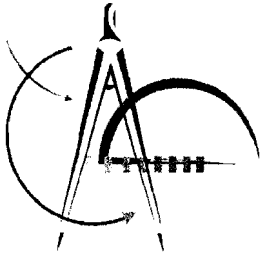


Weekly Town Board Meeting
March 25, 2015 7:30 p.m. Town Hall

AGENDA

1. Resolution awarding the bid for the South Mountain Pass Drainage Project to Sun-Up Enterprises, Inc. as low bidder.
2. Resolution authorizing the Code Enforcement Officer to establish, implement and maintain the files and records of the Conservation, Zoning and Planning Boards along with the Code Enforcement Department and Fire Marshal's Office.
3. Any other business that may come before the Town Board.



RONALD J. GAINER, P.E., PLLC
31 Baldwin Road, Patterson, NY 12563
Mailing Address: PO Box 417, Pawling, NY 12564
office 845-878-6507 cell 845-527-1432

March 24, 2015

Mr. Richard Shea, Supervisor, and Town Board
Town of Philipstown
238 Main Street
PO Box 155
Cold Spring, New York 10516

Re: South Mountain Pass Drainage Project

Dear Honorable Supervisor and Town Board Members:

Last Wednesday bids were opened on the above referenced project and publicly read aloud. As the Board will recall, the project entails the installation of approximately 600 linear feet of drainage piping along South Mountain Pass, from Manitou Road southeasterly (uphill) to intercept and collect run-off from upland areas.

The Town received a total of seven (7) bids, as summarized below:

Company	Total Bid Amount
Sun-Up Enterprises, Inc. Wappingers Falls, NY 12590	\$ 129,876.00
Kect Construction Corp. Patterson, NY 12563	\$140,000.00
Ben Cozzi, Inc. Jefferson Valley, NY 10535	\$143,030.00
Coyle Industries, Inc. Hopewell Junction, NY 12533	\$ 165,970.00
Con-Tech Construction Technology Inc Yorktown Heights, NY 10598	\$ 174,297.80
Svoboda Bulldozing & Trucking Corp. Patterson, NY 12563	\$ 196,000.00
Legacy Supply, LLC Valhalla, NY 10595	\$ 231,768.75

RE: South Mountain Pass Drainage Project

The apparent low bidder was Sun-Up Enterprises, Inc. of Wappingers Falls, NY, in the amount of \$129,876.00. Their bid included a "Non-Collusive" Statement and a 5% bid security, as required by the Bid Documents.

We have reviewed representative references given by the Low Bidder. This includes prior work they have performed for the Town of Philipstown. All spoke highly of Sun-Up Enterprises, Inc.'s qualifications and experience. Therefore we consider the low bidder to be qualified to provide the services which the Town of Philipstown requires to accomplish this project.

It is noted that the project will be funded by a combination of a NYS DOT "Multi-Modal" grant and local funding, and we understand that the low bid falls within the extent of financing the Town has available to perform the work. Therefore, provided that the Town Attorney finds the bid form and non-collusive bidding certificate to be satisfactory, we believe that Sun-Up Enterprises, Inc.'s bid proposal in the total amount of \$ 129,876.00, may be accepted.

If the Town approves a resolution to award Sun-Up Enterprises, Inc. the project, then a formal "Notice of Award" should be issued. The "Notice of Award" should include a reminder that, as required in the Instructions to Bidders, the required bonds and insurance certificate must be provided within 10 days from the notification of award, so that formal contracts can be executed.

I trust that this is adequate for your needs. If you have any questions concerning this matter, please do not hesitate to contact our office.

Sincerely,



Ronald J. Gainer, P.E.

cc: Tina Merando, Town Clerk
Roger Chirico, Highway Superintendent



RESOLUTION #

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

RESOLVED, that the Town Board hereby awards the bid for the South Mountain Pass Drainage Project to the low bidder Sun-Up Enterprises, Inc. of Wappingers Falls, New York at an amount not to exceed the submitted bid price of \$129,876.00.



Town Clerk <townclerk@philipstown.com>

records

1 message

Kevin Donohue <kcdonohue@philipstown.com>

Tue, Mar 24, 2015 at 11:18 AM

To: Town Clerk <townclerk@philipstown.com>

Authorize the Code Enforcement Officer with the Town Clerk to

- Establish, implement and maintain the files and records of the Conservation Board, Zoning Board of Appeals, Planning Board, Code Enforcement Department and Fire Marshal's Office and to;
- Direct staff to consolidate records into to one record keeping system by property tax identification number and to;
- Organize the contents of the file by chronological order and to;
- Identify records for disposal according to the NYS records management schedule and;
- Indentify records to be maintained off site
-

--

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

RESOLUTION #

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

RESOLVED, that the Town Board hereby authorizes the Code Enforcement Officer to establish, implement and maintain the files and records of the Conservation, Zoning and Planning Boards along with the Code Enforcement Department and Fire Marshal's Office; and

BE IT FURTHER RESOLVED, that the Code Enforcement Officer shall direct staff to consolidate records into one record keeping system by property tax identification number, organize the contents of the file by chronological order, identify records for disposal according to the NYS Record Retention and Disposition Schedule MU-1; and

BE IT FURTHER RESOLVED, to identify records to be maintained off site, where possible.

5

2012 FILE MANAGEMENT POLICY

PURPOSE: GENERAL INFORMATION

This written File Management Policy is an integral part of our continuing Records Management Program. This policy has been developed to implement a file classification system for the Town. All records of the Code Enforcement Office, Fire Marshal, Planning Board, Conservation Board and Zoning Board of Appeals shall be consolidated into one single filing system based on Tax Map Number order.

PROCEDURE:

- a) The Board Secretaries will maintain an active file draw. These files will contain the applications, maps, studies and any other documents required by either the Boards. These files will be housed in this area until a final decision has been made on each application.
 - b) It will be the responsibility of each secretary to then identify and discard any duplicate within that file.
 - c) Date Stamp all application material received.
 - d) Stamp and date plans approved by the board as Preliminary Approved or Final Approved.
 - e) Zoning Board of Appeals material submitted as supporting documents will be marked as exhibits and logged in on an exhibits list.
 - f) Each Board Secretary will maintain a master log in containing meeting dates, approvals and correspondences received.
 - g) Each file will then be set up in the following manner:
 1. The file will be maintained by meeting date in chronological order coming forward in time and noted on the master log in sheet.
 2. The consolidated file will be fastened in the applicable colored coded file.
 3. The ~~new~~ tax map number will be listed on the outside of the pocket.
 4. The completed pocket will be given to the Town Clerk's Office for filing into the master file.
 - h) The Secretary of each board will maintain a master log in sheet to include the Name of the Applicant, Tax Map Numbers, Type of Action, meeting type and dates, Resolution/Decision numbers and Appeal numbers. Additional spacing should be on the log in sheet for comments and helpful information.
-

COLOR CODES FOR FILING:

Each application will be filed in applicable colored folders, indicating Zoning/Planning/Building and Town Planning as follows:

ZONING BOARD	-	Orange legal size folders
PLANNING BOARD	-	Blue legal size folders
CONSERVATION BOARD	-	Green legal size folder
CODE ENFORCMENT	-	Plain legal size folder
FIRE MARSHAL	-	Yellow legal size folder
NOT FOR PUBLIC VIEWING	-	Red legal size folder
STORM WATER MANAGEMENT	-	Gray legal size folder

These files will be placed into one of more expandable folders (large red-rope file), displaying name of applicant, location of property, tax map number, type of application, application number and whether or not the application was denied or approved.

SETUP OF EACH APPLICATION AS FOLLOWS:

LEFT SIDE OF FOLDER

Correspondence
Minutes
Resolution/Decisions (**Always on Top**)

RIGHT SIDE OF FOLDER

Master Log in Sheet
Original Application
Denied Building Permit
Indenture (Deed)
List of Adjoining Owners
SEQRA Documents
Studies

If the application has been before all the boards, each of the boards' applications will be filed in colored folders and placed in an expandable folder (large red-rope file.)

EMPLOYEE INFORMATION AND TRAINING

Staff from Building, Conservation, Planning, Zoning Boards and Town Clerk's Office will be trained in accessing the database, configuration of the filing system to retrieve any Freedom of Information requests.

A report will be generated on a as-needed basis for each department. The database will be able to produce a report by name, tax map number (new and old), location, previous owner, appeal number, etc.

The master data base is part of the SCA Building Permit System maintained in the Code Enforcement Office.

BUILDING AND PROPERTY REGULATION

BUILDING/PROPERTY HISTORY SYSTEMS

NOTE: Some municipalities in the state use automated systems to keep track of various functions of their offices regarding building and property regulation. These systems, which we are referring to generically as "Building/Property History Systems," contain information in such areas as planning, zoning, building permits and inspections, fire safety, code enforcement, violations and complaints. In general, these systems do not replace existing hard copy-based systems, but do create some of the forms and other paper records in these files. In addition, these systems contain data files and other electronic records not found in manual systems. The items below are meant to cover not only electronic records contained in these automated systems, but also maps, reports and other system output maintained in both traditional hard copy and electronic format as well.

More importantly, these systems often contain summary information on various municipal activity regarding a specific building and/or parcel of real property. The building/property history data file, listed below, may contain retrospective information on building permit issuance, building inspection, certificate of occupancy issuance, site plan review or other planning actions, zoning variances, special use permits and fire inspections for a single parcel of property over a period of time.

- ◆1.[657] **Building/property history data file contained in building/property history system**, and related records, created for informational and reference purposes, containing information on such areas as building permit issuance, building inspection, certificate of occupancy issuance, site plan review or other planning actions, zoning variances, special use permits and fire inspections:
RETENTION: 0 after no longer needed

NOTE: Municipalities should **consider** permanent retention of the basic data elements of these building/property history systems for all parcels of property in the municipality. This information may be useful for long-range planning purposes, and for community, urban planning and architectural history research. More importantly, this data provides for ease of access to summary data on individual parcels of real property and the structures located on them. In addition, this data file may be used to access more detailed records maintained in electronic data output or maps, plans, permits and other paper records in inactive storage. Contact SARA for additional advice.

- ◆2.[658] **Street address/parcel number authority data file**, used to supply building/property history system with accurate, up-to-date information on real property tax parcel numbers, property owners' names and addresses, parcel sizes, E-911 or other street addresses, and other essential data necessary for system to

operate:

RETENTION: Retain until superseding or updated file received

NOTE: This data is often received from an assessor's or tax office. See items covering real property data systems in the Taxation and Assessment section.

◆3.[659] **Lists, reports, studies, queries, searches for information, special project records and analyses** created from data contained in one or more data files in building/property history system

- a. Final reports and studies resulting from analysis of system data, including background materials and supporting documentation containing significant information on real property and structures located thereon, used for such purposes as long-range planning, change of zoning boundaries and regulations, or planning infrastructure improvements or new facility construction:

RETENTION: 6 years after project completed, or after date of final entry in record

NOTE: Appraise these records for historical significance prior to disposition. Records for important projects have historical value and should be retained permanently. Contact State Archives for additional advice.

- b. Reports and studies resulting from analysis of system data, including background materials and supporting documentation, queries, searches for information, lists, logs or other internal information records, containing routine information on real property and structures located thereon, or used to produce final reports and studies:

RETENTION: 0 after no longer needed

NOTE: Queries conducted in automated systems are not considered "records" unless the query and/or its results are saved in electronic or manual format. See also related items in the Electronic Data Processing section.

BUILDING AND CONSTRUCTION (REGULATION AND INSPECTION)

NOTE: Applications for permits necessary for connection to public water supply system or municipal sewer, for individual water supply or sewage disposal system, for groundwater drainage, and for soil or stream disturbance or realty subdivision construction, are found in the Environmental Health section of this Schedule. For additional records dealing with historic preservation, see item no. 336 in the Miscellaneous section.

1.[58] **Master summary record**, including index, log or journal, covering building code complaints, inspections, investigations, and violations:
RETENTION: PERMANENT

2.[59] **Housing maintenance or building inspection records**, including but not limited to complaints, inspection reports, notice of violation, cumulative building inspection record, appeal or review and final disposition of case

a. For school, public building, multifamily dwelling, commercial or industrial structure, or hazardous structure:

RETENTION: 6 years after building no longer exists, but not less than 21 years

b. For single family home:

RETENTION: 6 years after last entry in record

NOTE: Building inspection records relating to building permit issuance are covered by item no. 60, below.

◆◆3.[917] **Fire safety inspection records**

a. Master summary record of inspections performed:

RETENTION: PERMANENT

b. Report on inspection at school, public building, multifamily dwelling, or commercial or industrial facility and notice of violation:

RETENTION: 21 years

NOTE: If fire safety inspection records are combined or interfiled with building inspection records, use item no. 59a, immediately above.

c. Report on inspection of single family dwelling and notice of violation:

RETENTION: 6 years

◆4.[660] **Building inspection data file** contained in building/property history system, and related records, created for informational and reference purposes, containing information on building inspections **not** related to building permit issuance, certificate of occupancy issuance, fire inspections, and other relevant detailed information:

RETENTION: 0 after no longer needed

NOTE: Municipalities should **consider** permanent retention of the basic data elements of this building inspection data for all parcels of property in the municipality, **unless** that data is preserved by the building/property history system overall summary data file (see item no. 657, above.) This information may be

useful for long-range planning purposes, and for community, urban planning and architectural history research. More importantly, this data provides for ease of access to summary building permit data on individual parcels of real property and the structures located on them. In addition, this data file may be used to access more detailed building permit records in electronic data output or maps, plans, permits and other paper records in inactive storage. Contact SARA for additional advice.

◆5.[60] **Building permit and certificate of occupancy issuance records**

NOTE: Building permit files often contain plans, sketches, photographs, and other records that provide valuable information on individual structures. These records may have continuing value for historical or other research, and SARA suggests they be retained permanently.

- a. Master summary record of applications for building, plumbing, electrical, demolition or related permits, or for certificates of occupancy granted:
RETENTION: PERMANENT
- b. Log or other chronological list recording permits or certificates of occupancy issued:
RETENTION: 1 year after last entry in record, or 1 year after posting
- c. Building, plumbing, electrical, demolition or related permit file, including application and supporting materials; plans, maps and drawings; specifications; inspection reports; copies of all required permits and approvals; affidavit of compliance or completion of work; records of appeal when permit is denied; certificate of occupancy and correspondence

When permit is granted:

RETENTION: 6 years after building no longer exists

When permit is denied:

RETENTION: 6 years after final decision

When application is discontinued, has lapsed or is incomplete:

RETENTION: 90 days after date of most recent entry in record

For **non-structural modifications** to shopping mall, office complex or similar structure (modifications **not** involving changes to fire suppression or alarm systems), when permit is granted:

RETENTION: 10 years

NOTE: Certain records covered by this item may be included under item no. 661, below, such as in instances where they are maintained in

electronic format and not created as hard-copy output and included in the building permit file. In these cases, the electronic records covered by item no. 661 must be retained as long as specified by this item.

- d. Certificate of occupancy and application when not related to building permit application:
RETENTION: 6 years after building no longer exists
- e. Detailed construction specifications submitted as part of building permit application:
RETENTION: 6 years after denial of permit or completion of work

- ◆6.[661] **Building permit issuance data file** contained in building/property history system, and related records, created for informational and reference purposes, containing information on applications for and issuance of building permits, including related inspections, certificate of occupancy issuance, and other relevant detailed information:
RETENTION: 0 after no longer needed

NOTE: Municipalities should **consider** permanent retention of the basic data elements of this building permit issuance data for all parcels of property in the municipality, **unless** that data is preserved by the master summary record (see item no. 58, above.) This information may be useful for long-range planning purposes, and for community, urban planning and architectural history research. More importantly, this data provides for ease of access to summary building permit data on individual parcels of real property and the structures located on them. In addition, this data file may be used to access more detailed building permit records in electronic data output or maps, plans, permits and other paper records in inactive storage. Contact SARA for additional advice in this area.

- 7.[61] **Building condemnation and demolition files**, including application, copy of permit, correspondence, and notice of condemnation:
RETENTION: PERMANENT

- 8.[62] **Contractors' liability insurance records**

- a. Certificate of insurance or copy of insurance policy:
RETENTION: 6 years after denial or expiration of relevant permit
- b. Master summary record of contractors doing business in municipality and their insurance coverage:
RETENTION: 1 year after superseded or obsolete

- ◆9.[662] **Building complaints/violations records**, including data file contained in building/property history system, and related records, containing information on complaint tracking and violation processing, and other relevant information:

RETENTION: 6 years

NOTE: For citizen complaints and requests for services, not covered by items in this section, see item no. 29 in the General section. For sanitary code violations, see item no. 213 in the Environmental Health section.

NOTE: Municipalities should **consider** longer retention of the basic data elements of this complaints/violations data for all parcels of property in the municipality, **unless** that data is preserved by the building/property history system overall summary data file (see item no. 657, above.) This information may be useful for long-range planning purposes in conjunction with building permit issuance and building inspection data. Contact SARA for additional advice.

PLANNING

1.[397] **Comprehensive plan development file**, including but not limited to official copy of comprehensive plan and all background surveys, studies, reports, and draft versions of plan:

RETENTION: PERMANENT

◆2.[663] **Planning action data file** contained in building/property history system, and related records, created for informational and reference purposes, containing information on mandatory or discretionary planning review, planning projects, and other relevant detailed information:

RETENTION: 0 after no longer needed

NOTE: Municipalities should **consider** permanent retention of the basic data elements of this planning action data for all parcels of property in the municipality, **unless** that data is preserved by the building/property history system overall summary data file (see item no. 657, above.) This information may be useful for long-range planning purposes, and for community and land use history research. More importantly, this data provides for ease of access to summary building permit data on individual parcels of real property and the structures located on them. In addition, this data file may be used to access more detailed building permit records in electronic data output or maps, plans, permits and other paper records in inactive storage. Contact SARA for additional advice.

3.[398] **Planning project or program file** for project or program developed by or for planning agency

a. Final report and essential supporting information used to develop report, including but not limited to maps, plans, technical memoranda and environmental impact studies:

RETENTION: PERMANENT

- b. Background material, including but not limited to notes, memos, worksheets and correspondence:

RETENTION: 6 years

- 4.[399] **Master summary record** (log or register) maintained by planning agency to record receipt of planning or zoning reviews and projects, and to record subsequent action taken:

RETENTION: PERMANENT

- 5.[400] **Geographic reference file** maintained by planning agency for internal reference purposes, usually arranged by name of government agency or other service organization:

RETENTION: 0 after obsolete

- ◆6.[401] **Mandatory planning review case file** for required review of site plan, zoning variance, special permit, change of zoning, subdivision creation or enlargement, municipal planning action, or other required review, including but not limited to maps, plans, sketches, photographs, engineering reports, environmental impact statements and studies, copies of zoning records, project narrative, correspondence, and record of final determination

- a. Subdivision, historic structure, major commercial or industrial development, or capital construction, where application is approved or denied (**except** records covered by part "d"):

RETENTION: PERMANENT

- b. Subdivision, historic structure, major commercial or industrial development, or capital construction, where application is withdrawn or abandoned (**except** records covered by part "d"):

RETENTION: 10 years after last entry

- c. Any other mandatory review:

RETENTION: 6 years after last entry

- d. Detailed construction specifications, receipts and transmittal documents, lists of abutting properties, superseded versions of plans and drawings, routine correspondence and internal notes and memoranda from all files:

RETENTION: 6 years after last entry

- e. Informal consultation records, created as a result of informal meeting with prospective applicant, prior to actual submission of application:

RETENTION: 1 year after last entry

NOTE: "Subdivision," as used in this item, means the division of one

parcel of land into two or more lots, blocks, plots or sites.

- 7.[402] **Discretionary planning review case file**, including review of planning review cases, Federal or other aid projects, environmental impact or similar studies, or other reviews, including but not limited to application, correspondence, copies of local planning or zoning records, maps, plans, sketches, and other supporting materials
- a. When review is carried out, and comments are forwarded by planning agency:
RETENTION: 3 years after last entry
 - b. When **no** comments are forwarded by planning agency:
RETENTION: 1 year after receipt of request to review

ZONING

NOTE: For additional records dealing with historic preservation, see item no. 336 in the Miscellaneous section.

- ◆ 1.[664] **Master summary record** (log or register) maintained by zoning agency to record receipt of zoning variance and special use permit applications, change of zoning applications for individual parcels, and other zoning activity, and to record subsequent action taken:
RETENTION: **PERMANENT**
- 2.[648] **Zoning maps**, and all updates:
RETENTION: **PERMANENT**
- ◆ 3.[665] **Zoning action data file** contained in building/property history system, and related records, created for informational and reference purposes, containing information on zoning variances, special use permits, and other relevant detailed information:
RETENTION: 0 after no longer needed

NOTE: Municipalities should **consider** permanent retention of the basic data elements of this zoning action data for all parcels of property in the municipality, **unless** that data is preserved by the building/property history system overall summary data file (see item no. [657], above.) This information may be useful for long-range planning purposes, and for community and land use history research. More importantly, this data provides for ease of access to summary building permit data on individual parcels of real property and the structures located on them. In addition, this data file may be used to access more detailed building permit records in electronic data output or maps, plans, permits and other

paper records in inactive storage. Contact SARA for additional advice.

- ◆4.[649] **Change of zoning records**, including application, petition, protest, hearing minutes, preliminary and final reports and correspondence, relating to changes proposed in zoning boundaries or regulations:

RETENTION: PERMANENT

NOTE: Change of zoning records relating to changes in zoning classification for individual parcels of property, not affecting other parcels or larger areas, are covered by item no. 650, below, as if these were zoning variance applications.

- ◆5.[650] **Zoning variance or special permit file**, including application and supporting materials, hearing results, decision and appeal records

- a. For commercial, industrial, historic structure or multi-unit residential variance or permit (**except** records covered by part "c"):

RETENTION: PERMANENT

- b. For single-unit residential variance or permit:

RETENTION: 25 years after date of last entry

NOTE: Certain single-unit residential variance and permit files may be significant because they set legal precedents and should be retained permanently. Those involving the definition of what constitutes a "family" may be particularly important.

- c. Detailed construction specifications, receipts and transmittal documents, lists of abutting properties, superseded versions of plans and drawings, routine correspondence and internal notes and memoranda from all files:

RETENTION: 6 years after last entry

- d. Informal consultation records, created as a result of informal meeting with prospective applicant, prior to actual submission of application:

RETENTION: 1 year after last entry

- 6.[651] **Notification of proposed zoning change**, received from adjacent town:

RETENTION: 1 year

- 7.[652] **Zoning ordinance violation records**, not related to zoning variance or special permit application

- a. For alleged but unfounded violation:

RETENTION: 1 year

- b. Violation files:

RETENTION: 6 years after date of last entry in record

- c. Master summary record of violations:
RETENTION: PERMANENT