

Town of Washington  
Town Board  
February 7, 2008

The Town Board of the Town of Washington held its regular meeting on Thursday, February 7, 2008. The meeting was called to order at 7:00 PM by Supervisor Florence Prisco with the following present: Councilmen Stephen Turletes, Allan Rappleyea, Michael Murphy and Robert Audia, Town Clerk Mary Alex, Highway Superintendent James Brownell, Bookkeeper to the Supervisor Laura Hurley, Attorney for the Town John Gifford and Associate Attorney Rebecca Valk.

Present also were Frank Genova, Howard Schuman, Michael Hagerty, Tom Beaumont, Ellen Jouret-Epstein from the Chazen Companies, Peter Nikic, Warren McMillan, Kerry Weller, Kelly Cassinelli and Paul Guardiola.

Monthly reports were received from the Town Clerk, Court Clerk and Building and Zoning Administrator.

Supervisor Prisco opened the meeting with the Pledge of Allegiance.

Supervisor Prisco advised that Legislator Fettes has been asked to provide monthly updates to the town on the status of the infirmary project. Mrs. Fettes was unable to be present tonight, but had contacted Supervisor Prisco with a report. Construction work is ongoing on the third floor. Supervisor Prisco was invited to walk the site with Mrs. Fettes. At this time, there has not been any information provided for a target date of completion and services being offered. Councilman Audia asked if it was being discussed at the legislative level. Supervisor Prisco said that there has not been any information on the meeting agenda sent from Dutchess County. Mr. Genova commented that he was on the committee and he believes that what happens there will be better than what some people have proposed. Supervisor Prisco said she will continue to request updates from Legislator Fettes.

Ms. Jouret-Epstein, a landscape architect with the Chazen Companies, was present at the invitation of the Town Board to discuss the expansion project at the town park. Ms. Jouret-Epstein presented the Town with the original site concepts as well as a new concept, which would have less impact on the site and would accomplish a better drainage system. The field would be large enough for lacrosse and soccer. The baseball field has a 60 foot baseline, which is to Little League specifications. Ms. Jouret-Epstein presented the Board with design considerations, which will effect design standards as well as costs. She suggested two phases for the project. Phase I would consist of improvements on the new parcel only, with parking and direct access to Route 44. This requires a geotechnical investigation to determine sub-surface conditions and the extent of visible outcrops, as well as NYS DOT approval for access off of State Route 44. Phase II would include pedestrian improvements and the stream crossing needed to connect to the existing park facility. The work will require a wetlands determination and permitting from the NYS DEC. The wetland delineation and determination will take

about one year due to DEC scheduling and backlog. The Board was in favor of the new concept presented. Supervisor Prisco said she would like to set up a workshop meeting with the Town Board, the Ball field committee and the Recreation Committee to review the proposed questions. After some discussion, Mr. McMillan would meet with Jim Brownell, Tom Fiore, Florence Prisco and Mary Alex to answer some of the design questions. Mr. McMillan and Supervisor Prisco will then meet with Ms. Jouret-Epstein. By making those decisions, it would be easier for the town to fix a budget for the project. A workshop meeting has been scheduled for February 25<sup>th</sup> for the Town Board and various committees.

In other business, Michael Hagerty appeared before the Board regarding a grant application he had been requested to prepare by the Master Plan Committee. The committee is seeking \$10,000.00 in funding from the Hudson River Valley Greenway in order to update the Town Master Plan. A resolution is required from the Town Board authorizing Supervisor Prisco to sign the grant application.

The following resolution was offered by Councilman Audia and seconded by Councilman Rappleyea:

#### RESOLUTION

Authorizing the Supervisor to Sign a Hudson River Valley Greenway Grant Application Supporting the Town of Washington Master Plan Update

WHEREAS, the Town of Washington became a member of the Hudson River Valley Greenway in 2007 and is currently seeking to update its 1987 Master Plan; and

WHEREAS, the Town of Washington is fortunate to have dedicated and experienced volunteers on its Town Master Plan Update Committee, who will contribute a significant amount of time and energy to oversee the development of the Master Plan Update; To support this work, the Town requests a Greenway Grant to offset anticipated future professional expenses that may be necessary to complete the Master Plan Update; and

NOW, THEREFORE, BE IT RESOLVED, that the Town of Washington Supervisor Florence Prisco is hereby authorized to sign a grant application to the Hudson Valley Greenway, for an amount of \$10,000., to be matched dollar for dollar with cash or in kind services, for a total project cost of \$20,000., to help the Town of Washington complete the Master Plan Update, and the Town Board of the Town of Washington hereby endorses this grant application.

All ayes were recorded. This resolution was duly adopted.

Mr. Hagerty said that he would contact Senator Saland and Legislator Molinaro requesting letters of support for the project.

Mr. Beaumont said that the anticipated cost of the update is \$50,000. - \$80,000.00. Receiving this grant will help considerably with Phase 1 of the update. The committee is hopeful to receive funding for the full package through Greenway and other sources, in hopes that no tax money will be required.

In other business, Mr. Beaumont reported that he had attended a workshop earlier in the day on floodplain regulations. Brad Roeller and Tim Marshall were also in attendance.

Supervisor Prisco reminded the Board that at last month's meeting Nick Galente, a representative from AXA Advisors, a financial planning organization, appeared before the Board to offer an alternative retirement plan option to town employees. Several employees indicated that they would be interested in the service as opposed to the current plan offered by the town. It was stressed that the town would be interested in a plan for employee contributions only.

On a motion made by Councilman Murphy and seconded by Councilman Audia, the Board approved the addition of AXA Advisors as an employee deferred compensation program, with employee contributions only. All ayes were recorded.

Peter Nikic, a property owner at the rear of Daniele Lane appeared before the Board to request a change in his private drive name. He would like to change the name of Daniele Lane to Great Oaks Lane for the whole southern portion of the Daniele loop back through the driveway on his property. His tenants have complained that they have trouble with deliveries and people unable to Google their address for directions. He fears that their might be a time when emergency personnel will be unable to find an address. Supervisor Prisco advised that because the property is in the village and town he would need approval from the Village as well. Town Clerk Alex suggested that Mr. Nikic be required to have signatures from all abutting property owners, as was the case when the Town and County were originally working on 911 private drive names. Supervisor Prisco said that she will speak with Rudy at the Dutchess County Office of Emergency Services. Mr. Nikic will be placed on the March agenda.

The Town had received a request from Debra Wassman seeking a private drive name for property she owns with Jonathan Lanman off of the former Route 44, now known as Route 82. It meets the criteria outlined by Dutchess County, and the drive only affects one property owner. Historic maps of the town show the driveway with the identification of Barrycroft Lane, which is what they would like the name to be.

The following resolution was offered by Councilman Rappleyea and seconded by Councilman Audia:

WHEREAS, resident Debra Lanman has property abutting Route 82, which was formerly Route 44; and

WHEREAS, her driveway was formerly known as Barrycroft Lane; and

WHEREAS, the property meets the criteria set forth by the Dutchess County Emergency Response Department to request a private drive name; and  
NOW, THEREFORE, BE IT RESOLVED that the property owned by Debra Lanman has a private drive named "Barrycroft Lane."

All ayes were recorded. This resolution was duly adopted.

Supervisor Prisco reported that she had met with Leslie Brussul-Smith and DeForest Howland from Marshall and Sterling Insurance regarding updating information on the town's insurance. Jim Brownell, Mary Alex and Laura Hurley were also in the meeting. The underwriting insurance company, Selective Insurance, suggested that the town enact measures to have two signatures on checks over a certain amount of money. After a brief discussion, a motion was made by Councilman Turletes and seconded by Councilman Rappleyea to require any checks over \$10,000.00 being drawn from the general fund have two signatures on them. All ayes were recorded.

As part of the insurance renewal process, the underwriting company questioned if the town wished to bond the tax collector for a different amount than the current level. The current level is \$50,000.00. The Board opted to keep the amount at \$50,000.00.

As a result of the same conversation, Supervisor Prisco asked Mr. Brownell to look into a fire security system for the Town Hall. Mr. Brownell explained that one of the first steps in safeguarding the town records is providing notification to the fire department that there is a fire. He has met with security companies and has received quotes in the range of \$7,400. - \$9,700.00 for installation. The annual monitoring cost runs from \$288. - \$778. The insurance savings would be minimal at about \$150.00 per year. Highway Superintendent Brownell and Town Clerk Alex both expressed that they were in favor of the Town considering this option. No determination was made.

Town employees were offered a new MVP health insurance option called EPO Preferred. It is less expensive than the HMO Plan and offers the employees greater flexibility in doctors.

On a motion made by Councilman Audia and seconded by Councilman Rappleyea to reappoint Walter Jacobs to the Conservation Advisory Commission. All ayes were recorded.

Bookkeeper Laura Hurley presented the Town Board with revenue and expense reports for the month. The first tax collection payment to the Supervisor will be \$608,000.

Supervisor Prisco advised that the Public Hearing for the fire contract has remained open. There is not a change in the cost to the town. She asked if there were any additional comments regarding the fire contract. There being no further comments, on a motion made by Councilman Rappleyea and seconded by Councilman Audia the public hearing regarding the fire contract with the Village of Millbrook was closed. All

eyes were recorded. On a motion made by Councilman Rappleyea and seconded by Councilman Audia, the Board authorized Supervisor Prisco to sign the fire contract with the Village of Millbrook. The Town of Washington will pay the Village of Millbrook \$410,000.00 for fire protection services and rescue squad services. All eyes were recorded.

Supervisor Prisco said that the Cold War Veterans Exemption needs to be done by local law. Rebecca Valk has prepared a local law for the town's consideration. Upon review, the following resolution was introduced.

### **RESOLUTION**

Councilman Murphy, seconded by Councilman Rappleyea, introduced the following proposed local law, to be known as Local Law No. \_\_\_\_\_ of 2008, entitled A LOCAL LAW OF THE TOWN OF WASHINGTON, DUTCHESS COUNTY, NEW YORK ADOPTING THE EXEMPTION FOR COLD WAR VETERANS.

BE IT ENACTED by the Town Board of the Town of Washington as follows:  
Section 1. The Town of Washington Town Board hereby adopts the exemption for Cold War Veterans to read in its entirety as follows:

#### EXEMPTION FOR COLD WAR VETERANS

1. Purpose

The purpose of this article is to adopt the Exemption for Cold War Veterans allowable pursuant to §458-b of the Real Property Tax Law.

2. Statutory authorization; exemption

Pursuant to the provisions of Subdivisions (2)(a) and (2)(b) of §458-b of the Real Property Tax Law of the State of New York, the Cold War Veterans exemption from real property taxes allowable pursuant to §458-b of the Real Property Tax Law is established as follows:

A. Qualifying residential real property shall be exempt from taxation to the extent of 15% of the assessed value of such property: provided, however, that such exemption shall not exceed the lesser of \$12,000 or the product of \$12,000 multiplied by the latest state equalization rate for the Town of Washington.

B. In addition to the exemptions provided by Subsection A of this section, where the Cold War veteran received a compensation rating from the United States Veterans Affairs or from the United States Department of Defense because of a service-connected disability, qualifying residential real property shall be exempt from taxation to the extent of the product of the assessed value of such property multiplied by 50% of the Cold War veteran's disability rating; provided, however, that such exemption shall not exceed the lesser of \$40,000 or the product of \$40,000 multiplied by the latest state equalization rate for the Town of Washington.

Section 2. This local law shall take effect immediately upon filing with this state's Secretary of State.

Supervisor Prisco advised the Town Board that, pursuant to the Municipal Home Rule Law of the State of New York, it will be necessary to hold a public hearing upon this law Councilman Audia offered the following resolution which was seconded by Councilman Rappleyea, who moved its adoption:

Whereas, on February 7, 2008, Councilman Murphy has introduced this local law for the Town of Washington, to be known as "Town of Washington Local Law No. \_\_\_\_\_ of the Year 2008, a local law of the Town of Washington, Dutchess County, New York adopting the Exemption for Cold War Veterans.

RESOLVED, that a public hearing be held in relation to the proposed changes as set forth in the form of notice, hereinafter provided, at which hearing parties of interest and citizens shall have an opportunity to be heard, to be held at the Town Hall, 10 Reservoir Drive, Millbrook, New York, on March 13, 2008 at 7:00 o'clock p.m., Prevailing Time, and that notice of said meeting shall be published in the official newspaper of general circulation in the Town of Washington, by the Town Clerk, at least five (5) days before such hearing and that notice shall be in the following form:

### **NOTICE OF PUBLIC HEARING**

TAKE NOTICE, that the Town Board of the Town of Washington will hold a public hearing at the Town Hall, 10 Reservoir Drive, Millbrook, New York on March 13, 2008 at 7:00 o'clock, p.m., on Local Law No. \_\_ of the Year 2008, adopting the exemption for Cold War Veterans.

TAKE FURTHER NOTICE, that copies of the aforesaid proposed local law will be available for examination at the office of the Clerk of the Town of Washington, at the Town Hall, 10 Reservoir Drive, Millbrook, New York between the hours of 9:00 a.m. to 12:30 p.m. and then between 1:30 p.m. to 3:00 p.m.. on all business days between the date of this notice and the date of the public hearing.

TAKE FURTHER NOTICE, that all person interested and citizens shall have an opportunity to be heard on said proposal at the time and place aforesaid.

DATED: Millbrook, New York  
February 7, 2008

The foregoing resolution was duly put to a vote which resulted as follows:

Supervisor Prisco	AYE
Councilman Turletes	AYE
Councilman Rappleyea	AYE
Councilman Murphy	AYE
Councilman Audia	AYE

Highway Superintendent Brownell advised the Board that the town has not received any bids for the surplus highway truck. He advised the Board that he will be junking the truck. He told the Board he is interested in purchasing a new loader off of the state contract. He is reviewing funding options at this time.

Mr. Genova complimented the town on how well the transfer station is being managed.

On a motion made by Councilman Turletes and seconded by Councilman Audia, the minutes of January 7 and January 10, 2008 were accepted as presented. All ayes were recorded.

Councilman Murphy reported that after the Public Hearing on the proposed Wetlands Ordinance he had been provided with information from different sources. He has also received offers from the authors of documents to come and address the committee.. Attorney Gifford has provided written comments on the document based upon input from the Public Hearing. Supervisor Prisco said she would like to have an additional public hearing to give others an opportunity to attend and comment. Councilman Murphy will notify all when the meeting is scheduled.

Regarding the Planning Board, Councilman Murphy stated that the Romeo application is still active before the Board. They are reviewing another application for a four stall barn. He does not have any report from the ZBA.

Councilman Audia thanked Mitch Trinkka for having a complete article on the recent Master Plan meeting. The sub-committees have been operating and collecting information. As they review information, they are learning that things haven't changed in some respects and greater in others. There will be an overlap of information with the Village, and he believes at some point the Town and Village will work together. He summarized by saying that the direction the committee is heading in looks good. They will be reaching out to professionals to tie the whole plan together. The next meeting is scheduled for February 28<sup>th</sup> at 7:30 PM at the Fire House.

Mr. Genova said the people on the committee are there to serve the common good. The Board and community should be proud of the final document.

Mr. Schuman thanked Mrs. Hurley for her assistance in providing information to the sub-committee he is serving on.

On a motion made by Councilman Rappleyea and seconded by Councilman Turletes, the Board moved into Executive Session to discuss personnel matters relating to Planning Board resignations and appointments. All ayes were recorded.

On a motion made by Councilman Turletes and seconded by Councilman Murphy the regular meeting resumed. All ayes were recorded.

On a motion made by Councilman Rappleyea and seconded by Councilman Murphy the Board accepted the resignation of Ric Stellar from the Planning Board. All ayes were recorded. Supervisor Prisco said that on behalf of the Town Board she would like to thank Ric for 19 years of service on the Planning Board. His participation was an integral part of the Planning Board process.

Supervisor Prisco reported that a committee consisting of herself, Councilman Murphy and Planning Board members Tom Beaumont and Bob Alley met to interview candidates for the opening on the Planning Board. There was a great pool of applicants, when the interviews were concluded the committee is recommending R. Stephen Lynch and Joshua Mackey be appointed to the Planning Board. On a motion made by Councilman Rappleyea and seconded by Councilman Murphy the Board appointed R. Stephen Lynch to the Planning Board to fill the unexpired term of Michele West ending in 2009 and Joshua Mackey to a seven year term expiring Dec. 31, 2014. All ayes were recorded.

On a motion made by Councilman Turletes and seconded by Councilman Murphy the following claims were accepted as presented:

Gen Fund A	\$23,004.57
Gen Fund B	\$3,185.10
Youth Rec Fund	\$5,910.57
Highway Fund DB	\$52,486.68
Donations/Ballfield	\$1,906.25
TOTAL	\$86,493.17

All ayes were recorded.

There being no other business, on a motion made by Councilman Rappleyea and seconded by Councilman Audia, the meeting was closed at 10:45 PM. All ayes were recorded.

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Mary Alex, Town Clerk

