

Monthly Town Board Meeting

October 1, 2015

7:30 p.m.

Town Hall

SALUTE TO THE FLAG

APPROVAL OF MINUTES

- Public Hearing of August 19, 2015 – Garrison Fire District
- Public Hearing of August 19, 2015 – Dissolution of Fire Company
- Weekly Town Board Meeting of August 19, 2015
- Monthly Town Board Meeting of September 3, 2015

COMMITTEE REPORTS

- 1) Conservation Board
- 2) Recreation
- 3) Recycling
- 4) Planning Board
- 5) Zoning
- 6) Highway
- 7) Building & Land Acquisition
- 8) Putnam County Legislator

AGENDA

1. Discussion with regard to the formation/ dissolution of the Garrison Fire District.
2. Discussion with regard to the highway facility and replacement of the modular office.
3. Councilman Leonard to discuss "How Green is my Town."
4. Discussion with regard to the E-Waste contract between the Town of Philipstown and Vintage Tech for recycling.
5. Resolution approving the revision to the 2015 Fee Schedule, page 10 for commercial swimming pools.
6. Resolution authorizing Supervisor Shea to sign the 2014 Sponsor Authorization Form for the Philipstown Volunteer Ambulance Corps. Length of Service Award Program.
7. Resolution approving the "Conceptual" design for Manitou Station Road.
8. Resolution approving the acquisition of 59.44 acres of land as an addition to the Hudson Highlands State Park by New York State Office of Parks, Recreation and Historic Preservation.

9. Resolution authorizing Town Clerk Merando to advertise for bidders for the Fair Street Sidewalk Improvements. (Nunc Pro Tunc)

10. Code Enforcement Monthly Report.

11. Schedule Workshop/Meetings

- Schedule Budget Workshops

Garrison Fire
Cold Spring Fire
Continental Village Fire
Philipstown Ambulance Corp.
Garrison Ambulance Corp.
Recreation
Highway

- Schedule Public Hearing for the 2016 proposed budget: (Suggested date November 4, 2015) (*Public Hearings may exceed estimated times*)

Continental Village Park District Budget	7:30 p.m.
Continental Village Water District Budget	7:35 p.m.
General Budget	7:45 p.m.

12. Any other business that may come before the Town Board.

AUDIENCE

VACANCIES

Board of Assessment Review (1)
CV Park District Advisory Committee (3)
CV Water District Advisory Committee (3)

APPROVAL OF VOUCHER

General Highway CVPD CVWD

Public Hearing – Garrison Fire Dissolution/Formation
August 19, 2015

The Town Board of the Town of Philipstown held a Public Hearing on the above date at 7:00 p.m., at the Town Hall, 238 Main Street, Cold Spring, New York. The purpose of the Public Hearing is to hear comments for/against the Town Board considering the establishment of a fire district upon the dissolution of the Garrison Fire Protection District of the Town of Philipstown.

PRESENT:

Richard Shea	Supervisor
Nancy Montgomery	Councilwoman
John Van Tassel	Councilman
Michael Leonard	Councilman
Robert Flaherty	Councilman

Supervisor Shea opened the meeting with the Salute to the Flag.

Town Clerk Merando read the public notice.

Mark Butler, Esq., representing the town, began the meeting with a PowerPoint presentation. (The presentation can be seen on the town's website www.philipstown.com)

What is a Fire District? – It is a political subdivision of the State of New York. Town Law 174(7) indicates the same that the Fire District is a public corporation. In that regard it's the same as a town, village or a city. There are four entities in New York State that can operate fire services. (A town, village, city or a fire district.) It's anticipated by the creation of this fire district, it is the town's responsibility to provide fire protection within the Garrison Fire Protection District of the Town of Philipstown. He noted that the description read this evening by the Town Clerk is the legal description of the Garrison Protection District. There will be a public hearing later this evening for the dissolution of the Garrison Fire Protection District. A fire protection cannot co-exist with a fire district - it has to be one or the other. The process that the Town Board is considering this evening is the formation of the fire district. If this moves forward, the fire protection district must be dissolved. The creation of the fire protection district previously obligates the town to provide fire protection within that district. The current scenario is that the Town Board contracts with the Garrison Volunteer Fire Company, Inc.

The shift here is that with the creation of a fire district, the Town Board shifts its responsibility, legally, for operating the fire services within that fire protection district. The fire protection district is dissolved, and the new fire district becomes legally responsible as a new municipal entity rather than the Town Board. The fact is that the town gets out of the fire protection business entirely.

Fire Companies' personnel wear two hats – first, a membership hat when they are off duty. Currently, when they go on duty, they are Town of Philipstown employees. He noted that the law treats them as the town's employees without compensation, which makes the town legally responsible. That responsibility is traded off. The

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Garrison Fire District then becomes the employer or the responsible entity. The proposal before the Town Board is that the Garrison Fire District would operate fire services within its boundaries and there will no longer be any contracts. He went on to say that for many years the fire company has contracted with the town and the town has collected the taxes, conducted budget hearings and negotiated those contracts. The fire district itself will set the budget for services and administer all of the funds raised by taxes as a separate municipal entity. He noted that nothing internally changes for the fire company. It does not affect the fire company's corporate status. They are not-for-profit as prescribed by New York State Law. They can still conduct their fundraising activities, as well as its member's activities.

The only change is, who is responsible for the fire company's operations in terms of on-duty activity? Currently, it is the Town Board. Subsequently, if the fire district is created, the Board of Commissioners will take on that task. They are required to provide the VFBL protection, and workers' compensation. He then addressed the Length of Service Award Program (LOSAP), stating that under the provisions of the General Municipal Law, those funds will shift to the fire district and they would be responsible for all obligations of that program.

He explained that the fire district's responsibilities are to provide fire protection instead of the town. There is a public process for setting the budget, which parallels with the town's process. A proposed budget is prepared, which is to be filed prior to the public budget hearing. There is a mandatory budget hearing that must be held the third Tuesday in October every year. It is open to the public for comments on any element of the budget. Following that public budget hearing, the Board of Fire Commissioners has to approve a final budget. Changes can be made, with one exception, that any capital reserve fund made in the proposed budget cannot be changed. The budget must be adopted no later than November 4th and filed, in duplicate, with the Town Clerk by November 7th. Even though the fire district prepares the budget, the taxation is attached to the town's budget and taxed as a separate line on the tax bill. He noted for the record that the town has no authority to change anything in the fire district's budget. The Supervisor is required by law to turn over the funds, collected by taxes, to the newly formed fire district.

He then further discussed the public process for the budget. The fire district is subject to the tax levy cap the same way the Town Board is. The only time that the fire district is exempt from that is the first budget it creates. He did note that one issue that some municipalities have experienced is the issue of runaway spending/borrowing. A fire district's only avenue for borrowing is the issuance of bonds. A fire district must have a mandatory referendum for voter approval of any bonding, which provides additional transparency for the taxpayers of the district.

He also pointed out that as any other municipal entity, the fire district is obligated to follow General Municipal Law 103 and 104, which pertains to bidding and purchasing.

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Mandatory annual elections are required for fire commissioners, which are held the second Tuesday in December. All meetings held by the fire district are subject to the Open Meetings Law, of which the fire boards of commissioners are responsible for noticing said meetings.

An annual financial is required (AUD), which is due within sixty days of their fiscal year and filed with the NYS Comptroller and the Town Clerk. Similarly, with fire districts having a budget above \$300,000.00, there is a mandatory audit requirement that must be completed within 180 days at the close of the fiscal year.

He explained that commissioners are elected and are subject to the requirements of the Public Officers Law, as is the Treasurer. There are five commissioners. A commissioner cannot serve as a treasurer, as these positions are subordinate. The treasurer can only pay that in which the commissioner directs payment. Vouchers are used, as in any other municipal entity. A secretary is an appointed official and carries out the duties of an administrative assistant (serves a one-year term).

Mr. Butler then explained the public elected terms of the commissioners/secretary (first time appointed by the Town Board):

- The candidate with the most votes – 5-year term
- The candidate with the next most votes – 4-year term
- The candidate with the next most votes – 3-year term
- The candidate with the next most votes – 2-year term
- The candidate with the next most votes – 1-year term
- The Secretary's term is a 3-year term (commissioners can change this from elected to appointed)

Commissioner qualifications - Anyone who is a resident of the fire district who is 18 years of age, who has not been convicted of a felony or any degree of arson and cannot be a fire chief, (that includes any level of fire chief.) He noted that the Board of Commissioners appoints the fire chiefs. The fire chiefs have control over the fire department and its members while on duty, subject to the Board of Fire Commissioners. A commissioner may be a fire company member. There are no exclusion there. They can even be a firematic officer.

The first meeting of the fire district is an organizational meeting following elections, and the treasurer acts as a temporary chair. The first order of business is the election of a fire district chairman. The chairs sole responsibility is chairing the meeting. All resolutions are addressed at their re-org, i.e., banking, etc.

He then reviewed the estimated tax rate and the assessed valuation of the fire district. He further explained that the estimated tax rate, published in the hearing notice, was calculated using 100% equalization rate, which is not the case. The equalization rate is 46.43%.

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Mr. Freilich challenged those figures, as the current tax rate is a \$1.57 per thousand and the current budget is \$600,000.00.

Mr. Butler then discussed the benefits of formation, stating that it is a single purpose public-safety entity that will control training, response and spending. Direct voter approval will cause transparency in the operations of the fire district, including elections and all borrowing. An open budget process allows for public input and voter approval.

Mr. Butler reiterated that if the Town Board decides to form a Fire District, the Fire Protection District must be dissolved.

Terence Hannigan, Attorney, representing the Garrison Fire Protection District, addressed the hours spent and the preparation of the budget the fire company does each year. All the obligations connected with that process would become the responsibility of the Board of Fire Commissioners. He went on to discuss the proposed budget, which is substantially higher. The challenge the fire company experienced was creating a budget that accurately expressed what the real expenses would be. It is anticipated that if approved, the Board of Fire Commissioners will review it and likely make modifications. He and the fire company are confident that nothing submitted is understated, decreasing the chances of looking for additional dollars going forward. He pointed out that in 2015 the fire company received less money than they did in 2005. He further stated that in the proposed budget there is \$90,000.00 allocated for reserves. Historically, when the fire company did receive reserve funding on an annual basis that amount was approximately \$110,000.00. He noted that once a fire district is established, reserves are the only mechanism for them to save money going forward. The reserve fund is very limited as it can only be used for real property, construction of buildings, purchase of apparatus and equipment. He announced that to outfit one fire fighter in turnout gear costs \$2,300.00. That's not counting the air packs. Finally, Mr. Hannigan stated that he is confident that numbers in the proposed budget are real numbers and will probably be adopted.

Supervisor Shea stated that the Town Board isn't going to view the budget at this time. He professed that the number is glaring and there will be plenty of time to review this at a later date. The Town Board would not be making any decisions tonight.

Supervisor Shea questioned Mr. Hannigan regarding the disposition of all the assets of the fire company? Mr. Hannigan responded saying that the rolling stock would be transferred to the fire district. With regard to the fire stations, that will be determined. In some instances, the fire district doesn't own the buildings - they would then rent it from the fire company. The fact that the fire company owns the facilities, the possibility of a transfer of ownership or a lease agreement would work out. He noted for the record that the monies collected for leasing would not be a profit center. The

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Fire Company will not make money on that leasing agreement. Brief discussions continued with regard to different scenarios.

Councilwoman Montgomery asked if the leasing fees are included in the budget? Mr. Hannigan answered saying that they are not, however, the utilities to run the building are included.

Mr. Butler interjected that the last pages of the budget shows the first and second mortgages and that should be used as a lease payment, plus the utilities and maintenance.

Councilman Flaherty asked if a fire fighter was injured or even worse, could they sue the town? Mr. Butler stated that they could not - they are covered under their own Worker's Comp as a fire district.

Councilman Van Tassel added that another benefit for the fire company is that there are additional people for overseeing the operations and fund disbursement as a district. The Board of Fire Commissioners can also deal with any personnel issues.

Joe Regele stated that he understands that the budget would be discussed at another time and is very concerned about that. He finds a \$200,000.00 increase disturbing. He also noted that the fact that the 2005 and the 2015 budget are equivalent is that the Town Board did away with their reserves for two reasons. One being that the reserves was being abused and, secondly, it was inefficient to hold cash in the fire company due to the low return on the cash. He then noted the items that have been purchased over the past few years. He also commented that there is not a single piece of equipment that the fire company has requested and not received, mostly due to leasing vehicles. Mr. Regele stated that the fire company has ended their fiscal years with a surplus. He talked about their turnout gear, which has been purchased and has not reached its limit.

Mr. Regele then explained that in 2017, the second mortgage would be paid off; in 2018, the tank truck will be retired; in 2019, the tanker debt will be paid off, and in 2020, the first mortgage will be satisfied. All of which totals \$250,000.00. With all this considered, there would be an annual surplus in 2020 of \$500,000.00.

Mr. Regele stated that there are 1608 registered voters for the Garrison district, and he knows that over the last four years, voter turnout for the Board of Fire Commissioners in the North Highlands has been 9, 10, 11 and 14 people, which is less than one half of 1% that voted.

Supervisor Shea stated that the budget is proposed and should not be taken as the final product. He agreed that the proposed budget is a huge increase, however, it will be reviewed. He also stated that a lot of the items are contingent.

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Mr. Regele continued expressing his concerns, which included conducting the public hearing in August and not having the proposed budget in hand prior to the hearing. He acknowledged that this matter is moving forward. Supervisor Shea assured Mr. Regele that there would be additional public input on this matter.

Mr. Freilich brought up the proposed rate and the 2% cap. Supervisor Shea then read an article in Town Topics, a New York State Monthly Newsletter that spells out that newly formed Fire Districts are not subject to the tax cap.

Nat Prentice then addressed the board stating that having sat in and participated in budget hearings over the years, and asked the Town Board how this possible change will benefit the taxpayers? Supervisor Shea responded by saying that the town is not in the business of running a fire company. He noted that it takes an incredible amount of time and effort for the board to oversee the fire company. He also stated that the Town Board has never shirked that responsibility. It is also a detriment to other matters that must be addressed by the board. He then turned his comments to the voting process, stating that it is the responsibility of the people to show up and cast their votes.

Supervisor Shea stated that the Town Board has been fiscally conservative. He also said he doesn't believe that the proposed budget should be passed as presented. He went on to discuss the fire commissioners and their role. Councilman Van Tassel interjected that it's more than just the financial side of this; it's also the overseeing of the fire company as a whole.

Councilwoman Montgomery touched on the subject of lobbying the state to have fire district elections fall within the general election cycle when people are more apt to go to the polls.

Councilman Van Tassel added that he personally doesn't feel that the Town Board has the knowledge to know the equipment and when there is a need for the purchase of new fire apparatus.

Councilman Flaherty noted for the record that the voters in the North Highlands Fire District turned down the proposed new firehouse a few times. It wasn't passed until they lowered the budget.

Stan Freilich then brought up the consolidation recommendation for all emergency services in Philipstown.

Councilwoman Montgomery added that she is not a fan of creating a new taxing entity and she believes this is a baby step towards consolidation.

Julia Famularo asked what happens if there is a surplus of monies once the company becomes a district. Mark Butler explained that there are two financial audits - the annual update document and an outside audit that has to be completed.

Mark Butler answered Ms. Falmularo question with regard to surplus monies by explaining that there are a couple of options - the first being that those funds can be placed in reserves for future capital purchases. The other option is that it can be used to reduce the tax burden. Ms. Falmularo then asked if they don't keep it in the reserves could they just put it in their general fund? Mr. Butler responded saying no, they can't. He noted that there are no limits as to how many reserves the fire district can have.

Zshawn Sullivan expressed her opposition to establishing a fire district, citing an additional tax burden. There was some discussion with regard to the pro's and con's of a fire district, one being taxes, the second is voter turnout.

Grace Wilkie expressed that she is confident that anyone serving as fire commissioners will do their due diligence in the best interest of the residents and the fire district.

Kristen Van Tassel stated that the law changed a few years ago, which now a public vote is required for a district to establish a reserve account. Mr. Butler concurred. Based on that information, Mrs. Van Tassel asked what happens to the \$90,000 reserve proposed in the budget? Mr. Butler stated that there is plenty of time for the voters to approve that reserve. It could occur the first Tuesday in December or a special election can take place. In the event that it's not approved, the monies would be collected and held separately. Those monies would be used to reduce the tax levy the following year.

Joe Mercurio asked if the State Comptrollers Office recommends reserve funds? Mr. Butler responded saying the State Comptroller Office does recommend fiscal planning for future large ticket items.

Mr. Hannigan interjected that he has witnessed the fire company's transfer of those funds to the fire district. He noted that the Garrison Fire Company no longer has reserves.

Carlos Salcedo applauded the Town Board for taking on another large task. He then stated that the large proposed budget is just putting an obstacle in moving forward. He asked the Town Board what was the timetable involved in this process and will the public have additional input. Mr. Butler explained that the Town Board has until October 1st to make a determination. He reviewed the appointment of the fire commissioners as well as the organizational meeting that must be held. The public hearing must occur the third Tuesday in October. It was noted that November 4th is the final day that the fire commissioners can adopt the final budget. On November 7th, the final budget is submitted to the Town Clerk to fulfill the requirements so it can be included in the town's budget.

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Craig Watters stated that he supported the district and stressed that it is important that there is diversity when considering appointing the fire commissioners.

Supervisor Shea suggested that the Town Board keep the Public Hearing open for future discussion.

Lillian Mosher, speaking as a firefighter for the Village of Cold Spring, stated that she believes that everyone should be looking at another “M” besides money, and that would be morale and membership. She feels as though members of the Garrison Fire Company are her brothers and sisters and she is upset for them and what they are going through. She asked people, who might disagree with this, should consider becoming a member and get a first hand grasp of what it is to be a firefighter.

Joe Hyatt, Chief of the North Highlands Fire District suggested that the Town Board consider someone with firematic experience to serve as fire commissioner.

There being no further comments from the public, Councilwoman Montgomery made a motion, seconded by Councilman Leonard and unanimously carried to adjourn the Public Hearing at 9:00 p.m.

Respectfully submitted by,

Tina M. Merando
Town Clerk

Public Hearing – Dissolution of the Garrison Fire Company
August 19, 2015

The Town Board of the Town of Philipstown held a Public Hearing on the above date at 9:01 p.m., at the Town Hall, 238 Main Street, Cold Spring, New York. The purpose of the Public Hearing is to hear comments for/against the Town Board considering the dissolution of the Garrison Fire Protection District of the Town of Philipstown.

PRESENT:

Richard Shea	Supervisor
Nancy Montgomery	Councilwoman
John Van Tassel	Councilman
Michael Leonard	Councilman
Robert Flaherty	Councilman

Mark Butler stated that a Plan of Dissolution is required, which the Town Board has previously adopted in July of 2015. He noted that the Public Hearing this evening is in the public's best interest in the event and upon the contingency of the formation of a fire district. If the Town Board were to vote no to the creation of the fire district, the dissolution of the fire district will be null and void. If the Town Board approves the district, dissolution is required. He again stressed that the two districts cannot exist at the same time.

The Town Board's ability to tax the district and enter into contract with the Fire Company would be dissolved, and that responsibility would be transferred to the Fire District.

Supervisor Shea stated that there are copies of the Dissolution Plan, as well as the proposed budget, available in the Town Clerk's Office.

There being no further comments from the public, Councilman Van Tassel made a motion, seconded by Councilwoman Montgomery and unanimously carried to adjourn the Public Hearing at 9:09 p.m.

Respectfully submitted by,

Tina M. Merando
Town Clerk

Weekly Town Board Meeting
August 19, 2015

The Town Board of the Town of Philipstown held their Weekly Town Board Meeting on the above date at 9:10 p.m., at the Town Hall, 238 Main Street, Cold Spring, New York.

PRESENT:

Richard Shea	Supervisor
Nancy Montgomery	Councilwoman
John Van Tassel	Councilman
Michael Leonard	Councilman
Robert Flaherty	Councilman

AGENDA.

1. Any other business that may come before the Town Board.

RESOLUTION #

The following Resolution was presented by Councilwoman Montgomery, seconded by Councilman Van Tassel and unanimously carried;

RESOLVED, that the Town Board hereby authorizes Town Clerk Merando to advertise the positions available for Fire Commissioners for the Garrison Fire Company.

There being no further business to discuss, Councilwoman Montgomery, seconded by Councilman Leonard to close the Weekly Town Board Meeting at 9:11 p.m.

Respectfully submitted by

Tina M. Merando
Town Clerk

Monthly Town Board Meeting
September 3, 2015

The Town Board of the Town of Philipstown held their Monthly Meeting on the above date at 7:30 p.m., at the Town Hall, 238 Main Street, Cold Spring, New York.

PRESENT:	Richard Shea	Supervisor
	Nancy Montgomery	Councilwoman
	John Van Tassel	Councilman
	Michael Leonard	Councilman
	Robert Flaherty	Councilman

Ethan Gunther of Boy Scout Troup #437 opened the meeting with the Salute to the Flag.

REVIEW OF MINUTES

The Minutes of the Monthly Town Board Meeting of August 13, 2015, were reviewed.

Councilwoman Montgomery made a motion, seconded by Councilman Flaherty and unanimously carried, that the Minutes of the Monthly Town Board Meeting of August 13, 2015, are hereby approved as presented.

COMMITTEE REPORTS

CB – Councilman Leonard said that the only thing he wanted to comment on was the Stormwater Management meeting similar to what was done in the spring earlier this year. He would like to talk to Councilman Van Tassel about looking into having another such meeting in the fall at North Highlands. He would have the wetland inspector attend and other members of the Conservation Board to address any issues/questions the residents might have.

RECREATION – Councilman Van Tassel reported that they did not meet yet --- actually they were meeting tonight. He will report back at next months meeting. Councilwoman Montgomery did say that the summer camp had a great season with a record attendance. Thanks to Amber Stickler and her summer staff for all the hard work.

RECYCLING – Councilwoman Montgomery said that the only thing she had to report was with regard to the contract the Town has with the e-waste company. She asked Legislator Scuccimarra if the contract for the e-waste had been signed. Legislator Scuccimarra responded that she believed that it had been signed. Councilman Flaherty said that he spoke with Roger Chirico about the possibility of one of his workers using the forklift to load the container, and Superintendent Chirico said that he would give it some thought. No definitive answer as yet. Councilman Flaherty said he would talk to him again.

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PLANNING BOARD - Councilman Flaherty reported that there was no meeting in August. The next meeting will be September 18, 2015.

ZONING – Councilman Van Tassel reported that there was no meeting in August. The next meeting is scheduled for September 14, 2015. He said that it is still up in the air as to where it will be. Town Clerk Merando said that it has been booked at the Butterfield Library.

HIGHWAY – Councilman Van Tassel read the report submitted by Roger Chirico, Highway Superintendent, that is on file at the Town Clerks office.

Supervisor Shea said that he had a conversation with Superintendent Chirico about seeking information on a modular solution for the situation at the trailer. He said that something does need to be done.

BUILDING & LAND ACQUISITION – Supervisor Shea said that in the month of September the Board would have to start thinking about proposals for the Dahlia house.

BUTTERFIELD LIBRARY- Councilwoman Montgomery read the report submitted.

COUNTY LEGISLATOR'S REPORT – Legislator Scuccimarra discussed where to have the medication drop box located. She said that the Village of Cold Spring has denied her request to have it in the Village office because they feel it would be problematic. She will approach the Sheriff in Nelsonville about having it there. She said that even though the parking is difficult there she thinks that it would be the only other solution, although she did have a discussion with Town Clerk Merando about having it at the Town Hall - upstairs in the courtroom area. Councilman Van Tassel said he thinks the best place would be to have the box in the Nelsonville Sheriff's office. Legislator Scuccimarra did agree with that saying "it's not the perfect spot, but you need surveillance and we do need to have something on this side of the county."

Butterfield update – the big hospital building will be coming down in the next two weeks. The work on Building #2 will start next Tuesday. Things are progressing.

Legislator Scuccimarra announced that Bob Ferris has retired after 35 years. He will still be the Dog Control officer and he is also involved with the Coalition.

Last week Senator Schumer was here at Foundry Park pushing for federal funds to designate places along the river to be more accessible to fishermen, boaters and kayakers.

Legislator Scuccimarra has invited the Riverkeeper to come to the health meeting to discuss micro-beads. "Micro-bead Free Waters Act" hopefully will take effect January 1, 2016. Micro-beads are tiny little plastic beads that are now in a lot of our healthcare products (shampoos, facial scrubs, toothpaste). She said that the

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problem with this is that they do not break down and it is a problem all over the world. People are now realizing how many things contain these beads.

Legislator Scuccimarra went on to say that she likes to keep track of what is going on in the Senate and Assembly and right now there is a very good bill that Senator Hannan sponsored and Senator Servino co-sponsored to amend the public health law to create the "Care Act" to identify caregivers. They will designate to the hospital the caregiver and then the hospital will train this person in the care of the person going home. It is a really good law and she hopes it will be passed.

October 7, 2015 the Garrison Fire Dept. will have the clinic for flu shots from 2:00 – 6:30 pm – the cost of \$25.00. If you are a senior or have Medicare it is free.

The heat programs for seniors – if you think you are going to have trouble heating your home this winter please contact Yvonne Niles at (845) 808-1700 ex 47112.

Putnam County Board Council for People with Disabilities is looking for new members. If you have a disability and want to advocate at the County level, contact the group. You can offer suggestions and ideas to make Putnam County more disable friendly.... what is your vision? You just have to commit to attending four (4) meetings.

Councilman Van Tassel asked about setting up a meeting with the Emergency Services Coordinator. Legislator Scuccimarra said she would work on that.

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**TOWN OF PHILIPSTOWN
MONTHLY REPORT OF TOWN SUPERVISOR
MONIES RECEIVED AS OF SEPTEMBER 3, 2015**

GENERAL & PART-TOWN FUNDS

Justice Unclaimed Bail	9,160.89
Thompson West Credit	147.00
CTV Fees	20,068.00
CTV Fees	13,349.00
Bldg. Fees 8/15	16,185.00
Rec. Comm. Paper Recycling	49.05

HIGHWAY FUND

Put. Co. Gas	1,533.87
Put. Co. Gas	804.94
NYS Fema	225,193.13

CONTINENTAL VILLAGE WATER DISTRICT

CONTINENTAL VILLAGE PARK DISTRICT

Clubhouse Fees	350.00
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AGENDA

- 1. Resolution authorizing Supervisor Shea to sign a letter in support of an act to authorize the electronic transmission of proposed local laws to members of the Town Board.**

Town Clerk Merando noted that Assemblywoman Galef and Senator Young introduced this. Currently the law states that the law must be put on the Board Members desk or sent by U.S. mail. She thinks that it is a good thing to support it. Supervisor Shea said yes, especially since it has been kicking around since 2013.

RESOLUTION #-2015

The following Resolution was presented by Councilman Flaherty, seconded by Councilman Leonard and unanimously carried;

RESOLVED, that the Town Board hereby authorizes Supervisor Shea to sign a Letter of Support for an act to authorize the electronic transmission of proposed local laws to members of the Town Board.

- 2. Resolution re-appointing Jamie Adams as a member and Chairman of the Board of Assessment Review for a five-year term, which will expire September 30, 2020.**

RESOLUTION #-2015

The following Resolution was presented by Councilman Leonard, seconded by Councilwoman Montgomery and unanimously carried;

RESOLVED, that the Town Board hereby re-appoints Jamie Adams as a member and Chairman of the Board of Assessment Review for a five-year term, which will expire September 30, 2020.

- 3. Resolution re-appointing Gordon Casement as a member of the Board of Assessment Review for a five-year term, which will expire September 30, 2020.**

RESOLUTION #-2015

The following Resolution was presented by Councilman Flaherty, seconded by Councilman Leonard and unanimously carried;

RESOLVED, that the Town Board hereby re-appoints Gordon Casement as a member of the Board of Assessment Review for a five-year term, which will expire September 30, 2020.

- 4. Resolution re-appointing Jane Ponton as a member of the Recreation Commission for a seven-year term, which will expire September 1, 2022.**

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RESOLUTION #-2015

The following Resolution was presented by Councilman Van Tassel, seconded by Councilwoman Montgomery and unanimously carried;

RESOLVED, that the Town Board hereby re-appoints Jane Ponton as a member of the Recreation Commission for a seven-year term, which will expire September 1, 2022.

5. Code Enforcement Monthly Report.

Town Clerk Merando read the Code Enforcement report submitted, which is on file in the Town Clerk's office.

5A. Resolution authorizing the purchase of two trucks; Code Enforcement and Recreation.

Supervisor Shea explained that the Building Department vehicle has met the end of its life so they need to have a new one. The Board would like to go ahead and make a purchase on a state bid. They will use the same financing mechanism as used by the Highway Department and which has the lowest rate (2.75%). The Town will not have to make any payments until 2016 and this item was put in the 2015 budget. At the same time the Town would like to purchase a vehicle for the Recreation Department because they do not have a truck down there. The Town can afford it and it is in the budget so the purchase will not have any impact. It can be financed over the next five years.

RESOLUTION #-2015

The following Resolution was presented by Councilman Van Tassel and seconded by Councilman Leonard and unanimously carried:

RESOLVED, that the Town Board hereby authorizes the purchase of two (2) vehicles; one for Recreation, which will be a pick up truck, one for the Building/Code Enforcement Department, a Ford Explorer. The purchase will be financed by First Niagara Leasing, Inc., in the amount of \$50,000 @2.75%, totaling \$53,484.12 (4 yearly installments of \$13,371.03).

6. Schedule workshops/meetings.

- September 9, 2015 @7:00 pm Continuation of the Public Hearing for Garrison Fire Company becoming a district.

Town Clerk Merando confirmed that this has been advertised for two consecutive weeks. The continuation of the Public Hearing will be held in Garrison Fire House.

Supervisor Shea said that the Board will meet on Tuesday, September 8, 2015 @7:00pm, for a special meeting to go into Executive Session for interviews for the Board of Commissioners.

7. Any other business that may come before the Town Board.

Supervisor Shea announced that they have received finalized drawings from Ron Gainer for the sidewalk project on Fair Street and would like to advertise for local bidders. The Board is waiting to get the final approval from the Village to coordinate with them before taking the fence down. They do anticipate that the grant will cover the bids, but they want to be 100% sure before taking the fence down. Also, they may have a start date for the Washburn Parking Lot and he is working with NYS Parks Department on this.

Councilwoman Montgomery wanted to make note of the Philipstown Communities that Care Coalition meeting that consists of local leaders, parents, teachers, administrators from the school and will take place on September 16, 2015, 9:00 – 10:30 am, at North Highlands. The Coalition is focusing on the heroin epidemic. She will keep everyone posted on future meetings. She went on to say that there is a public presentation of the Haldane High School substance abuse survey and have had 25 Narcan trainings. There have two additional quantitative surveys; young adult and parent development. They are trying to develop a pamphlet on how to talk to your kids.

Councilman Leonard wanted to quickly touch on the cemetery on Cedar Street...another tree came down which took out two gravestones. He said that he would like to get started on the cemetery committee. There are four (4) people interested in volunteering but he feels that maybe we should advertise to see if there would be interest from others. Town Clerk Merando asked if the Board wanted to pass a resolution for her to advertise for people interested in the cemetery committee.

Councilman Flaherty announced that the Betty Budney Memorial request for donations was in the Putnam County News last week and is also on the web page. Supervisor Shea said that no matter what the donations are, the Town would still do this in the fall.

RESOLUTION #-2015

The following Resolution was presented by Councilwoman Montgomery and seconded by Councilman Van Tassel and unanimously carried:

RESOLVED, that the Town Board hereby authorizes Town Clerk Merando to advertise for the cemetery committee.

AUDIENCE

Ms. Betsy Calhoun asked Supervisor Shea if he had any questions in regard to the documents she had put together for him. He said “no” that he did not.

VACANCIES

Board of Assessment Review (1)
CV Park District Advisory Committee (3)
CV Water District Advisory Committee (3)

APPROVAL OF VOUCHERS

Councilwoman Montgomery made a motion, seconded by Councilman Leonard and unanimously carried that the General Vouchers in the amount of \$89,112.10 are hereby approved as set forth in Abstract 8A & 9.

Councilman Van Tassel made a motion, seconded by Councilman Flaherty and unanimously carried that the Highway Vouchers in the amount of \$42,052.38 are hereby approved as set forth in Abstract 8A & 9.

Councilman Leonard made a motion, seconded by Councilman Flaherty and unanimously carried that the CVPD Vouchers in the amount of \$12,697.20 are hereby approved as set forth in Abstract 8A & 9.

Councilwoman Montgomery made a motion, seconded by Councilman Flaherty and unanimously carried that the CVWD Vouchers in the amount of \$ 7,805.17 are hereby approved as set forth in Abstract 9.

There being no further business to discuss, Councilwoman Montgomery made a motion, seconded by Councilman Leonard to close the Town Board Monthly Meeting at pm.

Respectfully submitted by,

Theresa Crawley
Deputy Town Clerk



Town Clerk <townclerk@philipstown.com>

Fwd: HWY BLDG

1 message

Highway Department; <highwaydepartment@philipstown.com>
To: Town Clerk <townclerk@philipstown.com>

Mon, Sep 21, 2015 at 12:37 PM

Tina
Roger wanted me to forward this to you

Maureen
----- Forwarded message -----
From: **Highway Department;** <highwaydepartment@philipstown.com>
Date: Wed, Sep 16, 2015 at 10:37 AM
Subject: HWY BLDG
To: Town Supervisor <supervisor@philipstown.com>

Richard,

We have been reaching out to different companies that provide modular offices and asked for quotes which are coming in in 6 figures and we will continue to search further. Rrgardless of the amount this project will need to go out to bid.

I am letting you know where we are and as soon as we get the quotes we will advise you. The condition of this building does not allow us to delay this for any extended length of time.

Roger



Town Clerk <townclerk@philipstown.com>

Fwd: How Green is my town

1 message

Town Supervisor <supervisor@philipstown.com>

Mon, Sep 14, 2015 at 2:01 PM

To: Richard Shea <shea@philipstown.com>, Town Clerk <townclerk@philipstown.com>

----- Forwarded message -----

From: **Mike Leonard** <mleonard@philipstown.com>

Date: Mon, Sep 14, 2015 at 1:53 PM

Subject: Re: How Green is my town

To: Town Supervisor <supervisor@philipstown.com>

Dottie, I have met with Karen and reviewed the material she provided for my review and I am requesting a spot on the October Town Meeting Agenda to present such to the board along with my personal recommendations. Presentation should be no longer than 10 minutes. Thanks.

On Friday, August 21, 2015, Town Supervisor <supervisor@philipstown.com> wrote:

Mike

In July Karen Ertl gave a presentation to the Town Board regarding Philipstown becoming the first Green Town (this is all related to the Philipstown Garden Club) in Putnam County. The reception from the Town Board seemed to be positive and she has followed up with this office (mainly me) because Richard has been so busy he does not have the time to deal with it.

All she wants to do is have a short meeting with a town board member and urge them to take this to the town board for a vote. She said she would just like to have a sit down with someone she can look in the eye. Her goal is to have the Town Board adopt the title of green town.

I spoke to Richard after she left and asked him if I could set up a workshop or contact another Town Board member to meet with her. He suggested I ask you if you could give her the time. Karen is retired and available any time for a meeting. Please let me know what you think about this.

Dottie



Town Clerk <townclerk@philipstown.com>

How Green is my Town

1 message

Mike Leonard <mleonard@philipstown.com>

Mon, Sep 14, 2015 at 2:21 PM

To: "kaertl@optimum.net" <kaertl@optimum.net>

Cc: Town Supervisor <supervisor@philipstown.com>, Town Clerk <townclerk@philipstown.com>

Karen, it was a pleasure meeting with you recently to discuss the above topic after your presentation to the town board at the Philipstown Town Meeting in July.

This is to advise you that I have reviewed the material you have provided at the meeting along with the Survey Questions and Responses. While I am personally in concurrence with the reports findings I would give a partial meets to certain questions based upon efforts of both the Planning and Conservation Boards that I am personally aware took place. I have requested if time allows to be placed on the October Town Meeting Agenda to briefly discuss our meeting and my recommendations and comments for the town board to consider. I wish to thank you and the Philipstown Garden Club for your diligent efforts and concern regarding this matter and our town.

Michael Leonard
Philipstown Town Board.



Town Clerk <townclerk@philipstown.com>

Fwd: 2015 Vintage Tech E-Waste Contract

3 messages

Town Supervisor <supervisor@philipstown.com>

Fri, Aug 21, 2015 at 10:27 AM

To: Richard Shea <shea@philipstown.com>, Nancy Montgomery <NMontgomery@philipstown.com>, John VanTassel <JVanTassel@philipstown.com>, Michael Leonard <michaellleonard8544@gmail.com>, rwf361@optonline.net, "Highway Department," <highwaydepartment@philipstown.com>, Town Clerk <townclerk@philipstown.com>

Please note that he would like us to contact him ASAP if the Town can not meet the conditions.

Dottie

----- Forwarded message -----

From: **Robert Morris** <Robert.Morris@putnamcountyny.gov>

Date: Fri, Aug 21, 2015 at 9:59 AM

Subject: 2015 Vintage Tech E-Waste Contract

To: "thay@southeast-ny.gov" <thay@southeast-ny.gov>, "supervisor@philipstown.com" <supervisor@philipstown.com>, "mfleming@townofkentny.gov" <mfleming@townofkentny.gov>, "Bob Tendency (BTendency@putnamvalley.com)" <BTendency@putnamvalley.com>, "ks@ci.carmel.ny.us" <ks@ci.carmel.ny.us>, "supervisor@pattersonny.org" <supervisor@pattersonny.org>

Cc: Allen Beals <Allen.Beals@putnamcountyny.gov>, "Pasquerello, Anne (amp2@ci.carmel.ny.us)" <amp2@ci.carmel.ny.us>, "Judy Travis (JTravis@putnamvalley.com)" <JTravis@putnamvalley.com>, "refuse@pattersonny.org" <refuse@pattersonny.org>, "annabipvtb@gmail.com" <annabipvtb@gmail.com>, Daniel Harvey <Daniel.Harvey@putnamcountyny.gov>

Dear Supervisors,

The County is in contact with Vintage Tech in an effort to arrange a new E-waste pick up and recycling contract (the last contract expired on December 31, 2014). Last week Vintage Tech sent us a list of requirement shown below. Please contact me ASAP if your town cannot meet these requirements.

To create a sustainable program, Vintage Tech have to ensure that our trucks are running at capacity.

Designate and Maintain a Complete and Accurate Permanent Collection Site List

Each site must be secured and manned (ONLY whole units accepted)

Each site must be compliant with all local and state regulations

Each site must have ability to maintain 10 - 12 pallets & gaylords at a time

Palletize all collected material

Provide fork truck loading of trucks upon pickup

Allow a minimum of 72 hours notice prior to desired pickup date

Provide promotion and advertising to the public

Provide education to staff on prevention of collection non accepted items.

Please be advised that Vintage Tech is the only company found this year that will pick up and recycle E-waste at no cost to the towns.

Please contact me if you have any questions.

Thank you,

Rob

Robert Morris, P.E., M.P.H.

Director of Environmental Health Services

Putnam County Department of Health

1 Geneva Road, Brewster NY 10509

P (845) 808-1390 ext. 43166

F (845) 278-7921

Robert.morris@putnamcountyny.gov

Bob flaherty <rwf361@optonline.net>

Fri, Aug 21, 2015 at 2:43 PM



Town of Philipstown

Code Enforcement Office
238 Main Street, PO Box 155
Cold Spring, NY 10516

Office (845) 265- 5202 Fax (845) 265-2687

Memo

To: Town Board
From: Kevin Donohue, Code Enforcement Officer
Date: 9/11/2015
Re: Revision to the 2015 Fee Schedule

I would like to request a revision to the 2015 Fee Schedule, page 10 for commercial swimming pools.

Underlined = Add ~~Strikethrough~~ = Delete

B. Commercial.

(1) Building permit.

- (a) Structure area per building construction area –
 - \$50 per 100 square feet for the first 1000 square feet
 - \$20 per 100 square feet for over 1001 square feet

(b) Communication antennas/monopoles/towers - \$500 minimum plus 2.5% of the cost of construction

(c) All other permits: 2.5% of the value of construction.

1. For an outdoor swimming pool the maximum fee - \$2000.00

(2) Renewal fee. The renewal fee shall be the same as the cost of the original building permit fee.

(3) Certificate of occupancy - \$90

RESOLUTION

The following Resolution was presented by _____, seconded by _____ and unanimously carried:

RESOLVED, that the Town Board hereby approves the revision to the 2015 Fee Schedule, page 10 for commercial swimming pools as submitted by Kevin Donohue, Code Enforcement Officer

2014 SPONSOR AUTHORIZATION FORM

SERVICE AWARD PROGRAM

Town of Philipstown

Philipstown Volunteer Ambulance Corps.

Deadline: **5/1/2015**

Instructions

This form is to be signed by the Supervisor of the Town of Philipstown after the 2014 ambulance worker service listing has been posted for at least 30 days, as certified by the completion of the 2014 Ambulance Company Posting Certification Form. Please sign and return the ENTIRE 2014 DATA REQUEST PACKAGE to:

Penflex, Inc.
50 Century Hill Drive, Suite #3
Latham, NY 12110

Authorization

I hereby authorize Penflex, Inc. to use the data herein submitted about active volunteer ambulance worker Service Award Program 2014 records. I understand this data will be used to determine the funding requirements of the Service Award Program, the eligibility of persons to be paid Service Award Program cash benefits, and the amount of benefits to be paid to such persons. I understand that if any of the 2014 administrative services provided by Penflex, Inc. must be redone due to errors in the data herein submitted that there may be an additional charge payable by the program sponsor. I further understand that Penflex, Inc. will not be liable for any errors in the calculation of the amounts due or payable from the Service Award Program Trust Fund which is the direct result of an error or errors in the data submitted herein.

Signature
Supervisor
Town of Philipstown

Date Signed

RESOLUTION

The following Resolution was presented by ____, seconded by ____ and unanimously carried;

RESOLVED, that the Town Board authorizes Supervisor Shea to sign the 2014 Sponsor Authorization Form for the Philipstown Volunteer Ambulance Corps. Length of Service Award Program.



Town Clerk <townclerk@philipstown.com>

Re: (T) Philipstown Highway Department - Manitou Station Road Reconstruction

1 message

Mon, Sep 14, 2015 at 7:44 AM

Highway Department; <highwaydepartment@philipstown.com>

To: Town Supervisor <supervisor@philipstown.com>

Cc: Ron Gainer <rjgainer@comcast.net>, Stephen Gaba <SGABA@drakeboeb.com>, Town Clerk <townclerk@philipstown.com>

Richard

As you requested...I have forwarded the progress on Manitou Station Road and what remains to be done for the project. The \$58,000, which is Stantec's cost was agreed to be added into the 2015 budget from funds returned from the 2014 Capital Improvement code since we did not utilize all the money that was in that code.

As soon as the Town accepts the "conceptual" design plan as stated in the letter from Ron, then the project can move forward. The longer we wait the less cost effective it will be.

Please advised.

Roger

On Wed, Sep 2, 2015 at 4:01 PM, Ron Gainer <rjgainer@comcast.net> wrote:

> Roger -

>

> As requested, provided below is a summary of the overall project, its
> current status, and a review of what steps remain to be accomplished
> within the total authorized budget for the project:

>

>

>

> 1) The original project budget identified four (4) basic tasks, as
> follows -

>

> Task 1 – "Data Collection & Base Map Preparation" (\$6,800)

> Task 2 – "Conceptual Plans" (\$6,800)

> Task 3 – "Preliminary Plans" (\$16,100)

> Task 4 – "Contract Plans" (\$22,600)

> Task 5 – "Bid Phase & Construction Services (\$6,000)

>

>

>

> 2) Therefore, the original total project budget the Town Board authorized
> for Stantec's engineering services was \$58,300. Per their records, the
> amount Stantec has billed to date is \$20,441.50 This leaves \$37,858.50
> remaining in the total project budget for Stantec's services.

>

>

>

> 3) To date, Stantec has completed tasks 1 and 2 and have completed about
> 50% of Task # 3 ("preliminary plans"). The Town has had these preliminary
> plans under review since last January.

> 4) Based upon the conceptual plans developed, and considering a 2-year
> construction period in an effort to minimize settlement along the roadway
> section to be raised, Stantec has developed a "Preliminary Construction Cost
> Estimate" for the project of \$935,000.

> 5) To move the project forward, the next steps would be to finish Task
> # 3 (to complete the "Preliminary Design" phase) and also a portion of Task
> # 4 ("contract plans") in order to advance the project plans and supporting
> documentation to sufficient detail to allow preparation of permit
> applications to other involved agencies

> 6) In order to do this the Town should, right now, accept the
> "conceptual" design plans submitted as the selected design alternative (and
> which have been the plans we have provided to both Putnam County and MTA
> (Metro North) for their review). After Town accepts the preliminary design,
> Stantec could then be directed to move forward with more detailed design and
> supporting design information. These steps will include Stantec preparing
> the following:

> required Environmental Assessment Form (EAF),
> an engineering report for the project to describe the proposed improvements,
> provide hydraulic calculations for the culvert sizing, and
> within this engineering document they will also incorporate the original
> soils report and soil borings done previously by Putnam County.

> 7) Once these next steps are done, Stantec will be required to prepare
> the permit application packages (joint application) for submittal to NYS DEC
> & US Army COE for the proposed work in the wetland. Once these documents
> are completed and accepted by the Town, the Town will need to consider
> taking on the role of "Lead Agency" for SEQRA review and circulate the EAF
> and supporting documentation to the other involved agencies. Lastly, once
> agency permits are obtained, Stantec would be responsible to review their
> earlier cost estimate for the work and prepare a revised estimate to reflect
> the finalized design/construction plans, prior to release of the project for
> bid (Task 5).

> 8) Costs for these next immediate steps (following the overall project
> scope and as I have outlined above, to get to the point where outside agency
> permit applications can be filed) are estimated to be \$ 12,500. This would
> leave approximately \$25,000± remaining in Stantec's engineering budget for
> completion of final design & all construction details, preparation of bid
> documents, assistance in review of construction bids and construction

> observation.

>
>
>

> I hope that this is adequate for your needs. If you have any questions, pls
> contact me.

>
>
>

> Ron Gainer
> Ronald J. Gainer, PE, PLLC
> PO Box 417
> Pawling, NY 12564
> (tel) 845-878-6507
> (cell) 845-527-1432
> rjgainer@comcast.net

RESOLUTION

The following Resolution was presented by _____, seconded by _____ and unanimously carried;

RESOLVED, that the Town Board hereby accepts the "conceptual" design plan for the Manitou Station Road Reconstruction.



New York State Office of Parks, Recreation and Historic Preservation

Albany, New York 12238

www.nysparks.com

Andrew M. Cuomo
Governor

Rose Harvey
Commissioner

August 31, 2015

Richard Shea
Supervisor Town of Philipstown
PO Box 155
Cold Spring, NY 10516

Dear Supervisor Shea,

The Office of Parks, Recreation and Historic Preservation (OPRHP) would like to acquire 59.44 acres of land as an addition to Hudson Highlands State Park (map enclosed).

The property is tax parcel number 27.-1-9 and is located between Lake Surprise Road and the park. The property would provide an important buffer to Hudson Highlands State Park.

New York's Open Space Plan recommends that OPRHP seek local government concurrence when the Environmental Protection Fund is used to fund an acquisition.

If you or members of your Town Board have any questions or concerns regarding this acquisition, please contact me at (518) 408-1964.

Sincerely,

Sandra Burnell
Real Estate Specialist 2

Enc.

*Rec'd 9/3/15
cc: TB*



Kreuz Property

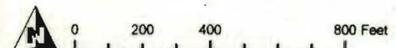
Owners: Kevin & Lise Kreuz
421 Settlement Ln.
Carbondale, CO 81623

- Kreuz Parcel
- Parcel Boundaries
- State Parks
- HHLT Easements



****BOUNDARIES ARE APPROXIMATE****

This map is not a survey and must not be construed as one.
This map is for planning purposes only. All data must be field checked.
Aerial photos from spring, 2013
Drafted by: Matt Decker, May 5, 2015



RESOLUTION

The following Resolution was presented by _____, seconded by _____ and unanimously carried;

WHEREAS, the New York State Office of Parks, Recreation and Historic Preservation would like to acquire 59.44 acres of land as an addition to the Hudson Highlands State Park; and

WHEREAS, the property tax parcel number is 27.-1-9 and is located between Lake Surprise Road and the park; and

WHEREAS, the property would provide an important buffer to the Hudson Highlands State Park;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board authorizes Supervisor Shea to sign a letter approving the acquisition of 59.44 acres of land by New York State Office of Parks, Recreation and Historic Preservation.

ADVERTISEMENT FOR BIDS

Town of Philipstown
Town Hall
238 Main Street
Cold Spring, NY 10516

Separate sealed bids for the ***Fair Street Sidewalk Improvements*** will be received by the Town of Philipstown at the office of the ***Town Clerk, 238 Main Street, Cold Spring NY 10516*** until 11:00 o'clock AM local prevailing time on Tuesday, October 20, 2015 and then at said office publicly opened and read aloud.

A prebid meeting will be held at 10:00 o'clock AM local prevailing time on Tuesday, October 13, 2015 at Philipstown Town Hall.

The Information for Bidders, Form of Bid, Form of Contract, Plans, Specifications, and Forms of Bid Bond, Performance and Payment Bond, and other contract documents may be examined at the following location:

Office of the Town Clerk, 238 Main Street, Cold Spring NY 10516

Copies may be obtained at the office of the Town Clerk located at 238 Main Street upon payment of \$25.00 for each set. Any unsuccessful bidder or non-bidder shall be entitled to a refund of this payment in accordance with Section 102 of the General Municipal Law upon the return of such sets in good condition as determined by the Town.

Each bid shall be accompanied by acceptable form of Bid Guarantee in an amount equal to at least five (5) percent of the amount of the Bid payable to the Owner as a guarantee that if the Bid is accepted, the Bidder will execute the Contract and file acceptable Performance and Payment Bonds within ten (10) days after the award of the Contract.

OWNER RIGHTS RESERVED:

The Town of Philipstown hereinafter called the OWNER, reserves the right to reject any or all Bids and to waive any informality or technicality in any Bid in the interest of the Owner.

STATEMENT OF NON-COLLUSION:

Bidders on the Contracts are required to execute a non-collusion bidding certificate pursuant to Section 103d of the General Municipal Law of the State of New York.

The Town of Philipstown hereby notifies all Bidders that it will affirmatively insure that in regard to any Contract entered into pursuant to this advertisement, minority business enterprises will be afforded full opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, or national origin in consideration for an award.

Attention of bidders is particularly called to the requirement as to conditions of employment to be observed and minimum wage rates to be paid under the contract. Bidders are also required to comply with the provisions of Section 291-299 of the Executive Law of the State of New York.

No Bidder may withdraw his bid within 45 days after the actual date of the opening thereof.

9/30/2015

Date

BY Tina Merando, Town Clerk

RESOLUTION

The following Resolution was presented by _____, seconded by ____ and unanimously carried;

RESOLVED, that the Town Board hereby authorizes Town Clerk Merando to advertise for bidders for the Fair Street Sidewalk Improvements in connection with Hudson Fjord Trail Project.