

**Regular Monthly Board Meeting
Monday, June 13, 2016**

PRESENT: Mayor Clarence Speed; Trustees Brian Johnson and Douglas Cropper; Attorney Robert Fitzsimmons;
Clerk/Treasurer Kimberly J. Simmons.

PUBLIC HEARING

**Resolution to Abandon Property
Hudson Avenue and Franklin Street**

Attorney Fitzsimmons read and explained the resolution and then took public comment. There were three members of the public interested in obtaining sections of these roads. John Smith, Anthony Simmons and Nancy Moretti are all interested in the sections of the roads that abut their respective properties. There was no one present with any objection. The short SEQRA form was completed and it was determined that there would be no environmental impact.

MOTION of a negative declaration was made by Trustee Cropper, seconded by Trustee Johnson. **ALL AYES, NO NAYS**
MOTION to close the public hearing was made by Trustee Cropper, seconded by Trustee Johnson. **ALL AYES, NO NAYS**

**VILLAGE OF PHILMONT
COLUMBIA COUNTY, NEW YORK**

**RESOLUTION TO ABANDON PROPERTY
HUDSON AVENUE AND FRANKLIN STREET**

RESOLUTION NO. 3

At a regular meeting of the Village Board of Trustees for the Village of Philmont, Columbia County, New York, duly held on the 13th day of June 2016 at the Village Hall, Main Street, Philmont, New York, the following Resolution was proposed and seconded:

Resolution by: Trustee Cropper;
Seconded by: Trustee Johnson.

WHEREAS, the Village Board of the Village of Philmont has unopened, unimproved and undeveloped portions of Hudson Avenue and Franklin Street as such streets are depicted upon the map of Columbia Park, Philmont, N.Y. survey by W.T. Ross, C.E. derived from original blueprint by A.G. Meyer, dated June 4, 1934, and

WHEREAS, the Village has received an inquiry and request from the neighboring landowners that have interest in the Village abandoning the streets, and

WHEREAS, the Village Board believes that since the streets were undeveloped, and the street parcels are currently not taxed, it would be in the best interest of the Village to abandon the property in favor of neighboring landowners; and

WHEREAS, the Village conducted a public hearing held before the Philmont Village Board of Trustees at the Philmont Village Hall, 122 Main Street, Philmont, New York on Monday, June 13, 2016 at 7:00 p.m., to consider the abandonment of the streets, and the neighboring landowners were invited by notice to attend; and

WHEREAS, the Village conducted a SEQRA review pursuant to the New York State Environmental Conservation law, deeming the action as an unlisted action, completed and reviewed a short Environmental Assessment Form, finding that the abandonment of the undeveloped streets would cause no potential for significant environmental impacts, and issued a negative declaration for purposes of SEQRA, and

WHEREAS, the Village of Philmont possesses the authority to abandon unused streets pursuant to the New York Village law §6-612.

NOW, THEREFORE, BE IT RESOLVED that the Village Board of the Village of Philmont pursuant to the provisions of New York Village Law §6-612 *et. seq.*, does adopt this resolution abandoning Hudson Avenue and Franklin Street as such streets are depicted upon the map of Columbia Park, Philmont, N.Y. survey by W.T. Ross, C.E. derived from original blueprint by A.G. Meyer, dated June 4, 1934, and be it further

RESOLVED, that the neighboring landowners, interested in taking title to the lands shall bear the expenses associated with the transfer, including but not limited to survey, title, transfer filings and fees associated with the abandonment, such parts or portions of the streets that are abandoned and accepted shall be merged with the landowners existing parcel or parcels, and be it further

RESOLVED, that the Village does not insure, guarantee or warrant title to said roadbed parcels, such parcels to be abandoned as is where is, and be it further

RESOLVED, that the Mayor shall be authorized to execute and deliver all necessary documents and forms to effectuate the transfers.

Upon question of the foregoing Resolution, the following Philmont Village Board members voted "Aye" in favor of the Resolution:

Trustee Douglas Cropper;

Trustee Brian Johnson;

Mayor Clarence Speed;

Trustee's Laurence Ostrander and Eilene Morris were absent.

The following Philmont Village Board Members voted "No" in opposition,
thereto: NONE.

The Resolution having been approved by a majority of the Village Board, the same was declared duly adopted by the Mayor of the Village of Philmont.

Dated: June 13, 2016

Christine Speed, Deputy Village Clerk
Village of Philmont

[SEAL]

REGULAR MONTHLY BOARD MEETING

MOTION: to approve the minutes of the previous meeting was made by Trustee Johnson, seconded by Trustee Cropper. **ALL AYES, NO NAYS.**

MOTION: to approve the treasurer's report made by Trustee Cropper, seconded by Trustee Johnson.
ALL AYES, NO NAYS.

MOTION: to approve payment of bills (General, Water, Sewer, Library, Trust & Agency, Summit Lake and Health Care Deductible Abstract's #1) made by Trustee Johnson, seconded by Trustee Cropper. **ALL AYES, NO NAYS**

PUBLIC REQUESTS: Dave Siter from the Philmont Rod and Gun Club asked the board if the club could have a "port a john" placed at Forest Lake at no cost to the village. The board gave permission; it should be delivered next week. Ian Nitschke addressed the board about a getting a letter of support designating the Ockawamick Creek (as well as the Claverack and Taghkanic Creeks) as an inland waterway.

After much discussion a **MOTION** to write a letter of support was made by Trustee Johnson, seconded by Trustee Cropper. **ALL AYES, NO NAYS.**

ATTORNEY FITZSIMMONS: He reported working on miscellaneous projects. He gave the board an update on the village foreclosures and what is going to happen next now that all the title searches have been done. Charles Doheny had a few questions and would like a list of the properties after the redemption period is up.

CLERK/TREASURER SIMMONS: The Village Office will be closed on Monday July 4th for the Independence Day Holiday. All the usual office tasks have been completed. The annual tax bills were mailed out on May 31st and are due without penalty through July 1st. Thirteen properties remain on the water turn off list and turn off is scheduled for June 15th at noon. The books are closed for the fiscal year end and I will begin my annual report to the Department of Audit and Control soon. I have also been busy working on tax foreclosures and helping Jack Race with the upcoming Thank A Vet Day.

POLICE REPORT: Given by Officer Leonard. A copy of the full report is in the office for review.

LIBRARY REPORT: Given by Director Tobi Farley. The friends of the library, with help from Linda McNeil and Pat Harder, planted beautiful flowers in planters in the back of the library. They have received many compliments. The DPW mulched all the flowerbeds and spruced up before the parade. She has handed out flyers for the summer reading program. The theme this year is "On Your Mark, Get Set, Read!" She has also been discussing some possible programs for middle and high school kids this summer at an area farm. They have added some new museum passes this year and the director challenge will be a scavenger hunt throughout the village. Any suggestions as to where to put some items would be helpful. A copy of the full report is available in the office for review.

COMMUNITY CENTER: Report was read by Trustee Cropper. A copy of the full report is available in the office for review. The center continues to be used by community members. The DPW planted a beautiful garden in front of the center. The "River of Life Parade of Animals" and the Wooden Canoe Heritage Association both had good attendance. Free Columbia will again be holding summer camp from July 18th - 22nd from 9 am to noon. Charles Doheny has expressed an interest in taking a small group of children to visit farms and nature areas. He will need at least one parent chaperone and a background check will have to be done.

MAYOR SPEED: The mayor has handled questions and complaints, signed papers, and attended the End of the Year meeting. He also made sure our Main Street was proudly flying 24 new American Flags for the Memorial Day Parade. He also attended the retirement party for Karen Garafalo.

TRUSTEE JOHNSON: He first gave the DPW/WA/SW reports, a copy of which are available in the office for review. Trustee Johnson then reported the work continues at the tower and they are about ninety percent done. They did keep the diesel generator and they are starting to look forward to the next project.

TRUSTEE CROPPER: He reported checking village properties. He noted that people who do not have permission to use Forest Lake have been swimming and kayaking up there. Swimming is not allowed under any circumstances. The police have been notified and will be patrolling. Signs are also posted. Forest Lake is for authorized personnel and village residents only. He also attended three seminars on; background checks, playground safety, and facility use. He did some research on inland waterways and worked on the fire company grant. He also gave the fire company report, a copy of which is available in the office for review. Dave Siter asked if members of the gun club will be able to fish the pond on Pruesser Road. The board had no issue with them fishing there. They will use the same passes the board has allowed them for Forest Lake. Monte Jennings gave an update on Community Day and noted that the fireworks are under budget. They will be holding their next meeting on June 29th and the parade line up will start at 2:30. There are some questions about the softball game not having enough girls to field a team, and Richard Osborn noted the car show needs judges. Dave Siter said the gun club would lend tables for the library book sale if they need them.

CORRESPONDENCE LIST PROVIDED TO THE PUBLIC

MOTIONS AND RESOLUTIONS:

MOTION to hire Michelle Pardella as a Substitute library clerk at the hourly rate of \$11.00 per hour effective immediately was made by Trustee Johnson, seconded by Trustee Cropper. ALL AYES, NO NAYS

MOTION to approve Arthur Hasbrouck as a member of the Philmont Volunteer Fire Company as submitted with the applicant passing an arson awareness background check and a physical, was made by Trustee Johnson, seconded by Trustee Cropper. ALL AYES, NO NAYS

VILLAGE OF PHILMONT
COLUMBIA COUNTY, NEW YORK

RESOLUTION NO. 4 of 2016

**RESOLUTION TO APPLY TO PARTICIPATE IN THE
NATIONAL FLOOD INSURANCE PROGRAM**

At a regular meeting of the Village Board of Trustees for the Village of Philmont, Columbia County, New York, duly held on the 13th day of June 2016 at the Village Hall, 124 Main Street, Philmont, New York, the following Resolution was proposed and seconded:

Resolution by: Trustee Johnson;

Seconded by: Trustee Cropper.

WHEREAS, certain areas of the Village of Philmont are subject to periodic flooding and flood-related erosion, causing serious damages to properties within these areas; and

WHEREAS, relief is available in the form of federally subsidized flood insurance as authorized by the National Flood Insurance Act of 1968; and

WHEREAS, it is the intent of the Village of Philmont Board of Trustees to require the recognition and evaluation of flood or flood-related erosion hazards in all official actions relating to land use in areas having these hazards; and

WHEREAS, this body has the legal authority to adopt land use and control measures to reduce future flood losses pursuant to the New York State Constitution, Article IX, Section 2, and Environmental Conservation Law, Article 36;

NOW, THEREFORE, BE IT RESOLVED, that the Village of Philmont Board of Trustees hereby:

1. Assures the Federal Emergency Management Agency that it will enact as necessary, and maintain in force for those areas having flood or flood-related erosion hazards, adequate land use and control measures with effective enforcement provisions, including:
 - a. Require permits for all proposed construction or other development in the community so that it may determine whether such construction or other development is proposed within the floodplain.
 - b. Review proposed development to assure that all necessary permits have been received from those governmental agencies from which approval is required by Federal or State law.
 - c. Review and maintain all permit applications to determine whether proposed building sites will be reasonably safe from flooding.
 - d. Review and maintain all permit applications to ensure that any development activities are consistent with criteria set forth in Section 60.3 of the National Flood Insurance Program Regulations.
2. Vests the Village of Philmont Building Department with the responsibility, authority, and means to:
 - a. Assist the Administrator, at his/her request, in the delineation of the limits of the area having special flood or flood-related erosion hazards.
 - b. Provide such information as the Administrator may request concerning present uses and occupancy of the floodplain or flood-related erosion areas.
 - c. Cooperate with federal, state and local agencies and private firms which undertake to study, survey, map and identify floodplain or flood-related erosion areas, and cooperate with neighboring communities with respect to management of adjoining floodplain and/or flood-related erosion areas in order to prevent aggravation or existing hazards.
 - d. Submit on the anniversary date of the community's initial eligibility an annual report to the Administrator on the progress made during the past year within the community in the development and implementation of floodplain management measures.
 - e. Upon occurrence, notify the Administrator, in writing, whenever the boundaries of the community have been modified by annexation or the community has otherwise assumed or no longer has authority to adopt and enforce floodplain management regulations for a particular area. In order that all Flood Hazard Boundary Rate Maps accurately represent the community's boundaries, include within such notification a copy of a map of the community suitable for reproduction, clearly delineating the new corporate limits or new area for which the community has assumed or relinquished floodplain management regulatory authority.
 - f. Ensure that the community's Flood Insurance Rate Maps are maintained and kept current by providing the Federal Emergency Management Agency with any new or updated flood risk data or any modified data reflecting natural or man-made changes to the floodplain.
3. Appoints the Village of Philmont Building Department to maintain for public inspection and to furnish request, for the determination of applicable flood insurance risk premium rates within all areas having special flood hazards identified on a Flood Hazard Boundary Map or Flood Insurance Rate Map, any certificates of flood-proofing, and information on the elevation (in relation to mean sea level) of the level of the lowest floor (including basement) of all new or substantially improved structures, and include whether or not such structures contain a basement, and if the structure has been flood proofed the elevation (in relation to mean sea level) to which the structure was floodproofed;
4. Agrees to take such other official action as may be reasonably necessary to carry out the objectives of the program.

Upon question of the foregoing Resolution, the following Philmont Village Board members voted "Aye" in favor of the Resolution:

Trustee Brian Johnson;

Trustee Douglas Cropper;

Mayor Clarence Speed;

Trustee Laurence Ostrander; and

Trustee Eilene Morris were absent.

The following Philmont Village Board members voted "No" in opposition,

thereto: NONE; and

The Resolution having been approved by a majority of the Village Board the same was declared duly adopted by the Mayor of the Village of Philmont.

Dated: June 13, 2016

Kimberly Simmons, Village Clerk
Village of Philmont

[SEAL]

UNFINISHED BUSINESS: NONE

NEW BUSINESS: Richard Osborn informed the board that plows have caught the drain on Elmwood Avenue over the winter and it needs to be repaired. Trustee Johnson will have the men fix it. Dave Siter then stated the DPW crew does a great job.

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

Respectfully submitted,

Kimberly J. Simmons
Clerk/Treasurer