

TOWN OF WASHINGTON  
TOWN BOARD  
July 31, 2007

The Town Board of the Town of Washington held its regular meeting on Thursday, July 31, 2007, at the Town Hall, Reservoir Drive, Millbrook. The meeting was rescheduled from August 9 due to scheduling conflicts. The meeting was called to order at 7:00 PM by Deputy Supervisor Stephen Turletes with the following present: Councilmen Allan Rappleyea, Michael E. Murphy and Peter Audia, Town Clerk Mary Alex, Highway Superintendent James Brownell, Bookkeeper to the Supervisor Laura Hurley and Attorney for the Town John Gifford. Supervisor Prisco as she recovers from surgery.

Also present were Deputy Highway Superintendent Ed Wheeler, Rebecca Valk, an associate with Van de Water and Van de Water, Howard Schuman, Mitch Trinkka, Julia Widdowson, Didi Barrett, Alex Pandaleon and Kate Farrell.

Monthly reports were received from the Town Clerk, Bookkeeper to the Supervisor and Justice Court Clerk.

The meeting was opened with the Pledge of Allegiance.

Dep. Supv. Turletes thanked everyone that has sent in letters, signed petitions or offered up suggestions of people to serve on the Master Plan committee. All resumes and letters will be kept on file as the committee establishes sub-committees. Mr. Turletes said that on Supervisor Prisco's behalf he wished to nominate David Strayer to the Master Plan Committee. Mr. Strayer is a Village resident and an Aquatic Biologist at the IES. On a motion made by Councilman Rappleyea and seconded by Councilman Turletes, the Board appointed David Strayer to the Master Plan Committee. All ayes were recorded.

Councilman Audia said that he would like to introduce Jesse Bontecou for consideration to the committee as well. He has been recommended by several people and would be an asset to the committee. He owns a large tract of land in the town and has served on the Town of Stanford Master Plan Committee. Councilman Rappleyea concurred that he would be an excellent choice. Mr. Bontecou is a farmer and a sportsman. On a motion made by Councilman Audia and seconded by Councilman Murphy the Board appointed Jesse Bontecou to the Master Plan Committee. All ayes were recorded.

On a motion made by Councilman Rappleyea and seconded by Councilman Audia the following people were appointed to the Comprehensive Master Plan Steering Committee: Co Chairs: Tom Beaumont and Don Hanson, Members: Bob Audia (Town Board Liaison) Jerry Baker, Jesse Bontecou, Frank Genova, Maureen King, Tim Marshall, Karen Mosca, Jim Shequine, David Strayer and Dan Weller. All ayes were recorded.

Dep. Supv. Turletes reported that after a favorable ruling by Judge Brandts, Mrs. Scantlebury's dog was returned to her.

Councilman Murphy advised that he had spoken with Nancy Giordano, the Chief of Staff for County Executive Steinhaus regarding the Dutchess County Infirmary project. The update he received is that \$7.9 million dollars has been budgeted to update and restore the building to a usable county facility. The restoration includes 18,000 square feet of the facility and the anticipated completion period is the middle of 2008.

The county anticipates having 50 employees in the building. Twenty will be with mental health; the Health Department will remain as it is with nurses on the road and clinical employees. The Probation Department serving the eastern portion of the county will have 7 employees. The county did not provide data on the number of clients it will serve. There will also be a division of Social Services for children and families.

Mrs. Scantlebury entered the meeting with her dog, Roxie. She stated that she was happy to have Roxie returned to her, and that she thanked the Board and Rebecca for everything that was done for her. She expressed concern to the Town Board about her dealings with the Dog Control Officer. The Board said that they will consider her comments and talk to Mr. Adams in Executive Session. Councilman Rappleyea said he is happy that they were able to have the dog returned to her.

Mr. Pandaleon said that he wanted the Board to know that he has had two dealings with Mr. Adams, and they were both very positive.

In other business, Mrs. Hurley advised the Board that New York State will be issuing STAR rebates to residents that have the STAR exemption. The state will be mailing checks directly to residents that enjoy the Enhanced STAR exemption. Everyone that has the Basic STAR will be mailed an application, and will have to return the form either through the mail or via the internet to the state.

The Town is in receipt of the Justice Court Audit completed by Rae D'Achille of Accounting Associates. The audit looked at all bank accounts and bail accounts, and made a recommendation to separate the bail account for each judge. The Board, having had an opportunity to review the audit, is asked to approve the audit and file a copy with New York State.

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

#### RESOLUTION

WHEREAS, the Town of Washington Town Justices Elizabeth Shequine and Bruce Aubin had an audit of their books by Accounting Associates completed in July, 2007 for the fiscal year 2006; and

WHEREAS, the Town Board has reviewed the audit as written; and

NOW, THEREFORE, BE IT RESOLVED THAT the Town Board of the Town of Washington does hereby accept the audit of the books of Town Justice Shequine and Town Justice Aubin; and

BE IT FURTHER RESOLVED THAT the Town Board does hereby direct Justices Shequine and Aubin to follow the recommendations as noted by Accounting Associates.

All ayes were recorded. This resolution was duly adopted.

Mrs. Hurley presented the Board with revenue and expense reports through the end of July. Revenue for the A fund is at 86% of the anticipated revenue for the year. The B Fund revenue is at 67%. To date the Town has received \$124,000. of the anticipated \$220,000. from Mortgage tax revenue. The Board will see that in line items A 7310, which is the recreation department line that there are overages in specific programs. Mrs. Hurley is not as concerned about specific programs being over budget, but that the Recreation Department has expended 80% of its total funds for the year. She has met with Warren and spoke to Kelly to advise them that it is necessary to for their department to closely monitor expenses in order to stay within budget. Revenue appears to be on track. Mrs. Hurley reminded everyone that this is the first year that the Recreation Department is fully budgeted within the A fund, and the importance of proper budgeting and tracking.

Budget memos will be delivered to all departments in August with a return date to the bookkeeper in mid - September. It is expected that the Board will begin the budget review process at the end of September.

The full set of vouchers will be available for the Board to sign in mid August. The Board has been asked to come in at their convenience to review them.

Town Clerk Alex advised the Board that the Town has received two quotes for upgrading the phone system at the Town Hall. Superior Telephones, from Salt Point, NY bid \$7,456.15, and Cross Point Solutions from Kingston, NY bid \$7,652.00. The price from Superior is based on NYS OGS contracted rates. The price includes new phones throughout the town hall, and a system that would have the ability to transfer calls throughout the building and all departments on site. The system would also have rollover capabilities to voice mail service rather than ringing busy. Phones would continue to be answered directly by each department. The upgrade would offer added convenience to residents. Councilman Audia said that he expected one more company to offer prices and specifications. The Board tabled any decisions until September.

On a motion made by Councilman Rappleyea and seconded by Councilman Audia the Board approved the minutes of June 26, 2007 as presented. All ayes were recorded.

Town Clerk Alex reported that the leaders of Cub Scout Pack 31 have contacted her for the boys to do a community service clean up project at the Town Hall. When dates are confirmed, Highway Superintendent Brownell has volunteered to have a loader and truck available for the day. The town is appreciative of this effort and looks forward to the help of the boys.

Town Clerk Alex invited everyone to view the Town of Washington website at [www.washingtonny.org](http://www.washingtonny.org). Currently there are town directories, minutes and other helpful information. As each department provides information, it will be added to the site.

Attorney Gifford advised the Board that at the request of the Town Board, he has had prepared for the Board proposed legislation on several matters. The requests come from discussions held earlier in the year, and requests from the Planning Board and from Building Inspector Tyger. The proposed legislation includes zoning amendments regarding fire codes, cemeteries banned in all zones, amendments to the subdivision regulations adding additional standards for driveway turnarounds, and stormwater management and erosion control. Ms. Valk advised that in regard to the stormwater management regulations, that the Town of Washington is not an MS 4 town that is required to adopt the regulations. The Planning Board would like the town to consider the passage of the regulations, or portions thereof, as they believe that in the future it will be a requirement.

Councilman Rappleyea introduced the attached local laws: TOWN OF WASHINGTON LOCAL LAW NO. 2 OF THE YEAR 2007, A LOCAL LAW ADOPTING LAND SUBDIVISION REGULATIONS FOR THE TOWN OF WASHINGTON

TOWN OF WASHINGTON LOCAL LAW NO. 3 OF THE YEAR 2007, A LOCAL LAW AMENDING THE ZONING CODE OF THE TOWN OF WASHINGTON, DUTCHESS COUNTY, NEW YORK, TO DELETE SECTION 327 A "PRIVATE CEMETERIES OR BURIAL PLOTS" AND TO DELETE ALL REFERENCES TO SECTION 327 A

A LOCAL LAW OF THE TOWN OF WASHINGTON, DUTCHESS COUNTY, NEW YORK, "ILLICIT DISCHARGES TO STORM SEWERS"

A LOCAL LAW OF THE TOWN OF WASHINGTON, DUTCHESS COUNTY, NEW YORK, "STORMWATER MANAGEMENT AND EROSION AND SEDIMENT CONTROL"

TOWN OF WASHINGTON LOCAL LAW NO 4 OF THE YEAR 2007, A LOCAL LAW ESTABLISHING A FIRE PREVENTION AND BUILDING CODE OF THE TOWN OF WASHINGTON

**Proposed legislation is attached.**

Deputy Supervisor Turletes advised that pursuant to Municipal Home Rule of the State of New York, it is necessary to hold a public hearing upon these local laws. Councilman Rappleyea offered the following resolution which was seconded by Councilman Audia who moves its adoption:

WHEREAS, on July 31, 2007, Councilman Rappleyea has introduced the following local laws for the Town of Adoption entitled:

TOWN OF WASHINGTON LOCAL LAW NO. 2 OF THE YEAR 2007, A LOCAL LAW ADOPTING LAND SUBDIVISION REGULATIONS FOR THE TOWN OF WASHINGTON

TOWN OF WASHINGTON LOCAL LAW NO. 3 OF THE YEAR 2007, A LOCAL LAW AMENDING THE ZONING CODE OF THE TOWN OF WASHINGTON, DUTCHESS COUNTY, NEW YORK, TO DELETE SECTION 327 A "PRIVATE CEMETERIES OR BURIAL PLOTS" AND TO DELETE ALL REFERENCES TO SECTION 327 A

A LOCAL LAW OF THE TOWN OF WASHINGTON, DUTCHESS COUNTY, NEW YORK, "ILLCIT DISCHARGES TO STORM SEWERS"

A LOCAL LAW OF THE TOWN OF WASHINGTON, DUTCHESS COUNTY, NEW YORK, "STORMWATER MANAGEMENT AND EROSION AND SEDIMENT CONTROL"

TOWN OF WASHINGTON LOCAL LAW NO 4 OF THE YEAR 2007, A LOCAL LAW ESTABLISHING A FIRE PREVENTION AND BUILDING CODE OF THE TOWN OF WASHINGTON

RESOLVED, that a public hearing be held in regard to the proposed changes as set forth in the for of notice hereinafter provided, at which hearing parties in interest and citizens shall have an opportunity to be heard, to be held at the Town Hall, Town of Washington, Reservoir Drive, Millbrook, NY, on September 13, 2007, at 7:00 prevailing time, and that notice of said meeting shall be published in the Millbrook Round Table, a newspaper of general circulation in the Town of Washington, by the Town Clerk, at least five (5) days before such hearing and that such notice shall, in sum and substance, 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, Reservoir Road, Millbrook, New York on September 13, 2007 at 7:00 o'clock, p.m., the following proposed local laws:

TOWN OF WASHINGTON LOCAL LAW NO. 2 OF THE YEAR 2007, A  
LOCAL LAW ADOPTING LAND SUBDIVISION REGULATIONS FOR THE  
TOWN OF WASHINGTON

TOWN OF WASHINGTON LOCAL LAW NO. 3 OF THE YEAR 2007, A  
LOCAL LAW AMENDING THE ZONING CODE OF THE TOWN OF  
WASHINGTON, DUTCHESS COUNTY, NEW YORK, TO DELETE  
SECTION 327 A “PRIVATE CEMETERIES OR BURIAL PLOTS” AND TO  
DELETE ALL REFERENCES TO SECTION 327 A

A LOCAL LAW OF THE TOWN OF WASHINGTON, DUTCHESS COUNTY,  
NEW YORK, “ILLCIT DISCHARGES TO STORM SEWERS”

A LOCAL LAW OF THE TOWN OF WASHINGTON, DUTCHESS COUNTY,  
NEW YORK, “STORMWATER MANAGEMENT AND EROSION AND  
SEDIMENT CONTROL”

TOWN OF WASHINGTON LOCAL LAW NO 4 OF THE YEAR 2007, A  
LOCAL LAW ESTABLISHING A FIRE PREVENTION AND BUILDING  
CODE OF THE TOWN OF WASHINGTON

TAKE FURTHER NOTICE, that copies of the aforesaid proposed local laws will be available for examination at the office of the Clerk of the Town of Washington, at Town Hall, Reservoir Drive, Millbrook, NY between the hours of 9:00 am and 3:00 PM on all business days between the date of this notice and the date of the public hearing. The proposed legislation is also available for review at the Town website at [www.washingtonny.org](http://www.washingtonny.org)

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

DATED: Millbrook, NY  
Aug. 21, 2007  
Mary Alex, Town Clerk

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

Supervisor Prisco	Absent
Councilman Turletes	Aye
Councilman Rappleyea	Aye
Councilman Murphy	Aye
Councilman Audia	Aye

This resolution was duly adopted.

Highway Superintendent Brownell reported that the Highway crew will be blacktopping Halcyon Road, College Lane and a portion of Verbank Road beginning on August 13.

Councilman Murphy reported that the Planning Board and Zoning Board of Appeals are currently reviewing an application before both boards for a property on Route 44. The Planning Board has a special use permit/site plan approval application for a property that is before the ZBA for variances for the number of allowed structures on the parcel. The property has Dutchess Land Conservancy easements.

In the matter of the proposed Wetlands Regulations, Councilman Murphy reported that the committee will be setting a date for their next meeting.

Councilman Audia advised that he is in receipt of one proposal for soffets work at the Town Hall. Other bids are expected shortly. He is awaiting a report from an engineer about the air conditioning at the Town Hall.

Ms. Farrell said that it was great that the Board added two more names to the Master Plan committee. She is concerned with the steering committee and what their credentials are. Would the Board consider posting the credentials of the committee. Also will the application process be kept open?

The steering committee is finalized. The policy of Supervisor Prisco has always been to keep all volunteers on file. Some people may be asked to serve on sub committees, dependent upon their areas of knowledge or expertise. The committee members will be asked for bios. If they wish to share their information, then it will be made available to the public.

Ms. Farrell thanked Councilman Murphy for providing an update on the infirmary. She asked if any information had been given from the county on their future plans to expand the probation department, and the number of people that will be seen in a day. That information was not provided to Councilman Murphy.

Mr. Pandaleon asked if the Board will be purchasing wind power credit as the Town of Stanford has done. Mrs. Alex said that she believed Supervisor Briggs had reviewed the information on wind credits. It may have not been brought to the Board's attention. He also asked about the towns ability to create legislation for inherent risk for horse operations similar to ski operations. Attorney Gifford advised that is a state matter, not a local matter.

At 8:30 PM, on a motion made by Councilman Rappleyea and seconded by Councilman Audia the Board moved into Executive Session to discuss a matter of litigation. All ayes were recorded. At 8:50 PM on a motion made by Councilman Rappleyea and seconded by Councilman Audia the regular meeting resumed. All ayes were recorded.

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

Gen Fund A	\$5490.27
Gen Fund B	\$25.00
Highway Fund DB	\$6153.20
Fund T	\$1522.50

All ayes were recorded.

There being no other business, on a motion made by Councilman Murphy and seconded by Councilman Rappleyea, the meeting was closed at 9:15 PM. All ayes were recorded.

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Mary Alex, Town Clerk