

REGULAR MONTHLY BOARD MEETING

MONDAY, AUGUST 8, 2011

PRESENT: Mayor Clarence Speed, Trustees Brian Johnson, Barbara Sagal, Douglas Cropper, (Trustee Laurence Ostrander-Absent-on vacation), Attorney Robert Fitzsimmons, Clerk/Treasurer Eilene Morris.

PUBLIC HEARING #1 – Continuation of Public Hearing for discussion on “Amending the Code of the Village of Philmont to Allow Animal Husbandry”:

Josie Tortorici noted that she was against having chickens and felt that they create an unclean environment and they draw rats. She also thought that chickens were not allowed in the past (at this time Attorney Fitzsimmons summarized how we got to this point in the process). Peggy Alt also expressed her concern and stated that she did not want to see the Village of Philmont turn into a “farming community”. With the understanding that those who presently have chickens can keep those chickens there was a **MOTION** to add the word “chickens” to the original law relating to animals NOT allowed in the village made by Trustee Johnson, seconded by Trustee Cropper. (SEQR form reviewed and a **Motion** was made by Trustee Cropper, seconded by Trustee Johnson that a negative declaration was determined. ALL AYES, NO NAYS.)

MOTION to close Public Hearing #1 made by Trustee Johnson, seconded by Trustee Cropper. ALL AYES, NO NAYS.

PUBLIC HEARING #2 – Government Immunity to Zoning Laws – Proposed DPW Garage (Monroe vs. Rochester, 72 NY 2d 338) – as required by law.

Explanation of the process was presented by Attorney Fitzsimmons and there was discussion by the audience related to the Monroe Act and what criteria the Village must meet. After discussion a **MOTION** was made by Trustee Johnson, seconded by Trustee Sagal to accept the site for the DPW Garage as exempt from Zoning. ALL AYES, NO NAYS. (SEQR form reviewed and a **Motion** was made by Trustee Cropper and seconded by Trustee Johnson that a negative declaration was determined. ALL AYES, NO NAYS.) (A copy of the full resolution is on file in the Village Office for review- “Proposed DPW Garage” file).

MOTION to close the Public Hearing was made by Trustee Sagal, seconded by Trustee Cropper. ALL AYES, NO NAYS.

MOTION to approve minutes of the previous meeting made by Trustee Cropper, seconded by Trustee Sagal. ALL AYES, NO NAYS.

MOTION to approve the Treasurer’s Report made by Trustee Cropper, seconded by Trustee Sagal. ALL AYES, NO NAYS.

MOTION to approve payment of bills (General Abstract #3, Water Abstract #3, Sewer Abstract #3, Library Abstract #3, T&A Abstract #3, Summit Lake Abstract #3) made by Trustee Sagal, seconded by Trustee Cropper. ALL AYES, NO NAYS.

PUBLIC REQUESTS:

Brian Wheeler voiced his concern about crime noting that his daughter’s bike was stolen and he wants something to be done about it. He also questioned why the Greenport Rescue Squad was cutting back in its hours as he heard that it was because of money. It was noted that the Town of Claverack decided *not* to give the *total* amount of the money they previously gave to the Philmont Rescue Squad (prior to their dissolution) to the Greenport Rescue Squad along with the regular annual amount given to them in the past (funds which are provided by all taxpayers in Claverack-including Philmont). There was discussion and residents were encouraged to express their concern in letters to pertinent parties. Bill Blaauw noted that Greenport Rescue does make good time on their calls even when traveling from Greenport. Mr. Osborn noted that the “garage” building on their rental property was approved for only one year by the Planning Board. Trustee Johnson noted (for the record) that no one from the Greenport Rescue Squad ever came before the Village Board requested anything.

Fire Chief Vernon Higgins noted problems with the roof drain flooding out the fire house with “smelly” water and asked that someone check into a “fix”.

Bill Blaauw noted that oncoming traffic cannot be seen though the bushes at the corner of Prospect Street and Church Street (Vallee property) and the Stop Sign is also blocked in that area.. Trustee Cropper noted that the Stop Sign on the other side of Prospect Street is crooked and there is a sign lying on the ground on Highland Avenue.

Mr. Osborn noted that the storm drain by his property is still a problem.

Art Rote asked about the “Slow Sign” for the ball field. Trustee Johnson will look into these issues.

Josie Tortorici asked that the police monitor “speeders” on Summit Street.

REPORTS:

ATTORNEY FITZSIMMONS:

All information given previously during public hearings.

CLERK/TREASURER MORRIS:

- The Village Office will be closed on Monday, September 5th for Labor Day.
- There are currently 46 parcels remaining on the water turn-off list. Water service is scheduled to be terminated September 8, 2011 at noon.
- All reports, collections, sales, payrolls etc. completed as usual.

POLICE REPORT:

Report given by Trustee Cropper. A copy is available in the Village Office for review.

LIBRARY REPORT:

(BUILDING AND GROUNDS) Reported on the new air conditioner, room darkening shades and Acoustic Clouds recently purchased for the library. Also noted that stone pavers were in the process of being placed in the outside area of the Library. *(SERVICES)* Reported that 44 children signed up for the Summer Reading Program. There will be a wrap-up party for them at the Claverack Town Park with the Claverack Free Library. The final summer music program was held last week with over 80 in attendance. AND...she dreams of a lovely trellis with seating for the outside area.

COMMUNITY CENTER:

(NO REPORT)

TOWN OF CLAVERACK/COUNTY OF COLUMBIA: (Provided by Supervisor Robin Andrews)

(TOWN OF CLAVERACK) - Reported on the success of the Youth Program (170 kids). Also noted that the Town is sending a letter to the Greenport Rescue Squad to share our disappointment in the letter we received about reducing the shift coverage at the Philmont site. She also reported that a \$1500 grant was received from Greenway to support zoning revisions in accordance with the comprehensive plan and a \$12,000 grant from Soil and Water for stream cleanup work. She noted that the next meeting is this Thursday, August 11th at 7:00 PM.

(COUNTY OF COLUMBIA) – Reported on a special meeting in reference to the purchase of the Greenport Plaza building. Also the Certificate of Need (CON) is being completed for the new Pine Haven building noting that it appears that the entrance will be off Route 217 and not County Route 11). Also, a new cell tower will be put up in that area to replace the one now located on the old water tank which will be taken down. It is expected that the new tower will be more effective.

MAYOR SPEED:

Reported that he was away on vacation but took phone calls while he was away and kept in touch with the office. Continues to sign necessary paperwork and noted that he is meeting with an individual who may be able to assist the village with a grant for cleaning and painting the water tank.

TRUSTEE JOHNSTON:

He gave the DPW, Water and Sewer reports (copies are available in the Village Office). He also gave the fire Company report (a copy available in the Village Office).

At this point Ms. Tortorici spoke with Officer Tkacy regarding Summit Street speeding issues and Mr. Osborn noted that stolen items recovered from recent car thefts need to be identified at the NYS Police Barracks. Brian Wheeler also spoke with Officer Tkacy regarding the stolen bicycle.

Trustee Johnson also reported on attending a meeting at Pine Haven regarding the proposed Veteran's Center and felt it went well commending Mr. Wassenhove for his driving force behind the project and noted that Chelsea Nichols was of great help in offering building design recommendations.

CORRESPONDENCE – LIST PROVIDED TO THE AUDIENCE.

MOTIONS AND RESOLUTIONS:

1. **MOTION** that be it resolved that the Village of Philmont shall authorize Homeland Towers to execute an easement to New York State Electric and Gas Corporation for the purpose of installing electric service to a cell tower located on the Forest Lake access road and more fully described in the easement being presented made by Trustee Sagal, 2nd by Trustee Cropper. ALL AYES, NO NAYS. (Agreement to same signed by Mayor Speed – all filed in “Cell Tower” folder for review).
2. **MOTION** to take action against those still owing their April 2011 water/sewer bill with water turn-off scheduled for September 8, 2011 at noon for those accounts remaining delinquent at that time made by Trustee Cropper, 2nd by Trustee Johnson. ALL AYES, NO NAYS.

3. **MOTION** to approve the sponsorship for five police recruits to attend the Zone 14 Law Enforcement Academy in September made by Trustee Sagal, 2nd by Trustee Cropper. ALL AYES, NO NAYS.
4. **MOTION** to approve Andrew Grabowski and Justin McCarroll as members of the Philmont Fire Company made by Trustee Sagal, seconded by Trustee Johnson (per request of Chief Higgins at the meeting -no written request) made by Trustee Sagal, seconded by Trustee Johnson. ALL AYES, NO NAYS.

**UNFINISHED BUSINESS/NEW BUSINESS
(NONE)**

MOTION to adjourn made by Trustee Sagal, seconded by Trustee Johnson. ALL AYES, NO NAYS.

Respectfully submitted,

Eilene Morris
Clerk/Treasurer
VILLAGE OF PHILMONT