

Town of Washington
Town Board
June 11, 2009

The Town Board of the Town of Washington held its regular meeting on Thursday, June 11, 2009, at the Town Hall, 10 Reservoir Drive, Millbrook, NY. The meeting was called to order at 7:00 PM by Supervisor Florence Prisco with the following present: Councilmen Michael Murphy, Robert Audia and William Murphy, Town Clerk Mary Alex, Highway Superintendent James Brownell, Attorney John Gifford and Planning Board Chair Thomas Beaumont.

Also present were Howard Schuman, Michael Kelsey and Frank Genova.

Supervisor Prisco opened the meeting with the Pledge of Allegiance.

Supervisor Prisco said the Town was very appreciative of the recent \$20,000.00 donation from John Dyson for the Comprehensive Plan. A thank you letter was sent to Mr. Dyson.

It was with regrets that Supervisor Prisco accepted Brad Roeller's resignation from the Conservation Advisory Commission.

The Town wished John Hay a long happy retirement from the Highway Department.

The Town Board has received an invitation from the Millbrook Business Association to attend their annual meeting on June 22nd at the Millbrook Golf and Tennis Club. Supervisor Prisco encouraged the Town Board to attend.

Supervisor Prisco announced that TransCare Ambulance Service has been awarded the Rescue Squad contract by the Village of Millbrook to provide ambulance service to the village and town. The coverage is for a 5 day period from 5:00 AM – 5:00 PM. The volunteers will cover Thursdays and Sundays and all other time periods. Copies of the contract are available at the Village Hall.

Councilman M. Murphy presented a draft RFP for a Wetland Consultant to assist the Wetland Committee in making revisions to the current proposed law. The Board has had a chance to review the RFP. On a motion made by Councilman Audia and seconded by Councilman W. Murphy the Board accepted the proposal and authorized the distribution of the proposal. All ayes were recorded.

Councilman M. Murphy said that after the Consultant is hired, the committee will reconvene with Zoning Administrator Jack Neubauer and Planning Board members Tom Beaumont and Joshua Mackey to make necessary changes to the proposal.

As a participating community in the Quadricentennial of the Hudson River, the Town has been invited to participate in the Grand Opening of the Walkway over the Hudson on October 3rd. All towns were asked to choose an artist to prepare a town banner to be included in the ribbon cutting ceremony. Michael Spross, a town resident, has agreed to take on the project and create banners for the Town and Village.

Supervisor Prisco said that the parkland committee had met with representatives from the Chazen Companies to finalize design details including fencing, pathway materials and the berm. As the cost of the retaining wall and berm are very costly, Supervisor Prisco has arranged for a meeting on June 16th with Mr. and Mrs. Coddington to discuss the possibility of feathering the slope along the two property lines. Councilman W. Murphy said that the cost of the retaining walls would be about \$50,000 - \$100,000.00. He will attend the meeting with Supervisor Prisco. The permit process with the NYS DOT and the DEC are moving forward. It is anticipated that the necessary permits will be secured within the next month.

Due to the opening on the Conservation Advisory Commission, Supervisor Prisco had appointed a committee consisting of herself, Councilman Audia and CAC members David Greenwood and Dan Weller to review applicants and interview those that had not yet met with. On a motion made by Councilman M. Murphy and seconded by Councilman W. Murphy, on the recommendation of the search committee, the Town Board appointed David Strayer to the Conservation Advisory Commission for a two year term. All ayes were recorded.

Planning Board Chair Beaumont submitted a letter to the Town Board regarding the Planning Board's interest in a possible zoning change with respect to Washington Hollow. The current zoning is not viable and has required numerous variances. The Planning Board is only contemplating a change in the immediate hamlet area and the residential zoning surrounding the hamlet would most likely remain the same. The Planning Board acknowledged that some may feel this should wait until the inception of the updated zoning ordinance. This will probably be two years in the future. The town may feel they would like to deal with the Wetlands Law at this time and postpone any additional zoning considerations. In Mr. Beaumont's opinion the formula in Mabbettsville does not work and he would not like to see the same formula applied to Washington Hollow.

Mr. Gifford asked if the hamlet type zone would be for businesses that are currently in place. Mr. Beaumont said it would be from the antique store across from Copperfields to Campbell's location and on the north side the Motel, IES and the Training Center. The Planning Board is conscious of the wetlands in the area and the environmentally sensitive nature of the area.

Supervisor Prisco said that the town has not had a zoning update meeting in over a year. If there are other zoning issues, they can be discussed at the same time. The Board realized that there is still work ahead of them with the Comprehensive Plan. After a bit of discussion, the Board said the Planning Board may proceed with discussions about the Washington Hollow area. Mr. Schuman said he disagreed with the Board's decision because the purpose of the Comprehensive Plan is to give the public an opportunity to weigh in on these issues. The only one who has come before the Board is Bob Campbell. Supervisor Prisco said she has already thought about those concerns. Councilman M. Murphy said that the Planning Board at this time is only taking a look at the problem. There is a full process, including a public hearing, that would occur before this could be legislated. Councilman Murphy asked that the traffic at the intersection by the Training Section (Fowler Rd and Route 82) be looked at as well.

Mr. Beaumont said that the Comprehensive Plan Committee is continuing to review the pre-survey letter to let people know the survey will be forthcoming. They are also editing the survey. The reports prepared by each sub-committee are being put on the town website for public access.

Mr. Beaumont said that he takes issue with claims that the Town Comprehensive Plan Committee is not being inclusive and open in their activities. He read an excerpt from the Pace University School of Law manual entitled "Gaining Ground for land Use Planners" that a municipality should gather information and consider its needs. He took exception with the recent Poughkeepsie Journal article. Mr. Beaumont said the town is not being secretive; there will be visioning sessions and public hearings after the survey. Supervisor Prisco said that after the article was published the reporter called to apologize for the article, because he felt his editor had removed pieces from the article and the town's side was not covered. Councilman Audia said that the town supports the work completed by the committee.

Highway Superintendent Brownell said that John Hay has retired from the town. He opted not to stay on at the transfer station, as he originally thought he might like to do. Joe Magnarella has been hired to replace Larry Bugosh at the facility.

Mr. Brownell reported that an individual dumped a 30 yard rolloff of material onto Butts Hollow Road. The Highway department filled 6 10 wheelers and moved the debris to the transfer station. He hopes for a resolution through police channels, as they are pretty certain who dropped the material.

Mr. Gifford advised the Board that he has reviewed the Lease/Purchase Agreement with the Key Leasing Group for the Highway Department truck. He said that the first payment is due when the signed documents are submitted. He noted that the contract is with the leasing company and not with the seller of the truck. We do not have an option of not making a payment if there are warranty issues. The dealer is responsible for the warranty. Payments are to be made in a timely fashion or there is a 12 % penalty. The town is required to insure the truck for the full replacement value and must list the lender on the insurance. At the end of the final payment, plus an additional \$1.00 the town will own the truck. In the future, if the funds are not appropriated, the truck can be returned, however the town will not receive any money back. An opinion letter has been prepared by Van de Water and Van de Water to be included in the lease documents.

On a motion made by Councilman Audia and seconded by Councilman W. Murphy the following resolution was offered:

WHEREAS, on May 18, 2009, the Town of Washington Town Board approved the purchase of an International Dump Truck, Model 7500, 6 x 4 from Arkel Motors in New Windsor, NY for the purchase price of \$167,938.29; and

WHEREAS, at the June 11, 2009 regular meeting of the Town of Washington Town Board, held at the Town of Washington Town Hall, 10 Reservoir Drive, Millbrook, the Town Board has reviewed, with the Town Attorney, the Tax Exempt Lease/ Purchase Agreement offered by Key Government Finance, Inc.; and

NOW, THEREFORE BE IT RESOLVED that the Town of Washington Town Board does hereby authorize Supervisor Florence Prisco to execute the Tax Exempt Lease/ Purchase Agreement with Key Government Finance, Inc., and to deliver the agreement with Lease Payment Schedule 1 in the amount of \$37,392.22 to Key Government Finance, Inc.

The vote was as follows:

Supervisor Prisco	AYE
Councilman Turletes	Absent
Councilman M. Murphy	AYE

Councilman Audia AYE

Councilman W. Murphy AYE

This resolution was duly adopted.

The Town Board scheduled a Public Hearing on June 18, 2009, at 9:00 AM to hear any and all comments regarding the town to extend for three years its participation in the Community Development Block Grant funding program.

Monthly reports were filed by the Town Clerk, Tax Collector, Court Clerk, Building Inspector and Zoning Administrator.

Councilman M. Murphy reported that the recent request by Tuxis Corp. to expand their self storage business in Mabbettsville was denied by the Zoning Board of Appeals.

There is an application being reviewed jointly by the Town of Washington and Town of Clinton Planning Boards for a church expansion on the border of the two towns. Fire department input has been requested due to the height of the steeple.

Councilman M. Murphy said that the Joint Emergency Planning committee (town and village) have been meeting monthly. Their has been good representation to date, with many different issues being investigated and planned for. There will be opportunities for sub-committees and community involvement as they move forward. There was a public forum at the fire house with low public participation. Continued public education is important. The local governments are to plan to being isolated and being able to care for their own communities. Individual households should also be prepared for providing for their own immediate needs.

Councilman Audia presented the Board with quotes from different vendors to complete the painting of soffets and windows. Proposals were received from:

Seagull Construction	\$19,000.00
Barnes Costruction	\$18,000.00
Just Exteriors	\$17,845.00 * missing 3 windows.

Councilman Audia said he has checked references and insurance on all. Councilman Audia recommended that the Town choose Barnes Construction to complete the work. Just Exteriors was not accepted, due to the fact that not all windows were included. On a motion made by Councilman M. Murphy and seconded by Councilman W. Murphy the Town Board accepted the proposal from Barnes Construction to complete the project for a cost of \$18,000.00. All ayes were recorded.

On a motion made by Councilman M. Murphy and seconded by Councilman Audia the Board authorized the purchase of 60 skid plates for the handicap ramp at the Town Hall. All ayes were recorded.

Supervisor Prisco said that she has been reviewing plans for the court room renovations. When the plans are complete, the Board will receive copies.

Mr. Gifford said that he has reviewed the request from the Office of Corporation Counsel to offer support of the Collateral Source Legislation. Mr. Gifford said there is no reason for the town not to support this legislation. On a motion made by Councilman M. Murphy and seconded by Councilman Audia the Board moved to send a letter of support of Bills S.4080/A.7504 also known as the "Collateral Source Bill." All ayes were recorded.

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

Gen Fund A	\$20,904.67
Gen Fund B	\$1,489.54
Youth Rec	\$7,105.64
Highway Fund DB	\$10,586.04
Guertin Fund	\$60.00
Park Development	\$15,915.28
Highway Equip Res	\$37,392.22
Planning Bd Escrow	\$1,136.25

All ayes were recorded.

There being no other business, on a motion made by Councilman M. Murphy and seconded by Councilman Audia, the meeting was closed at 9:30 PM. All ayes were recorded.

Mary Alex, Town Clerk