

**Monthly Town Board Meeting**  
**March 1, 2018      7:30 p.m.      Town Hall**

**SALUTE TO THE FLAG**

**COMMITTEE REPORTS**

- 1) Conservation Board    2) Recreation            3) Philipstown Communities that Care  
4) Planning Board    5) Zoning    6) Highway    7) Putnam County Legislator  
8) Cemetery Committee

**AGENDA**

- 1. Resolution appointing Danielle Pack-McCarthy as the Prevention, Treatment & Recovery Coordinator.**
- 2. Resolution calling for the release of the Risk Assessment related to the Algonquin Pipeline Crossing at Indian Point.**
- 3. Discussion with regard to a revision to the Town Code, Section 175-46 which addresses Communication Towers.**
- 4. Town Board and Justin Kacur of Highland Architect to discuss the proposed renovations to the Town Hall.**
- 5. Schedule meetings/workshops.**
- 6. Code Enforcement Monthly Report.**
- 7. Any other business that may come before the Town Board.**

**AUDIENCE**

**VACANCIES**

Recreation Commission (1)  
CV Water District (AWTPO) (1)

**APPROVAL OF VOUCHERS**

General      Highway      CVPD      CVWD

**ADJOURNMENT**

1



Town Clerk <townclerk@philipstown.com>

---

**For 3/1 agenda- Danielle Pack-McCarthy to the Recovery, Treatment, Prevention Coordinator position Fwd: Danielle Pack-McCarthy Fwd: Resume and Cover Letter**

1 message

---

**Nancy Montgomery** <nmontgomery@philipstown.com>

Fri, Feb 23, 2018 at 12:09 PM

To: Richard Shea <supervisor@philipstown.com>

Cc: Town Clerk <townclerk@philipstown.com>, Jvantassel@philipstown.com, MLeonard@philipstown.com, rflaherty@philipstown.com

Dear Richard -

Please place on the 3/1 agenda a resolution presented by Councilwoman Montgomery to appoint Danielle Pack-McCarthy to the Recovery, Treatment, Prevention Coordinator position.

Attached you will find a cover letter and resume.

I will see if she will be present to introduce herself.

Sincerely,

Nancy

Sent from my iPhone

**RESOLUTION #**

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

RESOLVED, that the Town Board hereby appoints Danielle Pack-McCarthy as the Prevention, Treatment & Recovery Coordinator at the rate of pay of \$24.00 per hour, not to exceed \$10,000.00 for fiscal year 2018.

RESOLUTION #

The following Resolution was presented by \_\_\_\_ seconded by \_\_\_\_;

Whereas, the Town Board of the Town of Philipstown has a principal responsibility to protect the health and safety of its residents, businesses and institutions.

Whereas, the Town of Philipstown is located within the 50 mile evacuation zone of the Indian Point nuclear plant and a radioactive release there could adversely impact the health of Philipstown residents and business and institution personnel and/or render the Town of Philipstown uninhabitable for generations, and

Whereas, according to the January 8, 2017 Indian Point Closure Settlement Agreement,<sup>1</sup> Indian Point reactors 2 and 3 are scheduled to be closed in 2020 and 2021, respectively with more than 2700 tons of highly radioactive spent fuel stored onsite, and

Whereas, the safe decommissioning of Indian Point is critical to the well-being of the Town of Philipstown residents, businesses and institutions, and

Whereas, it will take decades to transfer the radioactive spent fuel to onsite dry cask storage, where it will be safer but not fully safe, and

Whereas, the Nuclear Regulatory Commission does not have expertise in gas pipeline dynamics and the Commission has not acknowledged that the gas pipelines pose an additional hazard at this site, and

Whereas, a massive high pressure 42" diameter gas transmission pipeline traverses the Indian Point property and a rupture in the pipeline at or near that location could destroy critical Indian Point nuclear safety infrastructure and back-up cooling equipment needed to protect the reactors and the spent fuel from igniting, and

Whereas, some elected officials have discussed siting a gas power plant on or nearby Indian Point property, and

Whereas, in February 2016 Governor Cuomo, recognizing the dangers of the co-location of the pipeline and Indian Point, asked four NY State agencies to undertake a risk assessment which resulted in the state initiating a work order for a risk assessment to be conducted by Henningson, Durham and Richardson in July 2016. The work order said that the risk assessment was to be completed by September 2016, the scope of which was subsequently expanded and due to be completed on December 31, 2016. The status of the risk assessment is unknown.

Therefore, be it resolved that the Town Board of the Town of Philipstown, in the interests of its residents, businesses and institutions, urges that the New York State risk assessment be released as soon as possible so that elected officials, emergency providers and the public have the benefits of this information to be better prepared, that Entergy, the NRC and community groups and consultants involved in the decommissioning process can include this information in decommissioning planning and that the consulting firm, D.L. English Consulting, that New York State hired to conduct a site reuse study, can have a better understanding of opportunity parameters; and, be it further

\_\_\_\_\_

Resolved, that it is in the interest of the well-being of Town of Philipstown's residents, businesses and institutions that the State conducts and releases an assessment that includes public input prior to any discussions regarding the possibility of siting a gas plant at or near Indian Point; and, be it further

Resolved, that the Town of Philipstown's Town Clerk shall forward this Resolution to the Governor of New York State, to the New York State Legislators in both the New York State Senate and the Assembly that represent the Town of Philipstown and to New York State's Public Service Commission Chairman, Department of Homeland Security and Emergency Services Commissioner, Department of Health Commissioner, Department of Environmental Conservation Commissioner, Empire State Development Commissioner and the NYSERDA Chairman to urge these actions be taken as promptly as possible.

3



Town Clerk <townclerk@philipstown.com>

---

**Fwd: Menkes Associates, LLC proposal to revise Town Ordinance Sec. 175-46**

1 message

---

**John's Personal** <jvt65@optonline.net>  
To: townclerk@philipstown.com

Thu, Feb 22, 2018 at 9:57 AM

Sent from my iPhone

Begin forwarded message:

**From:** Hank Menkes <menkesassoc@gmail.com>  
**Date:** January 31, 2018 at 2:19:11 PM EST  
**To:** jvt65@optonline.net  
**Subject:** Menkes Associates, LLC proposal to revise Town Ordinance Sec. 175-46

John,

Menkes Associates, LLC is pleased to submit the attached proposal to revise the town ordinance Section 175-46: Communications Towers to improve clarity, accommodate modern technologies, and prepare for the densification of existing wireless networks associated with the deployment of 5G technology. This work will need to occur in conjunction with a land-use attorney, as we discussed, since the proper legal prose is as important as the technical content in light of the actions under consideration by the current administration and the FCC regarding 5G and small cell deployments.

I would normally try and provide an upper bound to the estimated time to complete the work, but it's currently unclear what the Town Council will require for presentations and the time working in concert with the attorney to finalize the text. If you wish, I can keep you apprised of the time expended as the work progresses. If you are in agreement with this proposal, please have the authorized signatory sign and date the proposal and return to us. We look forward to working with you and your peers on this activity.

Regards,

Hank Menkes, President

973-227-7615

| -

---

**2 attachments**



Menkes Associates, LLC

**image003.jpg**  
3K



**Philipstown Ordinance Review and Update.pdf**  
154K



Menkes Associates, LLC

menkesassoc@gmail.com

**PROPOSAL**

No. 1810P

Date: January 31, 2018

To: Mr. John Van Tassel, Town Councilman  
Town of Philipstown  
238 Main Street  
Cold Spring, NY 10516

**Reference:** Revision of Town Ordinance Section 175-46: Communications Towers

Menkes Associates, LLC will:

- Review and revise section 175-46 of the Philipstown, NY town ordinance to improve clarity of the existing material, accommodate technology changes regarding base station equipment and radiating facilities, and prepare for the impending 5G deployments of small cells and distributed antenna systems on public right-of-ways. These revisions will be done in conjunction with a land use attorney of the Town's choice; and a town planner, if required. Alternatively, a completely separate section that would cover the deployment of small cells requiring access to municipal right-of-ways, as some other municipalities have done may be suggested.
- Present at a Town Council meeting, either or both, a summary of the proposed project prior to initiating work or the final work product, if requested.

All work to be billed at a rate of \$300/hour, portal to portal, plus expenses. Final payment is net 30 days after invoice.

Submitted by:

Hank Menkes, President  
*print name & title*

*H. Menkes*  
*signature*

January 31, 2018  
*date*

Accepted by:

*print name & title*

*signature*

*date*

*address*

*phone*



Menkes Associates, LLC

menkesassoc@gmail.com

**PROPOSAL**

No. 1810P

Date: January 31, 2018

To: Mr. John Van Tassel, Town Councilman  
Town of Philipstown  
238 Main Street  
Cold Spring, NY 10516

**Reference:** Revision of Town Ordinance Section 175-46: Communications Towers

Menkes Associates, LLC will:

- Review and revise section 175-46 of the Philipstown, NY town ordinance to improve clarity of the existing material, accommodate technology changes regarding base station equipment and radiating facilities, and prepare for the impending 5G deployments of small cells and distributed antenna systems on public right-of-ways. These revisions will be done in conjunction with a land use attorney of the Town's choice; and a town planner, if required. Alternatively, a completely separate section that would cover the deployment of small cells requiring access to municipal right-of-ways, as some other municipalities have done may be suggested.
- Present at a Town Council meeting, either or both, a summary of the proposed project prior to initiating work or the final work product, if requested.

All work to be billed at a rate of \$300/hour, portal to portal, plus expenses. Final payment is net 30 days after invoice.

Submitted by:

Hank Menkes, President  
*print name & title*

*H. Menkes*  
*signature*

January 31, 2018  
*date*

Accepted by:

*print name & title*

*signature*

*date*

*address*

*phone*

6



# Town of Philipstown

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

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

## MONTHLY REPORT for February

1. Fees Collected	<u>4665</u>
2. Total Number of Permits Issued	<u>12</u>
3. New One- or Two-family dwellings:	<u>9</u>
4. New Commercial/Industrial buildings:	<u>0</u>
5. New Hazardous (H) occupancies:	<u>0</u>
6. New Multi family occupancies:	<u>0</u>
7. Additions, alterations or repairs residential buildings	<u>0</u>
8. Additions, alterations or repairs commercial buildings:	<u>1</u>
9. All other permits (pools, sheds, decks, plumbing, HVAC, etc.)	<u>11</u>
10. Number of Certificates of Occupancy :	<u>16</u>
11. Number of Stop Work Orders issued:	<u>2</u>
12. Operating permits issued	<u>0</u>
13. Operating permits issued hazardous materials	<u>1</u>
14. Operating permits Hazardous processes and activities	<u>0</u>
15. Permits issued for the Use of pyrotechnic devices:	<u>0</u>
16. Inspection of public assembly :	<u>1</u>
17. Inspection of commercial occupancies	<u>4</u>
18. Inspection of buildings with 3 or more dwelling units:	<u>0</u>

Projects of Significance: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



VILLAGE OF COLD SPRING  
Code Enforcement Office  
238 Main Street, PO Box 155  
Cold Spring, NY 10516

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

MONTHLY REPORT for Feb. 2018

1. Fees Collected	<u>\$ 4,635</u>
2. Total Number of Permits Issued	<u>7</u>
3. New One- or Two-family dwellings:	<u>0</u>
4. New Commercial/Industrial buildings:	<u>0</u>
5. New Hazardous (H) occupancies:	<u>0</u>
6. New Multi family occupancies:	<u>0</u>
7. Additions, alterations or repairs residential buildings	<u>3</u>
8. Additions, alterations or repairs commercial buildings:	<u>4</u>
9. All other permits (pools, sheds, decks, plumbing, HVAC, etc.)	<u>0</u>
10. Number of Certificates of Occupancy :	<u>9</u>
11. Number of Stop Work Orders Issued:	<u>0</u>
12. Operating permits issued	<u>0</u>
13. Operating permits issued hazardous materials	<u>    </u>
14. Operating permits Hazardous processes and activities	<u>    </u>
15. Permits Issued for the Use of pyrotechnic devices:	<u>    </u>
16. Inspection of public assembly :	<u>    </u>
17. Inspection of commercial occupancies	<u>    </u>
18. Inspection of buildings with 3 or more dwelling units:	<u>    </u>

Projects of Significance: Fees Collected 6/1/17 - 2/22/18 = \$24,385