

**Town Board Monthly Meeting
February 2, 2011 7:30 p.m. Town Hall**

Philipstown Depot Theatre Development Corps Special Meeting

SALUTE TO THE FLAG

REVIEW OF MINUTES

- Year-end Meeting of December 29, 2011
- Minutes of Philipstown Depot Theatre Development Corp Annual Meeting of January 5, 2012
- Minutes of Friends of Philipstown Recreation Inc., Annual Meeting of January 5, 2012
- Minutes of Reorganization Meeting of January 5, 2012
- Minutes of Monthly Town Board Meeting of January 5, 2012
- Minutes of Weekly Town Board Meeting of January 18, 2012

COMMITTEE REPORTS

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

AGENDA

1. Resolution authorizing Supervisor Shea to sign the agreement between Putnam County Department of Health and the Town of Philipstown for the administration of the W.I.C. Program.
2. Resolution accepting the Agreement and Cash Maintenance Bond in the matter of Holubar's Subdivision.
3. Resolution authorizing the release of Escrow Funds on the Constance Bakall and the The Berner Family subdivision application.
4. Resolution authorizing Supervisor Shea to sign the agreement between the Town of Philipstown and Judith Mayle for legal services.
5. Resolution accepting the resignation of Anthony Merante, Chairman of the Planning Board effective immediately.
6. Resolutions to re-appoint the following to the Zoning Board of Appeals for a five (5) year term:

Robert Dee term will expire March 31, 2017

7. Resolutions to re-appoint the following to the Philipstown Planning Board for a four (4) year term:

Pat Sexton, Member	term will expire	March 3, 2016
(1) Vacancy		

8. Resolution to re-appoint the following to the Philipstown Conservation Board for a two (2) year term:

Eric Lind, Interim Chari	term will expire	March 31, 2014
Andrew Galler, Member	term will expire	March 31, 2014
Robert Repetto, Member	term will expire	March 31, 2014
Mark Galezo, Member	term will expire	March 31, 2014

9. Resolution adopting the 2012 Building Department Fee Schedule to be effective for all new application submitted on or after February 6, 2012.

10. Schedule Workshops/Meetings

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

AUDIENCE

VACANCIES

Planning Board (1)
CV Park District Advisory Committee (3)
CV Water District Advisory Committee (2)

APPROVAL OF VOUCHERS

General	Highway	CVPD	CVWD
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ADJOURNMENT

MEMORANDUM TO THE PHILIPSTOWN TOWN BOARD
Re: PHILIPSTOWN DEPOT THEATRE DEVELOPMENT CORP ("PDT")
February 2, 2012

The Board of Directors of PDT has nominated **Stephanie Hawkins**, a member of the Recreation Commission, **for election as** an additional director. A form of resolution is set forth below in a proposed agenda for a Special Meeting of the PDT Members* to be held at the time of a regular meeting of the Town Board.

The following is an agenda for the Special Meeting to be held February 2:

: PHILIPSTOWN DEPOT THEATRE DEVELOPMENT CORP.

Agenda for Special Meeting of Members
(at the time of a meeting of the Philipstown Town Board)

Supervisor Shea Presiding

1. Call to Order
2. Ascertain presence of a quorum (at least 4 out of the 7 Members)
3. Nomination of Stephanie Hawkins for election to the Board of Directors.

RESOLVED, that Stephanie Hawkins is elected a director of the corporation for a term ending at the Annual Meeting in 2015:

4. Adjourn Special Meeting

* The members of PDT are the five Town Board members plus one nominee of the Recreation Commission (Claudio Marzollo) and one nominee of the Board of PDT (Steven Ives)

Year End Meeting
December 29, 2011

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

PRESENT:

Richard Shea	Supervisor
Betty Budney	Councilwoman
Nancy Montgomery	Councilwoman
John Van Tassel	Councilman
Edward W. Doyle	Town Attorney

ABSENT Barbara Scuccimarra Councilwoman

The Minutes of the Monthly Town Board Meeting of December 1, 2011 were reviewed.

Councilman Van Tassel made a motion, seconded by Councilwoman Budney and unanimously carried to approve the Minutes of December 1, 2011 as presented.

The Minutes of the Bid Opening of December 14, 2011 – Bank Stabilization for East Mountain Road South were reviewed.

Councilwoman Montgomery made a motion, seconded by Councilwoman Budney and unanimously carried to approve the Minutes of December 14, 2011 as presented.

AGENDA

1. Authorize the Supervisor to make the necessary budget transfers to close the books for the year 2011.

RESOLUTION #

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

RESOLVED, that the Town Board hereby authorizes Supervisor Shea to make the necessary budget transfers to close the books for the year 2011.

2.The following Resolutions are needed in connection with EMS contracts.

- Cold Spring Fire Department

RESOLUTION #

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

WHEREAS, the Town of Philipstown has previously authorized that it enter a Contract with Cold Spring Fire Company No. 1 to furnish fire protection to the Fire Protection District known as "Town of Philipstown Fire Protection District No. 1 of North Highlands."; and

WHEREAS, said Cold Spring Fire Company No. 1 is an incorporated Volunteer Fire Company, the members of which constitute the Village of Cold Spring Fire Department; and

WHEREAS, the Town of Philipstown has in the past paid directly to the Cold Spring Fire Company No. 1 all sums due for the furnishing of fire protection, and has contributed all sums due for said Fire Company, and has carried Workers' Compensation Insurance for said Fire Company; and

WHEREAS, all sums due for the foregoing shall now be divided into two portions as follows: The amount of \$45,900.00 shall be paid directly to the Cold Spring Fire Company #1; and the amount of \$20,652.00 shall be paid directly to the Village;

NOW, THEREFORE, pursuant to Town Law Section 184, General Municipal Law Section 209-d and volunteer firemen's Benefit Law Section 30, be it

RESOLVED, that the Town of Philipstown does hereby agree to enter a Contract with the Village of Cold Spring for the furnishing of fire protection services to the Fire Protection District known as "Town of Philipstown Fire Protection District No. 1 of North Highlands" through and by the Cold Spring Fire Company No. 1 and that said Contract be for the term January 1 – December 31, 2012, and that the Town pay the amount of \$45,900.00 directly to the Cold Spring Fire Company #1 for said services; and that the Town pay the amount of \$20,652.00 directly to the Village for Workers' Compensation and the LOSAP amount; and be it further;

RESOLVED, that the Village of Cold Spring shall carry the required Workers' Compensation insurance and shall provide the necessary or agreed Length of Service Award Program for said Fire Company, and that the Town shall pay the Village directly the cost of the proportionate share of said Insurance and LOSAP attributable to the foregoing Fire Protection District as set forth above, and that the Town shall no longer be required to carry separate Worker's Compensation Insurance for said Fire Company;

NOW, THEREFORE BE IT RESOLVED, that the Town Board hereby authorizes Supervisor Shea to sign the above noted contract for fiscal year 2012.

- Garrison Volunteer Fire Company

Supervisor Shea stated that following many meetings, the Town Board and the Fire Department have worked out some details, resulting in a final agreement.

RESOLUTION #

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

RESOLVED, the Town Board hereby authorizes Supervisor Shea to sign the contract between the Garrison Volunteer Fire Company, Inc. and the Town of Philipstown for fiscal year 2012 to furnish Fire Protection to said District in the amount of \$535,227.00.

3. Award Highway Material Bids for 2012.

Supervisor Shea stated that he had met with the Highway Department and reviewed the bids. He noted for the record, that there are a lot of variables when awarding the bids. For example, the distance and gas mileage costs as compared to picking up the materials at another site closer. After spending some time with the Highway Department, the Town Board is prepared to award the bids.

RESOLUTION #

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

RESOLVED, that the Town Board hereby approves the recommendations of Roger Chirico, Highway Superintendent to award the 2012 Highway Material Bids, a copy of which is attached as "Attachment A."

4. Resolution authorizing transfer of funds for the Highway Department.

Town Clerk Merando read the letter dated December 28, 2011 outlining the transfer of funds.

RESOLUTION #

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

RESOLVED, that the Town Board hereby authorizes the transfer of funds for the Highway Department as follows:

PAYROLL:

FROM	TO	AMOUNT
DBO-04-5112-100	DBO-04-5142-200	\$13,111.61
DBO-04-5110-100	DBO-04-5130-100	\$ 2,485.48

CONTRACTUAL:

FROM	TO	AMOUNT
DBO-04-5112-200	DBO-04-5110-400	\$30,465.74

(Improvement)	(General repair)	
DBO-04-5112.200	DBO-04-5110-401 (Engineering)	\$ 2.25
DBO-04-5130-400 (Mechanical)	DBO-04-5130-201 (Lease)	\$ 507.42
DBO-04-5130-400 (Mechanical)	DBO-0405130-420 (Radios)	\$ 120.00
DBO-04-5130-400 (Mechanical)	DBO-0405130-200 (Equipment)	\$ 9,650.00

5. Resolution authorizing transfer of funds for the Recreation Department.

Town Clerk Merando read a letter dated December 20, 2011 outlining the transfer of funds.

Supervisor Shea noted that he had spoken with Amber Stickle, and it is not uncommon to transfer funds each year, this years' transfer was due to increase programs and an increase in salaries.

RESOLUTION #

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

RESOLVED, that the Town Board hereby authorizes the transfer of funds in the amount of \$21,799.05 from contractual to personnel to cover an overage in personnel expenses for the Recreation Department.

6. Resolution authorizing Town Clerk Merando to advertise for bidders for the Bank Stabilization Project for East Mountain Road South. (Nunc Pro Tunc)

RESOLUTION

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

RESOLVED, that the Town Board hereby authorizes Town Clerk Merando to advertise for bidders for the Bank Stabilization Project for East Mountain Road South.

7. Resolution authorizing Supervisor Shea to sign the contract with Putnam County Office of Aging for an Outreach Worker for fiscal year 2012.

RESOLUTION #

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

RESOLVED, that the Town Board hereby authorizes Supervisor Shea to sign the contract between the Town of Philipstown and Putnam County Office of the Aging for an Outreach worker for the fiscal 2012 in the amount of \$15,000.00.

8. Resolution authorizing Supervisor Shea to sign the contract with Putnam County Humane society for Shelter Services for fiscal year 2012.

RESOLUTION #

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

RESOLVED, that the Town Board hereby authorizes Supervisor Shea to sign the agreement between the Town of Philipstown and the Putnam County Humane Society to provide shelter services for fiscal year 2012 in the amount of \$10,500.00.

9. Resolution listing Old Cat Rock Road and Indian Brook Road from Route 9 to the Putnam Valley Line on the Highway Inventory of Town Roads.

RESOLUTION #

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

WHEREAS, it has been discovered that these two town roads are not listed on the Town's Local Highway Inventory of Town Roads; and

WHEREAS, these two roads have been maintained by the Town as Town Roads for many years;

NOW, THEREFORE BE IT RESOLVED, that the following two roads are hereby added to the Town's Local Highway Inventory of Town Roads:

1. Old Cat Rock Road, which is a horseshoe road off of Route 403 in Garrison, NY (length: .12 miles).
2. Indian Brook Road, beginning on the east side of Route 9, easterly to the Putnam Valley Line in Garrison, NY, (length: 1.57 miles). (This is an extension of Indian Brook Road on the west side of Route 9, which starts at Route 9D and continues easterly to Route 9 and, which is on the Town's Local Highway Inventory of Town Roads.

10. Resolution awarding the bid for the Bank Stabilization Project for Philipse Brook Road.

RESOLUTION #

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

RESOLVED, that the Town Board hereby awards the bid for the Bank Stabilization Project for Philipse Brook Road to Lisikatos Construction for an amount not to exceed the sum of \$69,800.00 as per bid submission.

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

Supervisor Shea stated that the Town Board wishes to appoint members to the Recreation Commission before the beginning of the New Year. He noted that there were three applicants for two positions, all of which are qualified. He went on to say, that it was a tough decision, and he encouraged residents to stay in the pool of applicants.

Supervisor Shea stated that the Town Board is appointing John Maasik and Stephanie Hawkins

RESOLUTION #

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

RESOLVED, that the Town Board hereby appoints John Maasik as a member of the Recreation Commission to fill the vacancy created by Joseph Regele which term will expire on September 1, 2012.

Councilman Van Tassel voted NAY on the appointment of John Maasik.

Resolution passed by majority vote.

RESOLUTION #

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

RESOLVED, that the Town Board hereby appoints Stephanie Hawkins as a member of the Recreation Commission to fill the vacancy created by Walter Garschagen which term will expire on September 1, 2015

Katie DeMarco asked the Town Board why they went against the Recreation Commission recommendations with the appointment. Supervisor Shea explained that this has been done before. She then asked if the Town Board feels that the Commission isn't competent to make the decision? Supervisor Shea stated that the Town Board sometimes differs with the Commission and encouraged Ms. DeMarco to keep her name in, for the next vacancy.

Ms DeMarco also pointed out that the Recreation Commission suggested that John Maasik would be better suited for Friends of Philipstown, due to his background in marketing.

Year End Meeting
December 29, 2011

Councilwoman Montgomery interjected that it's the Commission responsibility to make the recommendations, however, it's the Town Board's responsibility to oversee those recommendations.

Councilman Van Tassel commented that he feels that it is amazing that three qualified applicants are willing to volunteer for this community.

There being no further business to discuss, Councilwoman Montgomery made a motion, seconded by Councilwoman Budney to close the Year End Meeting at 8:10 p.m.

Respectfully submitted by,

Tina M. Merando
Town Clerk

Name	Company	Address1	Address2	Name2	Materials																																																
Mr. Marc Vumbico, President	Clove Excavators, Inc.	9 Barnes Drive	Poughkeepsie, NY 12603	Mr. Vumbico	<ul style="list-style-type: none"><u>BITUMINOUS CONCRETE – FURNISHED, DELIVERED & LAID IN PLACE</u> Binder Course Type 3 - \$82.50/Ton Top Course 6F2 - \$82.50/Ton																																																
Mr. John J. Amato Sales Manager	Thalle Industries, Inc.	172 Route 9	Fishkill, NY 12524	Mr. Amato	<ul style="list-style-type: none"><u>BITUMINOUS CONCRETE – FOB</u> Binder Course Type 3 - \$65.00/Ton Top Course 6F2 - \$67.00/Ton<u>CRUSHED TAILINGS</u> <table><tr><td></td><td><u>FOB</u></td><td><u>Delivered</u></td></tr><tr><td></td><td>\$13.50/Ton</td><td>\$17.00/Ton</td></tr></table><u>WASHED OR CRUSHED STONE</u> <table><tr><td></td><td><u>FOB</u></td><td><u>Delivered</u></td></tr><tr><td>1½” -</td><td>\$16.50/Ton</td><td>\$20.00/Ton</td></tr><tr><td>½” -</td><td>\$16.50/Ton</td><td>\$20.00/Ton</td></tr><tr><td>¼” -</td><td>-----</td><td>\$20.00/Ton</td></tr></table><u>MANUFACTURED CRUSHED ITEM 4</u> <table><tr><td></td><td><u>FOB</u></td><td><u>Delivered</u></td></tr><tr><td>Item 4 (3/4”) -</td><td>\$13.50/Ton</td><td>-----</td></tr><tr><td>(1/2”) -</td><td>\$13.50/Ton</td><td>-----</td></tr><tr><td>(1½”) -</td><td>\$13.50/Ton</td><td>-----</td></tr></table><u>STONE SCREENINGS</u> <table><tr><td></td><td><u>FOB</u></td><td><u>Delivered</u></td></tr><tr><td></td><td>\$14.00/Ton</td><td>\$17.50/Ton</td></tr></table><u>STONE FILLINGS</u> <table><tr><td></td><td><u>FOB</u></td><td><u>Delivered</u></td></tr><tr><td>Fine</td><td>-----</td><td>\$22.50/Ton</td></tr><tr><td>Light</td><td>\$19.00/Ton</td><td>\$22.50/Ton</td></tr><tr><td>Heavy</td><td>-----</td><td>\$31.50/Ton</td></tr></table>		<u>FOB</u>	<u>Delivered</u>		\$13.50/Ton	\$17.00/Ton		<u>FOB</u>	<u>Delivered</u>	1½” -	\$16.50/Ton	\$20.00/Ton	½” -	\$16.50/Ton	\$20.00/Ton	¼” -	-----	\$20.00/Ton		<u>FOB</u>	<u>Delivered</u>	Item 4 (3/4”) -	\$13.50/Ton	-----	(1/2”) -	\$13.50/Ton	-----	(1½”) -	\$13.50/Ton	-----		<u>FOB</u>	<u>Delivered</u>		\$14.00/Ton	\$17.50/Ton		<u>FOB</u>	<u>Delivered</u>	Fine	-----	\$22.50/Ton	Light	\$19.00/Ton	\$22.50/Ton	Heavy	-----	\$31.50/Ton
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Name	Company	Address1	Address2	Name2	Materials
Mr. Carl H. Perine Vice President	Chemung Supply Corp.	P.O. Box 527	Elmira, NY 14902	Mr. Perine	<ul style="list-style-type: none"><u>INSTALLATION OF GUIDE RAIL, AND FURNISHING OF GUIDE RAIL MATERIALS (Per Proposal)</u><u>CALCIUM CHLORIDE</u> <div><div>Delivered</div><div>\$494.60Ton</div><div>\$11.24/50# Bag</div></div>
Mr. John Gizzi	West Hook Sand & Gravel, Inc.	P.O. Box 16	Cross River, NY 10518	Mr. Gizzi	<ul style="list-style-type: none"><u>WASHED SAND</u> <div><div>FOB</div><div>\$14.25/Ton</div><div>Delivered</div><div>\$18.25/Ton</div></div><u>WASHED OR CRUSHED STONE</u> <div><div>FOB</div><div>Delivered</div><div>3/4" \$15.75/Ton \$19.75/Ton</div><div>3/8" \$14.25/Ton \$18.25/Ton</div><div>1/4" \$16.25/Ton -----</div><div>3/8" – 1/2" \$14.25/Ton \$18.25/Ton</div></div><u>BANK RUN</u> <div><div>FOB - \$15.25/Ton</div><div>Delivered - \$19.25/Ton</div></div><u>FILL</u> <div><div>FOB - \$8.00/Ton</div><div>Delivered - \$12.00/Ton</div></div><u>SAND FOR SNOW AND ICE CONTROL</u> <div><div>FOB - \$14.00/Ton</div></div>
Mr. Ernest Lyons Vice President	Harold Lyons & Sons, Inc.	3175 Route 9	Cold Spring, NY 10516	Ernie	<ul style="list-style-type: none"><u>MANUFACTURED CRUSHED ITEM 4</u> <div><div>Delivered</div><div>\$16.95/Ton</div></div><u>SAND FOR SNOW AND ICE CONTROL</u> <div><div>Delivered</div><div>\$17.90/Ton</div></div>

Name	Company	Address1	Address2	Name2	Materials												
Mr. Cary Downey Vice President	Downey Oil Co.	P.O. Box 306	Cold Spring, NY 10516	Cary	<ul style="list-style-type: none">#2 FUEL OIL - DELIVERED<ul style="list-style-type: none">\$3.3045/GAL												
Mr. Richard A. Pidala, Jr. President	Pidala Oil Co., Inc.	P.O. Box 249	Cold Spring, NY 10516	Richie	<ul style="list-style-type: none">Low Sulfur Diesel Fuel<ul style="list-style-type: none">\$3.2280/GAL												
Mr. John B. Reynaud Assistant Vice President	Putnam Materials Corp.	20 Haarlem Avenue	White Plains, NY 10603	Mr. Reynaud	<ul style="list-style-type: none">STONE FILLINGS MEDIUM STONE – Delivered - \$24.50/Ton												
Mr. John B. Reynaud Assistant Vice President	Peckham Materials Corp.	20 Haarlem Avenue	White Plains, NY 10603	Mr. Reynaud	<ul style="list-style-type: none">CURB MIX WITH RAP FOB - \$80.00/Ton												
Mr. John T. Cooney, Jr.	Tilcon New York, Inc.	162 Old Mill Road	West Nyack, NY 10994	Mr. Cooney	<ul style="list-style-type: none">STONE FILLINGS<table><tr><td></td><td>FOB</td><td>Delivered</td></tr><tr><td>Fine Stone</td><td>\$18.00/Ton</td><td>-----</td></tr><tr><td>Medium Stone</td><td>\$22.00/Ton</td><td>-----</td></tr><tr><td>Heavy Stone</td><td>\$25.00/Ton</td><td>-----</td></tr></table>		FOB	Delivered	Fine Stone	\$18.00/Ton	-----	Medium Stone	\$22.00/Ton	-----	Heavy Stone	\$25.00/Ton	-----
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Philipstown Depot Theatre Development Corporation Annual Meeting
January 5, 2012

The Philipstown Depot Theatre Development Corporation held their Annual Meeting on the above date at 7:00 p.m., at the Town Hall, 238 Main Street, Cold Spring, New York.

AGENDA

Election of Directors:

Supervisor Shea stated that the following were up for re-appointment as directors of the corporation to serve for a term of three years:

MJ Martin
Sheila Rauch
Robert Rhodes
Byron Stinson

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

RESOLVED, that the following are elected as directors of the corporation to serve for a term of three years:

MJ Martin
Sylvia Rauch
Robert Rhodes
Byron Stintson

4. Other business. No other business was discussed.

There being no further business to discuss the Annual Philipstown Depot Theatre Development Corporation Meeting closed at 7:09 p.m.

Respectfully submitted by,

Joan B. Clauss
Deputy Town Clerk

The Friends of Philipstown Recreation Inc. ("FOPR"), held their Annual Meeting on the above date at 7:10 p.m., at the Town Hall, 238 Main Street, Cold Spring, New York.

AGENDA

Nominations for directors

Claudio Marzollo explained that the structure of the newly formed Friends of Philipstown Recreation, Inc., was set up the same as Philipstown Depot Theatre Development Corporation, with five (5) members of the Town Board and two (2) members from the outside. Mr. Marzollo stated that Robert Bickford, who was appointed as the lawyer to help in the legal structure of the group, had requested not to be re-appointed.

Supervisor Shea then read the following nominations for directors to serve for a three-year (3) term:

Jeffrey Dain
Allison Jacoby
Tom Shortell
Patricia Hine
Terri Barr

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

RESOLVED, that the following persons are elected directors of the corporation, each to serve for the term of three (3) years:

Jeffrey Dain
Allison Jacoby
Tom Shortell
Patricia Hine
Terri Barr

Adjournment

There being no further business to discuss, Councilwoman Montgomery made a motion, seconded by Councilwoman Budney and unanimously carried that the Annual Friends of Philipstown Recreation Inc. meeting be closed at 7:14 p.m.

Respectfully submitted by,

Joan B. Clauss
Deputy Town Clerk

REORGANIZATION MEETING

January 5, 2012

The Town Board of the Town of Philipstown held their Reorganization Meeting on the above date at 7:15 p.m. at the Town Hall, 238 Main Street, Cold Spring, New York 10516.

PRESENT:

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

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 #-2012

The following Resolution was presented by Councilwoman Budney, seconded by Councilwoman Montgomery 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 #-2012

The following Resolution was presented by Councilman Van Tassel, seconded by Councilwoman Montgomery 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 remarked that his thoughts were to raise the rate to \$0.40 per mile and asked if the Town Board members had any problem with that. Town Board members responded that they did not.

Supervisor Shea, Councilwomen Montgomery and Budney, Councilmen Van Tassel and Merandy, Assessor, Brian Kenney, Town Clerk Merando, Code Administrators,

REORGANIZATION MEETING
January 5, 2012

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.

RESOLUTON #-2012

The following Resolution was presented by Councilman Van Tassel, seconded by Councilwoman Montgomery 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 \$0.40 per mile.

Supervisor Shea, Councilwomen Montgomery and Budney, Councilmen Van Tassel and Merandy, Assessor, Brian Kenney, Town Clerk Merando, Code Adrnistrators, 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 #-2012

The following Resolution was presented by Councilwoman Budney, seconded by Councilman Merandy 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 #-2012

The following Resolution was presented by Councilman Van Tassel, seconded by Councilwoman Montgomery 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 #-2012

The following Resolution was presented by Councilwoman Budney, seconded by Councilwoman Montgomery 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 #-2012

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

Supervisor Shea questioned if the Town Board had a choice. Councilwoman Montgomery questioned if the Town Board was obligated by law, that the law was unclear to her. She added that she spoke to Town Attorney Doyle about it, and that the County law requires that an official paper be designated. Councilwoman Montgomery added that as she reads the town law, it is still not clear to her and added that the Board was lucky that residents did read between the lines and know that there is always two sides to a story; that when quoted in the paper without being interviewed, is a clear sign that the real story isn't being told. However, the residents need the information and public notices have to get out. Councilwoman Montgomery stated that her thoughts were that the Board had to do this. Councilman Merandy asked if Town Attorney Doyle could clear this up so that the Board would know exactly what they had to do for the future. Councilwoman Montgomery stated that there is legislation before New York State regarding the use of on-line newspapers, which fell through the cracks back in 2002.

RESOLUTION #-2012

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

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

- 9. Resolution appointing Edward W. Doyle, Esq., as Town Attorney**

RESOLUTION #-2012

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

RESOLVED, that the Town Board hereby appoints Edward W. Doyle, Esq., as Town Attorney at a salary not to exceed that set forth in the 2012 Budget.

10. Resolution appointing Bennet, Kielson, Storch and DeSantis and Company as the Town Auditors at an amount not to exceed the 2012 budget.

RESOLUTION #-2012

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

RESOLVED, that the Town Board hereby appoints Bennet, Kielson, Storch and DeSantis and Company as the Town Auditors at an amount not to exceed the 2012 budget.

11. 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 2012 budget.

RESOLUTION #-2012

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

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 2012 budget

12. Resolution appointing Susan Kenney as the Assistant Budget Officer at a salary not to exceed the 2012 budget.

RESOLUTION #-2012

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

RESOLVED, that the Town Board hereby appoints Susan Kenney as the Assistant Budget Officer at a salary not to exceed the 2012 budget.

13. Resolution authorizing Supervisor Shea to appoint Susan Kenney as Comptroller at a salary not to exceed that set forth in the 2012 budget.

RESOLUTION #-2012

The following Resolution was presented by Councilman Van Tassel, seconded by Councilwoman Budney 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 2012 budget.

- 14. 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 2012 budget.**

RESOLUTION #-2012

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

- 15. Resolution authorizing Supervisor Shea to appoint Dorothy Turner as Safety Coordinator at a salary not to exceed that set forth in the 2012 budget.**

RESOLUTION #-2012

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

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

- 16. Resolution needed setting Petty Cash Funds:**

Town Clerk/Tax Collector	not to exceed \$450.00 at a time
Superintendent of Highways	not to exceed \$100.00 at a time
Board of Assessors	not to exceed \$ 65.00 at a time
Recreation Department	not to exceed \$100.00 at a time
Code Administration	not to exceed \$ 50.00 at a time

RESOLUTION #-2012

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

- 17. 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 #-2012

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

18. Resolution appointing Brian Kenney as the Assessor at a salary not to exceed that set forth in the 2012 budget.

RESOLUTION #-2012

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

RESOLVED, that the Town Board hereby appoints Brian Kenney Assessors at a salary not to exceed that set forth in the 2012 budget.

19. 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 #-2012

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

20. Resolution appointing Kevin Donohue as Code Administrator and Fire Marshall at a salary not to exceed that set forth in the 2012 budget

RESOLUTION #-2012

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

RESOLVED, that the Town Board hereby appoints Kevin Donohue as Code Administrator and Fire Marshall at a salary not to exceed that set forth in the 2012 budget.

21. Resolution appointing Robert Emerick as Deputy Code Administrator at a salary not to exceed the amount set forth in the 2012 budget.

RESOLUTION #-2012

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

REORGANIZATION MEETING

January 5, 2012

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 2012 budget.

22. Resolution appointing Mariann Landolfi as Clerk to the Code Administrator at a salary not to exceed the amount set forth in the 2012 budget.

RESOLUTION #-2012

The following Resolution was presented by Councilwoman Budney, seconded by Councilwoman Montgomery 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 2012 budget.

23. Resolution appointing Susan DiStefano as Clerk to the Assessor at a salary not to exceed the amount set forth in the 2012 budget.

RESOLUTION #-2012

The following Resolution was presented by Councilwoman Budney, seconded by Councilwoman Montgomery 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 2012 budget.

24. Resolution appointing Frank Weise as Deputy Highway Superintendent at a salary not to exceed that set forth in the 2012 budget.

RESOLUTION #-2012

The following Resolution was presented by Councilman Van Tassel, seconded by Councilwoman Budney 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 2012 budget.

25. Resolution appointing Maureen Etta as Clerk supporting the Highway Department at a salary not to exceed that set forth in the 2012 budget.

RESOLUTION #-2012

The following Resolution was presented by Councilwoman Budney, seconded by Councilwoman Montgomery 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 2012 budget.

26. Resolution appointing Susan Downey as Clerk to the Highway Superintendent at a salary not to exceed that set forth in the 2012 budget.

REORGANIZATION MEETING

January 5, 2012

RESOLUTION #-2012

The following Resolution was presented by Councilman Van Tassel, seconded by Councilwoman Budney 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 2012 budget.

27. Resolution appointing Rosemary Bernasconi as Clerk to the Town Justices at a salary not to exceed the amount set forth in the 2012 budget.

RESOLUTION #-2012

The following Resolution was presented by Councilwoman Budney, seconded by Councilman Van Tassel 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 2012 budget.

28. Resolution appointing Annette Flaherty as Clerk to the Town Justices at a salary not to exceed the amount set forth in the 2012 budget.

RESOLUTION #-2012

The following Resolution was presented by Councilwoman Budney, seconded by Councilman Merandy 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 2012 budget.

29. Resolution appointing Donald MacDonald as Town Historian.

RESOLUTION #-2012

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

RESOLVED, that the Town Board hereby appoints Donald MacDonald as Town Historian.

30. Resolution appointing James Loeb, Adam L. Rodd and Stephen J. Gaba of Drake, Loeb, Heller, Kennedy, Fogerty, Gaba & Rodd, PLLC, as Counsel to the Town Attorney to serve at the pleasure of the Town Board, to advise the Planning Board, Zoning Board and handle Special Land Use issues; said attorney to be compensated at the rate of \$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 #-2012

The following Resolution was presented by Councilwoman Montgomery, seconded by Councilwoman Budney, 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 Attorney to serve at the pleasure of the Town Board, to advise the Planning Board, Zoning Board and handle Special Land Use issues; said attorney to be compensated at the rate of **\$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.

- 31. 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 #-2012

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

- 32. 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 2012 budget.**

RESOLUTION #-2012

The following Resolution was presented by Councilman Van Tassel, seconded by Councilwoman Budney 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 2012 budget.

- 33. Resolution appointing Carl D'Ambrosio as Property Records Manager.**

RESOLUTION #-2012

The following Resolution was presented by Councilwoman Budney, seconded by Councilwoman Montgomery 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 2012 budget..

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

RESOLUTION #-2012

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

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

35. Resolution appointing Nancy Montgomery as Deputy Supervisor.

RESOLUTION #-2012

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

RESOLVED, that the Town Board hereby appoints Nancy Montgomery as Deputy Supervisor.

36. 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 2012 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 2012 budget.

37. 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 2012 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 2012 budget.

38. Resolution appointing Eric Lind Interim Chairman of the Conservation Board.

RESOLUTION #-2012

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

RESOLVED, that the Town Board hereby appoints Eric Lind Interim Chairman of the Conservation Board.

39. Resolution authorizing compensation for the Garrison School Crossing Guard as per budget allocations not to exceed that set forth in the 2012 budget.

RESOLUTION -2012

The following Resolution was presented by Councilwoman Budney, seconded by Councilwoman Montgomery 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 2012 budget.

40. 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 #-2012

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

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

Michael Phelan
Robert Sesselberg
(Vacant Positions - 2)

RESOLUTION #-2012

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

RESOLVED, that the Town Board hereby appoints the following to the Continental Village Water District Advisory Committee:

Michael Phelan
Robert Sesselberg
(Vacant Positions - 2)

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

RESOLUTION #-2012

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

RESOLVED, that the Town Board hereby appoints Michael Phelan as Superintendent of the Continental Village Park District.

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

Frederick Romer
Ken Gonsalves
Tony Galfano
(Vacant Positions 3)

RESOLUTION #-2012

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

44. Resolution setting the Recreation pay scale for 2012 as follows:

<u>SEASONAL EMPLOYEES</u>		<u>RANGE</u>
Sports Director's & Managers	Season	\$ 800 - \$1,800
Youth Assistants	Hour	\$ 7.50- \$12.00
Adult Referees/Umpires	Hour	\$15.00-\$30.00
Youth Referees/Umpires	Hour	\$ 7.50-\$13.00
Scorer/Timer	Hour	\$ 7.50-\$13.00
Equipment Handlers	Hour	\$ 7.00-\$12.00
Pre-school & After School Directors	Hour	\$12.00-\$30.00
Assistants	Hour	\$ 8.00-\$16.00
Custodial	Hour	\$ 7.00-\$12.00

DIRECTORS/INSTRUCTORS

Camps/Clinics/Theatre	Hour	\$10.00-\$30.00
Certified Teachers	Hour	\$10.00-\$30.00
Youth Assistants	Hour	\$ 7.00-\$12.00
Specialists	Hour	\$20.00-\$60.00
Park/Facilities Maintenance	Hour	\$ 7.00-\$15.00

RESOLUTION #-2012

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

RESOLVED, that the Town Board hereby sets the Recreation pay scale for 2012 as indicated above.

45. Resolution setting the 2012 hourly rate for part- time stenographers and part-time clerks as follows:

Tina Landolfi, Conservation Board Secretary	\$15.00/hr.
Tina Landolfi, Building Department	\$15.00/hr.
Ann Gallagher, Planning Board Secretary	\$21.65/hr.
Kim Shewmaker, Zoning Board Secretary	\$18.00/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	\$17.85/hr.

RESOLUTION #-2012

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

RESOLVED, that the Town Board sets the 2012 hourly rate for part-time stenographers and part-time clerks as indicated above.

46. Resolution appointing Anthony Merante as Chairman of the Planning Board.

RESOLUTION #-2012

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

RESOLVED, that the Town Board hereby appoints Anthony Merante as Chairman of the Planning Board.

47. Resolution appointing Vincent Cestone as Chairman of the Zoning Board of Appeals.

RESOLUTION #-2012

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

RESOLVED, that the Town Board hereby appoints Vincent Cestone as Chairman of the Zoning Board of Appeals.

48. Resolution appointing Robert Ferris Dog Control Officer to serve at the pleasure of the Town Board, at the rate of pay as set forth in the 2012 budget.

RESOLUTION #-2012

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

RESOLVED, that the Town Board hereby appoints Robert Ferris Dog Control Officer to serve at the pleasure of the Town Board, at the rate of pay as set forth in the 2012 budget.

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

Highway Committee	Betty Budney & John Van Tassel
Planning Board	Nancy Montgomery
Land & Building	John Van Tassel & Richard Shea
Zoning Board	John Van Tassel
CAC	Nancy Montgomery
Signs & Streets-Village of Cold Spring	Betty Budney
Village of Nelsonville	Richard Shea
CVPOA	David Merandy
Haldane School	John Van Tassel
Garrison School	David Merandy
Fire Companies	Garrison – Richard Shea North Highlands – John Van Tassel
Finance Committee	Richard Shea Betty Budney
Recreation	David Merandy & John Van Tassel
Butterfield Library	Betty Budney & Nancy Montgomery
Information Officer	Nancy Montgomery

50.Resolution approving the 2012 Holiday Schedule:

New Year's Day	Monday	01-02-2012
Martin Luther's Day	Monday	01-16-2012
Presidents Day	Monday	02-20-2012
Good Friday	Friday	04-06-2012
Memorial Day	Monday	05-28-2012
Independence Day	Wednesday	07-04-2012
Labor Day	Monday	09-03-2012
Columbus Day	Monday	10-08-2012
Election Day	Tuesday	11-06-2012
Veterans Day	Monday	11-12-2012
Thanksgiving	Thursday & Friday	11-22-2012 & 11-23-2012 *(day taken after Thanksgiving must be charged to comp or vacation time)
Christmas	Tuesday	12-25-2012

RESOLUTION #-2012

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

RESOLVED, that the Town Board hereby approves the 2012 Holiday Schedule as indicated above.

There being no further business to discuss, Councilman Van Tassel made a motion, seconded by Councilwoman Budney and unanimously carried to close the Reorganization Meeting at 7:46 p.m.

Respectfully submitted by,

Joan B. Clauss
Deputy Town Clerk

Monthly Town Board Meeting
January 5, 2012

The Town Board of the Town of Philipstown held their Monthly Meeting on the above date at 8:15 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
	Edward W. Doyle	Town Attorney

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

Supervisor Shea welcomed David Merandy as the new member of the Board.

REVIEW OF MINUTES

The Minutes of the Bid Opening of December 28, 2011, Bank Stabilization for East Mountain Road South, were reviewed.

Councilwoman Budney made a motion, seconded by Councilman Van Tassel and unanimously carried that the Minutes of the Bid Opening of December 28, 2011, Bank Stabilization for East Mountain Road South, are hereby approved as presented.

COMMITTEE REPORTS

CAC – No report.

RECREATION –Councilman Van Tassel reported that construction and installation of the generator for the Disaster Center was underway. Councilwoman welcomed the two (2) new Recreation Commission members, John Maasik and Stephanie Hawkins. Supervisor Shea extended thanks to Councilman Van Tassel for his involvement with the construction and installation of the generator.

RECYCLING – No report.

PLANNING BOARD - Councilwoman Montgomery reported on the items addressed at the December 8th Planning Board Meeting.

ZONING – Councilman Van Tassel reported that there was no meeting scheduled in December. Next meeting is scheduled for January 9th.

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

BUILDING & LAND ACQUISITION – No report.

GVFD – Jamie Copeland reported on activities for the month of December 2011.

TOWN OF PHILIPSTOWN

MONTHLY REPORT OF TOWN SUPERVISOR

MONIES RECEIVED AS OF JANUARY 5, 2012

GENERAL & PART-TOWN FUNDS

Justice Fees – November 2011	\$10,345.00
Justice Fees – November 2011	7,385.00
Town Clerk Fees – November 2011	385.36
Town Clerk Fees – Dogs – November 2011	319.00
Hudson Baylor	91.50
NYS DFY 2010	1,778.00
NYS DFY 2010	1,596.00
Putnam County Mortgage Tax	131,968.79
Recreation Fees – November 2011	29,486.54
Erie Insurance Refund	189.00
Recreation Fees – December 2011	23,000.00
CTV Fees	11,433.00
Town Clerk Fees – December 2011	1,269.25
Town Clerk Fees – Dogs – December 2011	441.00
A. W. Scrap	959.00

HIGHWAY FUND

NYS CHIPS	\$ 4,364.96
Putnam County OFA Gas	562.02
Putnam County Sheriff's – Gas	1,959.35
General Fund – Gas	593.86
Bank Interest	131.63

CONTINENTAL VILLAGE WATER DISTRICT

Bank Interest	\$ 2.63
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CONTINENTAL VILLAGE PARK DISTRICT

Clubhouse Fees	\$ 500.00
Bank Interest	15.37

AGENDA

1. Resolution accepting the resignation of Dorothy Gilman from the Board of Assessment Review, effective immediately.

RESOLUTION #-12

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

RESOLVED, that the Town Board of the Town of Philipstown, hereby accepts the resignation of Dorothy Gilman from the Board of Assessment Review, effective immediately.

Supervisor Shea then requested that an advertisement be place to fill two (2) vacant positions on the Board of Assessment Review.

RESOLUTION #-12

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

RESOLVED, that the Town Clerk is hereby authorized to place an advertisement in the PCN&R to fill two (2) positions on the Board of Assessment Review.

2. Code Enforcement Monthly Report

Town Clerk Merando read the Monthly Code Enforcement Report.

3. Schedule Workshops/Meetings

January 18, 2012	Recreation (Amber Stickle)7:30 p.m.
	Kevin Donohue 8:00 p.m.

Supervisor Shea reported that a meeting was forthcoming regarding the Hudson/Fjord Trail and connecting Cold Spring with Beacon on a walking trail.

Councilwoman Montgomery reported that a meeting with Senator Joe Brent's office was scheduled for January 19th, regarding FEMA and hazard (inaudible) and the process of applying for grants.

Councilman Van Tassel questioned if a workshop should be scheduled to discuss Highway Superintendent Chirico's letter regarding a cell phone policy. Councilwoman Montgomery stated that there is an \$11,000.00 fine if caught using a cell phone while working. Supervisor Shea stated that the Board will look into whether or not there is some kind of policy regarding use of cell phones while driving a town vehicle.

Town Attorney Doyle questioned if this subject was just for Highway and remarked that hands-free is permissible in New York State. Councilman Van Tassel stated that he was not sure if that was permissible with a CDL. Town Attorney remarked that if he, the Assessor or Building Inspector was driving and had a hands-free set and calls the Town Clerk's office, it was legal. He stated that he was trying to find out what the Board wanted to address; that if it was highway, the Town has a Union Contract and that labor counsel (Judy Mayle), should be contacted as she may already have a policy pertaining to this subject. Supervisor Shea stated that he would contact Ms. Mayle.

Councilwoman Montgomery asked if the Board was trying to address private use of cell phones during working hours, that use of hands-free in case of an emergency was fine but the use of hands-free while working was not acceptable.

AUDIENCE

Ann Chestnut of the PCN&R questioned Highway Superintendent's statement (Committee Reports) regarding cleaning out a resident's brook. She stated that some time ago, one of the Board members made reference to the fact that a person was not allowed to set foot into a brook without DEC authorization or something along those lines. Ms. Chestnut stated that she would like some clarification on this. Supervisor Shea responded saying that he made statements relating to a couple of things. One being that the Board was not encouraging residents to go into rushing brooks and start dragging things out. Supervisor Shea added that people with private culverts should engage the services of someone or if comfortable doing it, remove debris from the culvert. He added that if a resident was going to do any real work in a stream involving disturbing the bottom using a machine, a DEC permit was required, but there are minor things that a resident can do, such as moving branches back from the sides and removing dead trees before they fall down into the brooks.

Ms. Chestnut then asked if the Town Board knew of any resident in Philipstown who may have received notification from their insurance company advising that they should clear dead branches off their trees. Supervisor Shea replied that he had no idea.

Garrison resident, Lee Erickson asked if the board had heard anything more from the New York State "stream team;" that he was still seeing a lot of dead trees. Supervisor Shea replied that so far, he had not and that the Town Board was still working with the DEC.

Audience member asked about the path from Cold Spring to Beacon and whether Garrison might be included. Supervisor Shea stated that he thought the path should go all the way to Peekskill. Mention of rerouting the trolley was also briefly discussed.

Referencing the bus stop on Route 9 (Winston Lane), Councilman Van Tassel advised the Board that the Sheriff's Department had patrols out for an extended period of time; that there are now illuminated signs there. Councilman Van Tassel extended his thanks to Sheriff Smith, all the patrols and Highway Superintendent Chirico for all their help.

VACANCIES

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

APPROVAL OF VOUCHERS

Councilman Van Tassel made a motion, seconded by Councilwoman Montgomery and unanimously carried that the General Vouchers in the amount of \$687,417.26 are hereby approved as set forth in Abstracts 12A & 1.

Councilwoman Budney made a motion, seconded by Councilwoman Montgomery and unanimously carried that the Highway Vouchers in the amount of \$83,912.77 are hereby approved as set forth in Abstracts 12A & 1.

Councilman Van Tassel made a motion, seconded by Councilwoman Montgomery and unanimously carried that the CVPD Vouchers in the amount of \$3,788.38 are hereby approved as set forth in Abstract 12A.

Councilwoman Budney made a motion, seconded by Councilwoman Montgomery and unanimously carried that the CVWD Vouchers in the amount of \$12,595.15 are hereby approved as set forth in Abstracts 12A & 1.

There being no further business to discuss, Councilman Van Tassel made a motion, seconded by Councilwoman Budney to close the Town Board Monthly Meeting at 8:35 p.m.

Respectfully submitted by,

Joan B. Clauss
Deputy Town Clerk

REBECCA WITTENBERG, RN, BSN
Public Health Director



1
MARY ELLEN ODELL
County Executive

ROBERT MORRIS, PE
Director of Environmental Health

DEPARTMENT OF HEALTH

1 Geneva Road, Brewster, New York 10509

Phone # (845) 808-1390

Fax # (845) 278-7921

TO: Philipstown Town Hall - VFW contract
Att: Joan for WIC

FROM: Jane Meunier-Gorman
(845) 808-1390 ext. 43153

DATE: 1/6/12

RE: Request for Signature

~~~~~  
Enclosed please find your contract or agreement which is ready for your signature.

To expedite your contract or agreement, **please sign and have notarized** and return to me ASAP to the below address:

Jane Meunier-Gorman  
Putnam County Health Department  
1 Geneva Road  
Brewster, NY 10509

If you have any further questions regarding the above, please do not hesitate to contact me.

Sign & Return Both Copies

PUTNAM COUNTY LEGISLATURE

Resolution #382

Introduced by Legislator: Vincent M. Tamagna on behalf of the Physical Services Committee at the Year End Meeting held on December 27, 2011.

page 1

**APPROVAL/AUTHORIZING RENEWAL OF LEASE/VETERANS OF FOREIGN WARS/TOWN OF PHILIPSTOWN**

WHEREAS, the Town of Philipstown is the owner of certain real property located at Kemble Avenue, Cold Spring, New York 10516, including the building located thereon (hereinafter referred to as the "TOWN"); and

WHEREAS, the County of Putnam and the Town previously entered into a lease agreement, dated May 10, 2010, wherein the County leased the "Town's Side" of the TOWN owned Veterans of Foreign Wars (hereinafter referred to as the "VFW") on the 3<sup>rd</sup> Friday of every third month for the administration of the WIC Program; and

WHEREAS, the County of Putnam will continue to require the VFW for legitimate County government purposes; and

WHEREAS, the County of Putnam is desirous of renewing the lease agreement for the VFW for a two (2) year term, beginning January 1, 2011 through December 31, 2012;; and

WHEREAS, the County Executive, with advice and assistance of the County Attorney, has entered into preliminary negotiations with the TOWN for the renewal of the lease of the VFW and has agreed to a rental fee of \$25.00 per month of use of the VFW; and

WHEREAS, pursuant to Section 31-4 of the Code, the County Executive has requested that the Putnam County Legislature grant authorization for such lease renewals; now therefore be it

RESOLVED, that the County of Putnam may renew the lease with the TOWN for the VFW; and be it further

RESOLVED, that the County Executive, with the advice and assistance of the County Attorney, is authorized to finalize and execute a renewal lease agreement with the TOWN for the VFW building at the rental fee of \$25.00 per month of use of the VFW which renewal lease shall be in substantial conformance with the form attached hereto as Schedule "A"; and be it further

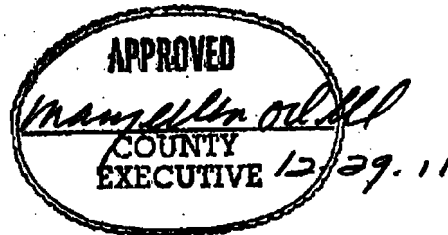
RESOLVED, that this Resolution shall take effect immediately.

BY POLL VOTE: EIGHT AYES. LEGISLATOR DICARLO WAS ABSENT. MOTION CARRIES.

Vote:  
State Of New York

ss:

County of Putnam



I hereby certify that the above is a true and exact copy of a resolution passed by the Putnam County Legislature while in session on December 27, 2011.

Dated: December 29, 2011

Signed: M. Chris Marrone

M. Chris Marrone  
Clerk Of The Legislature Of Putnam County

**RENTAL AGREEMENT**  
**VFW BUILDING - TOWN OF PHILIPSTOWN**

This Agreement made the \_\_\_\_\_ day of \_\_\_\_\_, 2011 between: The TOWN OF PHILIPSTOWN, a municipal corporation having its office at 238 Main Street, Cold Spring, New York 10516, herein referred to as "TOWN"; and The PUTNAM COUNTY DEPARTMENT OF HEALTH, being an office within the County of Putnam, located at Terravest International Park, International Boulevard & Geneva Road, Brewster, New York 10509, herein referred to as "TENANT";

WHEREAS, the TOWN agrees to allow the TENANT use of the "Town's Side" of the TOWN - owned VFW Building, located at Kemble Avenue, Cold Spring, New York on the 3<sup>rd</sup> Friday of every third month, beginning January 1, 2011 through December 31, 2012, i.e., January 20, 2012, April 20, 2012, July 20, 2012 and October 19, 2012, between the hours of 9:00 a.m. to 12:00 p.m. to be used for an office for administration of the TENANTS W.I.C. Program.

At the expiration of the term, the TOWN and the TENANT will review availability of the VFW building for continued administration of the W.I.C. Program.

The TENANT agrees to pay the TOWN a rental fee of \$25.00 per month of use of the VFW premises as described above, from budget line 10408200-54447. Payment will be made by check to the TOWN on the 1<sup>st</sup> of each month of use.

The TENANT will maintain its own public liability insurance with a company licensed to do business in the State of New York with no less than the following minimum limits of liability; personal injury liability - \$1,000,000.00; property damage \$200,000.00 TENANT will arrange for the TOWN to be named as an additional insured under said insurance policy.

Either party may cancel this contract on ten (10) days written notification to the other party.

IN WITNESS WHEREOF, the parties have executed this Agreement in Carmel, New York, on the date herein above set forth.

**READ & APPROVED:**

\_\_\_\_\_  
Date \_\_\_\_\_  
Richard B. Honeck  
Risk Manager

\_\_\_\_\_  
Date \_\_\_\_\_  
Jennifer S. Bumgarner  
County Attorney

\_\_\_\_\_  
Date \_\_\_\_\_  
William J. Carlin, Jr.  
Commissioner of Finance

**THE COUNTY OF PUTNAM:**

\_\_\_\_\_  
Date \_\_\_\_\_  
MaryEllen Odell  
County Executive

*Rebecca Wittenberg* Date *1/5/12*  
\_\_\_\_\_  
Rebecca Wittenberg  
Interim Public Health Director

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

By: \_\_\_\_\_

**ACKNOWLEDGMENT OF PUTNAM COUNTY:**

STATE OF NEW YORK     )  
                                  ) ss.:  
COUNTY OF PUTNAM     )

On this \_\_\_\_ day of \_\_\_\_\_, 2011 before me personally came **MARYELLEN ODELL** to me known, who being by me duly sworn, did depose and say that she resides at **Carmel, New York**; that she is the **County Executive of Putnam County**, the corporation described in and which executed the foregoing instrument; that she knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal; and the same was affixed to said instrument under authority of the Putnam County Charter and that she signed his name thereto under the same authority.

\_\_\_\_\_  
Notary Public

**ACKNOWLEDGMENT OF CONTRACTOR:**

STATE OF NEW YORK     )  
                                  ) ss.:  
COUNTY OF PUTNAM     )

On this \_\_\_\_ day of \_\_\_\_\_, 2011 before me personally came \_\_\_\_\_ to me known and known to me to be the person described in and who executed the foregoing instrument and he acknowledged to me that he executed the same.

\_\_\_\_\_  
Notary Public



AGREEMENT AND CASH MAINTENANCE BOND

**KNOW ALL MEN BY THESE PRESENTS THAT:**

MICHELE THORPE HOLUBAR, P. O. Box 282, Cold Spring, NY 10516, as principal, is held and firmly bound unto the Town of Philipstown as Obligee in the sum of FORTY-TWO THOUSAND (\$42,000.00) DOLLARS lawful money of the United States, to be paid to the Town of Philipstown herewith, for which payment, well and truly to be made, said principal binds herself, her heirs, executors, administrators, successors and assigns, jointly and severally by these presents.

Signed, sealed and dated this 26th day of January, 2012.

**THE CONDITION OF THIS OBLIGATION IS SUCH THAT:**

WHEREAS, as application has been made to the Planning Board of the Town of Philipstown for approval of a Subdivision pertaining to 19.415 acres of land (Tax Map Number 89/38.-3-87.1); and

WHEREAS, the Planning Board granted approval of said Subdivision by Resolution PB No. 3040, dated December 12, 2007; and

WHEREAS, the Code Enforcement Officer of the Town of Philipstown has determined that the Principal has failed to complete the following improvements as required by the Site Plan, to wit: 1) Paving in accordance with approved New York State DOT road entrance permit from Route 301; 2) Paving of Hudson Way from station 4+70 to station 9+50 as specified in the approved sub-division plat; 3) Installation of fencing around retention pond area as specified in the approved sub-division plat; and 4) Documentation from a New York State licensed engineer that all sub-division work has been completed and is in substantial compliance with the approved sub-division plat; and

**received**  
1/27/2012

WHEREAS, the Principal has represented that she has engaged Briggs Paving, Inc., 211 Van Wagner Road, Poughkeepsie, New York 12603 to complete the improvements described hereinabove;

NOW THEREFORE, IT IS AGREED THAT, if the Principal completes the improvements described hereinabove by May 31, 2012, this obligation, after consent and approval of the Town of Philipstown, shall be null and void, otherwise it shall remain and be in full force and effect, and the Town may revoke the Bond and complete the work (either itself or by contract with another) and shall be reimbursed for the cost thereof directly by the bond, and for such purpose to complete or satisfactorily complete the work, consent to enter the property by the principal is hereby given; and

FURTHER, the Town may, at its discretion, release such portion of the monies paid pursuant to this instrument as it may deem fit, upon finding that portions of the improvements have been satisfactorily completed; and

FURTHER, no party other than the Town, its successors and assigns shall have any rights hereunder as against the principal.

IN WITNESS WHEREOF, the parties have signed this instrument this 26 day of January, 2012.

  
MICHELE THORPE HOLUBAR

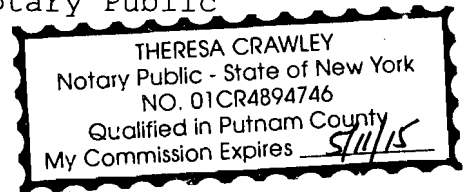
STATE OF NEW YORK )

COUNTY OF PUTNAM ) ss.:

On this 26<sup>th</sup> day of January, 2012, before me, the undersigned, a Notary Public in and for said State, personally appeared MICHELE THORPE HOLUBAR, on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her capacity and that by her signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

*Michele Thorpe Holubar*

*Theresa Crawley*  
Notary Public



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

December 13, 2011

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

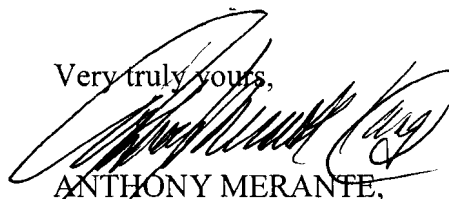
Re: Release of escrow funds on Constance Bakall and The Berner  
Family subdivision applications

Dear Supervisor Shea:

I am writing to advise you that at the December 8, 2011 Town Planning Board meeting it was determined that the subdivision applications of Constance Bakall and The Berner Family 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,

  
ANTHONY MERANTE,  
Chairman

**received**  
1/10/2012

4

THOMAS, DROHAN, WAXMAN, PETIGROW & MAYLE, LLP

ATTORNEYS AND COUNSELLORS AT LAW  
2517 ROUTE 52  
HOPEWELL JUNCTION, NEW YORK 12533

LAWRENCE W. THOMAS  
JAMES P. DROHAN  
STUART S. WAXMAN\*  
DANIEL PETIGROW  
JUDITH CRELIN MAYLE

(845) 592-7000  
(845) 592-7020 Fax

OF COUNSEL  
ROCHELLE J. AUSLANDER  
D'ANDREA & GOLDSTEIN  
NATALIE J. MARSHALL

ANA ISABEL GONZALEZ  
NEELANJAN CHOUDHURY  
ARON Z. KARABEL  
ALLISON E. SMITH  
DAVID H. STRONG\*\*  
JOSEPH T. BONANNO

WESTCHESTER COUNTY OFFICE:  
700 WHITE PLAINS ROAD  
SCARSDALE, NEW YORK 10583  
(914) 725-7893  
TELECOPIER (914) 472-1840

PARALEGAL  
LYNN W. CYBULSKI  
CHRISTINE A. MERSAND

January 6, 2012

\*ADMITTED IN NEW YORK AND NEW JERSEY  
\*\*ADMITTED IN NEW YORK AND CONNECTICUT

**VIA EMAIL & FIRST-CLASS MAIL:** [supervisor@philipstown.com]

Mr. Richard Shea  
Supervisor  
Town of Philipstown  
238 Main Street  
Cold Spring, NY 10516

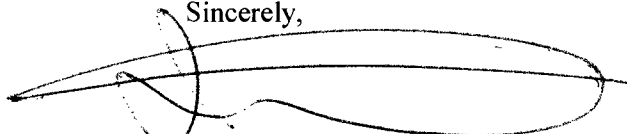
***Re: Legal Fees - 2012***

Dear Mr. Shea:

We are writing to you regarding the continuation of legal services for 2012. Due to the continuing difficulty municipalities are experiencing in financing budgets, our firm has again elected to freeze our rates at the levels in effect since 2009. Therefore, we will continue to charge the Town of Philipstown at the rate of \$200.00 per hour for attorneys and \$95.00 per hour for paralegal services for the period of January 1 through December 31, 2012.

I have enclosed a duplicate copy of this agreement with a signature line. If it is acceptable to you, I would appreciate your executing it and returning it to me. It will constitute an agreement between the Town and my office.

Sincerely,



Judith Crelin Mayle

JCM/al  
Enclosure

**ACCEPTED AND AGREED TO:**

By: \_\_\_\_\_  
Richard Shea, Supervisor

Dated: \_\_\_\_\_

received  
1/9/2012 [Signature]

**RESOLUTION #**

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

**RESOLVED**, that the Town Board of the Town of Philipstown hereby authorizes Supervisor Shea to sign the agreement between the Town and Thomas, Drohan, Waxman, Petigrow & Mayle, LLP, to provide legal services at the rate of \$200.00 per hour for attorneys, and \$95.00 per hour for paralegal services for the period of January 1 through December 31, 2012.

cc: T.C. 5

56 Pine St.  
Nelsonville, NY 10516

Jan. 23, 2012

Mr. Richard Shea.  
Supervisor, Town of Philipstown,  
Town Hall,  
Cold Spring, NY 10516

Dear Rich,

Due to a situation at home and the great amount of time required to deal with it, I, reluctantly, must tender my resignation as Chairman of the Philipstown Planning Board and as a member of the Board, effective immediately. I do so with sadness because I thoroughly enjoyed working with the members of the Board, its advisors and the members of the Town Board.

If I had known about the turn of events before the re-organization meeting I would certainly have informed you prior to that meeting. I didn't know at that time that things would go in the direction in which they have.

Thank you for the opportunity to serve the people of the Town of Philipstown and the several town boards over the last eight years.

Respectfully,



Anthony Merante

**received**  
1/23/2012  
cc: TB  
Rec'd  
1/23/12  
SM

6/7/8

## TOWN OF PHILIPSTOWN APPOINTED POSITION LIST (11/2011)

### TERM EXPIRES

March 31, 2015  
March 31, 2013  
March 31, 2015  
March 31, 2016  
March 31, 2012

### ZONING BOARD OF APPEALS (5Year Term)

Vincent Cestone, Chairman,  
Paula Clair,  
William Flaherty,  
Leonard Lim,  
Robert Dee,  
Kim Shewmaker, Secretary

### PLANNING BOARD (4 Year Term)

March 31, 2014  
March 31, 2015  
March 31, 2013  
March 31, 2015  
March 31, 2014  
March 31, 2013  
March 31, 2012

Kim Conner,  
Michael Leonard,  
Kerry Meehan,  
Neal Zuckerman,  
Mary Finger,  
Pat Sexton,  
Ann Gallagher, Secretary

### CONSERVATION ADVISORY COUNCIL (2 Year Term)

March 3, 2012  
March 3, 2012  
March 3, 2012  
March 3, 2013  
March 3, 2012  
March 3, 2013  
March 3, 2013  
Wetlands Inspector

Eric Lind (Interim Chairman),  
Andrew Galler,  
Robert Repetto,  
Lew Kingsley,  
Mark Galezo,  
Michael Leonard,  
M. J. Martin,  
David Klotzle,  
Tina Landolfi, Secretary





Town Clerk <townclerk@philipstown.com>

## 2012 Fee Schedule

1 message

Kevin Donohue <kcdonohue@philipstown.com>

Thu, Jan 26, 2012 at 2:03 PM

To: rshea62 <rshea62@optonline.net>, jvt65 <jvt65@optonline.net>, dmerandy <dmerandy@yahoo.com>, nmontgomery9 <nmontgomery9@aol.com>, "Town Clerk \\" <townclerk@philipstown.com>

Attached please find the 2012 Fee Schedule. I recommend to that the 2012 Fee Schedule be effective for all new applications submitted on or after February 6, 2012.

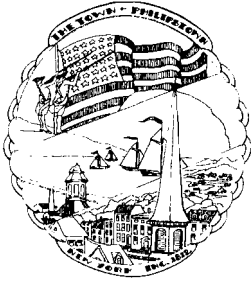
Thank you

--  
Kevin Donohue, CFM  
Code Enforcement Officer  
Town of Philipstown  
PO Box 155  
Cold Spring, NY 10516  
(845) 265-5202



**02212 Fee Schedule.doc**

865K



## Town of Philipstown

238 Main Street, PO Box 155

Cold Spring, NY 10516

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

# Town of Philipstown 2012 Fee Schedule

**Adopted February 2, 2012**

**received**  
1/26/2012

**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

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

- (1) Building permit.
  - (a) Structure area per construction area - \$80 per 100 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 - \$285.
- (4) Application Fee - \$250
- (5) Minimum Fee - \$250

### **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
    - (2) add for exterior site - \$5 per parking and loading spaces
  - (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
    - (3) add for vehicle storage, parking and loading spaces - \$5 per
- (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, Determination Fee- \$180

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 Minor - \$500 + Escrow
6. 175-62 Special Use permit 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 - \$300
10. Full Environmental Assessment Form - \$300
11. 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. 179-59 A. Appeal of orders, requirements, decision, interpretations or determinations - \$100 – No Escrow
2. 179-59 C. Use Variance – \$1,000 + Escrow
3. 179-59 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. 175-29 E. 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 - \$300
5. Planning Board Referral - \$300
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 Approval1/26/121/26/2012