

**Town Board Meeting  
January 9, 2014  
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**

- Public Hearing of November 6, 2013 – CV Park and Water Budget
- Public Hearing of November 6, 2013 – General Budget
- Weekly Town Board Meeting of November 13, 2013
- Public Hearing of November 20, 2013 – Six Month Moratorium
- Weekly Town Board Meeting of November 20, 2013
- Bid Opening of November 27, 2013 – Highway Materials
- Monthly Town Board Meeting of December 12, 2013

**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. Resolution adopting the 2014 Fee Schedule.
2. Resolution authorizing the release of Escrow funds for the Olnick Spanu application.
3. Resolution authorizing the release of escrow funds for William & Susan Wood, "Nunc Pro Tunc."
4. Resolution approving increased hours for a Deputy Sheriffs presence during Vehicle & Traffic Calendar.

5. Resoluiton retaining Mr. Falcon of the firm of Stenger, Diamond et al of Fishkill and his alternate James Horan as prosecutors for the Justice Court.

6. Code Enforcement Monthly Report.

7. Schedule Workshops/Meetings

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

## **AUDIENCE**

## **VACANCIES**

Recreation Commission (1)

CV Park District Advisory Committee (3)

CV Water District Advisory Committee (3)

Planning Board (1)

Conservation Board (1)

Board of Assessment Review (1)

## **APPROVAL OF VOUCHERS**

General	Highway	CVPD	CVWD
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## **ADJOURNMENT**

## REORGANIZATION MEETING

January 9, 2014

The Town Board of the Town of Philipstown held their Reorganization Meeting on the above date at \_\_\_\_\_ p.m. at the Town Hall, 238 Main Street, Cold Spring, New York 10516.

### **PRESENT:**

Richard Shea	Supervisor
Nancy Montgomery	Councilwoman
David Merandy	Councilman
John Van Tassel	Councilman
Michael Leonard	Councilman

### **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.**

#### **RESOLUTION #1-2014**

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

**RESOLVED**, that M&T Bank of Cold Spring is 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.**

#### **RESOLUTION #2-2014**

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

**RESOLVED**, that Supervisor Shea is hereby authorized 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 naming Town Officers who shall be compensated for use of their automobiles in the performance of official duties at the rate of \$0.36 per mile.**

Supervisor Shea, Councilwoman Montgomery, Councilmen Van Tassel, Merandy, and Leonard, Assessor, Brian Kenney, Town Clerk Merando, Code Administrators, Kevin Donohue and Robert Emerick and Supervisor's Office personnel, Susan Kenney and Dottie Turner, Recreation personnel Amber Stickle, Karen Virgadamo, Walter Guzman, Richard Stuart, Margaret Parr and Susan Richardson and other persons authorized by the Town Board.

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### **RESOLUTION #3-2014**

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

**RESOLVED**, that the following shall be compensated for use of their automobiles in the performance of official duties at the rate of \$0.36 per mile.

Supervisor Shea, Councilwoman Montgomery, Councilmen Van Tassel, Merandy, and Leonard, Assessor, Brian Kenney, Town Clerk Merando, Code Administrators, Kevin Donohue and Robert Emerick and Supervisor's Office personnel, Susan Kenney and Dottie Turner, Recreation personnel Amber Stickle, Karen Virgadamo, Walter Guzman, Richard Stuart, Margaret Parr and Susan Richardson and other persons authorized by the Town Board.

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.**

### **RESOLUTION #4-2014**

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

**RESOLVED**, that Town Board Monthly Meeting be held at 7:30 p.m., 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.**

### **RESOLUTION #5-2014**

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

**RESOLVED**, that the Town Board hereby declares 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.**

**RESOLUTION #6-2014**

The following Resolution was presented by \_\_\_\_\_, seconded by Councilman VanTassel and unanimously carried;

**RESOLVED**, that the Town Board can 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.**

**RESOLUTION #7-2014**

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

**RESOLVED**, 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 official Town newspaper.**

**RESOLUTION #8-2014**

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

**RESOLVED**, that the Town Board hereby designates the Putnam County News & Recorder as the official Town newspaper.

- 9. Resolution appointing O'Connor Davies LLC as the Town Auditors at an amount not to exceed the budget.**

**RESOLUTION #9-2014**

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

**RESOLVED**, that the Town Board hereby appoints O'Connor Davies LLC as the Town Auditors at an amount not to exceed the 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 budget.**

**RESOLUTION #10-2014**

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

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**RESOLVED**, that the Town Board hereby names Supervisor Shea as Budget Officer for the Town of Philipstown at a salary not to exceed that set forth in the budget

**11. Resolution appointing Susan Kenney as the Assistant Budget Officer at a salary not to exceed the budget.**

**RESOLUTION #11-2014**

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

**RESOLVED**, that the Town Board hereby appoints Susan Kenney as the Assistant Budget Officer at a salary not to exceed the 2014 budget.

**12. Resolution authorizing Supervisor Shea to appoint Susan Kenney as Comptroller at a salary not to exceed that set forth in the budget.**

**RESOLUTION #12-2014**

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

**RESOLVED**, that the Town Board hereby appoints Susan Kenney as Comptroller at a salary not to exceed that set forth in the 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 budget.**

**RESOLUTION #13-2014**

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

**RESOLVED**, that Supervisor Shea hereby appoints Dorothy Turner as Confidential Secretary to the Supervisor at a salary not to exceed that set forth in the 2012 budget.

**14. Resolution authorizing Supervisor Shea to appoint Maureen Etta as Safety Coordinator at a salary not to exceed that set forth in the budget.**

**RESOLUTION #14-2014**

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

**RESOLVED**, that Supervisor Shea hereby appoints Maureen Etta as Safety Coordinator at a salary not to exceed that set forth in the 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

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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

### **RESOLUTION #15-2014**

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

**RESOLVED**, that the following Petty Cash Funds are approved:

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.**

#### **RESOLUTION #16-2014**

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

**RESOLVED**, that the Town Board hereby appoints Supervisor Shea as a voting delegate to the Annual Association of Town's Meeting and naming Town Clerk Merando as 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.**

#### **RESOLUTION #17-2014**

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

**RESOLVED**, that the Town Board hereby appoints 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 budget**

#### **RESOLUTION #18-2014**

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

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**RESOLVED**, that the Town Board hereby appoints 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 budget.

**19. Resolution appointing Robert Emerick as Deputy Code Administrator at a salary not to exceed the amount set forth in the budget.**

**RESOLUTION #19-2014**

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

**RESOLVED**, that the Town Board hereby appoints Robert Emerick as Deputy Code Administrator at a salary not to exceed the amount set forth in the budget.

**20. Resolution appointing Mariann Landolfi as Clerk to the Code Administrator at a salary not to exceed the amount set forth in the budget.**

**RESOLUTION #20-2014**

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

**RESOLVED**, that the Town Board hereby appoints Mariann Landolfi as Clerk to the Code Administrator at a salary not to exceed the amount set forth in the budget.

**21. Resolution appointing Susan DiStefano as Clerk to the Assessor at a salary not to exceed the amount set forth in the budget.**

**RESOLUTION #21-2014**

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

**RESOLVED**, that the Town Board hereby appoints Susan DiStefano as Clerk to the Board of Assessors at a salary not to exceed the amount set forth in the budget.

**22. Resolution appointing Frank Weise as Deputy Highway Superintendent at a salary not to exceed that set forth in the budget**

**RESOLUTION #22-2014**

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

**RESOLVED**, that the Town Board hereby appoints Frank Weise as Deputy Highway Superintendent at a salary not to exceed that set forth in the budget.

**23. Resolution appointing Maureen Etta as Clerk supporting the Highway Department at a salary not to exceed that set forth in the budget.**



**RESOLUTION #23-2014**

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

**RESOLVED**, that the Town Board hereby appoints Maureen Etta as Clerk to the Highway Department at a salary not to exceed that set forth in the budget.

**24. Resolution appointing Susan Downey as Clerk to the Highway Superintendent at a salary not to exceed that set forth in the budget.**

**RESOLUTION #24-2014**

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

**RESOLVED**, that the Town Board hereby appoints Susan Downey as Deputy Clerk to the Highway Department at a salary not to exceed that set forth in the budget.

**25. Resolution appointing Rosemary Bernasconi as Clerk to the Town Justices at a salary not to exceed the amount set forth in the budget.**

**RESOLUTION #25-2014**

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

**RESOLVED**, that Rosemary Bernasconi is hereby appointed Clerk to the Town Justices at a salary not to exceed the amount set forth in the 2014 budget.

**26. Resolution appointing Annette Flaherty as Clerk to the Town Justices at a salary not to exceed the amount set forth in the 2014 budget.**

**RESOLUTION #26-2014**

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

**RESOLVED**, that Annette Flaherty is hereby appointed Clerk to the Town Justices at a salary not to exceed the amount set forth in the 2014 budget.

**27. Resolution appointing Donald MacDonald as Town Historian.**

**RESOLUTION #27-2014**

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

**RESOLVED**, that the Town Board hereby appoints Donald MacDonald as 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**

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**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.**

### **RESOLUTION #28-2014**

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

**RESOLVED**, that the Town Board hereby appoints 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.**

### **RESOLUTION #29-2014**

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

**RESOLVED**, that the Town Board hereby appoints 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 2014 budget.**

### **RESOLUTION #30-2014**

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

**RESOLVED**, that the Town Board hereby appoints 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 2014 budget.

**31. Resolution appointing Carl D'Ambrosio as Property Records Manager.  
RESOLUTION #31-2014**

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

**RESOLVED**, that the Town Board hereby appoints Carl D'Ambrosio as Property Records Manager at a salary not to exceed that set forth in the 2014 budget..

**32. Resolution appointing Tina M. Merando and Joan Clauss as Marriage Officers.**

**RESOLUTION #32-2014**

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

**RESOLVED**, that the Town Board hereby appoints Tina M. Merando and Joan Clauss as Marriage Officers.

**33. Supervisor Shea to appoint Nancy Montgomery as Deputy Supervisor.**

Supervisor Shea hereby appoints Nancy Montgomery as 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 2014 budget.**

Town Clerk Merando hereby appoints Joan Clauss as Deputy Town Clerk, Deputy Tax Collector, Deputy Registrar at a salary not to exceed that set forth in the 2014 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 2014 budget.**

Town Clerk Merando hereby appoints Theresa Crawley as Deputy Town Clerk, Deputy Tax Collector and Sub-Registrar at a salary not to exceed that set forth in the 2014 budget.

**36. Resolution appointing Eric Lind Interim Chairman of the Conservation Board.**

**RESOLUTION #33-2014**

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

**RESOLVED**, that the Town Board hereby appoints 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 2014 budget**

**RESOLUTION #34-2014**

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

**RESOLVED**, that the Town Board hereby authorizes compensation for the Garrison School Crossing Guard as per budget allocations not to exceed that set forth in the 2014 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	Assistant Water Treatment Plant Operator
Stan Houghton	Assistant Water Treatment Plant Operator

**RESOLUTION #35-2014**

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

**RESOLVED**, that the Town Board hereby appoints 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	Assistant Water Treatment Plant Operator
Stan Houghton	Assistant Water Treatment Plant Operator

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

Michael Phelan  
(Vacant Positions - 3)

**RESOLUTION #36-2014**

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

**RESOLVED**, that the Town Board hereby appoints 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.**

**RESOLUTION #37-2014**

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

**RESOLVED**, that the Town Board hereby appoints 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)

**RESOLUTION #38-2014**

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

**RESOLVED**, that the Town Board hereby appoints 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 2014 as follows:**

<b><u>SEASONAL EMPLOYEES</u></b>		<b><u>RANGE</u></b>
Sports Director's & 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-\$30.00
Assistants	Hour	\$ 8.00-\$20.00
Custodial	Hour	\$ 7.00-\$12.00

**DIRECTORS/INSTRUCTORS**

Camps/Clinics/Theatre	Hour	\$10.00-\$30.00
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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

### RESOLUTION #39-2014

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

**RESOLVED**, that the Town Board hereby sets the Recreation pay scale for 2014 as indicated above.

### 43. Resolution setting the 2014 hourly rate for part- time stenographers and part-time clerks as follows:

Tina Landolfi, Conservation Board Secretary	\$16.00/hr.
Tina Landolfi, Building Department	\$16.00/hr.
Ann Gallagher, Planning Board Secretary	\$22.00/hr.
Tina Landolfi, Zoning Board Secretary	\$16.00/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	\$15.00/hr.
Linda Lomanaco, School Crossing Guard	\$20.00/hr.
Stan Houghton, Maintenance Worker P/T CVPD	\$18.25/hr.

### RESOLUTION #40-2014

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

**RESOLVED**, that the Town Board sets the 2014 hourly rate for part-time stenographers and part-time clerks as indicated above.

### 44. Resolution appointing \_\_\_\_\_ as Chairman of the Planning Board.

### RESOLUTION #41-2014

The following Resolution was presented by \_\_\_\_\_, seconded by \_\_\_\_\_ and unanimous carried;

**RESOLVED**, that the Town Board hereby appoints \_\_\_\_\_ as Chairman of the Planning Board.

### 45. Resolution appointing Robert Dee as Chairman of the Zoning Board of Appeals.

### RESOLUTION #42-2014

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

**RESOLVED**, that the Town Board hereby appoints Robert Dee as Chairman of the Zoning Board of Appeals.

**46. Supervisor Shea appoints the following Council members as liaisons to the following:**

Highway Committee	John Van Tassell
Planning Board	Nancy Montgomery
Land & Building	John Van Tassel & Richard Shea
Zoning Board	John Van Tassel
Conservation Board	Michael Leonard
Signs & Streets-Village of Cold Spring	David Merandy
Village of Nelsonville	Richard Shea
CVPOA	Michael Leonard
Haldane School	John Van Tassel
Garrison School	David Merandy
Fire Companies	Garrison – Richard Shea North Highlands – John Van Tassel
Finance Committee	Richard Shea, Philippe Cotennac Nat Prentice, Elizabeth Anderson Donna Pidala
Recreation	David Merandy & John Van Tassel
Butterfield Library	Nancy Montgomery
Information Officer	Nancy Montgomery

**47. Resolution approving the 2014 Holiday Schedule:**

<b>New Year's Day</b>	<b>Wednesday</b>	<b>01-01-2014</b>
<b>Martin Luther's Day</b>	<b>Monday</b>	<b>01-20-2014</b>
<b>Presidents Day</b>	<b>Monday</b>	<b>02-17-2014</b>
<b>Good Friday</b>	<b>Friday</b>	<b>04-18-2014</b>
<b>Memorial Day</b>	<b>Monday</b>	<b>05-26-2014</b>
<b>Independence Day</b>	<b>Friday</b>	<b>07-04-2014</b>
<b>Labor Day</b>	<b>Monday</b>	<b>09-01-2014</b>
<b>Columbus Day</b>	<b>Monday</b>	<b>10-13-2014</b>
<b>Election Day</b>	<b>Tuesday</b>	<b>11-04-2014</b>
<b>Veterans Day</b>	<b>Tuesday</b>	<b>11-11-2014</b>
<b>Thanksgiving</b>	<b>Thursday &amp; Friday</b>	<b>11-27-2014 &amp; 11-28-2014</b> *(day taken after Thanksgiving must be charged to comp or vacation time)
<b>Christmas</b>	<b>Thursday</b>	<b>12-25-2014 &amp; 12-26-14</b> *(day taken after Christmas must be charged to comp or vacation time)

**RESOLUTION #43-2014**

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

**RESOLVED**, that the Town Board hereby approves the 2014 Holiday Schedule as indicated above.

There being no further business to discuss, \_\_\_\_\_ made a motion, seconded by \_\_\_\_\_ and unanimously carried to close the Reorganization Meeting at \_\_\_\_\_ p.m.

Respectfully submitted by,

Tina M. Merando  
Town Clerk



MEMORANDUM TO THE PHILIPSTOWN TOWN BOARD  
Re: PHILIPSTOWN DEPOT THEATRE DEVELOPMENT CORPORATION ("PDTDC")  
January 9, 2014

Annual Meeting

Under PDTDC's By-laws, at their annual meeting the Members of the corporation, who are 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. The PDTDC Board has nominated the following five directors for reappointment in the class of 2017:

Robert C. Bickford	119 Rockwald Road, Cold Spring NY 10516
Michael LaRocco	28 Roessel Road, Cold Spring NY 10516
Claudio Marzollo	256 Lane Gate Road, Cold Spring NY 10516
Christopher Nowak	1225 Route 9D, Garrison NY 10524
Katharine Plummer	PO Box 304, Cold Spring NY 10516

Special Meeting

1. Increase permissible size of Board. The PDTDC Board has proposed that the By-laws be amended to fix the maximum number of directors at 19, rather than 15 as at present (the minimum number would remain at 11). The Board believes that it would be strengthened by the addition of people with skills and abilities that would add to or complement those of the current directors. This action requires amendment of the By-laws.

2. Authorize transfer of assets to new corporation. In September the PDTDC Board and Members authorized the merger of PDTDC with a new corporation, Philipstown Depot Theatre Inc. The merger is conditioned upon PDC Inc. receiving 501c3 tax exemption from the IRS followed by approval t the State Attorney General and a Supreme Court justice. These steps were not completed prior to the end of 2013 but are expected to be completed in 2014. In anticipation of the merger, the PTTDC Board authorized the transfer of all its assets, subject to all its liabilities, to PDC Inc. under an agreement which provides for the retransfer of assets to PDTDC if the merger for whatever reason does not take place. The PDTDC Board believes that by going through this process the 2014 audit of PDTDC will be simplified and far less costly.

PHILIPSTOWN DEPOT THEATRE DEVELOPMENT CORPORATION  
NOTICE OF THE ANNUAL AND A SPECIAL MEETING OF MEMBERS  
JANUARY 9, 2014

NOTICE IS HEREBY GIVEN that the annual and a special meeting of the members of Philipstown Depot Theatre Development Corporation will be held at the Town Hall, Cold Spring NY on Thursday, January 9, 2014, at 7:30 pm or as soon thereafter as may be practicable

Dated: December 23, 2013

STEPHANIE HAWKINS

Secretary

PHILIPSTOWN DEPOT THEATRE DEVELOPMENT CORPORATION

**AGENDA**

(Supervisor Shea Presiding):

Call to Order

Ascertain presence of a quorum (at least 4 of the 7 Members)

Annual Meeting

Nominations for directors

**Resolution:** RESOLVED, that the following persons are elected directors of the corporation each to serve for a term of three years: Robert C. Bickford, Michael LaRocco, Claudio Marzollo, Christopher Nowak and Katharine Plummer.

**VOTE**

Special Meeting

1. Proposal to amend By-laws to increase the number of directors from 19 to 22.

**Resolution:**

RESOLVED, that the first sentence of Section 3.2. of the By-laws, is amended to read as follows: The Board of Directors shall consist of such number of Directors, not fewer than 11 nor more than 19, as may be fixed from time to time by resolution of the Board of Directors, divided into three classes each of which shall consist, as nearly as practicable, of one-third of the total number of Directors.

**VOTE**

2. Proposal to approve sale and transfer of assets to Philipstown Depot Theatre Inc.

RESOLVED, that that the sale and transfer by the corporation of all its assets to Philipstown Depot Theatre Inc. ("PDT Inc") in exchange for PDT Inc's assumption of all the corporation's liabilities, effective as of January 1, 2014, is approved, ratified and confirmed.

**VOTE**

Adjourn

Public Hearing – Preliminary Budget for  
Continental Village Park and Water Districts  
November 6, 2013

The Town Board held a Public Hearing on the above date at 7:30 and 7:35 p.m. respectively for the purpose of hearing any one person in favor or against the Preliminary Budget for the Continental Village Park District and the Continental Village Water District as compiled for or against any item therein contained.

**PRESENT:**

Richard Shea	Supervisor
Betty Budney	Councilwoman
John Van Tassel	Councilman
Dave Merandy	Councilman

**ABSENT:** Nancy Montgomery Councilwoman

Town Clerk Merando read the Public Notice.

Michael Phelan, Superintendent of the Park District stated that the proposed budget is basically the same. The only contingent is the interest and indebtedness of the dam rehabilitation project. He noted that the district is trying to put aside monies each year in an effort to ease the burden when the dam bond begins. He went on to say that the DEC conducted an inspection, and found that there was some remediation work that is needed at the base of the dam.

Councilman Van Tassel asked the status of the walking bridge. Mr. Phelan responded stating that two weeks ago he met with Town Engineer, Ron Gainer, and other parties, and is now waiting for the figures. It is hoped that 90% of the work could be completed in 2013.

Ralph Bassignani stated that this years' budget is \$295.00 less than last year. The only issue the water district had was the DEP, who expected to shut down for a week, which was delayed, and now expects the shutdown for approximately three weeks. He reminded everyone that in 2020, the DEP would shut down for thirty six months

There being no comments from the public, Councilwoman Budney made a motion, seconded by Councilman Merandy to close the Public Hearing at 7:50 p.m.

Respectfully submitted by,

Tina M. Merando, Town Clerk

Public Hearing – General Budget for 2014  
November 6, 2013

The Town Board held a Public Hearing on the above date at 7:51 p.m. for the purpose of hearing comments for/or against the General Budget for fiscal year 2014.

**PRESENT:**

Richard Shea	Supervisor
Betty Budney	Councilwoman
John Van Tassel	Councilman
Dave Merandy	Councilman

**ABSENT:** Nancy Montgomery Councilwoman

Town Clerk Merando read the Public Notice.

Supervisor Shea reviewed the proposed budget for 2014. Supervisor Shea confirmed with the Garrison Ambulance that there would be a \$50,000.00 increase for 2014, as the Corp is hiring a 24/7 paid EMT. Derek Tudor, member of the Ambulance Corp stated that this is something that is needed to improve the services and response time.

Discussion then turned to the Garrison Fire Department and their intentions to purchase a large piece of equipment. The Town Board would like to have a better assessment of the existing tanker and it's roadworthiness; an independent vendor would complete the assessment and report back to the Town Board.

Joe Regele addressed the Town Board and reviewed Garrison Fire's financial situation, noting that there was a net profit of \$40,000.00 for 2012. In addition to that, they received a \$43,000.00 insurance settlement and sold a vehicle for \$40,000.00. Discussion continued with regard to the fire department's finances. There was a lengthy discussion with regard to the upcoming referendum to increase the fire department's Length of Service Award Program.

Supervisor Shea then moved on, noting that Continental Village Fire Department's budget was at 1.65%. He disagreed, stating that they are at 3%. He will contact them to further discuss the percentage and what the Town Board expects to see.

Lee Erickson questioned the Fire Marshall's proposed increase. Supervisor Shea stated that there would be an increase, due to his workload; however, it will not reflect the amount in the preliminary budget.

Joe Regele asked about sharing sales tax, at which time Supervisor Shea responded saying that he would like to see that. Supervisor Shea did point out that when the taxes are due, the Town is made whole; any delinquencies are left to the County.

Public Hearing – General Budget for 2014  
November 6, 2013

Supervisor Shea completed the review of the proposed budget touching on some minor changes, with less than the 2% increase.

There being no further comments from the public, Councilman Merandy made the motion, seconded by Councilwoman Budney, to close the Public Hearing at 9:00 p.m.

Respectfully submitted by,

Tina M. Merando  
Town Clerk

Weekly Town Board Meeting  
November 13, 2013

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
Betty Budney	Councilwoman
Nancy Montgomery	Councilwoman
John Van Tassel	Councilman
David Merandy	Councilman

**AGENDA**

**1. Resolution directing that a proposition be submitted at a Special Election to be held December 10, 2013, with regard to the amendment of the defined benefit service award program for the Garrison Volunteer Fire Department.**

**RESOLUTION #**

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

**RESOLVED**, that the Town Board hereby rescinds Resolution #143-13 of October 3, 2013 pertaining to the special election of the Garrison Volunteer Fire Department.

**RESOLUTION #**

Councilperson Van Tassel offered the following resolution and moved its adoption:

RESOLUTION OF THE TOWN BOARD OF THE TOWN OF PHILIPSTOWN, PUTNAM COUNTY, NEW YORK, IN REGARD TO THE AMENDMENT OF THE DEFINED BENEFIT SERVICE AWARD PROGRAM FOR THE GARRISON VOLUNTEER FIRE DEPARTMENT, DIRECTING THAT A PROPOSITION BE SUBMITTED AT A SPECIAL ELECTION TO BE HELD DECEMBER 10<sup>th</sup>, 2013, DIRECTING PUBLICATION OF NOTICE OF ELECTION AND DETERMINING OTHER MATTERS IN CONNECTION THEREWITH.

WHEREAS, the Town Board has heretofore established a Defined Benefit Length of Service Award Program for the volunteer firefighters of the Garrison Volunteer Fire Department with a Monthly Benefit Amount of \$10.00; and

WHEREAS, the Town Board, along with the Board of Commissioners of the North Highlands Fire District, has heretofore established and approved Defined Benefit Length of Service Award Programs for the Cold Spring,

Weekly Town Board Meeting  
November 13, 2013

Continental Village and North Highlands Fire Departments with Monthly Benefit Amounts of \$20.00; and

WHEREAS, the Town Board desires to enact an amendment to Section 9 of the Plan dated effective January 1, 1996, for said Defined Benefit Service Award Program, changing the Monthly benefit paid at entitlement age from \$10.00 to \$20.00, subject to the approval of the votes of the Garrison Fire Protection District; and

WHEREAS, the Town Board desires to enact an amendment to Section 9 of said Plan changing the Total Years of Service maximum from 30 years to 40 years; and

WHEREAS, the Town Board desires to enact an amendment to said Plan allowing the continued accrual and payment of benefits beyond the entitlement age of 65, consistent with Section 217 (n) of the General Municipal Law adopted subsequent to the heretofore established Length of Service Award for the volunteer firefighters of the Garrison Volunteer Fire Department, subject to the approval of the voters of the Garrison Fire Protection District;

NOW THEREFORE BE IT RESOLVED as follows:

"BOARD RESOLUTION OF THE TOWN BOARD OF THE TOWN OF PHILIPSTOWN, COUNTY OF PUTNAM, NEW YORK, ADOPTED OCTOBER 3<sup>rd</sup>, 2013, AUTHORIZING THE AMENDMENT EFFECTIVE JANUARY 1, 2014, OF THAT CERTAIN RESOLUTION PASSED ON JUNE 6, 1996 BY THE TOWN BOARD, AND APPROVED BY THE ELECTORS OF THE GARRISON FIRE PROTECTION DISTRICT AT A REFERENDUM HELD ON SEPTEMBER 17, 1996, WHICH ESTABLISHED A DEFINED BENEFIT SERVICE AWARD PROGRAM FOR THE VOLUNTEER FIREFIGHTERS OF THE GARRISON VOLUNTEER FIRE DEPARTMENT; SAID AMENDMENT:

(1) TO ALLOW PROGRAM PARTICIPANTS WHO CONTINUE TO BE ACTIVE VOLUNTEERS TO EARN SERVICE CREDIT AFTER ATTAINMENT OF THE ENTITLEMENT AGE OF SIXTY-FIVE (65) YEARS;

(2) TO INCREASE THE MONTHLY BENEFIT FROM TEN AND 00/100 (\$10.00) DOLLARS TO TWENTY AND 00/100 (\$20.00) DOLLARS; AND

(3) TO CHANGE THE MAXIMUM NUMBER OF YEARS OF SERVICE FROM THIRTY (30) TO FORTY (40);



BY INCREASING THE ESTIMATED ANNUAL COST OF SUCH PROGRAM (INCLUDING ADMINISTRATIVE COSTS), FROM THIRTY-SIX THOUSAND THREE HUNDRED TWENTY-FOUR AND 00/100 (\$36,324.00) DOLLARS TO FIFTY-EIGHT THOUSAND SIX HUNDRED FORTY-SEVEN AND 0-0/100 (\$58,674.00) DOLLARS BASED ON THE EXISTING NUMBER OF FIREFIGHTERS;

BY REDUCING THE ESTIMATED ANNUAL COST PER PARTICIPANT OF SUCH PROGRAM FROM ONE THOUSAND FIVE HUNDRED FORTY-FIVE AND 00/100 (\$1,545.00) DOLLARS TO ONE THOUSAND SIXTY-SEVEN AND 91/100 (\$1,067.91) DOLLARS, BASED ON THE EXISTING NUMBER OF FIREFIGHTERS;

BY INCREASING THE ESTIMATED ANNUAL ADMINISTRATIVE FEE FROM FIVE HUNDRED SIXTY-FIVE AND 00/100 (\$565.00) DOLLARS TO ONE THOUSAND THREE HUNDRED FIFTY-SIX AND 00/100 (\$1,356.00) DOLLARS, BASED ON TNHE EXISTING NUMBER OF FIREFIGHTERS;

STATING THE MAXIMUM MONTHLY BENEFIT SHALL BE E3IGHT HUNDRED AND 00/100 (\$800.00) DOLLARS, BASED UPON AN AWARD OF TWENTY AND 00/100 (\$20.00) DOLLARS PERMONTH FOR UP TO FORTY (40 YEARS OF SERVICE BY ELIGIBLE PARTICIPANTS;

STATING DEATH AND DISABILITY PAYMENTS TO BE AUTHORIZED TO COMMENCE UPON THE DATE OF AMENDMENT OF THE SERVICE AWARD PROGRAM AND REGULAR DEFINED BENEFIT AWARD PAYMENTS TO BE AUTHORIZED TO COMMENCE ONE YEAR THEREAFTER;

APPROPRIATING SAID AMOUNTS THEREFOR AND STATING THAT THE FAILURE OF THE AMENDMENT TO BE APPROVED BY THE VOTES OF THE GARRISON FIRE PROTECTION DISTRICT WILL INNO WAY AFFECT THE PROVISIONS OF THE SERVICE AWARD PROGRAM PRESENTLY IN EFFECT;"

AND BE IT FURTHER RESOLVED, the Town Board hereby directs that a proposition be submitted at a Special Election to be held on December 10<sup>th</sup>, 2013, open to all the voters of the Garrison Fire Protection District to determine whether the Town of Philipstown shall amend the service award program as hereinbefore provided; and be it

Weekly Town Board Meeting  
November 13, 2013

FURTHER RESOLVED, an election of the qualified voters of the Garrison Fire Protection District, shall be held at the Garrison Station Two Firehouse, located at 1616 Route 9, Garrison, New York, on December 10<sup>th</sup>, 2013, at 6:00 A.M., and the polls shall remain open until 9:00 P.M., or as much longer as may be necessary to enable the voters then present to cast their votes. The vote upon the Proposition to be submitted to the qualified voters shall be by paper ballots and the Town Clerk is hereby authorized and directed to make the necessary arrangement for same. The Town Clerk is hereby authorized and directed to give notice of said Election by causing a notice in substantially the form annexed hereto to be published in the Putnam County News and Recorder, a newspaper published in the Town of Philipstown, New York, and having a general circulation with the Garrison Fire Protection District and hereby designated as the official newspaper of the Town for such publication.

The following resident Town Electors, each of whom is a registered voter of the town, are hereby appointed to act as Election Inspectors and ballot Clerks at the aforesaid election:

Michelle G. Clifton

Karen S. Lindros

Diana H. Swinburne

Sue H. Tudor

Said Clerks and Inspectors shall each be paid at the rate of \$115.00 per day for the time necessary to prepare the register and for conducting said election.

The Inspectors of Election shall meet prior to December 10<sup>th</sup>, 2013, to commence preparation of the register for the December 10<sup>th</sup>, 2013 Election. In preparing such register, the Inspectors of Election shall comply with the following procedure:

(a) They shall adopt, use or copy from, the registration list certified and supplied by the County Board of Elections, the names appearing thereon of all persons residing in the Garrison Fire Protection District and qualified to vote in such forthcoming election.

(b) The register for the election shall include as a minimum a space for the name of the voter, his or her address within the Garrison Fire Protection District and a space for his or her signature to be signed by the voter on Election Day. The Town Clerk shall furnish the Inspectors of Election, with all necessary registration books, papers, equipment and supplies.

Weekly Town Board Meeting  
November 13, 2013

The adoption of the foregoing resolution was second by Councilperson Montgomery and duly put to a vote on roll call, which resulted as follows:

Supervisor Richard Shea	AYE
Councilwoman Nancy Montgomery	AYE
Councilman David Merandy	AYE
Councilwoman Betty Budney	AYE
Councilman John Van Tassel	AYE

The resolution was declared adopted.

**2. Budget review for the Garrison Volunteer Fire Department.**

The Town Board proceeded to review the budget with members of the Garrison Volunteer Fire Department.

The Town Board adjourned the meeting at 9:05 p.m.

Respectfully submitted by

Tina M. Merando  
Town Clerk

Public Hearing – Six Month Moratorium – Wind Energy Conversion Systems.  
November 20, 2013

The Town Board held a Public Hearing at 7:35 p.m. at the Town Hall, 238 Main Street on the above date to hear comments for/against a **PROPOSED LOCAL LAW ESTABLISHING A SIX (6) MONTH MORATORIUM ON THE SUBMISSION AND PROCESSING OF APPLICATIONS FOR WIND ENERGY CONVERSION SYSTEMS WITHIN THE TOWN OF PHILIPSTOWN.**

**PRESENT:**

Richard Shea	Supervisor
Betty Budney	Councilwoman
Nancy Montgomery	Councilwoman
John Van Tassel	Councilman
David Merandy	Councilman

Town Clerk Merando read the Public Notice.

Supervisor Shea stated that this matter has been before the board for some time and everyone should be aware of the issues.

Andy Chmar questioned Section 4.2, which addresses pending applications. Mr. Chmar was assured that there are currently no applications for Wind Energy.

Jim Erickson, member of the Garrison Fire Department, asked if there were any studies completed with regard to the heights of proposed towers and the fire company's ability to extinguish a fire. He asked that the fire company be notified of any towers being installed so they have some input, as they are the ones that would respond in an emergency.

There being no further comments from the public, Councilwoman Budney made a motion, seconded by Councilman Merandy to close the Public Hearing at 8:00 p.m.

Respectfully submitted by,

Tina M. Merando  
Town Clerk

Weekly Town Board Meeting  
November 20, 2013

The Town Board held their Weekly Meeting on the above date at 8:00 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

**AGENDA**

**1. Resolution adopting Local Law for a six-month moratorium for wind energy conversion systems applications.**

- SEQRA / Negative Declaration

**RESOLUTION #**

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

**WHEREAS**, the Town Board of the Town of Philipstown has held a Public Hearing and now wishes to adopt A LOCAL LAW ESTABLISHING A SIX (6) MONTH MORATORIUM ON THE SUBMISSION AND PROCESSING OF APPLICATIONS FOR WIND ENERGY CONVERSION SYSTEMS WITHIN THE TOWN OF PHILIPSTOWN;

**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.

**ROLL CALL VOTE**

Supervisor Shea	AYE
Councilwoman Budney	AYE
Councilwoman Scuccimarra	AYE
Councilwoman Montgomery	AYE
Councilman Van Tassel	AYE

Resolution adopted by unanimous vote.

- Adopt Local Law

**RESOLUTION #**

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

**RESOLVED**, that the Town Board hereby adopts the LOCAL LAW ESTABLISHING A SIX (6) MONTH MORATORIUM ON THE SUBMISSION AND PROCESSING OF APPLICATIONS FOR WIND ENERGY CONVERSION SYSTEMS WITHIN THE TOWN OF PHILIPSTOWN;

**ROLL CALL VOTE**

Supervisor Shea	AYE
Councilwoman Budney	AYE
Councilwoman Scuccimarra	AYE
Councilwoman Montgomery	AYE
Councilman Van Tassel	AYE

Resolution adopted by unanimous vote.

**2.Resolution accepting the proposal submitted by the RBA Group – New York for professional planning services required in connection with the proposed “Hudson Fjord Trail.” And approving the joint agreement between the Town of Philipstown, the Town of Fishkill and the RBA Group – New York for planning services for the proposed “Hudson Fjord Trail” and authorize Supervisor Shea to sign the same**

Supervisor Shea noted that many entities have been involved in this project. Councilman Merandy asked what the Town’s commitment is with this project. Supervisor Shea stated that it is \$15,000, including in-kind services. Supervisor Shea also stated that this is only for the planning stage of the project. No resolution is needed for accepting the proposal submitted by the RBA Group – New York, as it is addressed in the Agreement.

**RESOLUTION #**

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

**RESOLVED**, that the Town Board hereby authorizes Supervisor Shea to sign the agreement between the Town of Philipstown, the Town of Fishkill and the RBA Gourp-New York for planning services for the proposed “Hudson Fjord Trail.”

**3. Adopt Final Budget for fiscal year 2014.**

Supervisor Shea reviewed the proposed budget. There have been additional monies added for cemeteries. There are no increases for elected officials except

Weekly Town Board Meeting  
November 20, 2013

the town justices, and across-the-board increases of \$1,000.00 for all employees. There are monies allotted for senior transportation from Continental Village for shopping and exercise classes at the Continental Village Clubhouse.

The Garrison Volunteer Ambulance is increasing their budget, as they are going to 24/7 paid EMT. Putnam County Historical Society will see an increase, as will the Fish Library. Garrison Fire is looking at a 1% decrease, this after a number of meetings with them.

**RESOLUTION #**

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

**RESOLVED**, that the Town Board hereby adopts the Philipstown Budget for fiscal year 2014 as presented. (Budget Attached)

**ROLL CALL VOTE**

Supervisor Shea	AYE
Councilwoman Budney	AYE
Councilwoman Scuccimarra	AYE
Councilwoman Montgomery	AYE
Councilman Van Tassel	AYE

Resolution adopted by unanimous vote.

There being no further business Councilman Van Tassel made a motion, seconded by Councilwoman Budney to close the Weekly Meeting at 8:45 p.m.

Respectfully submitted by,

Tina M. Merando  
Town Clerk

BID OPENING

November 27, 2013

- 8 FT /1.5 YD WESTERN STAINLESS STEEL SANDER WITH BRIGGS AND STRATTON ENGINE
- 8 FT /1.5 YD TOREWELL STAINLESS STEEL SANDER WITH BRIGGS AND STRATTON ENGINE
- 9 FT / 5 YD TOREWELL SANDER HYDRAULIC OPERATED
- 1996 DODGE 3500 4 WHEEL DRIVE TRUCK WITH PLOW

The Town Clerk's Office held a Bid Opening for the auctioning of:

- 8 FT /1.5 YD WESTERN STAINLESS STEEL SANDER WITH BRIGGS AND STRATTON ENGINE
- 8 FT /1.5 YD TOREWELL STAINLESS STEEL SANDER WITH BRIGGS AND STRATTON ENGINE
- 9 FT / 5 YD TOREWELL SANDER HYDRAULIC OPERATED
- 1996 DODGE 3500 4 WHEEL DRIVE TRUCK WITH PLOW

for the Highway Department, on the above date at 9:45 a.m., at the Town Hall, 238 Main Street, Cold Spring, New York.

The following bids were submitted.

S.P. Equipment, Inc. P.O. Box 51 3492 Route 9 Cold Spring, NY 10516	<ul style="list-style-type: none"><li>• 1996 DODGE 3500 4 WHEEL DRIVE TRUCK WITH PLOW 6 CYLINDER CUMMINGS DIESEL AUTOMATIC TRANSMISSION ELECTRIC RACK DUMP BODY</li></ul>	\$ 500.00
S.P. Equipment, Inc. P.O. Box 51 3492 Route 9 Cold Spring, NY 10516	<ul style="list-style-type: none"><li>• 8 FT / 1.5 YD WESTERN STAINLESS STEEL SANDER WITH BRIGGS AND STRATTON ENGINE</li></ul>	\$ 205.00

Bid opening concluded at 9:47 a.m.

Respectfully submitted by,

Joan B. Clauss  
Deputy Town Clerk



# S.P. Equipment, Inc.

PO Box 51 - 3492 Route 9  
Cold Spring, NY 10516  
Phone 845-265-3088  
Fax 845-265-2058

11-25-13

TOWN CLERKS OFFICE  
238 MAIN STREET  
COLD SPRING, NY 10516

Please accept our bid of \$505.00 for the following highway department vehicle:

1996 DODGE 3500 4 WHEEL DRIVE TRUCK WITH PLOW 6 CLYINDER  
CUMMINGS DIESEL AUTOMATIC TRANSMISSION ELECTRIC RACK  
DUMP BODY

Sincerely,  
Stephen Pidala

A handwritten signature in black ink, appearing to read 'Stephen Pidala', written in a cursive style.

# S.P. Equipment, Inc.

PO Box 51 - 3492 Route 9  
Cold Spring, NY 10516  
Phone 845-265-3088  
Fax 845-265-2058

11-25-13

TOWN CLERKS OFFICE  
238 MAIN STREET  
COLD SPRING, NY 10516

Please accept our bid of \$205.00 for the following highway department vehicle:

8 FT /1.5 YD WESTERN STAINLESS STEEL SANDER WITH BRIGGS AND  
STRATTON ENGINE

Sincerely,  
Stephen Pidala

A handwritten signature in black ink, appearing to read 'Stephen Pidala', written in a cursive style.

Monthly Town Board Meeting  
December 12, 2013

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
	David Merandy	Councilman
	John Van Tassel	Councilman

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

Supervisor Shea asked Councilwoman Budney to come to the floor and join him. He told the audience that words fall short when trying to describe a person like Betty Budney "When you look at the breadth and depth of Betty's career and her service to the Town you can't sum that up in words." He said that whenever you meet her you would always come away with a little tidbit of information and knowledge. Supervisor Shea said that he has had the privilege of working with her for 25 years, and that she was the one who encouraged him to run. He thanked her on the Town's behalf, for her work with the Lions Club, the Town Board, helping the underprivileged, and her work at the cemeteries. Supervisor Shea then presented her with a beautiful framed map of the Town and a resolution, which reads as follows;

**RESOLUTION #**

***WHEREAS***, on January 1, 1989, Betty Budney became the first woman to be elected to the Town of Philipstown Town Board and began her illustrious twenty-four year career representing the people of this Town and;

***WHEREAS***, Betty's years of service have been distinguished by her exemplary dedication to serve in the best interest of Philipstown, while working tirelessly for the betterment of the Town's economic, cultural and aesthetic development and;

***WHEREAS***, the Town of Philipstown has greatly benefited due to her unique capability, in the performance of her responsibilities as a Town Board member and that she has made numerous contributions to the Town's municipal government and;

***WHEREAS***, Betty's achievements as a public servant through her hard work, dedication and her love of the Philipstown community are qualities that will not soon be forgotten;

***NOW, THEREFORE BE IT RESOLVED*** that the Town Board of Philipstown wishes to express our sincere appreciation and thanks to Councilwoman Betty Budney for her outstanding service to the Town and we wish her a happy and healthy retirement and success in all her future endeavors.

Councilwoman Budney thanked everyone saying that it has been a privilege and honor to serve, but due to some personal issues it made it necessary for her to step down. She

Monthly Town Board Meeting  
December 12, 2013

stated that she would still be around doing things she has done in the past. She went on to say that she thoroughly enjoyed working with everyone and wished everyone a happy, healthy New Year.

Assemblywoman Sandy Galef said that she did not know Betty before representing this community Betty and they are like sisters now. When they first met, Betty took her all over Philipstown – up and down every road telling her stories of the town. She is so impressed with what Betty has done working with the community for all these years. Assemblywoman Galef presented Councilwoman Budney with a citation on behalf of the NYS Assembly, which says how special and important Betty's work has been to the State of New York and how they want to be a part of honoring her tonight.

Legislator Barbara Scuccimarra said that she had the pleasure of working with Betty on the Town Board for four years and that Betty was always there to answer her questions. She went on to present Councilwoman Budney with a resolution from the Putnam County Legislature thanking her for her years of dedicated service to her neighbors and the community.

Supervisor Shea announced that there was one more person, David Brower, who wished to make a presentation to Councilwoman Budney. M. Brower said that one thing he learned from Betty was her humility. He then presented her with a bouquet of roses and thanked her.

Councilman Merandy just wanted to say that he feels privileged to be here with two of the courageous women in the Town. He said that it is incredible with all that they have gone through this year that they keep coming back with incredible strength and he is extremely proud to be a part of this.

### **REVIEW OF MINUTES**

The Minutes of the Weekly Town Board Meeting of October 23, 2013 were reviewed.

Councilman Van Tassel made a motion, seconded by Councilwoman Budney and unanimously carried that the Minutes of the Weekly Town Board Meeting of October 23, 2013, are hereby approved as presented.

The Minutes of the Weekly Town Board Meeting of October 30, 2013 were reviewed.

Councilman Van Tassel made a motion, seconded by Councilwoman Montgomery and unanimously carried that the Minutes of the Weekly Town Board Meeting of October 30, 2013, are hereby approved as presented.

The Minutes of the Bid Opening – Highway Materials of November 6, 2013 were reviewed.

Monthly Town Board Meeting  
December 12, 2013

Councilwoman Montgomery made a motion, seconded by Councilwoman Budney and unanimously carried that the Minutes of the Bid Opening – Highway Materials of November 6, 2013, are hereby approved as presented.

The Minutes of the Monthly Town Board Meeting of November 7, 2013, were reviewed.

Councilwoman Budney made a motion, seconded by Councilwoman Montgomery and unanimously carried that the Minutes of the Monthly Town Board Meeting of November 7, 2013, are hereby approved as presented.

### **COMMITTEE REPORTS**

**CB** – Michael Leonard reported that the Board would meet next Tuesday, December 17, 2013 and are dealing with the old Cybercon property – the proposal is for an 8,700-foot addition, which will be used strictly for storage.

**RECREATION** – Councilman Van Tassel reported that they met on December 9, 2013 at which time Director Amber Stickle read the minutes and financial reports (copies of which are available at the Town Hall). They are expected to meet their projected revenues for 2013 and on are on budget. With regard to programming, basketball practice begins this weekend and games start in January. The family night is scheduled for this Saturday, but only 6 families have registered so it will probably be cancelled if more people don't register. The Recreation Department has received a request to start an indoor Sunday soccer program for children and they will be reviewing that. The Senior Luncheon in November was well attended with 90+ seniors attending. Director Stickle expressed her thanks to all the volunteers. The Teen night was also successful with 70+ teenagers. The theatre board met on November 23. "To Kill a Mockingbird" grossed \$18,000 plus. Theatre improvements are continuing. The winter carnival is scheduled for February 8 at the park. Volunteers are needed to make it a success. Progress at the pavilion continues although it has been delayed due to well testing required by the Putnam County Board of Health. Donations are still coming in with a total of \$150,000 so far. The Commission held its elections. The next meeting was scheduled for New Years Eve, but another date will be picked to reschedule.

**RECYCLING** – Councilwoman Budney had not heard anything with regard to the new vendor contract for recycling. Legislator Scuccimarra said that a contract was signed and she would get the information to Councilwoman Budney.

**PLANNING BOARD** - Councilman Merandy reported that there were five (5) items on the agenda: old Plumbush site, All Span (Cybercon), Mountain Trace subdivision, Bill and Susan Wood return of escrow, Nancy Olnick Spano return of escrow. No meeting is scheduled for December. The next meeting will be January 16, 2014 at 7:30pm at the JLB Library.

**ZONING** – Councilman Van Tassel attended the November 25, 2013 meeting and there was one review for completeness for appeal #884, 20 Nazareth Way. The next meeting is

Monthly Town Board Meeting  
December 12, 2013

scheduled for January 13, 2014. The ZBA will be holding a training session here on January 28, 2014 from 2-4:00 pm from AKRF.

**HIGHWAY** – Councilwoman Budney read the report submitted by Highway Superintendent Roger Chirico, which is on file at the Town Clerks office.

**BUILDING & LAND ACQUISITION** – No report

**COUNTY LEGISLATOR REPORT** - Legislator Scuccimarra wanted to remind everyone that this is the last month to register for the STAR program. The Basic STAR can be done on line, the Enhanced STAR must be done in person. Another item she wanted to bring up was Manitou Station Road and it was her hope to use the FEMA funds from the Mill Road Bridge, but unfortunately time was running out. Legislator Scuccimarra stated that the negotiations are underway with the landowner and the state wants the bridge back. She is still hoping that we can still come to some solution, but the property owner has to sign off to say it is okay that he does not have a bridge. In the meantime, the County is looking at two other grants that we would be able use on Manitou Station Road. One is an environmental grant and another countywide culvert operations that would include Manitou Station. Metro North has still committed to mitigate the problem and the County is going to fund a geological study that we have to do before we can go forward with the survey. Councilman Van Tassel said that when he was down there it seemed to him that the road was actually settling into the swamp, which he feels has to do with the heavy traffic by Metro North.

Legislator Scuccimarra said that the County had a sales tax presentation, which Councilman Merandy attended, that explained the reasons why they cannot share taxes. She has the presentation and the County is willing to come to speak to the Town Board. She feels that this warrants a workshop to go over all the numbers and put everything on the table. She knows Senator Gibson has a few things before the Senate on mandate relief and she is really hoping that it will help the County. If the County gets the mandate relief it would free up so much money. She said she could set up a meeting and that County Executive, Mary Ellen O'Dell, would come over and answer any questions. Councilman Merandy said that it sounded to him like it was more like sharing services.

**TOWN OF PHILIPSTOWN  
MONTHLY REPORT OF TOWN SUPERVISOR  
MONIES RECEIVED AS OF DECEMBER 12, 2013**

**GENERAL & PART-TOWN FUNDS**

Recreation Fees – 8/13  
Justice Court – 8/13  
NYS Per Capita Aid  
Building Fees (8/13)  
Bank Interest  
P.C. VFW Rental

**HIGHWAY FUND**

Put. Co. Gas  
Put. Co. Gas  
Bank Int.

**CONTINENTAL VILLAGE WATER DISTRICT**

Bank Interest

**CONTINENTAL VILLAGE PARK DISTRICT**

Bank Interest

## **AGENDA**

### **1. Resolution releasing the escrow funds in the matter of Daniel Lutzker's Wetlands Application.**

Town Clerk Merando said that she was informed today by the Code Enforcement Officer that David Klotzle can release the funds on his own per the letter, however, a resolution needs to be passed authorizing that the building permit application fees be returned to the applicant. Supervisor Shea replied that it was his understanding that the applicant did not pursue the project.

#### **RESOLUTION #-2013**

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

**RESOLVED**, that the Town Board hereby authorizes the release of the \$500.00 held in escrow in the matter of Daniel Lutzker's Wetlands Application.

#### **RESOLUTION #-2013**

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

**RESOLVED**, that the Town Board hereby authorizes the refund of the \$500.00 Building Permit Application Fee for Daniel Lutzker.

### **2. Resolution authorizing Town Clerk Merando to advertise for positions available for the Planning Board, Conservation Board and Board of Assessment Review.**

#### **RESOLUTION #-2013**

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

**RESOLVED**, that the Town Board hereby authorizes Town Clerk Merando to advertise for positions available for the Planning Board, Conservation Board, Board of Assessment Review and the Recreation Commission.

### **3. Award Highway Material Bids for 2014.**

Town Clerk Merando read the letter of recommendation for the 2014 bids for the Highway Department, which will be on file in the Town Clerks office for review.



**RESOLUTION #-2013**

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

**RESOLVED**, that the Town Board hereby accepts the recommendation of the Highway Superintendent for the Material bids for 2014.

**4. Award Highway Equipment Auction for the following;**

- 1996 Dodge 3500 4-wheel Drive Truck with plow
- 8 ft/1.5 yd Western Stainless Steel Sander with Briggs and Stratton Engine

**RESOLUTION #-2013**

The following Resolution was presented by Councilwoman Montgomery seconded by Councilwoman Budney, with Councilman Merandy abstaining;

**RESOLVED**, that the Town Board hereby accepts the recommendation of the Highway Superintendent for the auctioned items as follows.

- 1996 Dodge 3500 4-wheel Drive Truck with plow awarded to S.P. Equipment Inc. for \$505.00
- 8 ft/1.5 yd Western Stainless Steel Sander with Briggs and Stratton Engine awarded to S.P. Equipment Inc. for \$205.00

**5. Schedule Workshop/Meetings**

- Year-End Meeting – December 30, 2013 @7:30 pm
- Re-organization – January 9, 2014 @7:00 pm
- Monthly Town Board Meeting – January 9, 2014 immediately after Re-Organization.
- Weekly workshop – January 15, 2014 Adhoc Committee on the Comprehensive Plan

**6. Code Enforcement Report**

Town Clerk Merando read the report submitted by the Code Enforcement Officer, Kevin Donohue. Copy of which is on file in the Town Clerks Office.

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

Supervisor Shea said that he saw on-line that the Town was awarded a \$100,000 grant toward the Fjord Trail, but he has not heard anything yet. He said that the Town applied

Monthly Town Board Meeting  
December 12, 2013

for more than that, but this is a generous grant award, which came through the consolidated funding. He added that this was good news since the Town have matching funds so they can go ahead and start an actual part of the project. Supervisor Shea added that the Town Board was going to have to see how they are going to move along without the additional funding and try to find some make up sources, which they will since there is a good group working on that. In the spring the town may see some physical construction.

Councilman Van Tassel announced that Hudson Way has been paved.

Councilwoman Budney thanked the Town Clerks office (Tina, Theresa and Joan) for all their help throughout the years.

Councilwoman Montgomery thanked Betty for being the great example she has been as well as a mentor.

Councilman Van Tassel said that he knew Betty a long, long time and he has always been amazed at all the work she had done not only for the Town, but also for all she has done around Town. He said, "It has been a pleasure."

Supervisor Shea said that he was very proud to be the Supervisor of this Town with all that has happened this week.

### **AUDIENCE**

Mary Ellen Finger said that there is a small group – adhoc group - going over the Comprehensive Plan and they are asking about having a workshop with the Town Board to see how the Board can direct them. Supervisor Shea agreed to meeting on January 15, 2014.

### **VACANCIES**

Recreation Commission (1)  
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 \$ approved as set forth in Abstract 11A & 12.

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

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December 12, 2013

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

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

There being no further business to discuss, Councilwoman Budney made a motion, seconded by Councilman Van Tassel to close the Town Board Monthly Meeting at 8:30pm.

Respectfully submitted by,

Theresa Crawley  
Deputy Town Clerk



## **Town of Philipstown**

238 Main Street, PO Box 155

Cold Spring, NY 10516

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

# **Town of Philipstown 2014 Fee Schedule**

**Adopted By Town Board January 9, 2014**

**Town of Philipstown, NY**

**Part I, Administrative Legislation**

**Chapter 1 General Provisions**

**Chapter 4 Appearance Tickets**

**Chapter 5 Appointments**

**Chapter 7 Assessors, Board of**

**Chapter 10 Conservation Advisory Council**

**Chapter 12 Continental Village District**

**Chapter 14 Contracts and Agreements**

**Chapter 17 Defense and Indemnification**

**Chapter 21 Ethics, Code of**

**Chapter 28 Office Hours**

**Chapter 30 Officers and Employees**

**Chapter 32 Ordinances, Adoption of**

**Chapter 36 Personnel Policies**

**Chapter 38 Planning Board**

**Chapter 40 Procurement Policy**

**Chapter 42 Retirement Incentive Programs**

**Chapter 45 Salaries and Compensation**

**Chapter 46 Sexual Harassment**

**Chapter 48 Training Requirements**

**Chapter 50 Zoning Board of Appeals**

**Part II General Legislation**

**Chapter 52 Alarm Systems**

**Chapter 53 Alcoholic Beverages**

**Chapter 55 Animals**

**Chapter 62 Building Construction and Fire Prevention**

**Chapter 66 Buildings, Unsafe**

**Chapter 71 Development and Building Fees**

**Chapter 74 Disorderly Conduct**

**Chapter 78 Driveways**

**Chapter 82 Energy Conservation**

**Chapter 84 Environmental Quality Review**

**Chapter 85 Environmentally Sensitive Lands**

**Chapter 88 Explosives and Blasting**

**Chapter 89 Filming**

**Chapter 90 Flood Damage Prevention**

**Chapter 93 Freshwater Wetlands and Watercourses**

**Chapter 96 Games of Chance**

**Chapter 99 Garbage, Rubbish and Refuse**

**Chapter 107 Junkyards**

**Chapter 112 Land Development**

**Chapter 125 Parades**

**Chapter 128 Peddling and Soliciting**

**Chapter 131 Putnam County Pathways**

**Chapter 135 Records, Public Access To**

**Chapter 146 Smoking**

**Chapter 147 Steep Terrain**

**Chapter 147A Stormwater Management and Erosion And Sediment Control**

**Chapter 147B Storm Sewers**

**Chapter 148 Street Names and Property Numbering**

**Chapter 150 Streets and Sidewalks**

**Chapter 156 Taxation**

**Chapter 159 Timber Harvesting and Forest Management**

**Chapter 163 Vehicles and Traffic**

**Chapter 169 Water**

**Chapter 172 Wood-Fired Furnaces**

**Chapter 175 Zoning**

## **Chapter 52. Alarm Systems**

### **Residential:**

52-1 A Owner or lessee permit – Initial permit \$25.00

### **Commercial:**

52-2 A Owner or lessee permit – Initial permit \$25.00

### **Commercial/ Residential permit, combination alarm for business and or more than one dwelling unit:**

52-3 A Initial Permit \$25.00

### **Industrial:**

52-4 A Owner or lessee permit – Initial Permit \$25.00



## **Chapter 55 Animals**

## **Chapter 71 Development and Building Fees**

### **Article I Costs of Special Consultants**

#### **71-3 Professional review services; payments; application for special arrangements.**

##### **A. Escrow deposit required.**

(1) At the time of submission of any application to the Town Board, Planning Board and Zoning Board of Appeals, the applicant shall deposit funds with the Town.

- a) For Major Special Use Permit and/or Site Plan reviews, the amount shall be \$2,000, unless a greater amount is deemed necessary by the reviewing board.
- b) During the Major Special Use Permit and/or Site Plan review process the encumbered bond amount of the escrow may not be less than \$1,000 and the reviewing board will determine the amount of replenishment.
- c) For Minor Special Use Permit and/or Site Plan reviews, the amount shall be \$500 unless a greater amount is deemed necessary by the reviewing board.
- d) The funds shall be used by the Town to pay the Town's consultants for all reasonable costs of planning, engineering, legal, architectural, accounting and/or other consultants deemed appropriate by the applicable Board. Proof of this deposit shall be submitted with the application to the applicable Board. The Board Secretary will ensure proof of this escrow fund prior to placing the application on the Board's agenda. This fund shall be monitored by the Board's secretary as to applicable debits and credits. Either Board may increase or decrease the amount of escrow, if it is appropriate to the application.

(2) Withdrawals shall be made from this fund to pay for the costs of professional review services. In the event that the escrow account is subsequently reduced by more than half, the applicant shall replenish the account to its original balance.

(3) For applications pending at the time of adoption of this provision, applicants shall be required to deposit funds in escrow and pay for such expenses incurred after the date of such adoption. Either Board may increase or decrease the amount of the escrow if it is appropriate to the application.

## **Article II Residential Plat Recreation Fees**

### **71-4 Amount.**

When the Philipstown Planning Board determines that a suitable park or parks of adequate size cannot be properly located in a plat or is otherwise impractical and that payment shall be made to the Town, such payment shall consist of the sum of \$5,000 for the second and each additional lot subdivided from a tract and required to be shown on a plat approved by the Planning Board when such lot is located in a residential zone or is intended to be used for residential purposes and does not contain an existing dwelling (e.g., if a single tract is divided into two lots, a recreation fee of \$5,000 shall be payable for the one new lot).

## **Article III Zoning and Subdivision Fees (§ 71-7)**

### **71-7 Fee schedule established.**

As of September 3, 1993, the following fees are hereby established:

A. Application to the Planning Board for approval of access because land is not shown on a town, county or state road: \$400 per lot.

B. Referral to the Planning Board for approval of open development area plat under § 112-56, 112-57, 112-58, 112-59 or 112-60: \$400 per lot.

C through F Reserved - See Chapter 175 Zoning Fees

G. Application for subdivision approval pursuant to Part 1 of Chapter 112, Land Development:

(1) Preliminary approval of application and minor plats: \$500 plus \$250 per lot on an existing street or right-of-way, or plus \$400 per lot on a new street or right-of-way.

(2) Final approval of application: \$500 plus \$100 per lot.

H. Planned development application.

(1) Planned development unit: same as application for special use permit with site plan submission.

(2) Planned development district: \$2,500 plus \$200 per lot or dwelling unit and \$50 per nonresidential parking space.

I. Reserved

J. Communications towers.

(1) Application to the Zoning Board of Appeals for a special use permit, or to the Planning Board for site plan approval, for a communications tower or collocation:

(a) New communications tower: \$10,000.

(b) Collocation: \$5,000.

(2) The foregoing fees do not include the cost of a building permit or a certificate of occupancy which shall be procured under § 62-3A(3).

## **Article IV Building Fees**

### **71-8 Fee Schedule**

#### **A. Residential.**

- (1) Building permit.
  - (a) Principle structure per construction area: \$40 per 100 square feet
  - (b) Alteration, renovations or remodeling per construction area: \$35 per 100 square feet
  - (c) Decks/porches per construction area: \$35 per 100 square feet
  - (d) Accessory/utility buildings/garages per construction area: \$35 per 100 square feet
  - (e) Swimming pools: 2.5% of the cost of construction
  - (f) All other permits: 1.5% of the cost of construction
- (2) Work commenced or completed prior to issuance of a building permit, the fee shall be twice the calculated fee.
- (3) Renewal fee. The renewal fee shall be the same as the cost of the original building permit fee.
- (4) Certificate of occupancy - \$90.
- (5) Permit Application Fee - \$100
- (6) Minimum Permit Fee - \$100
- (7) Demolition Permit - \$100 per tax parcel.

#### **B. Commercial.**

- (1) Building permit.
  - (a) Structure area per building construction area –  
\$50 per 100 square feet for the first 1000 square feet  
\$20 per 100 square feet for over 1001 square feet
  - (b) Communication antennas/monopoles/towers - \$500 minimum plus 2.5% of the cost of construction
  - (c) All other permits: 2.5% of the value of construction
- (2) Renewal fee. The renewal fee shall be the same as the cost of the original building permit fee.
- (3) Certificate of occupancy - \$90
- (4) Application Fee - \$250

(5) Minimum Fee - \$250

(6) Demolition Permit - \$100 per tax parcel.

### **C. Supplemental Fees**

(1) Municipal records search and report - \$175 per Tax map parcel number.

(2) Request for assignment or verification of street number - \$25 per tax map number.

(3) Sign permit: 2.5% of project cost or minimum \$100 fee.

(4) Tents/Canopy structures: \$100 per tents/canopy structure

(5) Request for Inspection or Re-inspection (if no permit or to close an expired permit) Fee - \$100

(6) Fire safety and property maintenance inspections fee:

(a) Minimum - \$100

(1) add for commercial building area - .02 cents per square

(b) Tenant Spaces in building with more than two tenants – add \$50 each

(7) Operational Permits

(a) Minimum \$200

(1) add for commercial building area - .02 cents per square

(2) add for multifamily - \$50 per dwelling unit

(8) Bedroom Count Fee - \$25

### **D. Permit Fee for work performed by a Putnam County Licensed Utility Contractors**

(1) Permit fee for the installation, replacement, removal or abandonment of heating equipment and systems of which is not covered under a building permit is \$75 for the following;

a) Heating producing equipment and piping and duct systems

b) Electrical Equipment and systems

c) Flammable and Combustibles Gas and Liquid storage (above tank) and piping systems

d) Flammable and Combustibles Gas and Liquid storage (underground tank) and piping systems add \$100 to above fee.

## **Chapter 78 Driveway**

### **78-3 Fees and Deposits**

A. A fee of **\$250** to cover the cost of issuing the permit and the supervision and inspection of the work done in connection with said operation.

B. A deposit shall be required for any proposed operation which may disturb, injure or damage any street, highway, roadway or area, including drainage ditches, gutters, culverts, pipes, curbs or curbing. The deposit amount shall be \$800 on unpaved roads and \$2,200 on paved roads. If the Superintendent of Highways determines that the scope of the work may result in disturbance, injury or damage to an area in excess of that which would reasonably be secured or repaired by said deposit, an additional deposit may be required. Such additional deposit shall be computed on the potentially affected area at the rate of \$40 per square yard on unpaved roads and \$80 per square yard on paved roads. The potentially affected area shall be computed by multiplying total road width times total driveway access width.

## **Chapter 88 Explosives and Blasting**

### **88-6 Issuance of permit; fee; revocation.**

A. Such permit, when approved and signed by the Building Inspector and upon payment of a fee of **\$150** to the Building Inspector, or such other fee as may be fixed from time to time by resolution of the Town Board, shall be issued and signed by the Building Inspector, who shall keep a record thereof. Each permit shall specify the name of the permittee, home and business address, phone numbers, the date of expiration (which shall be no later than six months from the date of issue), the particular place where the blasting is to be done and a copy of the blaster's valid State of New York Department of Labor explosive license.



## **Chapter 89 Filming**

### **87-9 Application fee; security deposit.**

A. Each applicant shall pay an application fee for each permit in accordance with a fee schedule which shall be established by, and may be amended from time to time by, resolution of the Town Board.

B. If it is determined that the filming may involve the potential of damage or injury to public land, the Town Board may require the applicant to post a security deposit or other assurance with the Town to be used to repair any such damage or injury on conclusion of filming. Any unused security shall be returned to the applicant. The security shall be in the form of a cash bond or in such other form as the Town Board may require.

## **Chapter 90 Flood Damage and Prevention**

90-11 B Flood Hazard Area Application/Permit Fee –

**Minimum \$100** - Any man-made change to improved or unimproved real estate, including but not limited to mining, dredging, filling, paving, excavation, commercial outside storage or drilling operations located within the area of special flood hazard.

**25% of the Building/Zoning Permit Fee** – Add 25% fee to Commercial and Residential Buildings and Structures Building Permit.

## **Chapter 93 Freshwater Wetlands and Watercourses**

### **Determinations:**

**(Required for wetlands inspector to determine if proposed activity is located in controlled area)**

93-19 A. Delineation Fee- \$180 (per acre or proposed lot) or (\$100 per hour )

93-19 B Permit/ Application Fee- \$500 plus

- \$1000 Escrow complex
- \$500 Escrow simple

93-19 C Dredging/Dumping Fee- \$500 plus

- \$1000 Escrow complex
- \$500 Escrow simple

93-19 D Sub Division Plats Fee- \$500 per lot in regulated area plus \$1000 Escrow

93-19 E Road, Pipeline or Inground Utility Fee- \$1000 for first 500 linear feet

\$1.50 for every linear foot over 500 feet in controlled area plus \$1000 Escrow

93-19 G Activities of minor significance Fee- \$125.00

Permit Renewal Fee - \$225

## **Chapter 107. Junk Yards**

107-9A Application Fee- \$50.00

107-9 A Annual License Fee- \$250.00

### **107-9 Fees.**

A. The annual license fee shall be \$250, with the first fee covering the period from the time the license is first issued to April 1 the following year. In addition to the first annual license fee, the application for a license hereunder shall be accompanied by an application fee of \$50 to cover the cost of advertising and the other costs of the town personnel and facilities incident to the hearing in connection with the application. If the application is not granted, the first annual license fee paid in the amount of \$250 shall be refunded.

B. The fees herein established may be amended from time to time by resolution of the Town Board.

## **Chapter 147A Stormwater Management and Erosion and Sediment Control**

### **147A-7 Stormwater pollution prevention plans.**

**A. Stormwater pollution prevention plan requirement.** No application for approval of a land development activity shall be reviewed until the appropriate board has received a stormwater pollution prevention plan (SWPPP) prepared in accordance with the specifications in this chapter.

### **147A-11**

#### **A. Construction inspection.**

(1) **Erosion and sediment control inspection.** The Town of Philipstown Stormwater Management Officer may require such inspections as necessary to determine compliance with this chapter and may either approve that portion of the work completed or notify the applicant wherein the work fails to comply with the requirements of this chapter and the stormwater pollution prevention plan (SWPPP) as approved. To obtain inspections, the applicant shall notify the Town of Philipstown enforcement official at least 48 hours before any of the following as required by the Stormwater Management Officer:

- (a) Start of construction
- (b) Installation of sediment and erosion control measures.
- (c) Completion of site clearing
- (d) Completion of rough grading.
- (e) Completion of final grading.
- (f) Close of the construction season.
- (g) Completion of final landscaping.
- (h) Successful establishment of landscaping in public areas.

## Chapter 150 Streets and Sidewalks

### 150-4 Fees and deposits.

A. No permit for an operation shall be issued by the Superintendent of Highways until the applicant therefor shall have first paid to the Superintendent of Highways in cash or by check payable to the order of the Town of Philipstown:

(1) A fee of \$30 to cover the cost of issuing the permit, together with a fee for the supervision and the inspection of the operation done in connection therewith, computed by the Superintendent of Highways at the rate of \$1 per square yard of the surface to be disturbed.

(2) A deposit in an amount to be determined by the Superintendent of Highways, computed at the rate of \$10 per square foot of said surface to be disturbed, and if and when machinery is used in connection with an operation and there is the likelihood of damage or injury to areas other than the specific location of the operation, a deposit of an additional amount may be required; said additional amount to be determined by the Superintendent of Highways, computed at the rate of \$10 per square foot of the additional area affected. The minimum deposit shall be \$300. The first \$1,000 shall be cash. The excess may be by surety company bond approved by the Town Board.

## **Chapter 159 Timber Harvesting and Forest Management**

### **Minor Harvesting:**

(159-7-a) Application for Minor Harvesting Permit- \$75.00

### **Major Harvesting:**

(159-7-a) Application for Major Harvesting Permit- \$350.00

## **Chapter 172 Wood-Fired Furnaces**

### **172-4 Permit required.**

No person shall cause, allow or maintain the use of a wood-fired furnace within the Town of Philipstown without first having obtained a permit from the Code Enforcement Officer. Application for a permit shall be made to the Code Enforcement Officer on the forms provided



## **Chapter 175 Zoning**

### **Proposed Chapter 175 Fee Schedule**

Escrow amount – see Chapter 71-3.

### **Planning Board Fees**

1. 175-65 Site Plan Major – \$1000 + \$20 per parking and loading space, + Escrow
2. 175-65 Site Plan Minor - \$300 + Escrow as needed
3. 175-68 D. Amended - \$250 if declared minor + Escrow, as needed
4. 175-68 D. Amended - \$250 if declared major add \$750 + \$20 per parking and loading space, + Escrow
5. 175-62 Special Use Permit & Site Plan Minor - \$500 + Escrow
6. 175-62 Special Use permit & Site Plan Major - \$1500 + \$20 per parking and loading space, + Escrow
7. 175-20 Conservation analysis and Density calculation.- \$500
8. One and Two Family Site Plan more than 3000 square feet – \$300
9. Conservation Board Referral – No Charge
10. Full Environmental Assessment Form - \$300
11. Draft Environmental Impact Statement - \$1,000
12. Public Hearing - \$250
13. Final or Conditional Final Approval - \$250
14. Re-approval of Final or Conditional Final Approval -\$250
15. Request for extension of time - \$250
16. Applications requesting a variance – See ZBA Fee Schedule

## **Chapter 175 Zoning**

### **Proposed Chapter 175 Fee Schedule**

Escrow amount – see Chapter 71-3.

### **Zoning Board of Appeals Fees**

1. 175-59 A. Appeal of orders, requirements, decision, interpretations or determinations - \$100 – No Escrow
2. 175-59 C. Use Variance – \$1,000 + Escrow
3. 175-59 D. Area Variance - \$100, per variance requested – No Escrow
4. 175-46 Communication Towers – \$10,000 + Escrow
5. 175-46 C. Collocation - \$5,000 + Escrow
6. 175-10 D. No principal use on a residential lot - \$250 – No Escrow
7. 175-30 E. (2) Solar and wind energy conversion systems - \$250 + Escrow
8. Special Use Permit
  - a) 175-17 Soil Mining - \$500 + Escrow
  - b) 175-62 Special Use Permit Minor - \$500 + Escrow
  - c) 175-62 Special Use permit Major - \$500 + Escrow
    - 1) Conservation Board Referral - \$250
    - 2) Full Environmental Assessment Form - \$250
    - 3) Environmental Impact Statement - \$1,000
    - 4) Public Hearing - \$250
    - 5) Final or Conditional Final Approval - \$250
    - 6) Re-approval of Final or Conditional Final Approval - \$250
    - 7) Request for extension of time - \$250

## **Chapter 175 Zoning**

### **Proposed Chapter 175 Fee Schedule**

Escrow amount – see Chapter 71-3.

#### **Town Board Fees**

1. Zoning Amendment by application of property owners - \$500 + Escrow
2. 175-10 A. Application for “Use” not stated/prohibited by Special Use Permit  
\$1000 + Escrow
3. 175-78 Special Permit Adult Use - \$1000 + Escrow
4. Conservation Board Referral – No Charge
5. Planning Board Referral – No Charge
6. Zoning Board of Appeals Referral – See ZBA Fee Schedule

#### **Zoning Administration Fees**

1. 175-54 B. Zoning Permits
  - a. 175-34 Excavation, filling, grading and clear cutting - \$200 + \$75 per inspection.
  - b. 175-41 Home Occupation - \$100 + Building Permit fee
  - c. 175-12 C Accessory Apartment - \$100 + Plus Building Permit fee.
  - d. 175-39 Sign – Fee is 2.5% of value of construction, minimum \$100.
2. 175-17 Soil Mining
  - a. Application/Certificate of Occupancy Chapter 175-17.2 A. - TBD
  - b. Inspection Fee; Bonds; Forms; Chapter 175-17.4 – TBD
3. Letter of “No Violation Letter” from Zoning Administrator - \$175.00 per property tax map number;
  - i. 175-61 A. (7) Major Project Special Permits
  - ii. 175-61 B. (7) Minor Project Special Permits
  - iii. 175-65 B. (21) Site Plan Approval

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

November 25, 2013

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

Re: Release of escrow funds on Wood and Olnick Spanu applications

Dear Supervisor Shea:

I am writing to advise you that at the November 21, 2013 Town Planning Board meeting it was determined that the subdivision applications of Bill and Susan Wood and of Nancy Olnick Spanu have been completed and that any escrow funds for processing and consultants' fees being held by the Town should be released back to the applicants.

Thank you.

Very truly yours,

  
MICHAEL LEONARD  
Chairman

*William & Susan Wood  
Returned 12/19/13  
None Pro Tune  
Res. in Jan. per  
Richard Shea*

*AT*

*To Tina for January  
Agenda Nancy Olnick  
Spanu.*

**TOWN OF PHILIPSTOWN JUSTICE COURT**  
238 MAIN STREET – pob 155  
COLD SPRING, NEW YORK 10516  
TEL 845-265-2951 – FAX 845-265-3948

**STEPHEN G. TOMANN**  
**TOWN JUSTICE**

December 9, 2013

Dear Supervisor Shea and Town Board:

Since I last addressed the Board about my concerns of Courtroom Security and the Town prosecution of Vehicle and Traffic matters there have been some developments that I wish to bring to your attention.

First, at your request the Putnam County Sheriff has provided an officer for the Vehicle and Traffic Calendar as they have always done for the Criminal Calendar. The result has been a vast improvement in the behavior of the court attendees. So much so that my time can be almost entirely devoted to moving the cases along in a prompt fashion rather than spending time barking at the crowd to turn off cell phones.


The calendar moves more quickly, people are more cooperative and I am less inclined to be distracted when the officer is there to watch and caution people about noise. Further to that point, we have only one officer so the thought of moving the metal detector, starting earlier and other ideas have been tossed about. I am of the opinion that the metal detector is best placed where it is given the restricted access it provides, that one officer is probably enough but that the screening in process ought to start at about 4:15 to 4:30 since people seem to drift in very early for the 5 o'clock calendar. It is simply difficult for the officer to screen and watch the bench and crowd all at once so short of another officer I ask that the officer be on duty a little sooner.

My second point has to do with the Town Prosecutor for my part whom I mentioned was generally late and on two occasions made no appearance. I spoke to him, Mr. Irwin, and he agreed that the timing was difficult considering his job in Poughkeepsie. He decided not to return after our conversation and though I did not tell him not to appear I think it was reasonably clear that I needed a prosecutor that would be in Court on time. I did say that I was going to ask the Board to make a change so, being an intelligent man, he understood the probable result.

O/L Since the Board hires the Prosecutors, and it is not my intention to supercede that obligation I can only suggest that the Board consider replacing Mr. Irwin with Mr. Falcon of the firm of Stenger, Diamond et. al of Fishkill. In the past he has acted as Prosecutor for East Fishkill I believe.

O/L I ask that the Board consider providing a new prosecutor for the New Year. Should the Board require any further information on Mr. Falcon or have any other questions about the position I would be grateful for the opportunity to address the Board.

Yours truly,



Stephen G. Tomann



# 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 2013

1. Fees Collected	<u>\$8959-</u>
2. Total Number of Permits Issued	<u>15</u>
3. New One- or Two-family dwellings:	<u>4</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>4</u>
8. Additions, alterations or repairs commercial buildings:	<u>      </u>
9. All other permits (pools, sheds, decks, plumbing, HVAC, etc.)	<u>1</u>
10. Number of Certificates of Occupancy :	<u>15</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: Stop Work Notice of Violation Moni LLC Garrison

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