

REGULAR MONTHLY BOARD MEETING MONDAY, MAY 13, 2013

PRESENT: Mayor Clarence Speed, Trustees Barbara Sagal, Laurence Ostrander, Matthew Perry, Clerk/Treasurer Eilene Morris, Attorney Robert Fitzsimmons (Trustee Douglas Cropper-absent).

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

MOTION to approve the treasurer's report made by Trustee Sagal, seconded by Trustee Ostrander. ALL AYES, NO NAYS.

MOTION to approve payment of bills (General Abstract #12, Water Abstract #12, Sewer Abstract #12, Library Abstract #12, T&A Abstract #12, DPW Garage Project Abstract #11, Summit Lake Abstract #12, Summit Heights Abstract #8) made by Trustee Ostrander, seconded by Trustee Sagal. ALL AYES, NO NAYS.

PUBLIC REQUESTS:

Chris Hoppe and Sherry Bolevice spoke at length regarding their disappointment with the path the Summit Heights project is taking through the Planning Board process as well as their disappointment and their lack of confidence in the performance of Attorney Robert Fitzsimmons. Upon their request for his recusal from the project, the attorney noted that the dislike/disagreement projected by Ms. Bolevice towards the attorney was not a valid reason for recusal. The attorney stated that the best interests of the village have always been his top priority and he will continue to maintain that position. There was heated discussion regarding the motives of the developer. It was noted that both the village engineer and the developer's engineer have reviewed all the past drawings and the plans have not changed from the previous time with the exception of lot size. Mr. Hoppe asked why Mr. Mattikow (the developer) had not been forced to present new drawings and questioned his (the developer's) financial ability to pay his past engineer and was cautioned by Attorney Fitzsimmons regarding his allegations. Mr. Hoppe accused the Planning Board and Attorney of "bending" the rules. Attorney Fitzsimmons noted that because all had been reviewed and nothing had been changed, the "already approved" drawings were acceptable for the minimal change of lot size. There were also questions by Ms. Bolevice and Mr. Hoppe regarding the ability to acquire building permits prior to the installation of the booster pumps. Ms. Bolevice also asked about the SEQR which she heard had been completed already. Attorney Fitzsimmons assured her that the SEQR had not been completed yet. She was concerned about the impact on the reservoir in light of the proposed grant as well as "home" of the bald eagle and any other endangered species. After much discussion, the attorney assured all that all questions would be addressed by Mr. Mattikow during the public hearings. It was also noted that both Mr. Hoppe and Ms. Bolevice expected the Village Board to "represent" their point of view with the Planning Board. The Attorney advised that the village board could not direct the Planning Board in their decisions. The only "influence" the village board had over the planning board was the appointment/dismissal of members (for cause). Mr. Hoppe requested he be considered for a position on the Planning Board and Ms. Bolevice volunteered to be part of a zoning commission to review possible changes to the zoning law. Correspondence relating to their view of the Summit Heights project signed by Chris Hoppe and Sherill Bolevice was presented to the Village Board. A copy is available in the village office for review.

At this point Ms. Bolevice and Mr. Hoppe left the meeting. Matt Oakley, who is a member of the Planning Board, was present and was asked his opinion of how the meetings were conducted. He felt that most issues were being addressed and felt that Attorney Fitzsimmons did a "good job" of representing the village.

REPORTS:

CLERK/TREASURER MORRIS: Reported that the village office will be closed on Monday, May 27th for Memorial Day. She also noted that applications for the Deputy Clerk position have been reviewed and a candidate is being considered (see motions and resolutions). The tentative tax roll has been completed and sent into Columbia County Real Property Tax Service. The annual tax bills will be mailed out on June 1, 2013 and will be due by July 1st without penalty. She is also preparing to close the books for the fiscal year and complete the annual report for the NYS Department of Audit and Control. Water turn-off letters were mailed today for those who still owe their January, 2013 quarterly water/sewer bill. Turn-off is scheduled for June 12, 2013 at noon.

LIBRARY REPORT: The report was provided by Director Karen Garafalo and presented by Trustee Sagal. *(Building and Grounds):* Smoke alarm system is now working. GoMax is donating black mulch. Ruth Default will be trimming the bushes around the library *(Services):* The yard sale was very successful. We now have 5 ukuleles in our collection available for checkout. The Hudson River Fish Advisory presented two programs on Saturday. Attendance was very low. *(Grants and Donations):* Received \$1000 from the Berkshire Foundation to be used for chairs for the pavilion. We will be getting \$300 from Mid-Hudson Library System for the summer reading program. The Library still needs colanders and CD cases for activities in the summer. *(Circulation Activity):* April 2013 – 2,404, April 2012 – 2,466, April 2011 – 2,671. A copy of the report is available in the village office for review.

COMMUNITY CENTER REPORT: The report was provided by Director Julia Veronezi and presented by Trustee Ostrander. *(Facilities):* Repairs were made by the DPW and a new rest room sign was added. Water heater setting was lowered. The facility was cleaned by Pat Price. Inventory of equipment was completed. Supplies were sorted and organized. Two sewing machines were donated to the center for lessons. *(Programs):* Reported on the Earth Day event (11 attended) and the High Falls Walk. There were poetry readings and tree identification. Also gave statistics on attendance for the after school programs and well as the yoga program. Noted that refreshment for game nights were purchased at Wal-Mart. Has met with Reach Center and Cornell Cooperative Extension will potentially provide three programs this summer. Also, there is a program scheduled for May 20th for National Egg Month targeting middle and high school students. *(Misc.):* Announced that Danielle Wilson was the Poster Contest Winner and a poem (The Convenient Truth) was written by Amanda Firth, a Taconic Hills senior. A copy of all of the above is available in the village office for review.

TOWN OF CLAVERACK/COUNTY OF COLUMBIA: No report available.

MAYOR SPEED: Noted that he had a meeting with union representatives. The next meeting will be May 29th. He has also attended meetings regarding the Co-Op and noted that the food trailer will be moved on to the “Stewarts” property. He has been dealing with complaints and completing his duties at the village office.

TRUSTEE SAGAL: She reported that she attended a workshop at the Hillsdale Library and learned of an “emergency grant type” funding offered by Berkshire /Taconic and administered through Columbia Opportunities (flyers are available in the village office). She also noted that she attended the Community Day meeting. She checked on the light that was requested in the area of the softball field. In order for the light to be considered the board must first pass a resolution and forward it to NYSEG. She requested that board members take a look at the area and determine what needs to be done. There is also the option of putting stronger lights in the area of the field. She also determined that the broken light by the Community Center/Summit Lake belongs to the Village and we would be responsible for the repair (the Mayor noted that he thought that the electrician had already looked at the light, and he will check on it).

TRUSTEE CROPPER: Provided by Trustee Cropper (absent) and presented by Trustee Ostrander. Checked on village owned properties and found no issues. Attended meeting for initial contract negotiations. He judged the poster contest for the Community Center, attended the Fire Company Awards Banquet (Thanks!), finished the Emergency Action Plan update and thanked Eilene for her assistance and attended Community Day planning meeting.

TRUSTEE OSTRANDER: Gave the DPW, Water and Sewer reports provided by Mike Scheller. Copies are available in the village office for review. He noted that he attended the workshop meeting, the Community Day meeting, the Fire Company meeting and banquet. He also reported that he received a complaint from a resident about not being informed about a scheduled water turn-off to repair a water break (on a Monday morning). She felt that some effort should have been put into notifying affected residents on Friday of the pending repairs scheduled for that Monday. He reminded S & F Communications about their promise to demonstrate their camera. Also, City Glass will be installing new doors at the municipal building and the kitchen in the municipal building will be renovated beginning next week. He also gave the Fire Company report. A copy is available in the village office for review.

TRUSTEE PERRY: He noted that he has been working on the “run” scheduled for Community Day. He has also been assisting the Community Center Director with setting up a Web site and e-mail account. He is also following the possible acquisition of 54 Main Street by an area resident. He is also working on shared services for the Library and following the Warehouse project.

ATTORNEY ROBERT FITZSIMMONS: He reported that he is working on building issues with the Building Department. He also attended the union contract meeting. He noted that the Planning Board meetings are in full swing referencing the Summit Heights project. He noted that legal and engineering fees are being paid through an escrow account set up by the developer.

CORRESPONDENCE LIST WAS PROVIDED TO THE AUDIENCE...

MOTIONS AND RESOLUTIONS:

1. **MOTION** to take action against delinquent water users made by Trustee Sagal, seconded by Trustee Perry. ALL AYES, NO NAYS.
2. **MOTION** to accept the resignation of Harry McMann from the Philmont Police Department made by Trustee Perry, seconded by Trustee Sagal. ALL AYES, NO NAYS.
3. **MOTION** to transfer within accounts as needed made by Trustee Ostrander, seconded by Trustee Perry. ALL AYES, NO NAYS.
4. **MOTION** to hold the end of year meeting on Wednesday, May 29, 2013 at 12:00 noon in the village office for the sole purpose of paying the end of year bills made by Trustee Sagal, seconded by Trustee Perry. ALL AYES, NO NAYS.
5. **MOTION** to hire Barbara Fischer at the rate of \$14.00/hour effective June 1, 2013 to work three (3) days a week from 8:00 am to 2:00 pm for June and July to be expanded to five (5) days a week from 8:00 am to 2:00 pm August 1, 2013 made by Trustee Ostrander, seconded by Trustee Sagal. ALL AYES, NO NAYS.

UNFINISHED BUSINESS: None

NEW BUSINESS: Trustee Ostrander asked receiver, Attorney Fitzsimmons, about the tires located at the “Moran” trailer park on Highland Avenue. The attorney noted that he had understood that Mr. Moran was deceased and the actual ownership of the park was unknown. He noted that he would be agreeable, as receiver, to any suggestions relating to actions at the park. The volume of tires was discussed and it was noted that it appears the tires form a “wall” under the earth for support and that should be considered before moving anything. Any actions considered should be discussed with the Engineer and DEC. Trustee Ostrander also asked the status of the Sam Wright property on Highland Avenue. The attorney noted that it was “in the courts”.

The Mayor reminded all about “Dumpster Day” to be held this Saturday (May 18th from 8:00 am – noon)

MOTION to adjourn in **memory of Louie Taylor** was made by Trustee Sagal, seconded by Trustee Ostrander. ALL AYES, NO NAYS

Respectfully submitted,

Eilene Morris
Clerk/Treasurer
VILLAGE OF PHILMONT

