.

3. Resolution authorizing Supervisor Mazzuca to sign the agreement with the Putnam County Department of Health to provide WIC services at the VFW for 2009.

RESOLUTION #238-08

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

RESOLVED, that the Town Board hereby authorizes Supervisor Mazzuca to sign the agreement with Putnam County Department of Health to provide WIC services at the VFW for 2009.

4. Resolution scheduling a Public Hearing for a proposed Local Law to amend Chapter 175, Quarry Pond Planned Development District.

RESOLUTION #239-08

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

Monthly Town Board Meeting
December 4, 2008

RESOLVED, that the Town Board hereby schedules a Public Hearing on January 8, 2009, at 7:00 p.m. at the Town Hall, 238 Main Street, Cold Spring, on a proposed Local Law to amend the Code of the Town of Philipstown, Chapter 175 thereof entitled Zoning, to change the provisions of the Quarry Pond Planned Development District.

5. Resolution authorizing Town Clerk Merando to advertise a Public Hearing for December 17, 2008, at 7:30 p.m. at the Town Hall for the 1 year extension for QPPDD.

RESOLUTION #240-08

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

RESOLVED, that the Town Board hereby authorizes Town Clerk Merando to advertise a Public Hearing for December 17, 2008, at 7:30 p.m. at the Town Hall, 238 Main Street, Cold Spring, New York for the 1-year extension for the Quarry Pond Planned Development District.

6. Schedule Meetings/Workshop.

The following meetings have been scheduled:

Executive Session	December 9, 2008	7:30 p.m. VFW
Public Hearing	QPPDD 1 year extension (12-17-08)	7:30 p.m. Town Hall
Year End Meeting	December 29, 2008 @	7:30 p.m. Town Hall
Re-organization Meeting	January 8, 2009	7:30 p.m. Town Hall
Monthly Town Board Meeting	January 8, 2009	8:00 p.m. Town Hall

7. Code Enforcement Monthly Report.

Town Clerk Merando read the Monthly Report.

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

Town Clerk Merando read a letter from Code Enforcement Officer Thomas Monroe with regard to Garrison Contracting zoning.

Town Attorney Doyle asked if this matter has already been referred to the Planning Board for review. It was noted that it has not been before the Planning Board. The Town Board directed Town Clerk Merando to contact the Town Planner and ask him to review the matter and make his recommendations.

Town Clerk Merando read a letter from the Planning Board regarding the release of escrow funds for the Ruckel Subdivision.

Monthly Town Board Meeting
December 4, 2008

RESOLUTION #241-08

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

RESOLVED, that the Town Board hereby authorizes the release of any escrow monies remaining in the Ruckel Subdivision account.

RESOLUTION #242-08

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

RESOLVED, that the Town Board hereby authorizes the release of any escrow monies remaining in the Zeiderman account.

RESOLUTION #243-08

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

RESOLVED, that the Town Board hereby authorizes the release of any escrow monies remaining in the Hudson Highland Land Trust account.

AUDIENCE

Nat Prentice stated that the tentative agenda indicated that Gillian Thorpe was going to address the Town Board, he asked if that has been rescheduled. Councilwoman Scuccimarra reported that Mrs. Thorpe was unable to attend this evening, however, she has a report outlining their programs, goals for 2009, and their budget. Mrs. Thorpe will attend future meetings.

Joe Regele referenced his letter to Butterfield Library asking that they pitch in financially during these tough fiscal times. He was told that there were legal issues and was hoping that he could get some answers. Councilwoman Scuccimarra explained that the taxpayers' monies were strictly for the library and could not be distributed to any other library or not-for-profit organization.

Supervisor Mazzuca noted that the library receives funding from other sources than taxpayers. They could donate those other funds to organizations if they wanted to and not touch the taxpayers' money.

Joe Regele then asked if the Town Board would be prepared to give a report following the Executive Session with the Garrison Volunteer Fire Company on December 9, 2008? Supervisor Mazzuca responded saying that is his hope.

Andy Chmar announced that on December 8, 2008, the Land Trust is sponsoring an alternative energy-financing forum. He also announced that representatives from West

Monthly Town Board Meeting
December 4, 2008

Point would be conducting an informational meeting at the Desmond Fish Library on December 11, 2008, at 7:00 p.m. regarding their housing project.

VACANCIES

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

APPROVAL OF VOUCHERS

Councilman Shea made a motion, seconded by Councilwoman Scuccimarra and unanimously carried that the General Vouchers in the amount of \$105,139.99 are hereby approved as set forth in Abstracts 11A & 12.

Councilwoman Budney made a motion, seconded by Councilman Shea and unanimously carried that the Highway Vouchers in the amount of \$47,945.22 are hereby approved as set forth in Abstract 12.

Councilman Shea made a motion, seconded by Councilwoman Budney and unanimously carried that the CV Park District Vouchers in the amount of \$2,112.81 are hereby approved as set forth in Abstract 12.

Councilwoman Scuccimarra made a motion, seconded by Councilwoman Budney and unanimously carried that the CV Water District Vouchers in the amount of \$4,954.66 are hereby approved as presented in Abstract 12.

There being no further business to discuss, Councilwoman Budney made a motion, seconded by Councilwoman Scuccimarra and unanimously carried to close the Monthly Meeting at 9:35 p.m.

Respectfully submitted by,

Tina M. Merando
Town Clerk