

**Town Board Meeting
January 8, 2015
7:00 p.m. Town Hall**

7:00 p.m. Reorganization Meeting

Immediately Following:

Philipstown Depot Theatre Development Corporation Annual Meeting

Monthly Town Board Meeting

Salute to the Flag

REVIEW OF MINUTES

- Special Town Board Meeting of November 20, 2014 – Adopt Budget
- Bid Opening of November 24, 2014 – Sale of VFW
- Monthly Town Board Meeting of December 4, 2014
- Weekly Town Board Meeting of December 10, 2014
- Special Town Board Meeting of December 17, 2014 – CSEA Contract
- Year End Meeting of December 29, 2014

COMMITTEE REPORTS

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

AGENDA

1. Honorary Resolution for Robert Dean who achieved the rank of Eagle Scout.
2. Honorary Resolution for Steven Casement who achieved the rank of Eagle Scout.
3. Code Enforcement Monthly Report.
4. Resolution scheduling a Public Hearing on a proposed Local Law to amend the Town Code, Chapter 175, Section 175-10 "Allowable Uses," Section 175-30, "Supplementary Dimensional Regulations," and Section 175-60, "Purpose and Applicability" in regard to Wind Energy Conversion Systems.
4. Schedule Workshops/Meetings.
5. Any other business that may come before the Town Board.

AUDIENCE

VACANCIES

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

APPROVAL OF VOUCHERS

General Highway CVPD CVWD

ADJOURNMENT

Town Board Reorganization Meeting
January 8, 2015
7:00 p.m. Town Hall

AGENDA

1. Resolution needed naming M&T Bank of Cold Spring as the designated bank in which all Town Officers shall deposit monies for the Town of Philipstown.
2. Resolution needed authorizing the Supervisor to deposit town funds in one or more NOW accounts, money market accounts and/or Certificates of Deposit, providing that deposits allow monies to be available or come timely to permit the Town to meet its financial obligations.
3. Resolution needed compensating for use of automobiles in the performance of official duties at the rate of \$0.40 per mile.
4. Resolution needed scheduling the Town Board Monthly Meeting be held at 7:30 p.m., at the Town Hall, 238 Main Street, Cold Spring, NY, on the first Thursday of each month, except when the same falls upon a legal Holiday, or due to extenuating circumstances, in which case the Regular Monthly Meeting shall be held upon the following Thursday or such day as shall be determined by the Town Board at the regular meeting preceding such legal Holiday.
5. Resolution needed declaring that items for the regular Town Board Agenda must be submitted no later than the FRIDAY PRECEDING THE FIRST THURSDAY OF THE MONTH.
6. Resolution authorizing the Town Board to hold monthly meetings at various locations in the Town.
7. Resolution needed that the Town Board may meet every Wednesday evening at 7:30 p.m., at the Town Hall, 238 Main Street, Cold Spring, New York, to discuss and act upon such business as may come before the Board.
8. Resolution needed designating the Putnam County News & Recorder as the Town's "Paper of Record." and, simultaneously, all legal notices and similar items of information will be sent to Philipstown.info, the Paper.
9. Resolution appointing O'Connor Davies LLC as the Town Auditors at an amount not to exceed the 2015 budget.
10. Resolution needed naming Supervisor Shea to act as Budget Officer for the Town of Philipstown at a salary not to exceed that set forth in the 2015 budget.
11. Resolution appointing Susan Kenney as the Assistant Budget Officer at a salary not to exceed the 2015 budget.

12. Resolution authorizing Supervisor Shea to appoint Susan Kenney as Comptroller at a salary not to exceed that set forth in the 2015 budget.
13. Resolution authorizing Supervisor Shea to appoint Dorothy Turner as Confidential Secretary to the Supervisor at a salary not to exceed that set forth in the 2015 budget.
14. Resolution authorizing Supervisor Shea to appoint Maureen Etta as Safety Coordinator at a salary not to exceed that set forth in the 2015 budget.
15. Resolution needed setting Petty Cash Funds:

Town Clerk/Tax Collector	not to exceed \$450.00 at a time
Superintendent of Highways	not to exceed \$100.00 at a time
Board of Assessors	not to exceed \$ 65.00 at a time
Recreation Department	not to exceed \$100.00 at a time
Code Administration	not to exceed \$ 50.00 at a time
16. Resolution appointing Supervisor Shea as a voting delegate to the Annual Association of Town's Meeting and naming Town Clerk Merando an alternate delegate in the event Supervisor Shea is unable to attend.
17. Resolution appointing Tina M. Merando as Registrar of Vital Statistics for the Town of Philipstown and that her compensation is the fee allowed by law.
18. Resolution appointing Kevin Donohue as Code Administrator, Zoning Administrator, Local Flood Plain Administrator and Fire Marshall at a salary not to exceed that set forth in the 2015 budget
19. Resolution appointing Robert Emerick as Deputy Code Administrator at a salary not to exceed the amount set forth in the 2015budget.
20. Resolution appointing Mariann Landolfi as Clerk to the Code Administrator at a salary not to exceed the amount set forth in the 2015 budget.
21. Resolution appointing Susan DiStefano as Clerk to the Assessor at a salary not to exceed the amount set forth in the 2015 budget.
22. Resolution appointing Frank Weise as Deputy Highway Superintendent at a salary not to exceed that set forth in the 2015 budget.
23. Resolution appointing Maureen Etta as Clerk supporting the Highway Department at a salary not to exceed that set forth in the 2015 budget.
24. Resolution appointing Susan Downey as Clerk to the Highway Superintendent at a salary not to exceed that set forth in the 2015 budget.

25. Resolution appointing Rosemary Bernasconi as Clerk to the Town Justices at a salary not to exceed the amount set forth in the 2015 budget.
26. Resolution appointing Annette Flaherty as Clerk to the Town Justices at a salary not to exceed the amount set forth in the 2015 budget.
27. Resolution appointing a Town Historian.
28. Resolution appointing James Loeb, Adam L. Rodd and Stephen J. Gaba of Drake, Loeb, Heller, Kennedy, Fogerty, Gaba & Rodd, PLLC, as Counsel to the Town of Philipstown, to serve at the pleasure of the Town Board, to advise the Town Board, Planning Board, Zoning Board and handle Special Land Use issues; said attorney to be compensated at the rate of \$175.00 per month to represent the Town Board, \$1,200.00 per month to represent the Zoning Board of Appeals, \$600.00 per month to represent the Planning Board for general services, advice and attendance at meetings, and at the rate of \$185.00 per hour for time to be charged to applicant's matters.
29. Resolution appointing Robert Cinque as Counsel to handle various litigation matters, including Tax Certiorari Litigation and shall be compensated at a rate of \$125.00 per hour, plus out-of-pocket expenses.
30. Resolution appointing Robert Cinque as Counsel to the Town Attorney to handle Code Prosecutions and advise Code Administrator Officer at the rate of pay not to exceed that set forth in the 2015 budget.
31. Resolution appointing Carl D'Ambrosio as Property Records Manager.
32. Resolution appointing Tina M. Merando and Joan Clauss as Marriage Officers.
33. Supervisor Shea to appoint Deputy Supervisor.
34. Town Clerk Merando to appoint Joan Clauss as Deputy Town Clerk, Deputy Tax Collector, Deputy Registrar at a salary not to exceed that set forth in the 2015 budget.
35. Town Clerk Merando to appoint Theresa Crawley as Deputy Town Clerk, Deputy Tax Collector and Sub-Registrar at a salary not to exceed that set forth in the 2015 budget.
36. Resolution appointing Eric Lind Interim Chairman of the Conservation Board.
37. Resolution authorizing compensation for the Garrison School Crossing Guard as per budget allocations not to exceed that set forth in the 2015 budget.
38. Resolution appointing the following to the Continental Village Water District:

Ralph Bassignani	Superintendent
Diane Barton	Water Tax Collector
Edward Barticiotto	Assistant Water Treatment Plant Operator
Ken Gonsalves	Assistant Water Treatment Plant Operator

Steve LeClaire
Stan Houghton

Assistant Water Treatment Plant Operator
Assistant Water Treatment Plant Operator

39. Resolution appointing the following to the Continental Village Water District Advisory Committee:

Michael Phelan
(Vacant Positions - 3)

40. Resolution appointing Michael Phelan as Superintendent of the Continental Village Park District.

41. Resolution appointing the following to the Continental Village Park District Advisory Council:

Frederick Romer
Ken Gonsalves
Tony Galfano
(Vacant Positions 3)

42. Resolution setting the Recreation pay scale for 2015 as follows:

<u>SEASONAL EMPLOYEES</u>		<u>RANGE</u>
Sports Directors & Managers	Season	\$ 800 - \$1,800
Youth Assistants	Hour	\$ 7.50-\$15.00
Adult Referees/Umpires	Hour	\$15.00-\$30.00
Youth Referees/Umpires	Hour	\$ 7.50-\$15.00
Scorer/Timer	Hour	\$ 7.50-\$15.00
Equipment Handlers	Hour	\$ 7.00-\$12.00
Pre-school & After School Directors	Hour	\$12.00-\$40.00
Assistants	Hour	\$ 8.00-\$20.00
Custodial	Hour	\$ 7.00-\$12.00

DIRECTORS/INSTRUCTORS

Camps/Clinics/Theatre	Hour	\$10.00-\$30.00
Certified Teachers	Hour	\$10.00-\$30.00
Youth Assistants	Hour	\$ 7.00-\$15.00
Specialists	Hour	\$20.00-\$65.00
Park/Facilities Maintenance	Hour	\$ 7.00-\$15.00

43. Resolution setting the 2015 hourly rate for part- time stenographers and part-time clerks as follows:

Tina Landolfi, Conservation Board Secretary	\$17.00/hr.
Ann Gallagher, Planning Board Secretary	\$23.00/hr.
Tina Landolfi, Zoning Board Secretary	\$17.00/hr.
Carl D'Ambrosio, Property Records p/t	\$12.00/hr.
Anne DiStefano, Assessor's p/t	\$12.00/hr.

Ryan Allen, Recycling Center p/t	\$15.50/hr.
Lillian Moshier, School Crossing Guard	\$20.00/hr.
Kathleen DiBart, School Crossing Guard	\$20.00/hr.

44. Resolution appointing Anthnoy Merante as Chairman of the Planning Board.
45. Resolution appointing Robert Dee as Chairman of the Zoning Board of Appeals.
46. Resolution appointing David Klotzle as Wetlands Inspector and Natural Resource Officer.
47. Resolution appointing Robert Ferris Dog Control Officer.
48. Supervisor Shea to appoint Council members as liaisons.

Highway	_____
Planning Board	_____
Land & Building	_____
Zoning Board	_____
Conservation Board	_____
Signs & Streets	_____
Village of Nelsonville	_____
Village of Cold Spring	_____
CVPOA	_____
Haldane School	_____
Garrison School	_____
Finance Committee	_____
Recreation	_____
Butterfield Library	_____
Information Liaison	_____

49. Resolution approving the 2015 Holiday Schedule:

New Year's Day	Thursday	01-01-2015
Martin Luther's Day	Monday	01-19-2015
Presidents Day	Monday	02-16-2015
Good Friday	Friday	04-03-2015
Memorial Day	Monday	05-25-2015
Independence Day	Friday	07-03-2015

Labor Day	Monday	09-07-2015
Columbus Day	Monday	10-12-2015
Election Day	Tuesday	11-03-2015
Veterans Day	Wednesday	11-11-2015
Thanksgiving	Thursday & Friday	11-26-2015 & 11-27-2015* *(day taken after Thanksgiving must be charged to comp or vacation time)
Christmas	Friday	12-25-2015 *(day taken after Christmas must be charged to comp or vacation time)

MEMORANDUM TO THE PHILIPSTOWN TOWN BOARD
Re: PHILIPSTOWN DEPOT THEATRE DEVELOPMENT CORPORATION ("PDTDC")
January 8, 2015

Annual Meeting

Under PDTDC's By-laws, at their annual meeting the Members of the corporation, the Town Board plus one member of the Recreation Commission (currently Claudio Marzollo) and one appointee from the PDTDC Directors (currently Steve Ives), elect one-third of PDTDC's Board of Directors each year for a three-year term. This takes place at the time of the Town Board's reorganization meeting. The PDTDC Board has nominated the following five directors for reappointment in the class of 2018:

MJ Martin	398 Indian Brook Road, Garrison NY 10524
Sheila Rauch	356 Lane Gate Road, Cold Spring NY 10516
Robert Rhodes	801 Route 9D, Garrison NY 10524
Byron Stinson	27 Garrison's Landing, Garrison NY 10524

AGENDA

(Supervisor Shea Presiding):

1. Call to Order
2. Ascertain presence of a quorum (at least 4 of the 7 Members)
3. Nominations for directors

Resolution:

RESOLVED, that the following persons are elected directors of the corporation each to serve for a term of three years: MJ Martin, Sheila Rauch, Robert Rhodes, Byron Stinson

VOTE

4. Adjourn

PHILIPSTOWN DEPOT THEATRE DEVELOPMENT CORPORATION

NOTICE OF THE ANNUAL MEETING OF MEMBERS
JANUARY 8, 2015

NOTICE IS HEREBY GIVEN that the annual meeting of the members of Philipstown Depot Theatre Development Corporation will be held at the Town Hall, Cold Spring NY on Thursday, January 8, 2014, at 7:00 pm or as soon thereafter as may be practicable

Dated: December 16, 2014

KATHARINE PLUMMER

Secretary

Special Town Board Meeting
November 20, 2014

The Town Board held a Special 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

ABSENT

David Merandy	Councilman
Michael Leonard	Councilman

AGENDA

1. Adopt Final Budget for fiscal year 2015.

Supervisor Shea stated that the Town Board has been working on the budget for approximately six weeks and the bottom line is that the town is below the tax cap by \$60,000.00. He went on to say that it gives the town a future cushion and shows the taxpayers that the town is going beyond the mandate. He praised emergency services for their cooperation in the budget process and in part, is the reason for the town coming in under the cap. He also thanked Councilman Van Tassel for his expertise in this area and the rest of the board for their work.

Supervisor Shea stated that the Town Board would not be seeing any raises this year, and the employees will see a \$1,000.00 raise each, which breaks down to a \$20.00 increase each week. He stated that next year any raise would be different as; the pay increases will be computed by percentages, as most employees are now getting compensation comparable with their positions.

The budget office line has increased, being forthright; Supervisor Shea said he gave himself a raise in the amount of \$1,000.00. He then continued to review the proposed budget line by line.

There were some adjustments made to the Philipstown Volunteer Ambulance Corp, as they are in need of two new ambulances. There was an increase made in the amount of \$15,000.00 bringing it back to their initial request. It was noted that the adjustment made kept the budget under the cap.

Supervisor Shea also touched on the mandated fees that the Town Board has no control over. Supervisor Shea stated that the total town budget for 2015 is \$9,186,173.00 with the tax levies set at 7,361,732.00. Budget reflecting approximately \$48,000.00 under the cap with the noted change to Philipstown Volunteer Ambulance Corp.

RESOLUTION #

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

RESOLVED, that the Town Board hereby adopts the Philipstown Budget for fiscal year 2015 as presented with an adjustment to the Philipstown Volunteer Ambulance Corp's increase of \$15,000.00; (Budget Attached)

ROLL CALL VOTE

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

2. Resolution of support for Hudson Highlands Land Trust endorsing a grant application for the addition of a full-time Program and Database Associate to the staff.

RESOLUTION #

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

WHEREAS, the HUDSON HIGHLANDS LAND TRUST is applying for a two-year \$60,000 Professional Development grant through the New York State Conservation Partnership Program, a partnership between the Land Trust Alliance and the State of New York; and

WHEREAS, the Land Trust has identified the need for a sixth full-time staff member, in the form of a presently part-time Program and Database Associate, to assist the Executive Director and other staff in execution of their tasks, freeing up time for them to work on additional mission-critical responsibilities, and improving the Land Trust's research and data analysis capacities; and

WHEREAS, the Land Trust has permanently protected over 2,100 acres of land within its mission area through its conservation easement work with private landowners, along with a least an additional 1,000 acres added to local state parks in its role as 3rd party facilitator with NYS agencies, thus furthering the conservation interest of the State of New York and the residents of Philipstown; and

WHEREAS, the Hudson Highlands Land Trust has been a trusted partner with, and supporter of, the TOWN OF PHILIPSTOWN on a variety of projects during the past decade, including: development of a community-wide Natural Resources and Open Space Plan, completing the first-ever Philipstown Build Out Analysis, underwriting the Town-wide Cleanups in 2010 and 2011, and assisting with residents' work from 2002 to 2011, which resulted in the adoption of the Comprehensive Plan in 2006 and Zoning

Special Town Board Meeting
November 20, 2014

Code in 2011, which ensure the protection of our community's character and natural resources for decades to come; and

WHEREAS, the Land Trust makes assisting local municipalities, with its unique resources, on of its primary goals for achieving its mission of protecting natural resources, rural character, and scenic beauty in the Hudson Highlands; and

WHEREAS, the addition of a full-time Program and Database Associate to the staff will further ensure the **HUDSON HIGHLANDS LAND TRUST** continues its unparalleled work on behalf of the **TOWN OF PHILIPSTOWN** by providing technical expertise, preserving more land for public benefit, and ensuring the lands it's already protected are properly managed;

NOW, THEREFORE, in consideration of the foregoing, be it resolved that the governing Board of the **TOWN OF PHILIPSTOWN** hereby does endorse the application for a grant under the New York State Conservation Partnership for a project known as the ***Advancing HHLT's Data Collection and Analysis to Increase Capacity and Speed the Pace of Land Protection.***

3. Resolution authorizing Supervisor Shea to sign the agreement with NYSDOT for Master Municipal Multi-Modal Capital Project Grant.

RESOLUTION #

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

RESOLVED, that the Town Board hereby authorizes Supervisor Shea to sign the Multi-Modal Grant in an amount up to \$100,000.00 to construct a sidewalk along the south side of County Route 17 aka Fair Street, Cold Spring, from Main Street, Village of Cold Spring to Washburn Trail Head at the Hudson Highland State Park.

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

Respectfully submitted by,

Tina M. Merando
Town Clerk

BID OPENING
November 24, 2014

The Town Clerk's Office held a Bid Opening at the Town Hall, 238 Main Street, Cold Spring, N.Y. 10516, on the above date at 11:00 a.m., for the sale of the VFW Building.

One (1) bid was received from Kimberly Conner, represented by Julie Tooth of Houlihan & Lawrence.

The following bid was presented:

\$285,000.00

Ms. Conner also included a bid deposit in the form of a certified check in the sum of
\$28,500.00

Ms. Tooth asked Town Clerk Merando if there was a survey available and which lawyer could be contacted. Town Clerk Merando replied that Stephen Gaba was the Town Attorney and provided Ms. Tooth with contact information. Ms. Tooth added that she would advise Ms. Conner to hire a lawyer to do a title search.

Bid Opening concluded at 11:05 a.m.

Respectfully submitted,

Joan B. Clauss
Deputy Town Clerk

Monthly Town Board Meeting
December 4, 2014

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
	Dave Merandy	Councilman

Supervisor Shea opened the Monthly Meeting with the Salute to the Flag.

REVIEW OF MINUTES

The Minutes of the Public Hearing of November 5, 2014 – CV Park & Water District Budget were reviewed.

Councilwoman Montgomery made a motion, seconded by Councilman Leonard and unanimously carried, that the Minutes of the Public Hearing of November 5, 2014 - CV Park & Water District Budget, are hereby approved as presented.

The Minutes of the Public Hearing of November 5, 2014 – General Budget were reviewed.

Councilman Leonard made a motion, seconded by Councilwoman Montgomery and unanimously carried, that the Minutes of the Public Hearing of November 5, 2014 – General Budget, are hereby approved as presented.

The Minutes of the Monthly Town Board Meeting of November 6, 2014, were reviewed.

Councilwoman Montgomery made a motion, seconded by Councilman Merandy and unanimously carried, that the Minutes of the Monthly Town Board Meeting of November 6, 2014, are hereby approved as presented.

COMMITTEE REPORTS

CB – Councilman Leonard reported that the meeting was held on November 18, 2014 at which time they had a site visit and two (2) items on the agenda; Mystery Point Road and the Banker, a property located at 9D/Hudson River. There was also a discussion on Stormwater Management. The Board is still trying to arrange a meeting for Stormwater and are looking at April. The next meeting will be held on December 16, 2014.

RECREATION – Councilman Van Tassel reported the commission has not met yet this month. The next meeting will be held on December 9, 2014. One thing he did

Monthly Town Board Meeting
December 4, 2014

want to mention was that the boards are all up on the ice-skating rink and the liner has been installed. It will be all ready once the ground freezes.

RECYCLING – Councilwoman Montgomery reported that she has had difficulty contacting the E-Waste company. They have not responded to her calls or e-mails. Legislator Scuccimarra said she would see what she could do.

PLANNING BOARD - Councilman Merandy reported that he was not able to attend the meeting held on November 20, 2014, but did watch the DVD of the meeting. He reported that there were five items on the agenda; Scanga Realty, ESP, Burstein, Old Stone Road, and Horton LLC. There was also a short discussion on amending Local Law Chapter 175 on wind energy. There will be no meeting in December. The next meeting is scheduled for January 15, 2015.

Supervisor Shea read a statement with regard to the Horton LLC project and his involvement with the project in the interest of full disclosure.

Councilman Merandy thanked Andy Merante for all the work that is done on these projects.

ZONING – Councilman Van Tassel reported that the meeting was held on November 10, 2014 with two items on the agenda; Appeal #886 – Joseph Estvanik and Appeal #887 – Stellmacher. The next meeting will be held on January 12, 2015.

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

BUILDING & LAND ACQUISITION – Supervisor Shea said that there was an item on the agenda and it would be discussed at that time.

PUTNAM COUNTY LEGISLATOR – Legislator Scuccimarra reported that on November 19, 2014, she attended a "Kick Off" meeting for the Putnam County Communities Care Coalition, which Councilwoman Montgomery also attended. She reiterated that this is a community problem and reported that a "prevention needs assessment survey" has been done in all the schools in Putnam County. Legislator Scuccimarra went on to announce, for anyone interested, that there will be a meeting on December 19, 2015 at 9:00 am at the Butterfield Library to discuss the drug problems in our community.

She attended a meeting on "Aging in Place" this morning, which Councilman Leonard also attended; to talk about what can be done to help seniors and which does not cost too much. Also discussed at that meeting were ways to help seniors find out what is available to them.

The County Executive has launched the 2015 Pilot Program –"Putnam Invests in Leaders of Tomorrow" a summer internship program, which is both paid and unpaid

Monthly Town Board Meeting
December 4, 2014

for High School and College students. This program has been successful in the past and gives the students an opportunity to learn county government.

Legislator Scuccimarra talked about new trolley routes planned for this year and provided a map to the Town Board showing the routes.

The last thing she wanted to mention was that she has been working on getting Styrofoam banned in the County. She said that she was disappointed with the fact that the American Chemical Companies, who want their day in court, are delaying this program from moving forward. She will continue her work to ban Styrofoam in Putnam County.

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**TOWN OF PHILIPSTOWN
MONTHLY REPORT OF TOWN SUPERVISOR
MONIES RECEIVED AS OF DECEMBER 4, 2014**

GENERAL & PART-TOWN FUNDS

Justice Fees – 8/14
Justice Fees – 8/14
T.C. Fees – 8/14
T.C. Fees Dogs – 8/14
Rec. Fees – 8/14
Rec. Community Recycle
Bldg. Fees – 9/14
NYS Per Capita Aid
Rec. Community Recycle
AW Scrap Metal
AW Scrap Metal
Safeguard Cks Refund
Bank Interest

HIGHWAY FUND

P.C. Gas
P.C. Gas
St. Ins. Fund T. Bouchard
Gen Fund Gas
P.C. Gas
Bank Interest

CONTINENTAL VILLAGE WATER DISTRICT

Bank Interest

CONTINENTAL VILLAGE PARK DISTRICT

Bank Interest
Clubhouse Fees

AGENDA

1. Richard Franco to discuss Municipal Composting possibilities.

Mr. Franco, a resident of Cold Spring, was doing a project for a course he was taking and decided to do it on municipal composting. He did research on what the County was doing and as he looked into it he realized that we had a situation locally. The Village of Cold Spring has had a place for many years to discard their debris but he found that it reached its capacity this year. Composting the leaves was considered but no suitable location within the village could be found. One possible solution would be to use the old capped Philipstown landfill, which is a typical site scheme for municipal facilities. He came to Supervisor Shea to see if anything could be done. The Village and Town's wood waste could be combined and chipped with the Town's chipper. The compost could be utilized by the Town and/or Village, or made available to the residents. The Town would not even need a permit for such a small operation...you would only have to inform the DEC.

Mr. Franco reviewed the process for municipal processing and went on to note that the Town currently owns most of the equipment needed. A larger gravel pad would have to be created to properly manage the piles.

He went on to say that if the Town does have an interest in such a program he would recommend that they meet with Beacon to see their facility, which has been in existence for 20 years. They do at least 10 times what we would have to do but we could see what it entails. Another possibility would be bringing leaves up to Beacon. This could be looked into. It costs Beacon \$100,000 - \$200,000 a year to operate the compost facility which produces 4,000 tons. It costs anywhere from \$2.00 - \$10.00 a ton processing costs – labor, gas.

Something should be decided before next year because what the Village was doing just isn't there anymore.

Supervisor Shea said that the Village has not approached the Town as yet. Stephanie Hawkins said that it is her understanding that Ed Trimble is talking to Roger Chirico but nothing formal has been arrived at. In speaking with Mayor Falloon both she and he are supportive of any joint arrangement or collaboration that works for both parties. She thinks that the village respects that this is not something that can be embraced all at once and they understand that it is important to phase in. She said, "if Mr. Chirico can accommodate the space for the disposal of leaves at the landfill and if that is a routine that is working and not a problem then the Town and Village can move on from there". Both she and the Mayor agree that this should be deferred to the Highway Departments and what is workable for them. Supervisor Shea said that they would look to hear from Roger Chirico. He stated that the landfill/recycling center is a Town property, not a highway facility so ultimately the decision would be made by the Town Board.

2. Resolution authorizing Supervisor Shea to sign the response consenting that the Philipstown Planning Board serve as Lead Agency for the Horton Road, LLC, Conservation Subdivision.

Supervisor Shea said that as he mentioned earlier he would not have a role in this. It has been turned over to the Planning Board and they already have control and he does not see any issue with him signing the response. Councilwoman Montgomery said that it should be in the Planning Board hands, but she would like it if we had a Planner. Andy Merante said that at the direction of the Board they have already made a commitment with AKRF and they will be on board with this project. AKRF will attend the workshop that will be held before their regular monthly meeting. Mr. Merante said that this is a large project and it will involve a lot of discussion and input. Councilman Merandy asked what the options were on being lead agency. Mr. Merante said that generally the Planning Board would be lead agency on a project this size, unless there is Town legislation.

RESOLUTION #-2014

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

RESOLVED, that the Town Board of the Town of Philipstown hereby consents that the Philipstown Planning Board serve as Lead Agency for the Horton Road LLC, Conservation Subdivision consisting of 155.4 acres as follows;

Section 17.1-77.2	totaling	27.71 acres
Section 17.-1-76.112	totaling	86.88 acres
Section 17.-1-39	totaling	19.99 acres
Section 17.-1-76.21	totaling	20.82 acres

BE IT FURTHER RESOLVED, that the Town Board authorizes Supervisor Shea to sign the response to the above noted application as per Title 6 NYCRR 617.6 (b) (5).

3. Award Highway Material Bids for 2015.

Town Clerk Merando read the memo from Highway Superintendent Chirico on his recommendations.

RESOLUTION #-2014

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

RESOLVED, that the Town Board hereby accepts the recommendations of the Highway Superintendent for the Material Bids for 2015.

4. Schedule Workshops/Meetings.

- Year-End Meeting – December 29, 2014

Monthly Town Board Meeting
December 4, 2014

- Re-Organization – January 8, 2015 to start @ 7:00pm
- Monthly Town Board Meeting – January 8, 2015
- Weekly Workshop (to be confirmed) to discuss Clear Channel Entertainment – December 10, 2014

5. Code Enforcement Monthly Report.

Town Clerk Merando read the Monthly Report submitted by Kevin Donohue.

6. Resolution awarding the bid for the sale of the VFW Hall property located at 34 Kemble Avenue, Cold Spring, New York.

Supervisor Shea said that the Town received one bid for this sale. He remarked that there is one issue that needs to be addressed, that being where to put the Office of the Aging. He is hopeful that eventually we may be able to move that office to the building behind the Town Hall. In the meantime we may be able to find a spot at the Recreation Department. Councilwoman Montgomery (inaudible).

RESOLUTION #-2014

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

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 does not require environmental impact statements or other determination or procedures under Part 617 of the Environmental Conservation Law.

The vote on the foregoing resolution was as follows:

Councilwoman Leonard	Aye
Councilman Merandy	Aye
Councilman Van Tassel	Aye
Councilwoman Montgomery	Aye
Supervisor Shea	Aye

RESOLUTION #-2014

WHEREAS, the Town of Philipstown owns certain real property known as the VFW Hall, located at 34 Kemble Avenue, Cold Spring, New York; and

WHEREAS, the Town Board declared the said property to be surplus and put it out for sale at public bid; and

WHEREAS, the Town Board has received a bid in the amount of \$285,000.00 from Kimberly Conner; and

WHEREAS, the Town Board finds that the said bid represents fair market value for said property;

NOW, THEREFORE, IT IS HEREBY RESOLVED AS FOLLOWS:

- (1) That the Town Board hereby accepts the bid for the sale of the VFW Hall property located at 34 Kemble Avenue, Cold Spring, New York to Kimberly Conner in the amount of \$285,000.00; and
- (2) That the sale is conditioned upon the preparation and execution of an appropriate contract of sale, including terms providing that the sale of the property is in "as in" condition with no warranties; and
- (3) That the sale is subject to and conditioned upon the permissive referendum provisions of Town Law §90 and §91, and, as such, the acceptance of the said bid shall not take effect until thirty days after the date of this resolution or, in the event that a valid petition for referendum is filed, until approval of the proposed sale upon referendum; and
- (4) That the Town Clerk is hereby directed to post and publish notice of the adoption of this resolution.

Councilwoman Montgomery presented the foregoing resolution, which was seconded by Councilman Leonard.

The vote on the foregoing resolution was as follows:

Councilman Van Tassel	Aye
Councilwoman Montgomery	Aye
Councilman Merandy	Aye
Councilwoman Leonard	Aye
Supervisor Shea	Aye

7. Resolution awarding the bid for professional design services for the reconstruction of the lower end of Manitou Station Road to Stantec Consulting Services, Inc. in the amount not to exceed \$58,300.00.

Supervisor Shea noted that Stantec was the low bidder for the project and have already been awarded the survey and planning portion for which the work has been done to the satisfaction of the Town's Engineer and Highway Superintendent. Now the Town needs to move to the second phase where they do the detailed plans so we can execute the project and get it out to bid. He does not know how much the Town will put out to bid as they are still looking at that. They are estimating this to be in excess of \$700,000. The Town Board

Monthly Town Board Meeting
December 4, 2014

will not know until the finalized plans come in. The Town will partner with the County on this project. This is the next phase on addressing what's been a long-standing concern on Manitou Station Road.

RESOLUTION #-2014

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

RESOLVED, that the Town Board hereby awards the bid for professional design services for the reconstruction of the lower end of Manitou Station Road to Stantec Consulting Services, Inc. in an amount not to exceed \$58,300.00.

AUDIENCE

Councilman Van Tassel pointed out that if anyone was considering joining a fire department now is the time to do it because a class – Firefighter 1 (which is usually offered in Carmel) will be offered at the North Highland Fire Department at the end of January. This is a 104-hour class with CPR.

Councilwoman Montgomery announced that there would be one more public information session for Open Enrollment on December 13, 2014 at the JLB Library. This is a great resource for anyone in need of health insurance or having difficulty getting information.

Andy Merante informed the Town Board that there is space on Pearl Street (side of Nelsonville Village Hall) that possibly could be used for the Office of Aging.

VACANCIES

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

APPROVAL OF VOUCHERS

Councilwoman Montgomery made a motion, seconded by Councilman Merandy and unanimously carried that the General Vouchers in the amount of \$ are hereby approved as set forth in Abstract 11A & 12

Councilman Van Tassel made a motion, seconded by Councilman Leonard and unanimously carried that the Highway Vouchers in the amount of \$ are hereby approved as set forth in Abstract 11A & 12.

Councilman Leonard made a motion, seconded by Councilwoman Montgomery and unanimously carried that the CVPD Vouchers in the amount of \$ are hereby approved as set forth in Abstract 12.

Monthly Town Board Meeting
December 4, 2014

Councilwoman Montgomery made a motion, seconded by Councilman Merandy and unanimously carried that the CVWD Vouchers in the amount of \$are hereby approved as set forth in Abstract 12.

There being no further business to discuss, Councilwoman Montgomery made a motion, seconded by Councilman Merandy to close the Town Board Monthly Meeting at 8:40 pm.

Respectfully submitted by,

Theresa Crawley
Deputy Town Clerk

Weekly Town Board Meeting
December 10, 2014

The Town Board 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
John Van Tassel	Councilman
David Merandy	Councilman
Michael Leonard	Councilman

ABSENT: Nancy Montgomery Councilwoman

AGENDA

1. Discussion with regard to Universal Outdoor, Inc. and the removal of the billboard on Route 9 as ordered by the Courts.

Supervisor Shea explained that in 2002, this monopole was installed, replacing an existing structure that was much smaller than the one that is on the site now. The town went to court and they were ordered to remove the structure in ten (10) years. The following resolution has been negotiated with Clear Channel Outdoor, Inc. and a deadline has been established for its removal. In consideration of the monopole from the water line up, the town will receive \$25,000.00. A demolition permit will have to be obtained and David Klotzle will also be involved.

RESOLUTION #

The following Resolution was presented by Councilman Leonard, seconded by Councilman Merandy;

WHEREAS, a Stipulation of Settlement was entered into on or about May 15, 2002 and "so ordered" by Honorable S. Barrett Hickman, that Universal Outdoor, Inc. shall remove all portions of the sign, located at 2661 Route 9, Cold Spring, in the Town of Philipstown, and uni-pole steel structure above ground level; and

WHEREAS, Clear Channel Outdoor, Inc. ("Clear Channel"), as successor in interest to Universal Outdoor, Inc., has failed to comply with said Stipulation of Settlement; and

WHEREAS, the Town moved the Court for an order finding Clear Channel in contempt of the Stipulation of Settlement as an order of the Court; and

WHEREAS, in resolution of the Town's motion, the parties are desirous of entering into a Consent Order, a copy of which is annexed to this Resolution and made a part hereof; and

Weekly Town Board Meeting
December 10, 2014

WHEREAS, the annexed Consent Order contains all the terms to which the Town and Clear Channel have agreed;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Philipstown hereby accepts the stipulation as outlined in the Order on Consent.

ROLL CALL VOTE

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

The resolution was thereupon declared duly adopted.

2. Workshop with the Highway Department with regard to plowing.

Due to the inclement weather, the workshop has been cancelled. Supervisor Shea noted that when speaking with Roger Chirico, one of the problems the highway superintendent was having was getting outside vendors to bid on snow plowing and the department doesn't have the time to plow Recreation.

There was a discussion with regard to purchasing a plow truck for the recreation department. Roger Chirico is attending an auction tomorrow and he will see if there are any available at a cost not to exceed \$5,000.00. The consensus of the board was to move forward with the purchase if one is available.

Supervisor Shea also noted that the Town of Newburgh has a surplus of two vehicles, a tow-along vacuum truck and a stand-alone vacuum truck that would be used to clean out culverts that the town will be bidding on.

There being no further business to discuss, Councilman Leonard made a motion, seconded by Councilman Merandy and unanimously carried to close the Weekly Meeting at 8:00 p.m.

Respectfully submitted by,

Tina M. Merando
Town Clerk

Special Town Board Meeting
December 17, 2014

The Town Board held a Special Meeting on the above date at 10:00 a.m. at the Town Hall, 238 Main Street, Cold Spring, New York.

PRESENT

Richard Shea	Supervisor
David Merandy	Councilman
Michael Leonard	Councilman

ABSENT

Nancy Montgomery	Councilwoman
John Van Tassel	Councilman

AGENDA

1. Resolution authorizing Supervisor Shea to sign the CSEA Memorandum of Agreement.

RESOLUTION #

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

RESOLVED, that the Town Board hereby authorizes Supervisor Shea to sign the CSEA Memorandum of Agreement which will terminate December 31, 2016.

There being no further business to discuss, Councilman Leonard made a motion, seconded by Councilman Merandy to close the Special Meeting at 10:05 a.m.

Respectfully submitted by,

Tina M. Merando
Town Clerk

Year End Meeting
December 29, 2014

The Town Board of the Town of Philipstown held their Year End 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
	Michael Leonard	Councilman
	Dave Merandy	Councilman

ABSENT:	John Van Tassel	Councilman
---------	-----------------	------------

1. Authorize the Supervisor to male the necessary budget transfers to close the books for the year 2014.

RESOLUTION #

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

RESOLVED, that the Town Board of the Town of Philipstown hereby authorizes Supervisor Shea to make the necessary budget transfers to close the books for the year 2014.

2. Resolution authorizing Supervisor Shea and the Town Board to sign the contract for the Cold Spring Fire Company for fiscal year 2015.

RESOLUTION #

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

RESOLVED, that the Town Board hereby authorizes Supervisor Shea and the Town Board to sign the contract with the Cold Spring Fire Company for fiscal year 2015.

3. Resolution authorizing Supervisor Shea and the Town Board to sign the contract for the Continental Village Volunteer Fire Department, Inc. for fiscal year 2015.

RESOLUTION #

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

RESOLVED, that the Town Board hereby authorizes Supervisor Shea and the Town Board to sign the contract with the Continental Village Volunteer Fire Department, Inc. for fiscal year 2015.

4. Resolution authorizing Supervisor Shea and the Town Board to sign the contract for the Garrison Volunteer Fire Company, Inc. for fiscal year 2015.

Year End Meeting
December 29, 2014

RESOLUTION #

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

RESOLVED, that the Town Board hereby authorizes Supervisor Shea and the Town Board to sign the contract for the Garrison Volunteer Fire Company, Inc. for fiscal year 2015.

5. Resolution authorizing Supervisor Shea to sign the contract for the Philipstown Volunteer Ambulance Corp for fiscal year 2015.

RESOLUTION #

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

RESOLVED, that the Town Board hereby authorizes Supervisor Shea to sign the contract for the Philipstown Volunteer Ambulance Corp for fiscal year 2015.

6. Resolution authorizing Supervisor Shea to sign the contract for the Garrison Volunteer Ambulance and First Aid Squad, Inc. for the fiscal year 2015.

RESOLUTION #

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

RESOLVED, that the Town Board hereby authorizes Supervisor Shea to sign the contract for the Garrison Volunteer Ambulance and First Aid Squad, Inc. for fiscal year 2015.

7. Resolution authorizing Supervisor Shea to sign the contract for the Putnam County Humane Society for fiscal year 2015.

RESOLUTION #

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

RESOLVED, that the Town Board hereby authorizes Supervisor Shea to sign the contract for the Putnam County Humane Society for fiscal year 2015.

8. Resolution authorizing Supervisor Shea to sign the contract between the Town and David Klotzle as the town's Wetlands Inspector for 2015.

RESOLUTION #

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

Year End Meeting
December 29, 2014

RESOLVED, that the Town Board hereby authorizes Supervisor Shea to sign the contract between the Town and David Klotzle as the town's Wetlands Inspector for 2015.

9. Resolution awarding the bid for Smooth Bore Corrugated Polyethylene Solid Pipe to Expanded Supply Products.

RESOLUTION #

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

RESOLVED, that the Town Board hereby awards the bid for Smooth Bore Corrugated Polyethylene Solid Pipe to Expanded Supply Products of 3330 Route 9, Cold Spring, New York.

There being no further business to discuss, Councilman Merandy made a motion, seconded by Councilwoman Montgomery to close the Year End Meeting at 7:45 p.m.

Respectfully submitted by,

Tina M. Merando
Town Clerk

PROCLAMATION

WHEREAS, the Boy Scouts of America is a vital force in the development of our youth through its many programs which encourage the ability of its members to do things for themselves and especially for others; and

WHEREAS, one of the major objectives in the Scouting program is to develop citizenship through community involvement and, in addition to working for citizenship merit badges, Scouts are encouraged to participate in community service projects; and

WHEREAS, Robert Dean is a member of Troop 437 and has not only proven himself to be an outstanding member of the Boy Scouts of America, but has attained the highest honor bestowed on a Scout – the Eagle Scout Award; and

WHEREAS, the Eagle Scout Award is a distinction that will follow him throughout life and will be a beacon to others of the leadership quality and commitment this young man has shown; and

WHEREAS, Robert Dean constructed and installed sitting benches along the walking trail around Quarry Pond at the North Highlands Town Park. The wooden benches were set in concrete and will remain a permanent fixture at the park for all residents to enjoy;

NOW, THEREFORE, the Town of Philipstown recognizes Robert Dean as worthy of this highest honor and encourages him to continue his commitment to excellence;

NOW, THEREFORE BE IT RESOLVED, that we, the Town Board of the Town of Philipstown and Officers of the Town, do hereby inscribe upon the minutes of our official acts, congratulations to Robert for his accomplishment.

PROCLAMATION

WHEREAS, the Boy Scouts of America is a vital force in the development of our youth through its many programs which encourage the ability of its members to do things for themselves and especially for others; and

WHEREAS, one of the major objectives in the Scouting program is to develop citizenship through community involvement and, in addition to working for citizenship merit badges, Scouts are encouraged to participate in community service projects; and

WHEREAS, Steven Casement is a member of Troop 437 and has not only proven himself to be an outstanding member of the Boy Scouts of America, but has attained the highest honor bestowed on a Scout – the Eagle Scout Award; and

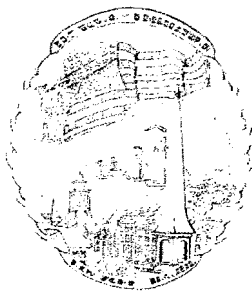
WHEREAS, the Eagle Scout Award is a distinction that will follow him throughout life and will be a beacon to others of the leadership quality and commitment this young man has shown; and

WHEREAS, Steven Casement created a sports equipment swap room at the Claudio Marzollo Community Center where he installed commercial shelving units around the perimeter of the room, stocking the shelves with various new and used sports equipment ; and

WHEREAS, Steven organized a collection campaign throughout Philipstown to obtain new and used sporting equipment, which is now a self-sustaining operation, whereby residents can donate or acquire sporting equipment that they may have a use for;

NOW, THEREFORE, the Town of Philipstown recognizes Steven Casement as worthy of this highest honor and encourages him to continue his commitment to excellence;

NOW, THEREFORE BE IT RESOLVED, that we, the Town Board of the Town of Philipstown and Officers of the Town, do hereby inscribe upon the minutes of our official acts, congratulations to Steven for his accomplishment.



Town of Philipstown

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

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

MONTHLY REPORT for December 2014

1. Fees Collected	<u>\$ 12479.00</u>
2. Total Number of Permits Issued	<u>21</u>
3. New One- or Two-family dwellings:	<u>-</u>
4. New Commercial/Industrial buildings:	<u>-</u>
5. New Hazardous (H) occupancies:	<u>-</u>
6. New Multi family occupancies:	<u>-</u>
7. Additions, alterations or repairs residential buildings	<u>8</u>
8. Additions, alterations or repairs commercial buildings:	<u>-</u>
9. All other permits (pools, sheds, decks, plumbing, HVAC, etc.)	<u>13</u>
10. Number of Certificates of Occupancy :	<u>22</u>
11. Number of Stop Work Orders issued:	<u>1</u>
12. Operating permits issued	<u>0</u>
13. Operating permits issued hazardous materials	<u>0</u>
14. Operating permits Hazardous processes and activities	<u>0</u>
15. Permits issued for the Use of pyrotechnic devices:	<u>0</u>
16. Inspection of public assembly :	<u>0</u>
17. Inspection of commercial occupancies	<u>0</u>
18. Inspection of buildings with 3 or more dwelling units:	<u>0</u>

Projects of Significance: _____

**DRAKE LOEB HELLER
KENNEDY GOGERTY
GABA & RODD^{PLLC}**
ATTORNEYS AT LAW

555 Hudson Valley Avenue, Ste. 100
New Windsor, New York 12553

Phone: 845-561-0550
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Ralph L. Puglielle, Jr.

Nicholas A. Pascale
Benjamin M. Wilkinson
Taylor M. Palmer
Lisa M. Card
Alana R. Bartley

Thomas J. Egan
Of Counsel

*LL.M. in Taxation

December 30, 2014

ATTN: RICHARD SHEA
Town Board
Town of Philipstown
238 Main Street
P.O. Box 155
Cold Spring, New York 10516

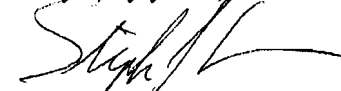
Re: Wind Energy Conversion Systems Local Law
Our Matter ID: 65905

Dear Supervisor Shea and Board Members:

I am writing to provide you with the Planning Board's report and comments on the proposed local law to amend the Town Code regarding Wind Energy Conversion Systems. The Planning Board considered the draft local law at its meeting of November 20, 2014. The consensus among the Planning Board members was that the Planning Board does not have any substantive comments to offer in regard to the draft local law.

If you have any questions or comments please feel free to contact me.

Very truly yours,



STEPHEN J. GABA

SJG/ev/398753



Putnam County
Department of Planning, Development,
and Public Transportation

www.putnamcountyny.com

841 Fair Street
Carmel, NY 10512

Phone: (845) 878-3480

Fax: (845) 808-1948

SECTION 239 CASE REFERRAL

Case Received: 11-10-14 Report Required: 12-10-14 Completed: 11/14/14

Application Name: Local Law-Wind Energy Conversion Systems Referral #: 14-PC-49

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: 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 Barbara Barosa Barbara Barosa, Planner
(Signature) (Title)

rc 1-1-1 word



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. 2 of the year 2014

A local law to amend Town Code Chapter 175, Section 175-10 "Allowable Uses," Section 175-30
(Insert Title)
"Supplementary Dimensional Regulations, and Section 175-60 "Purpose and Applicability"
regard to Wind Energy Conversion Systems

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.)

**A LOCAL LAW TO AMEND TOWN CODE CHAPTER 175, SECTION 175-10
“ALLOWABLE USES,” SECTION 175-30 “SUPPLEMENTARY DIMENSIONAL
REGULATIONS,” AND SECTION 175-60 “PURPOSE AND APPLICABILITY” IN
REGARD TO WIND ENERGY CONVERSION SYSTEMS**

SECTION 1. INTENT and AUTHORITY.

This Local Law is adopted pursuant to the provisions of the Municipal Home Rule Law of the State of New York and Article 16 of the Town Law of the State of New York, with the procedural provisions of the Municipal Home Rule Law controlling.

SECTION 2. PURPOSE.

The purpose of this Local Law is to amend the Town’s Zoning Code to better regulate the construction and use of wind energy conversion systems within the Town of Philipstown.

SECTION 3. AMENDMENT OF THE TOWN CODE.

1. Town Code Section 175-10 (D) is hereby repealed and re-enacted to read as follows:

“(D) Accessory uses.

(1) Uses customarily incidental and subordinate to a principal use shown on the Use Table shall be allowed by the same permit process as the principal use, unless otherwise indicated on the Use Table. (For example, if a light industrial use requires a special permit in a particular zone, then a service business operated as an accessory use to it would also require a special permit).

(2) Such accessory uses may be on the same lot, on adjoining lots, or on lots that face each other across a street.

(3) Noncommercial recreational uses shall be permitted as an accessory use in all districts, provided that they do not create noise, traffic, dust, odor, or other impacts that exceed those normally associated with single-family residential uses.

(4) If there is no principal use on a residential lot, a use that is typically a residential accessory use, such as a residential garage, swimming pool, tennis court, or tool shed, may be allowed by special permit granted by the Zoning Board of Appeals.

(5) Attached or detached garages associated with single-family residences shall not exceed 1,000 square feet in footprint area.

- (6) Solar and wind energy systems producing electricity and/or heat primarily for on-site use, including those with net metering, shall be considered customary accessory uses to all principal uses. Wind energy conversion systems are subject to the following conditions and restrictions:
- (a) A minimum lot area of one (1) acre is required to construct and/or maintain a wind energy conversion system;
 - (b) Only one wind energy conversion system per lot is permitted;
 - (c) Wind energy conversion systems shall be screened to the greatest extent practicable through measures such as non-reflective paint, tower screens, planting and maintenance of natural landscaping (at property boundary areas where feasible), etc.;
 - (d) No lighting shall be installed on a wind energy conversion system;
 - (e) Maintenance ladders for wind energy conversion systems shall not exceed eight feet in height;
 - (f) Wind energy conversion systems shall be set back from all lot boundaries a minimum distance equivalent to the total tower height plus ten additional feet; and
 - (g) A locking protective fence at least six (6) in height shall be constructed around the wind energy conversion system tower unless the wind energy conversion system tower is installed to legal structure that would provide equivalent safety protection."
2. Town Code Section 175-30 (E) (2) is hereby repealed and re-enacted to read as follows:
- "(2) Solar energy facilities and communications towers may exceed the height limits in the Dimensional Table provided that they comply with applicable sections of this Article VII. Vegetation planted on green roofs may also exceed height limits. Wind energy conversion systems may not exceed height limits in the Dimensional Table. Any solar energy facility or wind energy conversion system that is used to generate electricity primarily for off-site consumption shall require a special permit from the Zoning Board of Appeals."
3. Town Code Section 175-60 (A) is hereby amended to delete the words "and wind" from the fourth sentence therein such that the said sentence shall now read: "Communication towers, soil mines, and certain solar energy facilities [see §175-30E (2)] require a special permit issued by the Zoning Board of Appeals."

SECTION 4. 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 language directly involved in the controversy in which judgment shall have been rendered.

SECTION 5. 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. 2 of 2014 of the (County)(City)(Town)(Village) of Town of Philipstown was duly passed by the Town Board on 20 , 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 ____/____ above.

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

Date: _____

(Seal)

617.20
Appendix B
Short Environmental Assessment Form

Instructions for Completing

Part 1 - Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

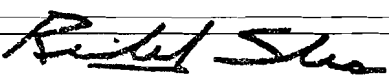
Part 1 - Project and Sponsor Information							
Name of Action or Project: Local Law Amending Town Code Chapter 175 regarding wind energy conversion systems							
Project Location (describe, and attach a location map): Town of Philipstown - Town Wide							
Brief Description of Proposed Action: The Town Board is considering adopting a local law amending the Town Zoning Code to provide for a height limit and certain construction regulations in regard to wind energy conversion systems.							
Name of Applicant or Sponsor: Town Board of Town of Philipstown		Telephone: (845) 265-5200 E-Mail: Supervisor@philipstown.com					
Address: 238 Main Street, P.O. Box 155,							
City/PO: Cold Spring		State: New York	Zip Code: 10516				
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			<table border="1" style="width: 100%; text-align: center;"><tr><td>NO</td><td>YES</td></tr><tr><td><input type="checkbox"/></td><td><input checked="" type="checkbox"/></td></tr></table>	NO	YES	<input type="checkbox"/>	<input checked="" type="checkbox"/>
NO	YES						
<input type="checkbox"/>	<input checked="" type="checkbox"/>						
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval:			<table border="1" style="width: 100%; text-align: center;"><tr><td>NO</td><td>YES</td></tr><tr><td><input checked="" type="checkbox"/></td><td><input type="checkbox"/></td></tr></table>	NO	YES	<input checked="" type="checkbox"/>	<input type="checkbox"/>
NO	YES						
<input checked="" type="checkbox"/>	<input type="checkbox"/>						
3.a. Total acreage of the site of the proposed action? _____ N/A acres							
b. Total acreage to be physically disturbed? _____ N/A acres							
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ N/A acres							
4. Check all land uses that occur on, adjoining and near the proposed action. <input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban) <input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____ <input type="checkbox"/> Parkland							

5. Is the proposed action, a. A permitted use under the zoning regulations?	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	N/A <input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
b. Are public transportation service(s) available at or near the site of the proposed action?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____ Not applicable	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
b. Is the proposed action located in an archeological sensitive area?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input type="checkbox"/> Suburban			
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
16. Is the project site located in the 100 year flood plain?	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES	NO <input type="checkbox"/>	YES <input type="checkbox"/>	
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: _____ _____	<input checked="" type="checkbox"/> NO <input type="checkbox"/> YES		

18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>

I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE

Applicant/sponsor name: Town Board by Richard Shea, Supervisor Date: October, 2014

Signature: 

Part 2 - Impact Assessment. The Lead Agency is responsible for the completion of Part 2. Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
a. public / private water supplies?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. public / private wastewater treatment utilities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

617.20
Appendix B
Short Environmental Assessment Form

Instructions for Completing

Part 1 - Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 - Project and Sponsor Information			
Name of Action or Project: Local Law Amending Town Code Chapter 175 regarding wind energy conversion systems			
Project Location (describe, and attach a location map): Town of Philipstown - Town Wide			
Brief Description of Proposed Action: The Town Board is considering adopting a local law amending the Town Zoning Code to provide for a height limit and certain construction regulations in regard to wind energy conversion systems.			
Name of Applicant or Sponsor: Town Board of Town of Philipstown		Telephone: (845) 265-5200 E-Mail: Supervisor@philipstown.com	
Address: 238 Main Street, P.O. Box 155,			
City/PO: Cold Spring	State: New York	Zip Code: 10516	
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.		NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval:		NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
3.a. Total acreage of the site of the proposed action? _____		N/A acres	
b. Total acreage to be physically disturbed? _____		N/A acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____		N/A acres	
4. Check all land uses that occur on, adjoining and near the proposed action. <input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban) <input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____ <input type="checkbox"/> Parkland			

5. Is the proposed action, a. A permitted use under the zoning regulations?	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	N/A <input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
b. Are public transportation service(s) available at or near the site of the proposed action?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____ Not applicable	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
b. Is the proposed action located in an archeological sensitive area?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input type="checkbox"/> Suburban			
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
16. Is the project site located in the 100 year flood plain?	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES	NO <input type="checkbox"/>	YES <input type="checkbox"/>	
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES			

18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____	NO	YES
_____	<input checked="" type="checkbox"/>	<input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____	NO	YES
_____	<input checked="" type="checkbox"/>	<input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____	NO	YES
_____	<input checked="" type="checkbox"/>	<input type="checkbox"/>
I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE		
Applicant/sponsor name: <u>Town Board by Richard Shea, Supervisor</u> Date: <u>October , 2014</u>		
Signature: _____		

Part 2 - Impact Assessment. The Lead Agency is responsible for the completion of Part 2. Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
a. public / private water supplies?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. public / private wastewater treatment utilities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

	No, or small impact may occur	Moderate to large impact may occur
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Part 3 - Determination of significance. The Lead Agency is responsible for the completion of Part 3. For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

<input type="checkbox"/>	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.
<input checked="" type="checkbox"/>	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.
Town of Philipstown Town Board	
Name of Lead Agency	Date
Richard Shea	Town Supervisor
Print or Type Name of Responsible Officer in Lead Agency	Title of Responsible Officer
Signature of Responsible Officer in Lead Agency	Signature of Preparer (if different from Responsible Officer)

PRINT