

**Public Hearing/Regular Monthly Board Meeting**

Date: March 11, 2024

**Present** Mayor Brian Johnson, Trustees Doug Cropper, Clarence Speed, and Debra Gitterman, Clerk/Treasurer Jessica Thomas, Village Attorney Robert Fitzsimmons, OIC Vernon Doyle

Pledge of Allegiance

Call to Order: 7:00 pm

Public hearing regarding Local Law #1 of 2024, a law amending Chapter 144 of the Code of the Village of Philmont to add parking restrictions to Maple Avenue.

As the law was written before the meeting, it would ban parking from the intersection of New St. to the village line. It would still allow for local deliveries.

F. Carusso asks about getting input from the residents of Maple Ave.

Another public member asks why this area is being restricted when other areas that are not passable are not.

Another member of the public also states that he has a video of how dangerous it is and what occurs to make it even worse.

The discussion continues about how the Local Law should be written and where the ban should be. The final decision for the law is no parking from and including 27 Maple Ave. going north on the east side. There is no parking from Maple Terrace going north on Maple Ave. to the village line on the east and west sides.

**Motion:** to adopt Local Law 1 of 2024; made by Trustee Speed, 2<sup>nd</sup> by Trustee Cropper. All Ayes, No Nays

**Motion:** to close the public hearing; made by Trustee Speed, 2<sup>nd</sup> by Trustee Cropper. All Ayes, No Nays

**Call to Order Regular Meeting: 7:23**

**Motion:** to approve the minutes from the February 12th Board Meeting; made by Trustee Speed, 2<sup>nd</sup> by Trustee Cropper. All Ayes, No Nays

**Motion:** to approve the Budget to Actual Reports for the month of February; made by Trustee Cropper, 2<sup>nd</sup> by Trustee Speed. All Ayes, No Nays

**Motion:** to approve the payment of bills from the February 28th and March 11th Abstracts; made by Trustee Speed, 2<sup>nd</sup> by Trustee Cropper. All Ayes, No Nays

**Public Requests**

K. Reese Hurd: Talks about the dangers of wireless and EMF radiation.

**Attorney Fitzsimmons:** He completed the street name resolution. He also worked on the Local Law, bond release and contract reviews, some general compliance policies, and answered some general questions.

**Clerk/Treasurer Report:** Budget Estimates were sent out via email to all department heads on February 13<sup>th</sup>. Budget Proposals were due back by February 23<sup>rd</sup>. Water turnoff was completed on Thursday, March 7<sup>th</sup> with 4 customers on the list. There was a large amount of UDig requests and notarizations. Got Alan enrolled for his water license courses. Worked with Joe Vining to get the public Wi-Fi setup and working again. Election prep was completed. Completed multiple delinquent tax certificates. The annual water quality report was finalized to be submitted to the State. Worked with Brian and Doug on tasks for the Columbia County Multi-Jurisdictional Hazard Mitigation Plan. The office will be closed on Friday, March 29<sup>th</sup> in observance of Good Friday.

**Building Inspector Report:** Not given to this office

**Library Report:** Given by Mayor Johnson. A full copy of the report is available in the office for review or upon request.

**Building and Grounds** Thanks to Dave Bolevice for fixing the loose handle faucet in the bathroom. **Services** Ongoing programs: *senior lunch and games* – *Wednesdays 11:30pm* - We have about 10 patrons attending each week. Final

report submitted to Berkshire Taconic for funding the program. **story time - Thursdays 11am** - Regularly have 2-3 families with 2-4 children attending. Upcoming programs: March 4th, 5pm **Alternative Pest Management** - with Cornell Cooperative Extension. March 12th, 5pm. **Red Cross FREE Emergency Preparedness** - Floods, hurricanes, and wildfires are becoming more frequent and can be devastating to our loved ones, homes, and communities. Build confidence by learning simple steps you can take now, to help prepare and protect your family. It's easy to learn through one of our free disaster preparedness trainings! Hosted by the American Red Cross, Be Red Cross Ready is a national, standardized, FREE preparedness education curriculum for adults taught by certified presenters. The program is designed to help people understand, prepare for, and respond appropriately to disasters. Planning has started for Summer Reading. We will be using the state theme of "Find adventure at your library" by bringing programs to the Town Park Camp. Those programs will focus on camping and hiking. We have booked someone to do workshops on Orienteering and map reading and a wildlife rehabilitator. I am reaching out to a Big Foot expert as our last presenter. Other topics in the works are "Tasting History" and Interactive Movies. **Stats** January in-person and virtual program attendance 213 January people in the library 541, January 2024 total circ (.6% of total system-wide circulation) 2,597 January (includes OverDrive, Kanopy and Claverack and Philmont's shared hoopla account) 271 **Grants** We have applied for the Free Fridge and Senior Socialization Programs grants with Berkshire Taconic and the Citizen Science grant with the Mid-Hudson Chapter of the Adirondack Mountain Club. We hope to hear back anytime between mid-April to mid-May.

**Community Center Report:** given by Trustee Cropper, as submitted by Director Veronezi. A full copy of the report is available in the office for review or upon request. **Facility:** The center has been checked during the month. The center was rented for two family parties. **Programs This Month:** Crocheting Groups Using the Center Scouts and Community Day Committee. The Philmont Community Day Committee held a very successful bake and plant sale at the center on February 11. Renting the center was problematic this month. One individual did not pick up the key as instructed and a second family created a real mess. I received a call from Lynn when she went in to clean that the center was left in terrible condition. There was no vandalism but the family showed little regard for the community center. I had a lengthy call with the family explaining the problems. I "red flag" individuals who do not follow the guidelines. Almost everyone who rents the center takes good care of it and follows the rules. I amended the rental policy to include a few new guidelines and individuals must read and initial that they understand.

**Police Report:** Given OIC Vern Doyle. A full copy of the report is available in the office for review or upon request. For the month of February, we had 11 calls for service, 2 arrests, 3 assist arrests, 89 property checks, 2 UUTs Issued, 19 V&T warnings, and 9 parking tickets.

**Summit Lake & Its Watercourse (BOA) Report:** Given by Trustee Gitterman, as submitted by Grant Administrator S. Baker. A full copy of the report is available in the office for review or upon request. **BOA grant updates:** The BOA Grant Committee meeting was held on 2/27/24 attended by Mayor Johnson, Bob Macfarlane, and Subarea 1 Working Group members, Karen Schomer, David Bolevice, and Sally Baker of Philmont Beautification, Inc (PBI) as BOA Project Management. We reviewed the Rice+Lipka Architects timeline from March-November 2024 to incorporate 13 meetings and discussed the protocols for community members to attend 3 Zoom meetings scheduled for community Zoom attendance. The decision was to follow the Village Board meeting protocol for community members to submit a request to speak to be made to the Village Clerk at least one week in advance of the following BOA Zoom community meetings scheduled for 3/28, 6/27, 10/24. PBInc to coordinate with the Village Clerk to publish the notices with the Zoom link for community members to attend. We discussed the proposed Rice+Lipka project in-person "Open Houses" presentation of designs for the R+L proposed dates of 4/12, 7/20, 10/11 to gather community comments on proposed next level concept designs for the new Community Center, children's playground, Summit Lake waterfront, and Canal Street area. 7/20 being scheduled as a Community Day presentation at the Community Center site. Times & feasibility of the event to be established with the Community Day Committee. PBInc to coordinate. PBInc reported the topological mapping for both sites, the Community Center & the Canal St area site was 90% complete. PBInc reported the DOS Amendment to the BOA Work Plan is in motion for the topological mapping for both sites required by Rice+Lipka. Discussion took place regarding the re-use of the Village Warehouse located at the Canal St site. Proposed by BOA Committee members was that as the Warehouse is a BOA plan selected priority site, the plans and re-use development should be a BOA Committee project. Mayor to confer with BOTs. PBInc reported the total Rice+Lipka Architects February invoice for the topological mapping was \$16,070.49 and that a payment of \$15,000 from the BOA grant project budget to Rice+Lipka Architects for topological mapping has been made by the Village of Philmont from the BOA grant Advance account, and that PBInc has made a separate payment to Rice+Lipka Architects in the amount of \$1,070.40 to be counted towards the required BOA grant local match committed the Village of Philmont by PBInc in 2019 with a PBInc Board Resolution undertaking the BOA grant local match to the Village of Philmont of \$20,907.20. Discussion of the Harlem Valley Rail Trail presentation scheduled for the Village Workshop Meeting 2/28/24. PBInc reported it has submitted an application

proposal in the amount of \$10,000 to the Berkshire Taconic Community Foundation to support the BOA project local match requirement of \$20,907.20 for next level design concept for the Community Center and the Canal St area. **LWRP grant updates:** The scheduled WAC (Watershed Advisory Committee) meeting has been rescheduled to April 10th allowing the firm to complete Task 9 before holding the final meeting for that Work Plan task. **Historic District updates:** The State Review Board met on Dec 4<sup>th</sup> and approved the nomination of the Village of Philmont Historic District to be listed in the State Registry of Historic Places. The meeting for listing the District in the National Registry of Historic Places will take place in the 1<sup>st</sup> quarter of 2024.

**Climate Smart Taskforce:** Given by Thomas Paino. The last meeting was held on February 14<sup>th</sup>. It looks like the grant for the design measures to decarbonize the Village Hall will come through. We are supplying the last bits of information they need. He will be meeting with the Laberge group to get them started and find out their payment schedule. They said it would take them 3 months to do the site visit, analyze the data, and make their recommendations on how to bring the building in line with decarbonization. We will have to find money to implement what they recommend. We are still working on bronze certification. We will need to pass a written climate action plan for the government facilities. This is something we are already following. The clean heating and cooling campaign is still going on.

**Comprehensive Plan Update:** given by Trustee Gitterman. They are continuing with stakeholder meetings and everything is moving forward.

**Mayor Johnson:** He reports that he attended a meeting with the Rail Trail executives. They are trying to figure out a way to get a trail through Philmont. He appointed a committee that will help with this so that it works for everybody. They would like to have the trail completed within 5 years. He had a budget meeting with Chrissy and a couple of other meetings.

**Trustee Cropper:** He attended the interviews for the zoning board and police officer positions. He attended the workshop and checked properties. He worked with Brian on the Columbia County Hazard Mitigation Plan. He also took the president of the Community Day Committee to meet the car club. The Community Center repairs of the door and windows were completed.

**Trustee Detzel:** Not present

**Trustee Speed:** He was on vacation all of last month. He is working on getting caught up and will be working on the sidewalk repairs again.

#### *Fire Department Report*

6 Calls for the month. Total fire calls for the year 13. Total EMS calls for the year 13. Drills for the month 3 and truck inspections 1. Sub-night fundraisers were held on February 9<sup>th</sup> and March 8<sup>th</sup>. Hose and ladder testing is scheduled for May 13<sup>th</sup>. NYS stipend regulation program was approved and OFPC is now accepting applications for the monies for volunteer firefighters who have completed fire schools for the first time on or after August 31, 2023. The blower heater in the truck bays by the back counter is still not working and needs replacement. The lighted sign over the outside doorway to the building is falling apart and is posing a hazardous condition.

**Trustee Gitterman:** The police interview was attended. She conducted the Climate Smart Committee meeting. The first meeting with Kevin Dwarka was held, and the plan was tweaked a little. A lot of website updates were completed.

#### **CORRESPONDENCE LIST provided to the members of the Board and the public**

- 1) Email from Michael Seserman dated February 12<sup>th</sup> regarding the opening on the Zoning Board
- 2) Email from Doug Quant dated February 14<sup>th</sup> regarding the opening on the Zoning Board
- 3) Email from Doreen Weisner dated February 22<sup>nd</sup> regarding a generator running
- 4) Email from Kate Reese Hurd dated February 28<sup>th</sup> regarding attending a talk at the Roeliff-Jansen Community Library.
- 5) Email from Lisa Damian dated February 29<sup>th</sup> regarding a sinkhole on Maple Ave
- 6) Email from Bob Belby dated March 5<sup>th</sup> regarding potholes on New Street

#### **Motions and Resolutions**

**Motion:** to identify the Village Meeting Hall, located at the rear of 124 Main Street, Philmont, NY as the polling place for the Presidential Primary Election to be held on April 2, 2024, Columbia County Primary Elections to be held on June 25, 2024, and the General Elections to be held on November 5, 2024; made by Trustee Speed, 2<sup>nd</sup> by Trustee Cropper. All Ayes, No Nays

**Motion:** to hire Kelly Rosenstrach as a part-time police officer, effective immediately at the rate of \$19.50 an hour; made by Trustee Speed, 2<sup>nd</sup> by Trustee Cropper. All Ayes, No Nays

**Motion:** to transfer the amount of \$26,439.64 from the Water Fund Savings to the General Fund Savings to repay the loan made on February 15, 2022, to pay the wells bond; made by Trustee Cropper, 2<sup>nd</sup> by Trustee Gitterman. All Ayes, No Nays

**Motion:** to transfer the amount of \$3675.54 from the Summit Lake project account to the general checking account to pay for Community Center repairs; made by Trustee Cropper, 2<sup>nd</sup> by Trustee Speed. All Ayes, No Nays

**Motion:** to allow the Mayor to sign the Retainer Agreement for Labor Representation with Hinman Straub; made by Trustee Cropper, 2<sup>nd</sup> by Trustee Speed. All Ayes, No Nays

**Motion:** to close The Woods Escrow Account and reimburse in the amount of \$5,000 at the request of Clover Reach Development; made by Trustee Cropper, 2<sup>nd</sup> by Trustee Speed. All Ayes, No Nays

**Motion:** to release bond number 105350958 for the top coat paving on Chestnut Court; made by Trustee Cropper, 2<sup>nd</sup> by Trustee Gitterman. All Ayes, No Nays

#### RESOLUTION NO. 1 of 2024

At a meeting of the Village Board of Trustees for the Village of Philmont, Columbia County, New York, duly held on the 11th day of March 2024 at the Village Hall, 124 Main Street, Philmont, New York, the following Resolution was proposed and seconded:

Resolution by: Trustee Gitterman;

Seconded by: Trustee Speed.

**WHEREAS**, the Village has streets within the village that have traditionally been known and utilized with interchangeable names as follows:

Lakeside Drive is at times referred to as Lake Drive or Lake View Drive;

Prospect Street is at times referred to as Prospect Avenue;

The Village Board of Trustees recognizes that having streets with names interchanged creates confusion and the Board desires to alleviate and remove that confusion; and

**WHEREAS**, the Columbia County 911 dispatch center has requested that the Village Board of Trustees correct and conform the street names to avoid confusion in the dispatch and response of Fire, Police and EMS services for the health, safety and welfare of residents of the village, and

**WHEREAS**, correcting and conforming the street names will also assist residents in the delivery of goods and services by carriers such as USPS, Amazon, Fed-ex, UPS and other vendors, shippers, and service providers for the village, and

**WHEREAS**, the Village Board of Trustees has the power and authority to name Village streets pursuant to former NYS Village Law Section 89 which explicitly authorized a village board of trustees to name streets, that village law no longer explicitly addressing the issue of naming streets, however, Village Law Section 4-412(1) provides that a village board "in addition to any other powers conferred upon village property and finances, may take all measures and do all acts . . . for the good government of the village, its management and business . . . the safety, health, comfort, and general welfare of its inhabitants . . . "as confirmed by an opinion of the NY State Comptroller that found Section 4-412(1) authorizes a Village board of trustees to name a street and that it may be accomplished pursuant to the authority of Village Law Section 1-102 by resolution without advance public notice. See, Op. St. Cptr. 86-30.

**NOW, THEREFORE, BE IT RESOLVED** by the Village Board of Trustees for the Village of Philmont that:

The Village street at times called Lake View Drive or Lake Drive or Lakeside Drive shall be known as Lakeside Drive:

The Village street at times called Prospect Avenue shall be known as Prospect Street, and be it further

**RESOLVED**, that the Clerk of the Village of Philmont is directed to forward certified copies of this resolution to the appropriate Officials.

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

Debra Gitterman;

Clarence Speed; and

Douglas Cropper.

The following 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: March 11, 2024

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Jessica Thomas, Village Clerk  
Village of Philmont

**Motion:** to contract with Kevin Dwarka LLC for the housing needs assessment and police framework subject to attorney review and approval; made by Trustee Gitterman, 2<sup>nd</sup> by Trustee Speed. All Ayes, No Nays

**Unfinished Business and New Business:** Kurt Basl resigned as Chairman of the Zoning Board. Brian spoke with Stephen Benson regarding accepting the position. Brian is awaiting confirmation of this and will be holding another interview for a zoning board member.

**Motion to adjourn:** made by Trustee Speed, 2<sup>nd</sup> by Trustee Gitterman. All Ayes, No Nays.

Adjournment: 8:01 pm

Respectfully Submitted,  
Jessica Thomas  
Clerk/Treasurer