

Town Board Monthly Meeting

November 1, 2012 7:00 p.m. Town Hall

7:00 p.m. - PUBLIC HEARING – Local Law to amend Town Code, Chapter 112, Land Development, Section 112-15, Final Plat Endorsement and Filing, Paragraph A, Expiration of Final Approval, to permit multiple extensions of time to obtain final subdivision approval.

Immediately Following

SALUTE TO THE FLAG

APPROVAL OF MINUTES

- **Bid Opening of August 20, 2012 – Indian Brook Road**
- **Public Hearing of September 26, 2012 – Chapter 175 – Hearing Notices**
- **Weekly Town Board Meeting of September 26, 2012**
- **Monthly Town Board Meeting of October 4, 2012**
- **Bid Opening of October 17, 2012 – Jet/Vac**

COMMITTEE REPORTS

1) CB 2) Recreation 3) Recycling 4) Planning Board 5) Zoning
6) Highway 7) Building & Land Acquisition 8) GVFD

AGENDA

1. Resolutions adopting Local Law
 - **SEQRA/Negative Declaration (*authorize Supervisor to sign*)**
 - **Adopt Local Law**
2. Resolution awarding the bid for a used truck mounted Jet/Vac to Riverview Industries in the amount of \$40,000, sole bidder.
3. Schedule Workshop/Meetings
 - **Adopt Final 2012 Budget (November 20, 2012)**
 - **Schedule Public Hearing – Local Law Chapter 90 – Flooding**
 - **Schedule Public Hearing – Local Law Chapter 175 - Notices**
3. Code Enforcement Monthly Report.
4. Any other business that may come before the Town Board.

AUDIENCE

October 23, 2012

VACANCIES

CV Park District Advisory Committee (3)
CV Water District Advisory Committee (2)

APPROVAL OF VOUCHERS

General	Highway	CVPD	CVWD
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ADJOURNMENT

BID OPENING

August 20, 2012

The Town Clerk's Office held a Bid Opening on the above date at 11:00 a.m., at the Town Hall, 238 Main Street, Cold Spring, New York, for the Indian Brook Road East Bank Stabilization Project.

The following bids were submitted:

Lisikatos Construction, Inc.

Proposal
\$139,600.00

Ben Cozzi, Inc. d/b/a Northern Construction

Proposal
\$157,900.00

Con Tech Construction Technology

Proposal
\$596,815.00

Ben Ciccone, Inc.

Proposal
\$ 94,200.00

Bid Opening closed at 11:03 a.m.

Respectfully submitted,

Joan B. Clauss
Deputy Town Clerk

September 26, 21012

Public Hearing – Local Law to amend the Code of the Town of Philipstown
Chapter 175-59G.4. of Chapter 175 regarding Hearing and Public Notices.

The Town Board of the Town of Philipstown held a Public Hearing on the above date at 7:30 p.m. at the Town Hall, 238 Main Street, Cold Spring. The purpose of the Public Hearing was to hear comments for/against a Proposed Local Law to amend the Code of the Town of Philipstown, Chapter 175-59G.4. of Chapter 175 regarding Hearing and Public Notice.

PRESENT

Richard Shea	Supervisor
Betty Budney	Councilwoman
David Merandy	Councilman
John Van Tassel	Councilman
Edward Doyle	Town Attorney

ABSENT

Nancy Montgomery	Councilwoman
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Town Clerk Merando read the Public Notice.

Supervisor Shea explained that this proposed change in the law came about with discussions with Kevin Donohue as a cost savings initiative. Construction projects where the town would have to mail out notification to adjoining owners via certified mail, which was costly. This change to the law provides that notifications can be mailed out by first class mail. He noted for the record that it would continue to be noticed in the paper. Councilman Van Tassel interjected that the notices were going out certified, but not return receipt, so the town was never sure if interested parties had received the notice.

Glen Watson expressed some concerns; first being that you are going to have the applicant pay it, the certified mail is actually a benefit to the applicant. If someone says, they didn't get the notice; you can see three attempts to deliver. He went on to say that his immediate concern is the part of the law that states the notice will be mailed to the planning board with five days notice. He doesn't feel that is sufficient time for review, he suggested that the notice be forwarded at the same time the zoning board places the application on the agenda whereby decreasing the process for the applicant.

Mr. Watson then addressed the section of the proposed law that dictates what adjoining property owners get notified. Councilwoman Budney noted that the proposed law stated that any property owner within 200 feet of the applicants property.

September 26, 21012

Public Hearing – Local Law to amend the Code of the Town of Philipstown
Chapter 175-59G.4. of Chapter 175 regarding Hearing and Public Notices.

There being no further comments from the audience Councilwoman Budney made a motion, seconded by Councilman Van Tassel and unanimously carried that the Public Hearing be closed at 8:05 p.m.

Respectfully submitted by,

Tina M. Merando
Town Clerk

Weekly Town Board Meeting
September 26, 2012

The Town Board of the Town of Philipstown held their Weekly 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
Betty Budney	Councilwoman
David Merandy	Councilman
John Van Tassel	Councilman
Edward W. Doyle	Town Attorney

ABSENT:

Nancy Montgomery	Councilwoman
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1. Resolutions adopting Local Law.

- SEQRA/ Negative Declaration
- Adopt Local Law

Following the Public Hearing and comments from the public, Town Attorney Doyle will be amending the Local Law 175-59 G4 to include property owners shown on the most recently adopted tax assessment roll, and require mailing notices to the planning board simultaneously with the appeal being placed on the zoning board agenda. Also, the companion section Chapter 175-62 F2 directing the planning board to send out notices via first class mail as opposed to certified. The notices to owners will now be within 200 feet of the property lines.

2. Resolution establishing the standard work days for elected and appointed officials to be posted on the Town Clerk's Bulletin Board and filed with the New York State and Local Retirement System.

RESOLUTION

The following Resolution was presented by Councilman Merandy, seconded by Councilman Van Tassel;

RESOLVED, that the Town of Philipstown hereby establishes the following as standard work days for the below listed elected and appointed officials and will report the following days worked to the New York State and Local Employees' Retirement system based upon time and attendance records or on the record of activities maintained and submitted by these officials to the Clerk of this body as attached hereto:

Weekly Town Board Meeting
September 26, 2012

Title	Name	Social Security Number (Last 4 digits)	Registration Number	Standard Work Day (hrs/day)	Term Begins/Ends	Participates in Employer's Time Keeping System	Days/Month (Based on Record of Activities)
Elected Officials							
Town Clerk	Tina M. Merando	4954	37317278	7	01-01-12 – 12-31-15	N	20
Supervisor	Richard Shea	2218	40558827	7	01-01-12 - 12-31-13	N	14
Town Council	Betty Budney	0999	35661776	6	01-01-10 - 12-31-13	N	14
Judge	Alan Steiner	0198	32240574	6	01-01-09 - 12-31-12	N	20
Judge	Stephen G. Tomann	0973	38485694	6	01-01-12 - 12-31-15	N	20
Appointed							
Assessor	Brian Kenney	9110	36768661	6	01-01-12 - 19-30-13	N	8
Town Attorney	Edward W. Doyle	8163	14045348	6	01-01-12 - 12-31-13	N	16
CV Water Superintendent	Ralph Bassignani	9431	14658140	6	01-01-12 - 12-31-12	N	10
CV Water Operator	Steven C. LeClair	9889	33235250	6	01-01-12 - 12-31-12	N	6
Zoning Board Chairman	Vincent Cestone	9200	36877181	6	01-01-12 - 12-31-12	N	3

ROLL CALL VOTE

Supervisor Shea	AYE
Councilwoman Budney	AYE
Councilman Van Tassel	AYE
Councilman Merandy	AYE
Councilwoman Montgomery	ABSENT

Resolution unanimously passed.

Weekly Town Board Meeting
September 26, 2012

Supervisor Shea reported that he and Ron Gainer are working to resolve the problem with the Garrison Landing Water District with manganese in the water. Currently an engineer is working on possible some kind of filter to alleviate this problem, there needs to be more contact time to settle out the manganese.

He stated that Ron would have a design sometime this week for Knollwood Lane. Once the design is completed, it is hoped that Roger Chirico would be able to do the work, if he has the time, if not, then the Town would consider hiring a contractor to complete the work.

Dave Vickery expressed his concerns with regard to drainage that runs off of Deer Run. His question was that Ron is also considering the Deer Run runoff as part of his calculation? There was also some discussion with regard to Stormwater Management at that site. Glen Watson interjected that Ron Gainer will address the amount of water from that drain as compared to 30 years ago.

Mr. Vickery also noted for the record that Mr. Coleman visited the site and he explained that some of the trees are dying as well as vegetation, due to the fact, they are not wetland vegetation and there have been changes to the soil.

Supervisor Shea reported that FEMA funds have been approved for the Winston Lane Culvert Project.

There being no further business to discuss, Councilwoman Budney made a motion, seconded by Councilman Van Tassel to close the Weekly Meeting at 8:25 p.m.

Respectfully submitted by,

Tina M. Merando
Town Clerk

Monthly Town Board Meeting
October 4, 2012

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
	Betty Budney	Councilwoman
	Nancy Montgomery	Councilwoman
	John Van Tassel	Councilman
	David Merandy	Councilman
	Edward W. Doyle	Town Attorney

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

REVIEW OF MINUTES

The Minutes of the Monthly Town Board Meeting of September 6, 2012, were reviewed.

Councilman Van Tassel made a motion, seconded by Councilwoman Budney and unanimously carried that the Minutes of the Monthly Town Board Meeting of September 6, 2012, are hereby approved as presented.

The Minutes of the Bid Opening for Bulk Fuel of September 19, 2012, were reviewed.

Councilwoman Budney made a motion, seconded by Councilwoman Montgomery and unanimously carried that the Minutes of the Bid Opening for Bulk Fuel of September 19, 2012, are hereby approved as presented.

The Minutes of the Weekly Town Board Meeting of September 19, 2012, were reviewed.

Councilwoman Montgomery made a motion, seconded by Councilwoman Budney and unanimously carried that the Minutes of the Weekly Town Board Meeting of September 19, 2012, are hereby approved as presented.

COMMITTEE REPORTS

CB – Councilwoman Montgomery reported that the Board met on September 11, 2012. She reviewed the agenda items: the documents were submitted and a site visit took place for a permit for clearing an unregulated area, a wetlands permit approved for a bridge repair, a wetlands permit approved for the reclamation and erosion control. They also addressed a referral from the Planning Board concerning Route 9 at SNK Farms for the conversion of a car wash to an oil change facility. Another referral from the Planning Board was concerning the addition of an 18,000-gallon petroleum tank. The next meeting will be held the 2nd Tuesday in November.

RECREATION –Councilman Merandy reported that Amber Stickler discussed the financial report noting that the numbers would come in as anticipated. The sports programs were off by

18%, which she attributed to the number of programs offered. The Senior Luncheon was a success with 68 attendees. He thanked B & L Deli and all the volunteers. The Friends of Philipstown Recreation will be hosting the "Castle to River Run" this Sunday October 7, 2012. It starts at 9:00am and to date 165 people have registered for the event. If interested, please go to www.active.com or call the Recreation Department at (845) 424-4618. There was a discussion on signs posted on Route 9D for the event. Ms. Stickler has been approached by others asking if they could put signs on the road, so she will work on putting together rules for allowing such signs in the future.

Last month the theatre had a backfire in the boiler and there were violations for the storage in the back. Councilman Merandy said that there seems to be a lack of communications between the Recreation department and Theatre administration and they will work on tightening those things.

Also discussed – the fields' issue and boiler replacement. Councilman Merandy said that he heard that there is word out there that the fields initiative is dead, but that it is not so. They have had to change the scope of the work because of some major issues such as; redirection of some of the monies that they had planned on using, and Haldane's referendum in November. Amber Stickler will work on getting a PDFF for grass fields at the Recreation Department.

Councilman Merandy is working with Jim Boorman on the boiler issue (an issue taking monies from the fields project) and who has submitted a proposal, which still has to be fine-tuned. He has been talking to abatement companies and their numbers are extremely high, but they will have to go out to bid anyway. Once the engineering is done they will have to go out to bid for the actual installation of the boilers. It was anticipated (in 2009) that the whole project would be \$183,000. Supervisor Shea said that they want to take a comprehensive approach and do not want to do the work piece meal. He said that if we have to float a bond for the work at Recreation they would like to do one bond for all the work – repair the field, boiler work, wastewater treatment plant, and maintenance to the water tower. They will wait for all the numbers to come in before they go out to bond. There is also a grant for the boiler that more than likely will not cover the cost due to the high numbers for the abatement.

Supervisor Shea, Kevin Donohue and Amber Stickler had a long meeting discussing the issues related to the theatre and it was decided that Amber would take over the administrative issues there. They also met with the GLA with regard to the responsibilities in the lease.

RECYCLING – Councilwoman Budney noted that the Recycling Center will be closed this Saturday, October 6, 2012. She also reported that Putnam County Health Department would be holding their Hazardous Waste Day on Saturday, October 6, 2012 in the Town of Southeast from 9:00 am to 12:00 noon (rain or shine). Please call to register (845) 808-1390 ext. 43150.

PLANNING BOARD - Councilwoman Montgomery reported that they met on September 20, 2012. There was a Public Hearing and five (5) agenda items discussed. The next meeting will be held on October 18, 2012. Councilwoman Montgomery asked, if the board agrees, she would like to start a conversation on moving the venue of the Planning Board Meetings to the

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North Highlands Firehouse. Supervisor Shea said he had no objections to starting a conversation.

ZONING – Councilman Van Tassel reported that the last meeting was held on September 10, 2012 with 3 appeals (#'s 878, 880, 877) on the agenda. Next meeting will be on October 15, 2012

HIGHWAY – Councilwoman Budney read the September monthly report submitted by Highway Superintendent Roger Chirico. The report is on file in the Town Clerk's Office for anyone wishing to review.

BUILDING & LAND ACQUISITION – Supervisor Shea and Councilman Van Tassel will meet with the Vets on Tuesday to continue the discussions on the Wounded Warrior Project.

GVFD – Jamie Copeland reported the activity for September. He noted that this is "Fire Prevention Week". He said that they join forces with their mutual aid partners and will be giving 16 presentations to local schools to provide basic instruction such as how to use a fire extinguisher, what do you do if your clothes catch on fire, and what to do if you hear a smoke alarm.

They have submitted their budget and are scheduled to come in next Monday to discuss. They will have a blood drive on November 2, 2012. He talked about dry hydrants noting that Garrison does not have any hydrants – they have to use peoples pools and or streams. In remote places a dry hydrant may save a building.

In ending, he announced that this is his last term as president and said it has been an honor and pleasure serving the community.

BUTTERFIELD LIBRARY - Councilwoman Budney said that on Sunday, October 21, 2012 the "Friends of Butterfield" would be hosting a Great Gatsby themed autumn reception. During the reception local author Jean Marzollo will receive the Badey & Watson, Mary Rice Service Award as an acknowledgement of her many years of contributions to the library. The event will take place from 4:30 to 7: 30 pm. Tickets are \$40 in advance and \$45 at the door. "Putnam County Reads" is a program that is happening this fall all across Putnam County. Get free copies at your local library. You can check out the many programs that are being held across the county by visiting www.putnamcountyreads.org . The library has been hosting focus groups to help map the future of the library. If you are interested in participating in a future group please contact the library. The Butterfield Library offers museum passes to Philipstown residents. If interested contact www.butterfieldlibrary.org . If you have an e-reader and are interested in borrowing an e-book contact the library.

Supervisor Shea introduced Chief Schramek of the Putnam County's Sheriff's Department. Chief Schramek is here representing Sheriff Don Smith. The reason he was here is because they realize that we live in the safest county in the State of New York which is not by accident it is because we work together – law enforcement with the fire service and EMS. He is here to offer his services as a resource for any kind of law enforcement; public safety needs and

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quality of life issues, where they can help out in real time. The Sheriff asked him to stop by and bring his best wishes. The aim is for him to attend these meetings, as often as possible, to give advise and real time information or even take back any concerns or questions/issues to help maintain the wonderful status we now have in the Town of Philipstown. He is grateful to be here and to represent the Sheriff. He said that he did speak off line with Councilwoman Montgomery and Councilman Van Tassel who have some questions, which they can jot down for the sheriff or give to him so that we can work together to resolve. Councilman Van Tassel wanted to thank him for some work he did with Amber Stickler and the Recreation Department. Supervisor Shea also thanked him for the excellence responses we have received in the past.

**TOWN OF PHILIPSTOWN
MONTHLY REPORT OF TOWN SUPERVISOR
MONIES RECEIVED AS OF OCTOBER 4, 2012**

GENERAL & PART-TOWN FUNDS

C.T.V. Fees	\$17,822.00
C.T.V. Fees	11,667.00
Town Clerk Fees 8/12	771.82
Town Clerk Fees 8/12	422.00
Justice Fees 8/12	8,272.50
Justice Fees 8/12	6,245.00
Rec. Fees 8/12	75,373.86
NYS Per Capita Aid	33,820.00
Bank Int.	129.97
Bld. Fees 8/12	13,632.00

HIGHWAY FUND

P.C. Sheriffs – Gas	1,967.16
NYS Fema	88,037.09
Gen. Fund Rec. Gas	541.63
NYS Fema	7,301.36
NYS CHIPS	15,000.00
NYS Fema	104.25
S.Vazquez Drain Oil	268.70
Bank Interest	

CONTINENTAL VILLAGE WATER DISTRICT

Bank Interest	8.72
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CONTINENTAL VILLAGE PARK DISTRICT

Interest	19.92
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AGENDA

1. Resolution scheduling a Public Hearing regarding a proposed code amendment for extensions of subdivision approval.

Town Attorney Doyle explained that previously the Planning Board had been limited to granting two three-month extensions and that by amending this local law that restriction will be removed from the Town law so they can grant more extensions, if necessary. Supervisor Shea said that it gives the Planning Board more leeway because, at times, there are extenuating circumstances where people aren't dragging their feet. Supervisor Shea asked Mr. Mike Leonard if he had anything to add. Mr. Leonard said that he did not, that it had been well said.

RESOLUTION #

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

RESOLVED, that the Town Board hereby schedules a Public Hearing regarding a proposed code amendment for extensions of subdivision approval for Thursday November 1, 2012 at 7:00pm at the Town Hall.

2. Resolution directing Town Clerk Merando to forward the draft local law for establishing the areas of Special Flood Hazard (National Flood Insurance Program) to the New York State DEC for their review prior to it's adoption by the Town.

Town Clerk Merando has spoke with Kevin Donohue and he feels comfortable with the law and said that we could even schedule the Public Hearing. Councilman Van Tassel said that he feels that more time should be taken. Town Attorney Doyle said that we are on a deadline for this and said that we should calendar this on next month's agenda so as not to forget.

RESOLUTION #

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

RESOLVED, that the Town Board directs Town Clerk Merando to forward the draft local law for establishing the areas of Special Flood Hazard (National Flood Insurance Program) to the New York State DEC for their review prior to it's adoption by the Town Board.

3. Resolution referring a Proposed Local Law to amend Zoning Law Sections 175-59 G.4. and 175-62 F (2) of Chapter 175 of the Code of the Town of Philipstown regarding Hearing and Public Notices to the Planning Board and Putnam County Division of Planning for their review and comment.

RESOLUTION #

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

RESOLVED, that the Town Board hereby authorizes referring a Proposed Local Law to amend Zoning Law Sections 175-59 G.4. and 175-62 F (2) of Chapter 175 of the Code of the Town of Philipstown regarding Hearing and Public Notices to the Planning Board and Putnam County Division of Planning for their review and comment.

Supervisor Shea wanted to clarify what this resolution was about. He said that this was about how we do mailings for notifications for Planning Board actions. They had been going out by certified mail and now they would use regular mail, as it had been getting expensive.

4. Resolution approving the adoption of the Certificate of Substantial Completion for the Winston Lane Roadway Re-Construction Project.

Town Attorney Doyle said that he had reviewed the bond and made some revisions and he has approved. The work is done to Rogers's satisfaction.

RESOLUTION #

The following Resolution was presented by Councilwoman Budney, seconded by Councilman Merandy and unanimously carried;

RESOLVED, that the Town Board hereby approves the adoption of the Certificate of Substantial Completion for the Winston Lane Roadway Re-Construction Project.

5. Resolution accepting the Maintenance Bond submitted by Ben Cozzi Inc. d/b/a Northern Construction.

Town Clerk Merando noted that this was also for the Winston Lane Project.

RESOLUTION #

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

RESOLVED, that the Town Board hereby accepts the Maintenance Bond submitted by Ben Cozzi Inc. d/b/a Northern Construction.

6. Award bid for Bulk Fuel Delivery to the Claudio Marzollo Community Center.

RESOLUTION #

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

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RESOLVED, that the Town Board hereby awards the bid for Bulk Fuel Delivery to the Claudio Marzollo Community Center to Downey Oil Company at a total bid price of \$3.097/gal.

7. Appointment to the Board of Assessment Review, which term will expire September 30, 2012.

Supervisor Shea asked that this item be tabled again as he has not had time to discuss with the Assessor.

RESOLUTION #

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

RESOLVED, that the Town Board hereby tables the appointment to the Board of Assessment Review.

8. Schedule Workshops/Meetings.

Workshops

- October 10, 2012 @7:30 pm – meeting with DOT, GVFD budget
- October 17, 2012 @7:00 pm – meeting with Michael Phelan on foot bridge, Budget
- October 24, 2012 @7:30 pm – Budget

Public Hearings

- November 1, 2012 @7:00 pm - Proposed code amendment for extensions of subdivision approval
- November 7, 2012 @7:30 pm - Budget

RESOLUTION #

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

RESOLVED, that the Town Board hereby schedules the Public Hearing for the 2013 proposed budget for November 7, 2012 @7:30pm:

- | | |
|---|---------|
| • Continental Village Park District Budget | 7:30 pm |
| • Continental Village Water District Budget | 7:35 pm |
| • Philipstown Ambulance Contract | 7:40 pm |
| • Garrison Ambulance Contract | 7:45 pm |
| • Cold Spring Fire Contract | 7:55 pm |
| • Garrison Fire Contract | 8:05 pm |
| • Continental Village Fire Contract | 8:30 pm |
| • General Budget | 8:45 pm |

9. Resolution authorizing Supervisor Shea to sign the 2011 Sponsor Authorization Form for the Service Award Program lists of all 2011 active members of the Garrison Volunteer Ambulance and First Aid Squad, Inc.

Town Clerk Merando said that the listing has been approved and has been posted for 30 days and now the Town Board just has to sign off on it.

RESOLUTION #

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

RESOLVED, that the Town Board hereby authorizes Supervisor Shea to sign the 2011 Sponsor Authorization Form for the Service Award Program lists of all 2011 active members of the Garrison Volunteer Ambulance and First Aid Squad, Inc.

10. Code Enforcement Monthly Report.

Town Clerk Merando read the Monthly Reports for August and September, which are on file in the Town Clerks office.

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

Supervisor Shea just had a follow up meeting regarding Knollwood Lane with the Town engineer who will be meeting with the adjoining property owner to address their concerns and will put together a plan. He is also working on the mineral problem at the Garrison Landing Water District.

AUDIENCE

Kim Connor questioned sequestering the minerals in the water. Supervisor Shea said that he was not sure if it involves filtration or some agent that would be put into the water to settle them out. The system that is there now has not been working. It is not a public health issue, but a nagging issue where people get black stains on clothes.

VACANCIES

Board of Assessment Review (1)
CV Park District Advisory Committee (3)
CV Water District Advisory Committee (2)

APPROVAL OF VOUCHERS

Councilwoman Montgomery made a motion, seconded by Councilman Van Tassel and unanimously carried that the General Vouchers in the amount of \$75,947.23 are hereby approved as set forth in Abstracts 9A & 10

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Councilwoman Budney made a motion, seconded by Councilwoman Montgomery and unanimously carried that the Highway Vouchers in the amount of \$106,379.19 are hereby approved as set forth in Abstracts 9A & 10

Councilwoman Budney made a motion, seconded by Councilman Merandy and unanimously carried that the CVPD Vouchers in the amount of \$7,673.15 are hereby approved as set forth in Abstract 10.

Councilwoman Montgomery made a motion, seconded by Councilwoman Budney and unanimously carried that the CVWD Vouchers in the amount of \$8,151.83 are hereby approved as set forth in Abstracts 10

There being no further business to discuss, Councilwoman Montgomery made a motion, seconded by Councilwoman Budney to close the Town Board Monthly Meeting at 8:50 p.m.

Respectfully submitted by,

Theresa Crawley
Deputy Town Clerk

Bid Opening

October 17, 2012

The Town Clerk's Office held a Bid Opening on the above date at 2:00 p.m., at the Town Hall, 238 Main Street, Cold Spring, New York, for a used truck mounted Jet/Vac.

The following bid were submitted:

Riverview Industries, Inc.

Proposal

\$40,000.00

Bid Opening closed at 2:02 p.m.

Respectfully submitted by,

Tina M. Merando
Town Clerk

Town of Philipstown
238 Main Street
P.O. Box 155
Cold Spring, New York 10516

October 24, 2010

Town Board
Town of Philipstown
238 Main Street - P.O. Box 155
Cold Spring, New York 10516

ATTN: RICHARD SHEA, Supervisor

Re: Local Laws amending Town Code Chapter 175 and Chapter 112

Dear Supervisor Shea:

At its October 18, 2012 meeting the Planning Board read and reviewed the Town of Philipstown's proposed local law amending Town Code Chapter 175 (Sections 175-59 and 175-62) as well as the proposed local law amending Town Code Chapter 112 (Section 112-15). The Planning Board has no comments on either local law and voted to recommend adopting the proposed local law amending Town Code Chapter 112 while taking on position in regard to proposed local law amending Town Code Chapter 175.

Very truly yours,

MICHAEL LEONARD,
Chairman

cc: Edward W. Dolye, Esq.



Putnam County
Department of Planning, Development,
and Public Transportation

www.putnamcountyny.com

841 Fair Street
Carmel, NY 10512

Phone: (845) 878-3480

Fax: (845) 878-6721

SECTION 239 CASE REFERRAL

Case Received: 10-9-12 Report Required: 11-9-12 Completed: 10/15/12

Application Name: Proposed Local Law to amend Chapter 112 Referral #: 12-PC-89

TOWN: Carmel: ☐ Philipstown: ☒ VILLAGE: Brewster: ☐
Kent: ☐ Putnam Valley: ☐ Cold Spring: ☐
Patterson: ☐ Southeast: ☐ Nelsonville: ☐

Referred by: PB: ☐ ZBA: ☐ Town Board: ☒ Historic District Review Board: ☐

Location of Project: "Land Development", Section 112-15, Town of Philipstown

Present Zone: Tax Map #:

Type of action: Variance: ☐ Zoning Ordinance: ☐ Master Plan: ☐
Subdivision: ☐ Special Use Permit: ☐ Subdivision Regulations: ☐
Site Plan: ☐ Rezoning: ☐ Certificate of Appropriateness: ☐
Zoning Amendment: ☒

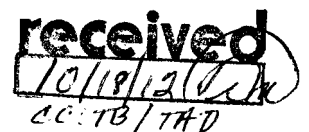
DECISION BY COUNTY:

Approved as Submitted: ☒ Modification: ☐ Disapproved: ☐

Basis for Decision Other than Approval:

Reviewed by: John M. Pilner
(Signature)

Transportation Planner
(Title)



Local Law Filing

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

☐ County ☐ City ☒ Town ☐ Village
(Select one.)

of Philipstown

Local Law No. _____ of the year 20¹²

A local law to amend Town Code Chapter 112, "Land Development," Section 112-15, "Final Plat
(Insert Title)
Endorsement and Filing," Paragraph "A," "Expiration of Final Approval," to permit multiple
extensions of time to obtain final subdivision approval.

Be it enacted by the Town Board _____ of the
(Name of Legislative Body)

☐ County ☐ City ☒ Town ☐ Village
(Select one.)

of Philipstown _____ as follows:

(If additional space is needed, attach pages the same size as this sheet, and number each.)

SECTION 1. PURPOSE

The Town Board of the Town of Philipstown finds that it is in the public interest to amend Town Code §112-15 (A) to conform to the provisions of New York State Town Law §276 (7) (c) regarding extensions of time to obtain final subdivision approval.

SECTION 2. AMENDMENT OF THE TOWN CODE

Town of Philipstown Town Code Chapter 112, Section 112-15, Paragraph "A" is hereby repealed and reenacted to read as follows:

- A. Expiration of final approval. Conditional final approval of a plat shall expire 180 days after the date of the resolution granting conditional approval unless the conditions have been met and the final plat map has been endorsed by the authorized officer of the Planning Board. The Planning Board may extend for periods of 90 days each, the time in which a conditionally approved plat must be submitted for signature if, in the Planning Board's opinion, such extension is warranted by the particular circumstances.

SECTION 3. SEVERABILITY

If any clause, sentence, paragraph, word, section or part of this local law shall be judged by any court of competent jurisdiction to be unconstitutional, illegal or invalid, such judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, word, section or part thereof directly involved in the controversy in which judgment shall have been rendered.

SECTION 4. EFFECTIVE DATE

This local law will take effect immediately upon filing in the Office of the Secretary of State in Albany.

(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)

1. (Final adoption by local legislative body only.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20¹² of the ~~(County)(City)(Town)(Village)~~ of Philipstown was duly passed by the Town Board _____ on _____ 20¹², in accordance with the applicable provisions of law.
(Name of Legislative Body)

~~2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer*.)~~

~~I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved) (Name of Legislative Body) (repassed after disapproval) by the _____ and was deemed duly adopted (Elective Chief Executive Officer*) on _____ 20____, in accordance with the applicable provisions of law.~~

3. (Final adoption by referendum.)

~~I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved) (Name of Legislative Body) (repassed after disapproval) by the _____ on _____ 20____. (Elective Chief Executive Officer*)~~

~~Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on _____ 20____, in accordance with the applicable provisions of law.~~

4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)

~~I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved) (Name of Legislative Body) (repassed after disapproval) by the _____ on _____ 20____. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of _____ 20____, in accordance with the applicable provisions of law.~~

* Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

~~5. (City local law concerning Charter revision proposed by petition.)~~

~~I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the City of _____ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on _____ 20____, became operative.~~

~~6. (County local law concerning adoption of Charter.)~~

~~I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the County of _____ State of New York, having been submitted to the electors at the General Election of November _____ 20____, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.~~

~~(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)~~

~~I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph _____¹ above.~~

Clerk of the county legislative body, City, Town or Village Clerk or
officer designated by local legislative body

(Seal)

Date: _____

RESOLUTION

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

WHEREAS, the Town of Philipstown has reviewed the proposed Local Law to amend Town Code Chapter 112, "Land Development," Section 112-15, "Final Plat Endorsement and Filing," Paragraph "A," "Expiration of Final Approval, " to permit multiple extensions of time to obtain final subdivision approval.

NOW, THEREFORE, BE IT RESOLVED, that this action is a Type II Action, as defined under NYCRR Part 617.13d, which is an action or class of actions which have been classified by the State of New York to not have a significant effect on the environment and thus do not require environmental impact statements or other determination or procedures under Part 617 of the Environmental Conservation Law.

Appendix C

State Environmental Quality Review

SHORT ENVIRONMENTAL ASSESSMENT FORM

For UNLISTED ACTIONS Only

PART I - PROJECT INFORMATION (To be completed by Applicant or Project Sponsor)

1. APPLICANT/SPONSOR Town of Philipstown	2. PROJECT NAME Expiration of Final Subdivision Approval
3. PROJECT LOCATION: Municipality Philipstown County Putnam	
4. PRECISE LOCATION (Street address and road intersections, prominent landmarks, etc., or provide map) Entire Township	
5. PROPOSED ACTION IS: <input type="checkbox"/> New <input type="checkbox"/> Expansion <input checked="" type="checkbox"/> Modification/alteration	
6. DESCRIBE PROJECT BRIEFLY: Local Law to amend Town Code Chapter 112, "Land Development," Section 112-15, "Final Plat Endorsement and Filing," Paragraph "A," "Expiration of Final Approval , " to permit multiple extensions of time to obtain final subdivision approval.	
7. AMOUNT OF LAND AFFECTED: Initially <u>n/a</u> acres Ultimately <u>n/a</u> acres	
8. WILL PROPOSED ACTION COMPLY WITH EXISTING ZONING OR OTHER EXISTING LAND USE RESTRICTIONS? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If No, describe briefly	
9. WHAT IS PRESENT LAND USE IN VICINITY OF PROJECT? <input checked="" type="checkbox"/> Residential <input checked="" type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input checked="" type="checkbox"/> Agriculture <input checked="" type="checkbox"/> Park/Forest/Open Space <input checked="" type="checkbox"/> Other Describe: Entire Town of Philipstown	
10. DOES ACTION INVOLVE A PERMIT APPROVAL, OR FUNDING, NOW OR ULTIMATELY FROM ANY OTHER GOVERNMENTAL AGENCY (FEDERAL, STATE OR LOCAL)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, list agency(s) name and permit/approvals:	
11. DOES ANY ASPECT OF THE ACTION HAVE A CURRENTLY VALID PERMIT OR APPROVAL? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, list agency(s) name and permit/approvals:	
12. AS A RESULT OF PROPOSED ACTION WILL EXISTING PERMIT/APPROVAL REQUIRE MODIFICATION? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor name: <u>Richard Shea</u> Date: _____ Signature: _____	

If the action is in the Coastal Area, and you are a state agency, complete the Coastal Assessment Form before proceeding with this assessment

OVER

1

Reset

PART II - IMPACT ASSESSMENT (To be completed by Lead Agency)

A. DOES ACTION EXCEED ANY TYPE I THRESHOLD IN 6 NYCRR, PART 617.4? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	If yes, coordinate the review process and use the FULL EAF.
B. WILL ACTION RECEIVE COORDINATED REVIEW AS PROVIDED FOR UNLISTED ACTIONS IN 6 NYCRR, PART 617.6? If No, a negative declaration may be superseded by another involved agency. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
C. COULD ACTION RESULT IN ANY ADVERSE EFFECTS ASSOCIATED WITH THE FOLLOWING: (Answers may be handwritten, if legible) C1. Existing air quality, surface or groundwater quality or quantity, noise levels, existing traffic pattern, solid waste production or disposal, potential for erosion, drainage or flooding problems? Explain briefly: N/A C2. Aesthetic, agricultural, archaeological, historic, or other natural or cultural resources; or community or neighborhood character? Explain briefly: N/A C3. Vegetation or fauna, fish, shellfish or wildlife species, significant habitats, or threatened or endangered species? Explain briefly: N/A C4. A community's existing plans or goals as officially adopted, or a change in use or intensity of use of land or other natural resources? Explain briefly: N/A C5. Growth, subsequent development, or related activities likely to be induced by the proposed action? Explain briefly: N/A C6. Long term, short term, cumulative, or other effects not identified in C1-C5? Explain briefly: N/A C7. Other impacts (including changes in use of either quantity or type of energy)? Explain briefly: N/A	
D. WILL THE PROJECT HAVE AN IMPACT ON THE ENVIRONMENTAL CHARACTERISTICS THAT CAUSED THE ESTABLISHMENT OF A CRITICAL ENVIRONMENTAL AREA (CEA)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, explain briefly:	
E. IS THERE, OR IS THERE LIKELY TO BE, CONTROVERSY RELATED TO POTENTIAL ADVERSE ENVIRONMENTAL IMPACTS? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, explain briefly:	

PART III - DETERMINATION OF SIGNIFICANCE (To be completed by Agency)

INSTRUCTIONS: For each adverse effect identified above, determine whether it is substantial, large, important or otherwise significant. Each effect should be assessed in connection with its (a) setting (i.e. urban or rural); (b) probability of occurring; (c) duration; (d) irreversibility; (e) geographic scope; and (f) magnitude. If necessary, add attachments or reference supporting materials. Ensure that explanations contain sufficient detail to show that all relevant adverse impacts have been identified and adequately addressed. If question D of Part II was checked yes, the determination of significance must evaluate the potential impact of the proposed action on the environmental characteristics of the CEA.

- ☐ Check this box if you have identified one or more potentially large or significant adverse impacts which **MAY** occur. Then proceed directly to the FULL EAF and/or prepare a positive declaration.
- ☒ Check this box if you have determined, based on the information and analysis above and any supporting documentation, that the proposed action **WILL NOT** result in any significant adverse environmental impacts **AND** provide, on attachments as necessary, the reasons supporting this determination.

Town of Philipstown

Name of Lead Agency

Richard Shea

Print or Type Name of Responsible Officer in Lead Agency

Date

Supervisor

Title of Responsible Officer

Signature of Responsible Officer in Lead Agency

Signature of Preparer (If different from responsible officer)

Reset

NOTICE OF PUBLIC HEARING

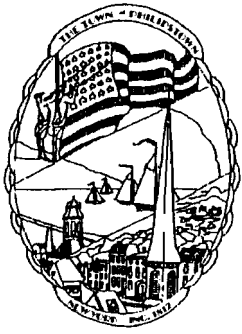
NOTICE IS HEREBY given that the Town Board of the Town of Philipstown will conduct a Public Hearing on 11/1/12 at 7:00 p.m. at the Town Hall, 238 Main Street, Cold Spring, New York. The purpose of the Public Hearing is to hear comments for/against a proposed **LOCAL LAW TO AMEND TOWN CODE CHAPTER 112, "LAND DEVELOPMENT," SECTION 112-15, "FINAL PLAT ENDORSEMENT AND FILING," PARAGRAPH "A," "EXPIRATION OF FINAL APPROVAL," TO PERMIT MULTIPLE EXTENSIONS OF TIME TO OBTAIN FINAL SUBDIVISION APPROVAL.**

A copy of the proposed Local Law is on file in the Town Clerk's Office where it may be examined during regular business hours.

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF PHILIPSTOWN

DATED: 10/17/12

Tina M. Merando
Town Clerk



Town of Philipstown

HIGHWAY DEPARTMENT

50 Fishkill Road

Cold Spring, New York 10516

(845) 265-3530

Fax (845) 265-7886

Roger M. Chirico
Highway Superintendent


MEMORANDUM

TO: Richard Shea, Town Supervisor
Town Board Members
Tina Merando, Town Clerk

DATE: October 26, 2012

SUBJECT: USED TRUCK MOUNTED JET/VAC

It is my recommendation that the award for the bid goes to Riverview Industries Inc. for the amount of \$40,000.00



Roger M. Chirico
Highway Superintendent

PROPOSAL AND BID FORM
FOR A
USED TRUCK MOUNTED JET/VAC

Pursuant to your request and in compliance with "Information for Bidder"
Dated OCTOBER 10, 2012 relating thereto, the undersigned hereby offers to furnish
required by the applicable provisions of the specifications and all addends issued by
Town for the following prices:

AMOUNT IN WRITING AND FIGURES:

1989 FORD WITH VACTOR MODEL 810 WITH PIPE JET
RODDER AND 1000 GALLON WATER TANK, VAC TANK REBUILT, ME
FAN COVER, REBUILT JET RODDER, BODY FINELY PAINTED WHITE

\$40,000 DOLLARS Forty Thousand Dollars

Upon the acceptance of this Proposal, I hereby agree to comply the items as indicated above.

KEVIN RESEARCH

BIDDER - please print

RIVERVIEW INDUSTRIES

COMPANY NAME

PRESIDENT

TITLE

3012 ROUTE 9 COLGPAUGH

ADDRESS


SIGNATURE

10/16/12

DATE

845-265-5284

PHONE

845 265-5285

FAX