

REGULAR MONTHLY BOARD MEETING MONDAY, NOVEMBER 9, 2009

PRESENT: Mayor Clarence Speed, Trustees Brian Johnson, Douglas Cropper, Barbara Sagal, Robin Andrews, Attorney Robert Fitzsimmons, Attorney Anthony Buono, Clerk/Treasurer Eilene Morris

MOTION to approve minutes of the previous meeting with two corrections/additions (Add: *“Brian Wheeler feels there are still issues with the Summit Street Mill. Police were called there and noted there were people in there working. Police were not aware of the “Stop Work” order. Mr. Wheeler was still upset with the situation.* (Also Add: *“Trustee Sagal’s intention was to share a Times Union article on practical solutions in Colonie for long term care of the elderly and disabled written by a doctor. A nursing home is a part of that process-the article is part of the October, 2009 minutes.*) **MOTION** to accept the minutes with the above changes was made by Trustee Andrews, seconded by Trustee Sagal. ALL AYES, NO NAYS.

MOTION to approve the treasurer’s report made by Trustee Sagal, seconded by Trustee Cropper. ALL AYES, NO NAYS.

MOTION to approve payment of bills (General Abstract #6, Water Abstract #6, Sewer Abstract #6, Library Abstract #6, T&A Abstract #6, Library Bldg. Acct. Abstract #7, Summit Lake Abstract #7, Summit Heights Abstract #6) made by Trustee Andrews, seconded by Trustee Sagal. ALL AYES, NO NAYS.

PUBLIC REQUESTS:

Brian Wheeler wanted to know the rules regarding “Commercial/Residential” property zoning in reference to Mr. Gellert’s property on Main Street. He is being told that he has to move and feels he has no tenant’s rights. He was referred to the Building Department. He also asked why leaves were being picked up in Mellenville (outside the village). The Mayor noted that Philmont and Claverack help each other out in some areas, and this is one of those instances.

ATTORNEY FITZSIMMONS: A revised contract dealing with the Summit Heights project was presented to the board for their review and approval. Attorney Fitzsimmons went through the entire contract and answered questions and took comments from the board, the audience and the developer (Mr. Mattikow). After some corrections were made (Pg#6-Add “47 gallons per minute. Pg#7-Add “\$20,000.00 top coat bond”. Pg#7-Add “To expire no later than December 1, 2011 (It was also mentioned that a request for three years to complete would be likely).

MOTION to accept with corrections was made by Trustee Cropper, seconded by Trustee Johnson. 3 AYES, 1 NAY (Trustee Andrews).

ATTORNEY BUONO: Gave a progress report on the fire protection situation with the Town of Hillsdale. The Village Board agreed to charge (including LOSAP) \$48,800.00 in annual fees which is based on assessment. In the interest of fairness, they also agreed to forgiving the previous outstanding bills that remain unpaid from 2007 and 2008.

MOTION to authorize Attorney Buono to represent the village on the above matter made by Trustee Johnson, seconded by Trustee Sagal. ALL AYES, NO NAYS.

CLERK/TREASURER: Reported that water turn-off letters were sent out by certified mail today (11/9/09) to those still owing their July, 2009 bill. Turn-off is scheduled for December 10, 2009. The Village Office will be closed on Wednesday, November 11th for Veteran’s Day and on Thursday, November 26th and Friday, November 27th for Thanksgiving.

DPW/WA/SW: Reports given by Trustee Johnson. Copies are available in the Village Office for review.

POLICE REPORT: Report given by Sergeant James Mayo. Copies are available in the Village Office for review.

LIBRARY REPORT: Report given by Interim Director Karen Garafalo. Copies are available in the Village Office for review. She continues to raise funds for the library addition and all donations are welcome.

MAIN STREET COMMITTEE: No Report

COMMUNITY CENTER: Trustee Andrews reported that the furnace at the Community Center is being replaced. They will be closed for the actual holidays but hope to have some holiday programs.

MAYOR SPEED: Participated in two special meetings. Also has handled several phone calls and complaints. He also noted he was happy to be able to participate as a judge for the Halloween costume contest at the Philmont Fire House.

TRUSTEE SAGAL: Reported street lights out and made people aware that this can now be done on line. She also participated in discussions regarding the cell tower contract, the Summit Heights contract and the fire protection contract. She also enjoyed judging the Halloween costume contest.

TRUSTEE CROPPER: He requested that a “thank you” letter be sent to the Town of Copake for their help in grading out the Forest Lake Road. He reminded all that the Forest Lake gate will be locked and entry can be gained by getting a key and an ID card at the Village Office.

TRUSTEE JOHNSON: Reported that the “Clyde Colburn sewer situation” will soon be resolved. He also asked Fire Chief Carlsen to express appreciation (either by letter or phone call) to those fire companies supporting the Philmont Fire Company during the Hillsdale fire protection situation. He also reported that he attended the meeting in Hillsdale in reference to the fire protection contract with Philmont.

TRUSTEE ANDREWS: Noted that she attended the meetings that have already been mentioned.

CORRESPONDENCE LIST – COPY PROVIDED TO AUDIENCE

MOTIONS AND RESOLUTIONS

1. **MOTION** to enforce the water turn-off law with turn-off scheduled for Thursday, December 10, 2009 for those still owing their July, 2009 water/sewer bill made by Trustee Cropper, seconded by Trustee Sagal. ALL AYES, NO NAYS.
2. **MOTION** to request bids for the purchase of a 2009 or 2010 1-ton utility truck with 4-wheel drive, 6-speed automatic with overdrive, utility body and 8 ½ foot “V” plow with service available with 25 miles. Price should include the deduction of a 2003 GMC Utility Truck with plow made by Trustee Johnson, seconded by Trustee Cropper. ALL AYES, NO NAYS.
3. **MOTION** to approve Tracey Daniels and Floyd Dallas IV as members of the Philmont Fire Company made by Trustee Andrews, seconded by Trustee Sagal. ALL AYES, NO NAYS (with the condition that each passes their background checks).

(A **motion** to complete Alternate #3 of the Library Building Package by Property Improvement in the amount of \$6500.00 was put on hold to be discussed further. A decision will be made at the November workshop)

NOTE: This date may change due to the workshop being the day before Thanksgiving

UNFINISHED/NEW BUSINESS:

Sally Baker of PB Inc. Noted that she would probably not be doing Christmas lights as she did last year and wondered what plans the village had to decorate Main Street. Doug suggested having a residential category *and* a commercial category for the lighting contest to encourage businesses to be more extravagant in their decorating. She felt more should be done. She will check with Hudson to see how they handle their decorating, and the Mayor will check with Valatie. A lady from the audience noted that Chatham had used lanterns to decorate and the public seemed to enjoy them. She said she would check with her husband (who works in Chatham) to see where they purchased them.

MOTION to adjourn in memory of *Beulah Wallace* was made by Trustee Sagal, seconded by Trustee Andrews. ALL AYES, NO NAYS.

Respectfully submitted,

Eilene Morris
Clerk/Treasurer
VILLAGE OF PHILMONT