

REVISED AGENDA March 5, 2015

Item # 6 has been removed from the agenda.

REVISED MARCH 2, 2015

**Town Board Monthly Meeting
March 5, 2015 7:30 p.m.
Town Hall, 238 Main St., Cold Spring, NY**

SALUTE TO THE FLAG

REVIEW OF MINUTES

- Philipstown Depot Theatre Development Annual Meeting of January 8, 2015
- Re-Organizational Meeting of January 8, 2015
- Monthly Town Board Meeting of January 8, 2015
- Bid Opening of January 21, 2015 – Bulk Fuel
- Public Hearing of January 28, 2015 – Wind Turbine
- Weekly Town Board Meeting of January 28, 2015
- Monthly Town Board Meeting of February 5, 2015

Special Meeting – Friends of Philipstown Recreation

COMMITTEE REPORTS

- | | | | |
|-----------------------------|---------------|--------------------------------|-------------------|
| 1) CB | 2) Recreation | 3) Recycling | 4) Planning Board |
| 5) Zoning | 6) Highway | 7) Building & Land Acquisition | |
| 8) Putnam County Legislator | | 9) Butterfield Library Report | |

AGENDA

1. Resolution expressing concerns about transporting crude oil by rail, barge and ship, and calling upon Federal/State Agencies to enact stringent rules and regulations for such transport as well as alternative means for transportation and distribution of crude oil.
2. Resolution adopting the 2015 Fee Schedule as presented by Kevin Donohue, Code Enforcement Officer.
3. Resolution authorizing Supervisor Shea to sign a letter of support for Barbara Succimarra's proposed ban on the use of polystyrene products within food services at County facilities.
4. Code Enforcement Monthly Report.
5. Schedule Workshops/Meetings

6. Resolution authorizing Supervisor Shea to sign the sales contract for the VFW.

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

AUDIENCE

VACANCIES

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

APPROVAL OF VOUCHERS

General Highway CVPD CVWD

ADJOURNMENT

MEMORANDUM TO THE PHILIPSTOWN TOWN BOARD
Re: FRIENDS OF PHILIPSTOWN RECREATION

⁵
March ~~8~~, 2014
Special Meeting

The FPR Board has nominated John Masik as additional director to fill One of the Vacancies on the Board

It s proposed that they be elected by the Members (Town Board plus a nominee of the Recreation Commission, Claudio Marzollo, and a nominee of the FPR Board,). The Members meeting will take place immediately before the regular monthly Town Board meeting on March 5.

AGENDA

(Supervisor Shea Presiding):

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

RESOLVED, that the following person is elected director of the corporation each to serve for a term expiring at the Annual Meeting in the year set opposite his name:

John Masick	2017
-------------	------

VOTE

7. Adjourn

INFORMATION ABOUT THE NOMINEES

Jack Goldstein

Jack Goldstein moved to Cold Spring several years ago from Manhattan. He runs several antique stores (see recent article about him in The Paper) and is working on a book about the restoration of Times Square from a community perspective. Known for his quiet problem-solving skills and deep commitment to theater, Jack was an active member--including chair--of Community Board #5 in Midtown Manhattan, the community's voice in land use matters and service delivery. A preservationist, he has been the Executive Director of Save the Theaters in Times Square and CEO of Theater Development Fund, where he was a leader in the design of the new TKTS booth (the red stairs) in Times Square. At one time, he was on the staff of government affairs for Actors' Equity, and was one of the founders of the Broadway Initiative, an effort to fund new playwrights from proceeds from the floating of air rights in Times Square.

Beth Shanahan

Beth Shanahan is a resident of the North Highlands, married with three children at Haldane Elementary School. Beth and her family moved to Philipstown six years ago from Long Island City. She is an active member of the PTA, currently serving as Recording Secretary for the PTA Executive Committee. Before moving to the area, she was employed as a Vice President in the legal department of Deutsche Bank AG. She is a graduate of New York Law School, and an attorney licensed in New York. Prior to law school and a career in the financial industry, she worked professionally as an actress, and recently enjoyed a return to the stage in The Depot Theatre's production of "To Kill a Mockingbird".

Town of Philipstown
March 2015 Monthly Board Meeting
Butterfield Library Report

- The New York State Annual Report for 2014 has just been submitted and the library will make this report available on their website.
- The Library is pleased to welcome Marjorie Gage as the newest member of the Facilities Committee. The committee is responsible for capital improvement projects and maintaining the historic 1922 building.
- The Library will be offering two free camps this summer thanks to a private grant.
- Need computer help? Just come in or call to schedule an appointment. Think of the Library as an open Computer Lab.
- The library will be offering 3D printer programs for all age levels. If anyone would like to just play around with it, please make an appointment by contacting Gillian Thorpe at 265-3040.
- Attention local organizations, did you know that the Library is here to help you too? If you need meeting space, tables or projection equipment, please contact the Library at 845-265-3040 or jbldirector@gmail.com for assistance.

James R. Loeb
Richard J. Drake, *retired*
Glen L. Heller*
Marianna R. Kennedy
Gary J. Gogerty
Stephen J. Gaba
Adam L. Rodd
Dominic Cordisco
Timothy P. McElduff, Jr.
Ralph L. Puglielle, Jr.
Nicholas A. Pascale

Benjamin M. Wilkinson
Taylor M. Palmer
Lisa M. Card
Alana R. Bartley

Thomas J. Egan
Of Counsel

*LL.M. in Taxation

February 23, 2015

ATTN: SUPERVISOR RICHARD SHEA
Town of Philipstown
Town Hall
238 Main Street
Cold Spring, NY 10516

Re: Sale of VFW Building
Our Matter ID: 6082-6590511

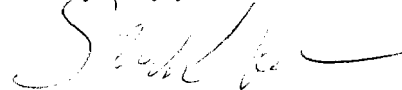
Dear Richard:

Enclosed please find the original sales contract for the VFW property signed by the buyer. Kindly execute the contract in the two indicated spaces and return it to me at your earliest convenience.

As you can see from paragraph "8" in the contract, the date set for the closing is March 12, 2015. However, reasonable adjournments of the closing date are available if necessary. Please let me know what progress you have made in regard to getting the VFW to terminate its lease on the property. As you know, the Town cannot close until the VFW lease has been terminated.

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

Very truly yours,



STEPHEN J. GABA

SJG/ev/408640
Enclosure

CONTRACT OF SALE

DATE

This Contract of Sale is made as of this 10th day of February, 2015

PARTIES

The Seller, **TOWN OF PHILIPSTOWN**, a municipal corporation of the State of New York, with an address at Town Hall, 238 Main Street, Cold Spring, New York 10516 (hereinafter "SELLER"),

The Purchaser, **KIMBERLY CONNER**, an individual residing at 260 East Mountain Road South, Cold Spring, New York 10516 (hereinafter "PURCHASER"),

PREMISES

1. SELLER shall sell and convey and PURCHASER shall purchase one (1) parcel of property lying and being in the Village of Cold Spring, Town of Philipstown, County of Putnam, State of New York, more fully described on Schedule "A" annexed hereto and made a part hereof and also further described as Tax Map Section Block and Lot No. 48.12-2-58.

Together with SELLER'S ownership and rights, if any, to land lying in the bed of any street or highway, opened or proposed, adjoining the premises to the center line hereof, including any right of Seller to any unpaid award by reason of any taking by condemnation and/or for any damage to the Premises by reason of change of grade of any street or highway.

PERSONAL PROPERTY

2. The sale also includes all fixtures now attached to or appurtenant in the Premises unless excluded below. They include but are not limited to plumbing, heating, lighting, TO THE EXTENT SAME ARE LOCATED ON THE PREMISES and in their "AS IS, WHERE IS" condition.

PURCHASE PRICE

3. The purchase price is \$285,000.00

Payable as follows:

On the acceptance of the bid by the town: \$ 28,500.00

BALANCE AT CLOSING: \$256,500.00

ACCEPTABLE FUNDS

4. All money payable under this contract unless otherwise specified, shall be either:
- (a) good certified check of PURCHASER, or official check of any bank, savings bank, trust company or savings and loan association, having a banking office in the State of New York, payable to the order of SELLER, or
 - (b) as to money other than the purchase price payable to SELLER at closing, uncertified check of PURCHASER up to the amount of closing adjustments, and
 - (c) Wire transfer, or
 - (d) As otherwise agreed to in writing by SELLER or SELLER'S attorney. **Endorsed checks and Attorney ILOA checks will not be accepted.**

"SUBJECT TO" PROVISIONS

5. The Premises are to be transferred subject to:
- (a) Laws and governmental regulations that affect the use and maintenance of the Premises, provided that they are not violated by the buildings and improvements erected on the Premises.
 - (b) Consents for the erection of any structures on, under or above any streets on which the Premises abut.
 - (c) Encroachments of stoops, areas, cellar steps, trim and cornices, if any, upon any street or highway.
 - (d) Covenants, easements and restrictions of record, if any, provided the same do not render title uninsurable.
 - (e) Such state of facts as an accurate survey or a personal inspection of the said Premises may reveal, provided the same do not render title uninsurable.
 - (f) Notes on filed map, if any.

SELLER'S REPRESENTATIONS

6. (a) SELLER represents and warrants to PURCHASER that:
- i) The Premises abut or have a right of access to a public road;

ii) SELLER is the sole owner of the Premises and has the full right, power and authority to sell, convey and transfer the same in accordance with the terms of this contract;

iii) SELLER is not a "foreign person", as that term is defined for purposes of the Foreign Investment in Real Property Tax Act, Internal Revenue Code ("IRC") Section 1445, as amended, and the regulations promulgated thereunder (collectively "FIRPTA"); and

iv) SELLER has been known by no other name for the past ten (10) years.

(b) SELLER covenants and warrants that all the representations and warranties set forth in this contract shall be true and correct at closing.

(c) Except as otherwise expressly set forth in this contract, none of SELLER'S covenants, representations, warranties or other obligations contained in this contract shall survive closing.

CLOSING, DEED AND TITLE

7. "Closing" means the settlement of the obligations of SELLER and PURCHASER to each other under this contract, including the payment of the purchase price to SELLER, and the delivery to PURCHASER of a Bargain and Sale deed in proper statutory form for recording so as to transfer full ownership to the Premises, free of all encumbrances except as herein stated. The deed will contain a covenant by SELLER as required by Section 13 of the Lien Law.

CLOSING DATE AND PLACE

8. CLOSING will take place at the office of DRAKE LOEB, PLLC, 555 Hudson Valley Avenue, Suite 100, New Windsor, New York, at 10:00 a.m. on or about March 12, 2015.

CONDITIONS TO CLOSING

9. This Contract and PURCHASER'S obligation to purchase the Premises are also subject to and conditioned upon the fulfillment of the following conditions precedent:

(a) The accuracy, as of the date of closing, of the representations and warranties of SELLER made in this Contract.

(b) The delivery by SELLER to PURCHASER of a certification stating that SELLER is not a foreign person, which certification shall be in the form then required by FIRPTA. If SELLER fails to deliver the aforesaid certification or if PURCHASER is not entitled under FIRPTA to rely on such certification, PURCHASER shall deduct and withhold from the purchase price a sum equal to 10% thereof (or any lesser amount permitted by law) and shall at Closing remit to the Internal Revenue Service.

(c) The delivery by the parties of any other affidavits required as a condition of recording and deed.

DEED TRANSFER AND RECORDING TAXES

10. In the event a transfer tax is determined to be due, at closing SELLER will deliver a check payable to the order of the Putnam County Clerk in the amount of any tax payable by reason of the delivery or recording of the deed. It is anticipated that no transfer tax will be due on the sale because the SELLER is a municipality.

USE OF PURCHASE PRICE TO PAY ENCUMBRANCES

11. If at closing there is anything else affecting the sale which SELLER is obligated to pay and discharge, SELLER may use any portion of the balance of the purchase price to discharge them, provided SELLER shall simultaneously deliver to PURCHASER at Closing instruments in recordable form and sufficient to satisfy such liens or encumbrances of record, together with the cost of recording or filing said instruments. As an alternative, SELLER may deposit money with the title insurance company employed by PURCHASER acceptable to and required by it to assure its discharge, but only if the title insurance company will insure PURCHASER'S title clear of the matter or insure against its enforcement out of the Premises. Upon request made within a reasonable time before CLOSING, PURCHASER agrees to provide separate certified checks as requested to assist in clearing up these matters.

TITLE EXAMINATIONS: SELLER'S INABILITY TO CONVEY; LIMITATIONS OF LIABILITY

12. (a) PURCHASER shall order an examination of title in respect of the Premises from a title company licensed or authorized to issue title insurance by the New York State Insurance Department or any agent for such title company promptly after the Action Date. PURCHASER shall cause a copy of the title report and of any additions thereto to be delivered to the attorney for SELLER promptly after receipts hereof, and PURCHASER'S attorney will promptly notify the SELLER'S attorney of any title objections.

(b)(i) If at the date of Closing SELLER is unable to transfer title to PURCHASER in accordance with this Contract, other than those subject to which PURCHASER is obligated to accept title hereunder or which PURCHASER may have waived and other than those which SELLER has herein expressly agreed to remove, remedy or discharge and if PURCHASER shall be unwilling to waive the same and to close title without abatement of the purchase price, then, except as hereinafter set forth, SELLER shall have the right, at SELLER'S sole election, either to take such action as SELLER may deem advisable to remove, remedy, discharge or comply with such defects or to cancel the Contract;

(ii) If SELLER elects to take action to remove, remedy or comply with such defects, SELLER shall be entitled from time to time, upon notice to PURCHASER, to adjourn the date for Closing hereunder for a period or periods not exceeding 60 days in the aggregate and the date for Closing shall be adjourned to a date specified by SELLER and agreed to by PURCHASER. If for any reason whatsoever, SELLER shall not have succeeded in removing, remedying or complying with such defects at the expiration of such adjournments, and if PURCHASER shall

still be unwilling to waive the same and close title without abatement of the purchase price, then either party may cancel this Contract by notice to the other given with 10 days after such adjourned date;

(c) If this Contract is cancelled pursuant to its terms, other than as a result of PURCHASER'S default, this Contract shall terminate and come to an end, and neither party shall have any further rights, obligations or liabilities against or to the other hereunder or otherwise, except that: SELLER shall promptly refund the down payment to PURCHASER.

AFFIDAVITS AS TO JUDGMENTS, BANKRUPTCIES

13. If a title examination discloses judgments, bankruptcies or other returns against persons having names the same as or similar to that of SELLER, SELLER shall deliver to PURCHASER a satisfactory detailed affidavit at Closing showing that they are not against SELLER.

DEFAULTS AND REMEDIES

14. If PURCHASER defaults hereunder, SELLER'S sole remedy shall be to receive and retain the down payment as liquidated damages, it being agreed that SELLER'S damages in case of PURCHASER'S default might be impossible to ascertain and that the down payment constitutes a fair and reasonable amount of damages under the circumstances and is not a penalty.

NOTICES

15. Any notice or other communication ("Notice") required to be given hereunder shall be given in writing and either:

(a) sent by either of the parties hereto or by their respective attorneys who are hereby authorized to do so on their behalf, by certified mail return receipt requested, with postage prepaid, or

(b) delivered in person or sent by Federal Express or another nationally recognized overnight courier, with receipt acknowledged, to the respective addresses given in this Contract for the party, to whom the Notice is to be given, or to such other address as such party shall hereafter designate by Notice given to the other party or pursuant to this paragraph. Each Notice mailed shall be deemed given on the third business day following the date of mailing the same, except that each Notice delivered in person or by overnight courier shall be deemed given when delivered:

To Seller's Attorney:

Stephen J. Gaba, Esq.
Drake Loeb PLLC
555 Hudson Valley Avenue, Suite 100
New Windsor, New York 12553
(845) 561-0550

To Buyer's Attorney: Luke Hilpert, Esq.
Hilpert Law
75 South Riverside Avenue
Croton on Hudson, New York 10520
(914) 271-2100

or such other address as either party may hereafter designate in writing to the other parties hereto.

NO ASSIGNMENT

16. This Contract may not be assigned by PURCHASER without the prior written consent of SELLER in each instance and any purported assignment made without such consent shall be void.

BROKER

17. SELLER hereby states that it has not dealt with any broker in connection with this sale. PURCHASER warrants and represents to SELLER that PURCHASER has dealt with no broker other than Houlihan Lawrence and agrees to indemnify and hold harmless the SELLER against any claims or demands by any person firm or corporation arising out of the breach of such representation and warranty. PURCHASER further warrants and represents that PURCHASER is solely responsible for any and all commissions to be paid to Houlihan Lawrence and that the Broker may solely look to the PURCHASER for its commission in connection with this transaction. The provisions of this paragraph shall survive the closing and delivery of the deed, or if Closing does not occur, the termination of this Contract.

MISCELLANEOUS

18. (a) All prior understanding, agreement, representation and warranties, oral or written, between SELLER and PURCHASER are merged in this Contract; it completely expresses their full agreement and has been entered into after full investigation, neither party relying upon any statement made by anyone else that is not set forth in this Contract.

(b) Neither this Contract nor any provision thereof may be waived, changed or cancelled except in writing. This Contract shall also apply to and bind the heirs, distributees, legal representatives, successors and permitted assigns of the respective parties. The parties hereby authorize their respective attorneys to agree in writing to any changes in dates and time periods provided for in this Contract.

(c) Any singular word or term herein shall also be read as in the plural and the neuter and shall include the masculine and feminine gender, whenever the sense of this Contract may require it.

(d) The captions in this Contract are for the convenience of reference only and in no way define, limit or describe the scope of this Contract and shall not be considered in the interpretation of this Contract or any provision thereof.

(e) This Contract shall not be binding or in effect until duly executed by both parties and delivered by the SELLER to the PURCHASER.

(f) SELLER and PURCHASER shall comply with IRC reporting requirements, if applicable. This subparagraph shall survive Closing.

(g) Each party shall, at any time and from time to time, execute, acknowledge where appropriate and deliver such further instruments and documents and take such other action as may be reasonably requested by the other in order to carry out the intent and purpose of this Contract. This subparagraph shall survive Closing.

(h) This Contract is intended for the exclusive benefit of the parties hereto and, except as otherwise expressly provided herein, shall not be for the benefit of, and shall not create any rights in, or be enforceable by, any other person or entity.

PROVISIONS NOT TO SURVIVE CLOSING

19. No provision of this contract shall survive closing of title and delivery of the deed, except as otherwise expressly provided herein.

AMENDMENTS

20. The PURCHASER acknowledges that this contract was prepared by the attorney for the SELLER. To the extent that changes made by the PURCHASER or by the PURCHASER'S attorney are not initialed by the SELLER, those changes shall not be binding upon the SELLER and the terms of this contract as originally prepared in that respect shall be binding upon all parties hereto.

POSSESSION

21. The possession of the PREMISES shall be delivered by the SELLER to the PURCHASER immediately after the closing of title herein.

ENTIRE AGREEMENT

22. All prior understandings and agreements between SELLER and PURCHASER are merged in this contract. It completely expresses their full agreement. It has been entered into after full investigation, neither party relying upon any statements made by anyone else that are not set forth in this contract.

CONTRACT OFFER

23. Notwithstanding anything herein to the contrary, it is specifically understood and agreed by the parties hereto that this Contract constitutes an offer on the part of the PURCHASER, and it shall not be binding upon the SELLER until the SELLER has executed this Contract.

PLAIN LANGUAGE

24. The PURCHASER has read this Agreement and believes that the language of this Agreement is clear and coherent and is a good faith attempt to comply with the Plain Language requirements of General Obligations Law Section 5-702.

IN WITNESS WHEREOF, this Contract has been duly executed by the parties hereto:

SELLER:

TOWN OF PHILIPSTOWN

By: _____
Name: Richard Shea
Title: Town Supervisor

PURCHASER:

By: Kimberly Conner
Kimberly Conner

JRL/JMA/397911
6082-6590511
1/20/15

**RIDER TO CONTRACT OF SALE BY AND BETWEEN
TOWN OF PHILIPSTOWN, as Seller and
KIMBERLY CONNER, as Purchaser**

Notwithstanding any other term or provision of the printed form of the contract of sale, or any other Rider thereto, any of which this Rider supersedes, the parties by way of this separate rider hereby agree as follows:

1. Deposit in Escrow.

- a. The parties acknowledge that a deposit has been made with the Town Clerk in regard to purchase of the property in the amount of TWENTY-EIGHT THOUSAND AND 00/100 DOLLARS (\$28,500). The Town Clerk shall hold the Deposit in escrow until Closing or sooner termination of this contract and shall pay over or apply the said deposit in accordance with the terms of this paragraph. The Town Clerk shall hold the deposit in a(n) non- interest-bearing account for the benefit of the parties. If interest is held for the benefit of the parties, it shall be paid to the party entitled to the Deposit and the party receiving the interest shall pay any income taxes, if any, thereon. The Social Security or Federal Identification numbers of the parties shall be furnished to the Town Clerk upon her request. At Closing, the said deposit shall be paid by Town Clerk to Seller. If for any reason Closing does not occur and either party gives Notice to Town Clerk demanding payment of the said deposit, the Town Clerk shall give prompt Notice to the other party of such demand. If the Town Clerk does not receive Notice of objection from such other party to the proposed payment within 10 business days after the giving of such Notice, the Town Clerk is hereby authorized and directed to make such payment. If the Town Clerk does receive such Notice of objection within such 10 day period or if for any other reason the Town Clerk in good faith shall elect not to make such payment, the Town Clerk shall continue to hold such amount until otherwise directed by Notice from the parties to this contract or a final, non-appealable judgment, order or decree of a court. However, the Town Clerk shall have the right at any time to deposit the Deposit and the interest thereon with the clerk of a court in the county in which the Premises are located and shall give Notice of such deposit to Seller and Purchaser. Upon such deposit or other disbursement in accordance with the terms of this paragraph, the Town Clerk shall be relieved and discharged of all further obligations and responsibilities hereunder.
- b. The parties acknowledge that the Town Clerk is acting solely as a stakeholder at their request and for their convenience and that the Town Clerk shall not be liable to either party for any act or omission on its part unless taken or suffered in bad faith or in willful disregard of this contract or involving gross negligence on the part of the Town Clerk. Seller and Purchaser jointly and severally (with right of contribution) agree to defend

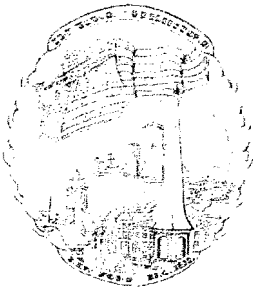
(by attorneys selected by the Town Clerk), indemnify and hold the Town Clerk harmless from and against all costs, claims and expenses (including reasonable attorneys' fees) incurred in connection with the performance of Escrowee's duties hereunder, except with respect to actions or omissions taken or suffered by the Town Clerk in bad faith or in willful disregard of this contract or involving gross negligence on the part of the Town Clerk.

- c. The Town Clerk may act or refrain from acting in respect of any matter referred to herein in full reliance upon and with the advice of counsel which may be selected by her and shall be fully protected in so acting or refraining from action upon the advice of such counsel.
 - d. The Town Clerk acknowledges receipt of the said deposit by check subject to collection and the Town Clerk's agreement to the provisions of this paragraph by signing in the place indicated on the signature page of this contract.
2. **Insurable Title.** Seller shall give and Purchaser shall accept such title as any reputable title company, a member of the New York State Board of Title Underwriters, shall be willing to approve and insure in accordance with its standard form of title policy approved by the New York State Insurance Department, subject only to the matters provided for this contract.
3. **Conditions to Closing.** This contract and Purchaser's obligation to purchase the Premises are also subject to and conditioned upon the fulfillment of the following conditions precedent.
- a. The accuracy, as of the date of Closing, of the representations and warranties of Seller made in this contract
 - b. The delivery of the premises vacant and free of leases or tenancies, together with a key to the premises.
 - c. At or before the time of Closing Seller will provide a resolution authorizing the sale and delivery of the deed.

Richard Shea, Town Supervisor
THE TOWN OF PHILIPSTOWN, Seller



KIMBERLY CONNER, Purchaser



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 Feb. 2015

1. Fees Collected	<u>7366-</u>
2. Total Number of Permits Issued	<u>9</u>
3. New One- or Two-family dwellings:	<u>-</u>
4. New Commercial/Industrial buildings:	<u>-</u>
5. New Hazardous (H) occupancies:	<u>-</u>
6. New Multi family occupancies:	<u>-</u>
7. Additions, alterations or repairs residential buildings	<u>3</u>
8. Additions, alterations or repairs commercial buildings:	<u>-</u>
9. All other permits (pools, sheds, decks, plumbing, HVAC, etc.)	<u>6</u>
10. Number of Certificates of Occupancy :	<u>12</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>0</u>
14. Operating permits Hazardous processes and activities	<u>0</u>
15. Permits issued for the Use of pyrotechnic devices:	<u>0</u>
16. Inspection of public assembly :	<u>0</u>
17. Inspection of commercial occupancies	<u>0</u>
18. Inspection of buildings with 3 or more dwelling units:	<u>0</u>

Projects of Significance: _____

**Town Board Monthly Meeting
March 5, 2015 7:30 p.m.
Town Hall, 238 Main St., Cold Spring, NY**

SALUTE TO THE FLAG

REVIEW OF MINUTES

- Philipstown Depot Theatre Development Annual Meeting of January 8, 2015
- Re-Organizational Meeting of January 8, 2015
- Monthly Town Board Meeting of January 8, 2015
- Bid Opening of January 21, 2015 – Bulk Fuel
- Public Hearing of January 28, 2015 – Wind Turbine
- Weekly Town Board Meeting of January 28, 2015
- Monthly Town Board Meeting of February 5, 2015

COMMITTEE REPORTS

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

AGENDA

1. Resolution expressing concerns about transporting crude oil by rail, barge and ship, and calling upon Federal/State Agencies to enact stringent rules and regulations for such transport as well as alternative means for transportation and distribution of crude oil.
2. Resolution adopting the 2015 Fee Schedule as presented by Kevin Donohue, Code Enforcement Officer.
3. Resolution authorizing Supervisor Shea to sign a letter of support for Barbara Succimarra's proposed ban on the use of polystyrene products within food services at County facilities.
4. Code Enforcement Monthly Report.
5. Schedule Workshops/Meetings

February 27, 2015
March 1, 2015

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

AUDIENCE

VACANCIES

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

APPROVAL OF VOUCHERS

General Highway CVPD CVWD

ADJOURNMENT

ANNUAL MEETING

Supervisor Shea called the meeting to order.

Presence of a quorum was established with at least 4 of the 7 members present.

RESOLUTION

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

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

There being no further business to discuss, Councilman Merandy made a motion, seconded by Councilwoman Montgomery to close the meeting at 7:06 p.m.

Respectfully submitted by,

Joan B. Clauss
Deputy Town Clerk

REORGANIZATION MEETING

January 8, 2015

The Town Board of the Town of Philipstown held their Reorganization Meeting on the above date at 7:00 p.m. at the Town Hall, 238 Main Street, Cold Spring, New York 10516.

PRESENT:

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

AGENDA

1. **Resolution needed naming M&T Bank of Cold Spring as the designated bank in which all Town Officers shall deposit monies for the Town of Philipstown.**

RESOLUTION #1-2015

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

RESOLVED, that M&T Bank of Cold Spring is the designated bank in which all Town Officers shall deposit monies for the Town of Philipstown.

2. **Resolution needed authorizing the Supervisor to deposit town funds in one or more NOW accounts, money market accounts and/or Certificates of Deposit, providing that deposits allow monies to be available or come timely to permit the Town to meet its financial obligations.**

RESOLUTION #2-2015

The following Resolution was presented by Councilwoman Montgomery, seconded by Councilman Merandy 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 compensating for use of automobiles in the performance of official duties at the rate of \$0.40 per mile.**

RESOLUTION #3-2015

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

RESOLVED, compensating for use of automobiles in the performance of official duties at the rate of \$0.40 per mile.

REORGANIZATION MEETING

January 8, 2015

4. **Resolution needed scheduling the Town Board Monthly Meeting be held at 7:30 p.m., at the Town Hall, 238 Main Street, Cold Spring, NY, on the first Thursday of each month, except when the same falls upon a legal Holiday, or due to extenuating circumstances, in which case the Regular Monthly Meeting shall be held upon the following Thursday or such day as shall be determined by the Town Board at the regular meeting preceding such legal Holiday.**

RESOLUTION #4-2015

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

RESOLVED, that Town Board Monthly Meeting be held at 7:30 p.m., at the Town Hall, 238 Main Street, Cold Spring, NY, on the first Thursday of each month, except when the same falls upon a legal Holiday, or due to extenuating circumstances, in which case the Regular Monthly Meeting shall be held upon the following Thursday or such day as shall be determined by the Town Board at the regular meeting preceding such legal Holiday.

5. **Resolution needed declaring that items for the regular Town Board Agenda must be submitted no later than the FRIDAY PRECEDING THE FIRST THURSDAY OF THE MONTH.**

RESOLUTION #5-2015

The following Resolution was presented by Councilman Leonard, 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 #6-2015

The following Resolution was presented by Councilman Van Tassel, 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 #7-2015

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

REORGANIZATION MEETING

January 8, 2015

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 Town's "Paper of Record." and, simultaneously, all legal notices and similar items of information will be sent to Philipstown.info, the Paper.**

RESOLUTION #8-2015

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

RESOLVED, that the Putnam County News & Recorder will be used as the paid-circulation paper of record for submission of all legal notices and other such information and, simultaneously, all legal notices and similar items of information will be sent to Philipstown.info, the Paper.

9. **Resolution appointing O'Connor Davies LLC as the Town Auditors at an amount not to exceed that set forth in the 2015 budget.**

RESOLUTION #9-2015

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

RESOLVED, that the Town Board hereby appoints O'Connor Davies LLC as the Town Auditors at an amount not to exceed that set forth in the 2015 budget.

10. **Resolution needed naming Supervisor Shea to act as Budget Officer for the Town of Philipstown at a salary not to exceed that set forth in the 2015 budget.**

RESOLUTION #10-2015

The following Resolution was presented by Councilman Van Tassel, seconded by Councilman Leonard 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 2015 budget

11. **Resolution appointing Susan Kenney as the Assistant Budget Officer at a salary not to exceed that set forth in the 2015 budget.**

RESOLUTION #11-2015

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

RESOLVED, that the Town Board hereby appoints Susan Kenney as the Assistant Budget Officer at a salary not to exceed that set forth in the 2015 budget.

- 12. Resolution authorizing Supervisor Shea to appoint Susan Kenney as Comptroller at a salary not to exceed that set forth in the 2015 budget.**

RESOLUTION #12-2015

The following Resolution was presented by Councilman Leonard, seconded by Councilwoman Montgomery 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 2015 budget.

- 13. Resolution authorizing Supervisor Shea to appoint Dorothy Turner as Confidential Secretary to the Supervisor at a salary not to exceed that set forth in the 2015 budget.**

RESOLUTION #13-2015

The following Resolution was presented by Councilwoman Montgomery, seconded by Councilman Leonard 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 2015 budget.

- 14. Resolution authorizing Supervisor Shea to appoint Maureen Etta as Safety Coordinator at a salary not to exceed that set forth in the 2015 budget.**

RESOLUTION #14-2015

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

RESOLVED, that Supervisor Shea hereby appoints Maureen Etta as Safety Coordinator at a salary not to exceed that set forth in the 2015 budget.

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

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

RESOLUTION #15-2015

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

REORGANIZATION MEETING

January 8, 2015

Recreation Department
Code Administration

not to exceed \$100.00 at a time
not to exceed \$ 50.00 at a time

- 16. Resolution appointing Supervisor Shea as a voting delegate to the Annual Association of Town's Meeting and naming Town Clerk Merando an alternate delegate in the event Supervisor Shea is unable to attend.**

RESOLUTION #16-2015

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

RESOLVED, that the Town Board hereby appoints Supervisor Shea as a voting delegate to the Annual Association of Town's Meeting and naming Town Clerk Merando as an alternate delegate in the event Supervisor Shea is unable to attend.

- 17. Resolution appointing Tina M. Merando as Registrar of Vital Statistics for the Town of Philipstown and that her compensation is the fee allowed by law.**

RESOLUTION #17-2015

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

RESOLVED, that the Town Board hereby appoints Tina M. Merando as Registrar of Vital Statistics for the Town of Philipstown and that her compensation is the fee allowed by law.

- 18. Resolution appointing Kevin Donohue as Code Administrator, Zoning Administrator, Local Flood Plain Administrator and Fire Marshall at a salary not to exceed that set forth in the 2015 budget**

RESOLUTION #18-2015

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

RESOLVED, that the Town Board hereby appoints Kevin Donohue as Code Administrator Zoning Administrator, Local Flood Plain Administrator and Fire Marshall at a salary not to exceed that set forth in the 2015 budget.

- 19. Resolution appointing Robert Emerick as Deputy Code Administrator at a salary not to exceed the amount set forth in the 2015 budget.**

RESOLUTION #19-2015

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

RESOLVED, that the Town Board hereby appoints Robert Emerick as Deputy Code Administrator at a salary not to exceed the amount set forth in the 2015 budget.

REORGANIZATION MEETING

January 8, 2015

- 20. Resolution appointing Mariann Landolfi as Clerk to the Code Administrator at a salary not to exceed the amount set forth in the 2015 budget.**

RESOLUTION #20-2015

The following Resolution was presented by Councilwoman Montgomery, seconded by Councilman Merandy 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 2015 budget.

- 21. Resolution appointing Susan DiStefano as Clerk to the Assessor at a salary not to exceed the amount set forth in the 2015 budget.**

RESOLUTION #21-2015

The following Resolution was presented by Councilman Merandy, 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 2015 budget.

- 22. Resolution appointing Frank Weise as Deputy Highway Superintendent at a salary not to exceed that set forth in the 2015 budget.**

RESOLUTION #22-2015

The following Resolution was presented by Councilman Van Tassel, seconded by Councilman Leonard 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 2015 budget.

- 23. Resolution appointing Maureen Etta as Clerk supporting the Highway Department at a salary not to exceed that set forth in the 2015 budget.**

RESOLUTION #23-2015

The following Resolution was presented by Councilwoman Montgomery, seconded by Councilman Merandy 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 2015 budget.

- 24. Resolution appointing Susan Downey as Clerk to the Highway Superintendent at a salary not to exceed that set forth in the 2015 budget.**

RESOLUTION #24-2015

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

REORGANIZATION MEETING

January 8, 2015

RESOLVED, that the Town Board hereby appoints Susan Downey as Clerk to the Highway Department at a salary not to exceed that set forth in the 2015 budget.

25. Resolution appointing Rosemary Bernasconi as Clerk to the Town Justices at a salary not to exceed the amount set forth in the 2015 budget.

RESOLUTION #25-2015

The following Resolution was presented by Councilman Van Tassel, seconded by Councilman Leonard 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 2015 budget.

26. Resolution appointing Annette Flaherty as Clerk to the Town Justices at a salary not to exceed the amount set forth in the 2015 budget.

RESOLUTION #26-2015

The following Resolution was presented by Councilwoman Montgomery, 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 2015 budget.

27. Resolution appointing a Town Historian

RESOLUTION #27-2015

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

RESOLVED, that Mark Forlow is hereby appointed Town Historian.

28. Resolution appointing James Loeb, Adam L. Rodd and Stephen J. Gaba of Drake, Loeb, Heller, Kennedy, Fogerty, Gaba & Rodd, PLLC, as Counsel to the Town of Philipstown, to serve at the pleasure of the Town Board, to advise the Town Board, Planning Board, Zoning Board and handle Special Land Use issues; said attorney to be compensated at the rate of \$175.00 per hour to represent the Town Board, \$1,200.00 per month to represent the Zoning Board of Appeals, \$600.00 per month to represent the Planning Board for general services, advice and attendance at meetings, and at the rate of \$185.00 per hour for time to be charged to applicant's matters.

RESOLUTION #28-2015

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

RESOLVED, that the Town Board hereby appoints James Loeb, Adam L. Rodd and Stephen J. Gaba of Drake, Loeb, Heller, Kennedy, Fogerty, Gaba & Rodd, PLLC, as Counsel to the Town of Philipstown, to serve at the pleasure of the Town Board, to

REORGANIZATION MEETING

January 8, 2015

advise the Town Board, Planning Board, Zoning Board and handle Special Land Use issues; said attorney to be compensated at the rate of **\$175.00 per hour** to represent the Town Board, **\$1,200.00 per month** to represent the Zoning Board of Appeals, **\$600.00 per month** to represent the Planning Board for general services, advice and attendance at meetings, and at the rate of **\$185.00** per hour for time to be charged to applicant's matters.

- 29. Resolution appointing Robert Cinque as Counsel to handle various litigation matters, including Tax Certiorari Litigation and shall be compensated at a rate of \$125.00 per hour, plus out-of-pocket expenses.**

RESOLUTION #29-2015

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

RESOLVED, that the Town Board hereby appoints Robert Cinque as Counsel to handle various litigation matters, including Tax Certiorari Litigation and shall be compensated at a rate of **\$125.00** per hour, plus out-of-pocket expenses.

- 30. Resolution appointing Robert Cinque as Counsel to the Town Attorney to handle Code Prosecutions and advise Code Administrator Officer at the rate of pay not to exceed that set forth in the 2015 budget.**

RESOLUTION #30-2015

The following Resolution was presented by Councilwoman Montgomery seconded by Councilman Leonard 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 2015 budget.

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

RESOLUTION #31-2015

The following Resolution was presented by Councilwoman Montgomery, seconded by Councilman Leonard 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 2015 budget..

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

RESOLUTION #32-2015

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

REORGANIZATION MEETING

January 8, 2015

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

32. Supervisor Shea to appoint Nancy Montgomery as Deputy Supervisor.

Supervisor Shea hereby appoints **Nancy Montgomery** as Deputy Supervisor.

34. Town Clerk Merando to appoint Joan Clauss as Deputy Town Clerk, Deputy Tax Collector, Deputy Registrar at a salary not to exceed that set forth in the 2015 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 2015 budget.

35. Town Clerk Merando to appoint Theresa Crawley as Deputy Town Clerk, Deputy Tax Collector and Sub-Registrar at a salary not to exceed that set forth in the 2015 budget.

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 2015 budget.

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

RESOLUTION #33-2015

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

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

37. Resolution authorizing compensation for the Garrison School Crossing Guard as per budget allocations not to exceed that set forth in the 2015 budget.

RESOLUTION #34-2015

The following Resolution was presented by Councilman Van Tassel, seconded by Councilman Merando 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 2015 budget.

38. Resolution appointing the following to the Continental Village Water District:

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

REORGANIZATION MEETING

January 8, 2015

Steve LeClaire
Stan Houghton

Assistant Water Treatment Plant Operator
Assistant Water Treatment Plant Operator

RESOLUTION #35-2015

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

RESOLVED, that the Town Board hereby appoints the following to the Continental Village Water District.

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

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

Michael Phelan
(Vacant Positions - 3)

RESOLUTION #36-2015

The following Resolution was presented by Councilman Merandy, 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
(Vacant Positions - 3)

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

RESOLUTION #37-2015

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

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

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

Frederick Romer
Ken Gonsalves

REORGANIZATION MEETING
January 8, 2015

Tony Galfano
(Vacant Positions 3)

RESOLUTION #38-2015

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

RESOLVED, that the Town Board hereby appoints the following to the Continental Village Park District Advisory Council:

Frederick Romer
Ken Gonsalves
Tony Galfano
(Vacant Positions 3)

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

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

DIRECTORS/INSTRUCTORS

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

RESOLUTION #39-2015

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

RESOLVED, that the Town Board hereby sets the Recreation pay scale for 2015 as indicated above.

REORGANIZATION MEETING

January 8, 2015

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

Tina Landolfi, Conservation Board Secretary	\$17.00/hr.
Tina Landolfi, Building Department	\$17.00/hr.
Ann Gallagher, Planning Board Secretary	\$24.00/hr.
Tina Landolfi, Zoning Board Secretary	\$17.00/hr.
Carl D'Ambrosio, Property Records p/t	\$12.00/hr.
Anne DiStefano, Assessor's p/t	\$12.00/hr.
Ryan Allen, Recycling Center p/t	\$15.50/hr.
Lillian Moshier, School Crossing Guard	\$20.00/hr.
Kathleen DiBart, School Crossing Guard	\$20.00/hr.

RESOLUTION #40-2015

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

RESOLVED, that the Town Board hereby sets the 2015 hourly rate for part- time stenographers and part-time clerks as follows:

Tina Landolfi, Conservation Board Secretary	\$17.00/hr.
Tina Landolfi, Building Department	\$17.00/hr.
Ann Gallagher, Planning Board Secretary	\$24.00/hr.
Tina Landolfi, Zoning Board Secretary	\$17.00/hr.
Carl D'Ambrosio, Property Records p/t	\$12.00/hr.
Anne DiStefano, Assessor's p/t	\$12.00/hr.
Ryan Allen, Recycling Center p/t	\$15.50/hr.
Lillian Moshier, School Crossing Guard	\$20.00/hr.
Kathleen DiBart, School Crossing Guard	\$20.00/hr.

44. Resolution appointing Ande Merante as Chairman of the Planning Board.

RESOLUTION #41-2015

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

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

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

RESOLUTION #42-2015

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

REORGANIZATION MEETING

January 8, 2015

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

46. Resolution appointing David Klotzle as Wetlands Inspector and Natural Resource Officer.

RESOLUTION #43-2015

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

RESOLVED, that the Town Board hereby appoints David Klotzle as Wetlands Inspector and Natural Resource Officer

47. Resolution appointing Robert Ferris Dog Control Officer.

RESOLUTION #44-2015

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

RESOLVED, that the Town Board hereby appoints Robert Ferris Dog Control Officer.

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

Highway Committee	John Van Tassel
Planning Board	Dave Merandy
Land & Building	Richard Shea/John Van Tassel & David Merandy
Zoning Board	John Van Tassel
Conservation Board	Michael Leonard
Signs & Streets	Nancy Montgomery
Village of Nelsonville	John Van Tassel
Village of Cold Spring	David Merandy & Nancy Montgomery
CVPOA	Michael Leonard
Haldane School	Nancy Montgomery & John Van Tassel
Garrison School	John Van Tassel & Nancy Montgomery

REORGANIZATION MEETING
January 8, 2015

Finance Committee	Philippe Cotennac, Nat Prentice, Elizabeth Anderson, Donna Pidala
Recreation	John Van Tassel
Butterfield Library	Nancy Montgomery
Information Liaisons	Nancy Montgomery

49. Resolution approving the 2015 Holiday Schedule:

New Year's Day	Thursday	01-01-2015
Martin Luther's Day	Monday	01-19-2015
Presidents Day	Monday	02-16-2015
Good Friday	Friday	04-03-2015
Memorial Day	Monday	05-25-2015
Independence Day	Friday	07-03-2015
Labor Day	Monday	09-07-2015
Columbus Day	Monday	10-12-2015
Election Day	Tuesday	11-03-2015
Veterans Day	Wednesday	11-11-2015
Thanksgiving	Thursday & Friday	11-26-2015 & 11-27-2015* *(day taken after Thanksgiving must be charged to comp or vacation time)
Christmas	Friday	12-25-2015 *(day taken after Christmas must be charged to comp or vacation time)

REORGANIZATION MEETING

January 8, 2015

RESOLUTION #45-2015

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

RESOLVED, that the Town Board hereby approves the 2015 Holiday Schedule as indicated above.

There being no further business to discuss, Councilman Leonard made a motion, seconded by Councilman Merandy and unanimously carried to close the Reorganization Meeting at 7:30 p.m.

Respectfully submitted by,

Joan B. Clauss
Deputy Town Clerk

Monthly Town Board Meeting
January 8, 2015

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

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

Supervisor Shea opened the meeting with a Salute to the Flag by Cub Scout Troop 1406.

REVIEW OF MINUTES

The Minutes of the Special Town Board Meeting of November 20, 2014 – Adopt Budget, were reviewed

Councilman Van Tassel made a motion, seconded by Councilman Merandy, and unanimously carried that the Minutes of the Special Town Board Meeting of November 20, 2014 – Adopt Budget, are hereby approved as presented.

The Minutes of the Bid Opening of November 24, 2014, Sale of VFW, were reviewed.

Councilman Leonard made a motion, seconded by Councilman Van Tassel, and unanimously carried that the Minutes of the Bid Opening of November 24, 2014, Sale of VFW, are hereby approved as presented.

The Minutes of the Monthly Town Board Meeting of December 4, 2014, were reviewed.

Councilwoman Montgomery made a motion, seconded by Councilman Leonard, and unanimously carried that the Minutes of the Monthly Town Board Meeting of December 4, 2014, are hereby approved as presented.

The Minutes of the Weekly Town Board Meeting of December 10, 2014, were reviewed.

Councilman Leonard made a motion, seconded by Councilman Merandy, and unanimously carried that the Minutes of the Weekly Town Board Meeting of December 10, 2014, are hereby approved as presented.

The Minutes of the Special Town Board Meeting of December 17, 2014, were reviewed.

Monthly Town Board Meeting
January 8, 2015

Councilman Leonard made a motion, seconded by Councilman Merandy, and unanimously carried that the Minutes of the Special Town Board Meeting of December 17, 2014, are hereby approved as presented.

The Minutes of the Year End Meeting of December 29, 2014, were reviewed.

Councilman Leonard made a motion, seconded by Councilwoman Montgomery, and unanimously carried that the Minutes of the Year End Meeting of December 29, 2014, are hereby approved as presented.

COMMITTEE REPORTS

CB – Councilman Leonard reported on the December 16, 2014 meeting. Two applications were discussed: 1) Horton Road, LLC – Conservation Subdivision - East Mountain Road North, Horton Road and Route 9, and 2) Doug Banker, a property located at 9D/Hudson River. The Board also discussed Stormwater Management and Councilman Leonard reported that discussions were held with the president of the CV Clubhouse and a meeting is being scheduled for April 2015.

RECREATION – Councilman Van Tassel reported that the Recreation Commission met on December 10, 2014, at which time financial reports were read and adopted, along with minutes. Councilman Van Tassel then introduced Recreation Director, Joel Conybear, who proceeded to give a report on the Winter Carnival, which is being held on Saturday, February 7th. Mr. Conybear then reported on activities to be held, i.e., opening of the ice skating rink, connecting with the Cold Spring Chamber of Commerce for an ice sculpture display on February 6th on Main Street in Cold Spring, and the formation of a fields committee. Mr. Conybear stated that Recreation is soliciting for volunteers. Lastly, the Spring Book will be coming out February 4th.

RECYCLING – Councilwoman Montgomery stated that she was interested in finding someone to help at the landfill when the current employee needs to have the day off. She added that there have been problems with people dumping household garbage, which is not accepted at the landfill.

PLANNING BOARD - Councilman Merandy reported that there was no meeting in December. The Planning Board will be meeting on Thursday, January 15th at 7:30 p.m. at Julia Butterfield Library.

ZONING – Councilman Van Tassel reported that there was no meeting in December. The next meeting is scheduled for January 12, 2015 at 7:30 p.m.

HIGHWAY – Councilman Van Tassel reported that no report had been received. He added that he had asked the Highway Superintendent to attend Wednesday's (1/7/15) workshop and tonight's meeting to discuss plowing or not plowing at

Monthly Town Board Meeting
January 8, 2015

Recreation. Councilman Van Tassel added that the Highway Superintendent refused to attend and was planning on meeting with him tomorrow to discuss this matter further. Supervisor Shea added that he would like to get the issue worked out and that he believes that, speaking for the entire Town Board, the Town should not be going out to contract for town facilities when the Town has a fully-staffed and equipped town highway department – that it wasn't too much to ask the Town Highway Department to take care of the town facilities.

BUILDING & LAND ACQUISITION – Supervisor Shea reported that someone would be looking at a proposal for an elevator in Town Hall to see what can be done and what the cost would be. With regard to the VFW and the Dahlia House, Supervisor Shea stated that the Board members have to discuss moving things out of both facilities.

Supervisor Shea then stated that the Town Board will be meeting with the Veterans to see what their plans were.

PUTNAM COUNTY LEGISLATOR – Legislator, Barbara Scuccimarra, informed the Town Board that the Legislator's met with the Putnam County Community that Cares Coalition to review a survey that was conducted at Haldane School. The Coalition works with communities to reduce underage drinking and substance abuse. Legislator Scuccimarra mentioned that the meeting was held at the library to review results. She added that it was upsetting to see what the local children are taking part in. Legislator Scuccimarra stated that Sheriff Smith has also added extra patrols on the western side of the county, which has already made a difference. Other items she discussed were the boiler problem at the American Legion hall, which caused the hall to close for a few days. The problem has been corrected and the hall will re-open on January 9. Next item was the truck traffic cutting through Canopus Hill Road, which she thought about discussing with the GPS people but didn't. She did, however, discuss with Highway Superintendent Chirico to advise him of the situation. Legislator Scuccimarra stated that she plans on driving through Canopus Hill Road to make sure that there are signs there and she will also speak with the Sheriff's office for patrols and ticketing of drivers. She then stated that there were 53 confirmed cases of the flu in Putnam County and recommended that people get the flu shot. Lastly, she recommended that residents go onto the county website and check out the Land Use Leadership Alliance Training Program.

Councilman Van Tassel asked Legislator Scuccimarra if she had any inside information pertaining to Adam Siebling, who was not re-appointed to the position of Director of Emergency Services. Legislator Scuccimarra responded that she had no information.

Upon completion of Legislator Scuccimarra's report, members of the Town Board raised issues regarding recent articles in the PCNR concerning a news conference that was held in December in front of the PCNR offices announcing

Monthly Town Board Meeting
January 8, 2015

that the County had secured State Economic Development Grants in the amount of \$1.8 million for Putnam, for which ½ of the amount was to go to the western agencies or projects. Councilman Merandy questioned why the news conference was held in front of the PCNR instead of the Town Hall and why Town officials were not invited? Legislator Scuccimarra responded that the conference was set up by County Economic Development Chief, Meghan Taylor, along with public relations assistance. She added that she was just an attendee. Supervisor Shea commented that he was “put off” because there was no mention of the hours he spent co-writing a grant for the Scenic Hudson Fjord Trail, nor was he invited to the conference. He added that the conference “smells of politics.” Supervisor Shea requested that Legislator Scuccimarra inform the Town Board of any future meetings.

Next, Supervisor Shea addressed a recent story in the PCNR regarding tax bills. Supervisor Shea stated that Philipstown’s budget was the lowest it could be, at which Legislator Scuccimarra disagreed. She stated that they are low but percentage wise – not as low as they should be. She added that taxes have increased and residents and seniors are having difficulty paying taxes and keeping their homes. She mentioned that school taxes were another factor.

Councilman Merandy then brought up meetings involving the Butterfield project and stated that the Town Board has not been invited to any of those meetings. He spoke of the recent senior meeting held on December 13, 2014, at Chestnut Ridge, which was scheduled by Legislator Scuccimarra. Supervisor Shea interjected that the Town of Philipstown was one of the first municipalities to get behind the project and sign on for supporting it. Councilman Merandy asked Legislator Scuccimarra if, as the Town’s representative, didn’t she feel the need to contact the Board members? Legislator Scuccimarra responded that she has been in contact before. Councilwoman Montgomery expressed her feeling about not being invited, adding that maybe the County will fund the project exclusively and that’s why the Town Board is not invited, which would be ideal. Councilman Merandy then commented on the fact that the “Paper” was not invited, but the other publication did attend. Legislator Scuccimarra informed Councilman Merandy that the development of the Butterfield project has been a long process and has gone on too long. Councilman Merandy stated that it seems that the whole future of the village could be totally changed – to put a time limit on that is concerning to him – that he thinks the future of the village, if it takes 3 years or 5 years, it’s well worth it. Councilman Merandy stated that the senior center has been used to manipulate the whole town and has been the thing that is driving this and the seniors won’t get this. He added that whatever board you’re on you’re the villain if you’re against it. If you have a question you’re an obstructionist. Councilwoman Montgomery then asked if there was any indication in any of the meetings with the seniors as to what is expected of the Town. Legislator Scuccimarra responded that nothing was discussed.

Monthly Town Board Meeting
January 8, 2015

Supervisor Shea stated that he appreciates Legislator Scuccimarra's efforts on her work with the seniors. Councilwoman Montgomery stated that she would not read the PCNR because it "vilifies" her and the rest of the Town Board members every month. Councilwoman Montgomery added that she and Supervisor Shea were depicted as not caring about the seniors and that the County cut services from the Office of the Aging to the seniors. Legislator Scuccimarra disagreed and stated strongly that no services were cut – what was cut was to make the services more efficient. Councilwoman Montgomery stated that the town added monies to the budget for the seniors.

TOWN OF PHILIPSTOWN

MONTHLY REPORT OF TOWN SUPERVISOR

MONIES RECEIVED AS OF JANUARY 8, 2015

GENERAL & PART-TOWN FUNDS

Town Clerk Fees – 11/14	\$ 468.27
Town Clerk Fees – Dogs – 11/14	237.50
Recreation Fees – 11/14	21,252.56
P. C. Cemetery	1,933.75
Justice Fees – 1/14	5,751.00
Building Fees	12,479.00
Tax Collector – Butterfield Library – Full Pay	275,999.30
Tax Collector – General A Partial Pay	300,000.00
Bank Interest	20.76

HIGHWAY FUND

General Check – Gas	\$ 461.97
Liberty Mutual Insurance – Damage	3,165.75
NYS CHIPS – Program	85,693.97
NYS DOT Storm Relief	4,767.20
Putnam County Gas	1,443.20
General Gas	503.74
Vazquez Drain Oil	185.50
Worker's Comp	2,534.62
Putnam County Gas	599.76
Bank Interest	53.88

CONTINENTAL VILLAGE WATER DISTRICT

Bank Interest \$ 2.11

CONTINENTAL VILLAGE PARK DISTRICT

Bank Interest \$ 5.34

AGENDA

- 1. Honorary Resolution for Robert Dean, who achieved the rank of Eagle Scout.**

RESOLUTION #-15

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

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

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

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

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

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

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

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

2. Honorary Resolution for Steven Casement, who achieved the rank of Eagle Scout

RESOLUTION #-15

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

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

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

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

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

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

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

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

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

3. Code Enforcement Monthly Report.

Town Clerk Merando read the Monthly Report.

4. **Resolution scheduling a Public Hearing on a proposed Local Law to amend the Town Code, Chapter 175, Section 175-10 "Allowable Uses," Section 175-30, "Supplementary Dimensional Regulations," and Section 175-60, "Purpose and Applicability," in regard to Wind Energy Conversion Systems.**

Town Clerk Merando stated that she received a response from the Planning Board and the County and a public hearing needs to be scheduled and Notice of Public Hearing advertised on January 14, 2015.

RESOLUTION #-15

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

RESOLVED, that a Public Hearing be held on January 28, 2015 at 7:30 p.m. on a proposed Local Law to amend the Town Code, Chapter 175, Section 175-10 "Allowable Uses," Section 175-30, "Supplementary Dimensional Regulations," and Section 175-60, "Purpose and Applicability," in regard to Wind Energy Conversion Systems.

5. **Schedule Workshops/Meetings.** No workshops or meetings scheduled.

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

Supervisor Shea addressed an article that recently appeared in the PCNR on taxes. He stated that on a factual basis the PCNR was painting a picture that the Town Board was "jacking" taxes up. He mentioned that a senior mentioned that their taxes went up \$200.00. Supervisor Shea added that in order for someone's tax bill to jump up \$200.00 would mean that they would have to have a home that was valued over 2 million dollars. Supervisor Shea stated that the average for the village tax bill went up between \$10.00 and \$20.00; average town went up \$30.00 and \$40.00 – overall, bottom line of the Town's budget equaled 2.74%. He stated that when people hear the tax cap being 2%, that's not entirely accurate, that the Town is given a growth factor – there are not exceptions with this. He added that the tax cap works good for the state – the state passes mandates down to the municipalities and they say "deal with it." Supervisor Shea added that the Town was dealing with things like multi-peril insurance going up 21% in 2011, and the Town cannot operate without multi-peril insurance. He stated that just looking at this year alone, a Workmen's Compensation bill was up 13%; that retirement in New York State, which is not discretionary, jumped up 9.7% this year; the Philipstown Ambulance Corp needed a new ambulance, so working within the budget, the Town was looking at all these increases. Supervisor Shea remarked that the Town Board needed to address the town hall building too. Supervisor Shea explained that the Board did stay \$40,000 under the allowable limit for the tax cap and met the New York State mandate, which meant that taxpayers will receive their New York State refunds.

Monthly Town Board Meeting
January 8, 2015

Supervisor Shea expressed his feeling about any articles being written such as this one – as a courtesy – he should be given a call as the Chief Budget Officer – and he wasn't called. Instead, the Town Clerk was called (Tina interrupted stating that she was FOIL'd). Supervisor Shea changed his comment stating that she was FOIL'd and it was not fair to call the Town Clerk. He then explained that the budget line on the overall budget was 2.74%, which is the levy, but the Town was under the 1.56% guideline in the tax cap formula. Supervisor Shea stated that it was a real job to adjust the budget and keep the numbers down. He said, "we don't spend monies we don't have to – we don't have a lot of discretionary spending – we don't spend money on things that are not absolutely necessary, and we do hold the line." Supervisor Shea then went on to discuss the carryover from 2014, which was \$97,500, which meant that the Town was under the cap and this year the Town was \$40,000 under the cap. Supervisor Shea remarked that when people are making claims that their tax bill jumped up \$200.00, he just didn't see that happening and would like to see that specific bill. Councilman Van Tassel stated that the bill wasn't from Philipstown. Councilwoman Montgomery added that she was sure that this was as a result of whatever was read in the newspaper. Supervisor Shea then stated that he would appreciate a courtesy call if any articles were going to be written.

Legislator Scuccimarra stated that she has received several calls from people saying their taxes have gone up – not just Philipstown alone, but the County as well. She added that she spent time with Lisa Johnson of Real Properties and announced that if anyone has any questions, just call Ms. Johnson, who will spend time with them. Legislator Scuccimarra remarked that Philipstown is the only town in the County where property values have gone up – property values in every other town have either stayed the same or gone down.

Councilwoman Montgomery reported that she and Cecily Hall of the Recreation Commission, attended the senior's monthly meeting and was working on an event. The event was called "Philipstown, I Remember 1955," and was being held to help bring seniors, young folks, and the entire community together to see what was happening in Philipstown in 1955. Councilwoman Montgomery asked that people bring in photos or any paraphernalia from that period. The event will take place on February 12, 2015 at the Julia L. Butterfield Library.

VACANCIES

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

APPROVAL OF VOUCHERS

Councilwoman Montgomery made a motion, seconded by Councilman Merandy and unanimously carried that the General Vouchers in the amount of \$672,768.19 are hereby approved as set forth in Abstracts 12A & 1.

Councilman Leonard made a motion, seconded by Councilman Van Tassel and unanimously carried that the Highway Vouchers in the amount of \$130,401.15 are hereby approved as set forth in Abstracts 12A & 1.

Councilman Leonard made a motion, seconded by Councilwoman Montgomery and unanimously carried that the CVPD Vouchers in the amount of \$1,423.82 are hereby approved as set forth in Abstracts 12A & 1.

Councilwoman Montgomery made a motion, seconded by Councilman Merandy and unanimously carried that the CVWD Vouchers in the amount of \$7,136.12 are hereby approved as set forth in Abstract 1.

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

Respectfully submitted by,

Joan B. Clauss
Deputy Town Clerk

Bid Opening – Bulk Fuel
January 21, 2015

The Town Clerk's Office held a Bid Opening at the Town Hall, 238 Main Street, Cold Spring, N.Y. 10516, on the above date at 2:00 p.m., for the purchase of #2 Fuel Oil - Bulk Delivery for the Town of Philipstown Community Center.

The bid result is as follows:

Wilson Oil	Newburg Global Invoice Price: \$1.7369 /Gal
	Bidder Transportation: \$.35 /Gal
	Total Bid Price: \$2.0869 /Gal
Mirabito Energy	Newburg Global Invoice Price: \$2.3450 /Gal
	Bidder Transportation: \$.0950 /Gal
	Total Bid Price: \$2.4400 /Gal

Respectfully submitted by,

Tina M. Merando
Town Clerk

Public Hearing – Wind Turbine
January 28, 2015

The Town Board held a Public Hearing to hear public comments for/against a proposed Local Law to amend Town Code , Chapter 175 Section 175-10 “ Allowable Uses,” Section 175-30, “Supplementary Dimensional Regulations, “ and Section 175-60, “Purpose and Applicability” in regard to Wind Energy Conversion Systems on the above date at 7:30 p.m., at the Town Hall, 238 Main Street, Cold Spring, New York, 10516.

PRESENT

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

Town Clerk Merando read the Public Notice.

Supervisor Shea stated that he believes that this proposed law will be sufficient, however, if it turns out that it has to be re-visited, the Town Board will do so. Supervisor Shea then asked for members of the Town Board to comment, at which time, Councilman Leonard noted for the record that there had been public comment received on this date from Anita Chester suggesting that screening be placed around the blades, similar to a fan to protect the birds?

Councilman Leonard stated that for these wind turbines to be efficient, nothing should be blocking them, as it would interfere with the blades performance and it's productivity. The same is true, if you try to attach something to the blade itself, causing it to slow down.

Supervisor Shea noted that the Planning Board had no substantial comment on this proposed law. Andy Chmar thanked the Town Board for their efforts, stating that this is local government at it's best. He stated that when an issue arrives regarding clarity of the code, it has been dealt with it appropriately and is fully in line with the Comprehensive Plan.

There being no further comments from the public, Councilwoman Montgomery made a motion, seconded by Councilman Merandy and unanimously carried to close the Public Hearing at 7:35 p.m.

Respectfully submitted by,

Tina M. Merando
Town Clerk

Weekly Town Board Meeting
January 28, 2015

The Town Board held their Weekly Meeting on the above date at 7:35 p.m. at the Town Hall, 238 Main Street, Cold Spring, New York 10516.

PRESENT:

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

Agenda

1. Resolutions needed to adopt Local Law #1-2015 – Wind Energy Conversion Systems.

- SEQRA – Negative Declaration

RESOLUTION #

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

WHEREAS, the Town Board has introduced Local Law No. 1 of the year 2015 entitled Local Law to amend the Town Code, Chapter 175, Section 175-10 “Allowable Uses,” Section 175-30, “Supplementary Dimensional Regulations,” and Section 175-60, “Purpose and Applicability” in regard to Wind Energy Conversion Systems, and;

WHEREAS, this is an action subject to SEQRA, and

WHEREAS, the Town Board is the sole Involved Agency, and such has caused to be prepared a Short Environmental Assessment Form, and

WHEREAS, the Town Board has conducted a public hearing on the proposed local law and heard all persons interested in the subject matter of the same,

NOW, THEREFORE, BE IT RESOLVED that after considering all of the information presented to it including the EAF the Town Board determines that the adoption of the Local Law No. 1 of the year 2015 will not result in any significant adverse environmental impacts and does hereby adopt the Negative Declaration attached hereto.

- Adopt Local Law

RESOLUTION #

Weekly Town Board Meeting
January 28, 2015

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

WHEREAS, the Town Board has considered the adoption of Local Law No.1 of the year 2015 entitled Local Law to amend the Town Code, Chapter 175, Section 175-10 "Allowable Uses," Section 175-30, "Supplementary Dimensional Regulations," and Section 175-60, "Purpose and Applicability" in regard to Wind Energy Conversion Systems and;

WHEREAS, following due notice the Town Board held a public hearing on January 28, 2015 on the proposed local law,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board does hereby adopt Local Law No. 1 of the year 2015 entitled A Local Law to amend the Town Code, Chapter 175, Section 175-10 "Allowable Uses," Section 175-30, "Supplementary Dimensional Regulations," and Section 175-60, "Purpose and Applicability" in regard to Wind Energy Conversion Systems.

2. Resolution approving the point listings for the Length of Service Award Program for the Garrison Volunteer Ambulance Corps.

RESOLUTION #

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

RESOLVED, that the Town Board hereby approves the point listing for the Service Award program for the 2014 active members of the Garrison Volunteer Ambulance and First Aid Squad, Inc.

Councilman Van Tassel reported that prior to the 2015 Blizzard (that never happened) all emergency services had been contacted and were on board with utilizing any emergency centers that may be needed. Councilwoman Montgomery added that all services were fully staffed for the event. All services were well prepared and the Town Board expressed their gratitude to them.

Councilwoman Montgomery stated that the opportunity to reach out to Dutchess County Emergency Services proved to be a great help and continued communication will only provide better services for the residents of Philipstown.

3. Resolution authorizing the placement of four (4) road signs on Old Albany Post Road/Travis Corners, Canopus Hill Road and Dennytown Road to deter tractor-trailers and oversize loads from using Canopus Hill Road.

Town Clerk Merando reported to the Town Board that Highway Superintendent Roger Chirico had informed her that the Putnam County signage department

stated that the wordage was too lengthy. So the message will be the same with fewer words.

Supervisor Shea stated that this is in response to an ongoing problem in that area, as trucks are using the roadway and getting stuck, which has caused a great deal of disruption to the residents.

RESOLUTION #

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

RESOLVED, that the Town Board hereby approves the placement of four (4) signs on Canopus Hill Road as follows:

DUE TO STEEP GRADE AND NARROW WINDING ROAD OVERSIZE LOADS, TRACTOR TRAILERS OR VEHICLES OVER 5 TOM ARE **NOT PERMITTED** ON CANOPUS HILL ROAD IN THE TOWN OF PHILIPSTOWN. (3 signs)

DUE TO STEEP GRAD AND NARROW WINDING ROAD OVERSIZE LOADS, TRACTOR TRAILERS OR VEHICLES OVER 5 TONS ARE **NOT PERMITTED** ON CANOPUS HILL ROAD. (1 sign)

**1 MILE AHEAD IN THE TOWN OF PHILIPSTOWN
NO PLACE TO TURN AROUND**

Supervisor Shea reminded the members of the Town Board to review the petition submitted by ESP Supply, located on Route 9, Cold Spring. He would like to schedule a workshop to address the matter of re-zoning this property.

Councilman Merandy interjected that after hearing a presentation on Conservation Easements, it is his belief that this project doesn't fall within that category. Supervisor Shea stated that he would sit down with Andy Chmar and pose the question, is this enforceable. Discussion continued with regard to this matter noting which agencies could enforce it. Supervisor Shea stated that the town could hold the easement, however, he doesn't want to be the agency responsible for the yearly inspections. More research on this matter is forthcoming prior to making any decisions.

Supervisor Shea then addressed moving certain programs and the Office of the Aging from the VFW, with the anticipated closing set for the end of February. Supervisor Shea stated that he would like to see all of the programs and services moved to the Recreation Center. He went on to say that he has been in contact with Tom Corless, Mayor of the Village of Nelsonville, about the possibility of housing the Office of the Aging in their building, as it would be more convenient to the residents who utilize the services offered.

Weekly Town Board Meeting
January 28, 2015

Interviews for the open position on the Planning Board were scheduled to take place on February 4, 2015 at 7:00 p.m. There are two persons of interest that will be interviewed.

There was a brief discussion with regard to the installation of an elevator in the Town Hall. This project will be acted on when the sale of the VFW has been finalized.

There being no further comments from the public, Councilman Leonard made a motion, seconded by Councilman Merandy to close the Weekly Workshop at 8:10 p.m.

Respectfully submitted by,

Tina M. Merando
Town Clerk

Monthly Town Board Meeting
February 5, 2015

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

PRESENT:	Richard Shea	Supervisor
	John Van Tassel	Councilman
	Michael Leonard	Councilman
	Dave Merandy	Councilman
ABSENT:	Nancy Montgomery	Councilwoman

Boy Scout Troop #137 opened the meeting with the Salute to the Flag.

COMMITTEE REPORTS

CB – Councilman Leonard reported that the meeting was held on January 13, 2015 and had 3 applications on the agenda: Towles, Banker, and Horton Road LLC. There was also a Stormwater discussion to bring the Board's attention to certain things (i.e. sewer treatment plants). Eric Lind announced that he will step down as Chairman, but would stay on the Board. He would like to go and attend some training and the training would not allow him to continue as Chairman. Councilman Leonard is asking the Town Board to have a discussion with the Conservation Board for a recommendation for a new Chairman.

RECREATION – Councilman Van Tassel reported that he attended the February 3, 2015 meeting. The Recreation Director Amber Stickle gave the final 2014 Financial Report. She reported that they received 99% of their projected revenues and dispensed 98% of their projected expenditures. The Financial Report is available through the Town Clerks office. The Spring Book is out today and sign ups start Monday. You can call 424-4618 for more info. The Senior Luncheon will be held on Wednesday, February 11, 2015 featuring Italian food. The Winter Carnival starts on Friday night and will continue all day Saturday. There are a lot of big events this month at the Depot Theatre.

RECYCLING – Councilwoman Montgomery was not in attendance. No report given.

PLANNING BOARD - Councilman Merandy reported that he attended the meeting on January 15, 2015, which was a two (2) part informational workshop. The first part was a presentation from AKRF. The second part was a presentation from Hudson Highlands.

ZONING – Councilman Van Tassel reported that he attended the January 12, 2015 meeting. The meeting minutes of the prior meeting were read and approved. The first item was a discussion to repair a home at 28 Hudson Rive Lane, which was damaged during Hurricane Sandy. The next item was a review of a resolution for

Monthly Town Board Meeting
February 5, 2015

Joseph Estvanik and the third was a review for completeness for 72 Steuben Road. The next meeting will be February 9, 2015 at 7:30 pm.

HIGHWAY – Councilman Van Tassel did not receive a report from the Highway Department. He did have a discussion with the Highway Superintendent about people plowing their snow into the town road. This is very dangerous and costly to the Town. He said “If you are forced to push the snow across the road (which you are not supposed to do) make sure that you leave the road as clean as it was before your plowing”. This has been an ongoing problem.

BUILDING & LAND ACQUISITION – Supervisor Shea said that there was nothing to report.

PUTNAM COUNTY LEGISLATOR – Legislator Scuccimarra reported the Sheriff and Investigator Schrimmek, after an extensive investigation over the last two months, have made a substantial drug bust of a group that was distributing large amounts of heroin in the area. She believes that because we have had the extra investigators on this side of the County it helped lead to the arrest of these individuals. Councilman Merandy asked where this was...Cold Spring? Legislator Scuccimarra responded that it was in Putnam Valley. Legislator Scuccimarra said “Remember if you see anything or hear anything suspicious call 225-drug even if you don’t think it is very important”. You can also go on the Putnam County website “Putnam Cares” for more information.

The last time she was here she talked about the trucks going up Canopus Road and has since worked with Roger Chirico and Aaron Cobb of Putnam Valley extensively. They are now in the process of putting signs on the Philipstown’s side and the Putnam Valley side to keep the trucks off this road.

She attended a NYSAT Conference in Albany County and spent time with Dan McCoy of Albany County. Now that she has been appointed Chair of Health and Environmental one of the first meetings she is going to have is on oil trains, which will be held next Wednesday. Paul Gallay, Riverkeeper, has been invited to do a presentation at this meeting. Legislator Scuccimarra said that the tracks on the other side of the river are in terrible condition and she thinks in light of the tragedies we have had on the train tracks that this should be a good meeting. She is hoping that Putnam County will join forces with other counties in the area to send a resolution to the Governor.

The Rules Committee will meet on Thursday with polystyrene on the agenda. She was hoping that the Town Board would send a letter of support for that resolution so the we can ban polystyrene and styrofoam in the County buildings for now and then, hopefully, within the next year for the entire County.

Monthly Town Board Meeting
February 5, 2015

Legislator Scuccimarra will hold a workshop next Tuesday at 11:00 am at the Butterfield Library with Lisa Johnson of Real Property to answer questions about tax bills. Town Clerk Merando will join them at the workshop.

Legislator Scuccimarra introduced Acting Commissioner Bob Lipton who will answer any questions the Town Board or audience may have. Councilman Van Tassel stated that it is unfortunate that Councilwoman Montgomery was not in attendance tonight as she had requested to sit down with him with regard to a calling number. Mr. Lipton said that the County has made it a routine to make a conference call, on the County level, every time there is a storm to discuss what they are going to do on the County level. Being that the last storm was a blizzard the Deputy County Executive thought it would be a good idea to have a Municipality phone call to make sure they are okay. The line they use to make these conference calls could only make a max of 23 numbers, which they did not know at the time. They used another number, but did lose a few calls. They will be better prepared the next time. Councilman Van Tassel said that Councilwoman Montgomery would like to sit down with him, the County Executive and Legislator Scuccimarra to establish some guidelines as to how the operation works. Mr. Lipton said that is a great idea and should be done as soon as possible with the weather patterns this winter. Councilman Van Tassel wanted to bring up the fact that the Town has a local emergency center, which has worked well. One problem the Town has is that the Central Hudson contact is in Putnam County's EOC facility and all the customers are in the Town of Philipstown. He said that the Town has approached them to be a part of our emergency operation center so we would have direct access. Mr. Lipton said that they would all get together to discuss this to make things work better in the future.

**TOWN OF PHILIPSTOWN
MONTHLY REPORT OF TOWN SUPERVISOR
MONIES RECEIVED AS OF FEBRUARY 5, 2015**

GENERAL & PART-TOWN FUNDS

T.C. Fees – 12/14	343.14
T.C. Dog Fees – 12/14	575.00
Justice Fees – 12/14	10,475.00
Justice Fees – 12/14	5,651.00
Tax Coll. Gen A Partial Pay	300,000.00
P.C. Ck Cemetery	942.50
AW Scrap	303.00
Rec. Community Recycle	66.75
Tax Coll. Gen A Partial Pay	300,000.00
Tax Coll. Gen B Full Pay	240,580.45
Tax Coll. NHFD Full Pay	730,587.63
Bldg. Fees 1/15	11,534.00
Tax Coll. CS Fire Full Pay	64,424.93
Tax Coll. GV Fire Full Pay	604,701.59
Bank Interest	20.95

HIGHWAY FUND

Tax Coll. Hwy Partial Pay	200,000.00
General Fund Ck	288.49
NYS Fema	137,748.44
NYS Fema	41,919.59
P.C. Gas	1,677.87
P.C. Gas	418.54
Bank Interest	47.53

CONTINENTAL VILLAGE WATER DISTRICT

Tax Coll. Unpaid Water	27,960.00
Tax Coll. Full Pay	100,017.27
Bank Interest	1.76

CONTINENTAL VILLAGE PARK DISTRICT

Bank Interest	5.79
Clubhouse Fees	525.00
Tax Coll. Full Pay	98,840.00

AGENDA

- 1. Resolution authorizing Town Clerk Merando to advertise an opening on the Philipstown Planning Board.**

RESOLUTION #-2015

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

RESOLVED, that the Town Board hereby authorizes Town Clerk Merando to advertise for an opening on the Philipstown Planning Board.

- 2. Resolution to re-appoint the following to the Philipstown Zoning Board of Appeals for a five (5) year term:**

Vincent Cestone	Zoning	5-year term expiring March 31, 2020
William Flaherty	Zoning	5-year term expiring March 31, 2020

RESOLUTION #-2015

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

RESOLVED, that the Town Board hereby re-appoints Vincent Cestone to serve as a member of the Zoning Board of Appeals to a five (5) year term which will expire on March 31, 2020.

RESOLUTION #-2015

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

RESOLVED, that the Town Board hereby re-appoints William Flaherty to serve as a member of the Zoning Board of Appeals to a five (5) year term which will expire on March 31, 2020.

- 3. Resolution to re-appoint the following to the Philipstown Planning Board for a four (4) year term:**

Kim Conner	Planning	4-year term expiring March 31, 2019
David Hardy	Planning	4-year term expiring March 31, 2019

RESOLUTION #-2015

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

Monthly Town Board Meeting
February 5, 2015

RESOLVED, that the Town Board hereby re-appoints Kim Conner to serve as a member of the Philipstown Planning Board for a four (4) year term which will expire on March 31, 2019.

RESOLUTION #-2015

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

RESOLVED, that the Town Board hereby re-appoints David Hardy to serve as a member of the Philipstown Planning Board for a four (4) year term which will expire on March 31, 2019.

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

Lew Kingsley	C. Board	2-year term expiring March 3, 2017
Max Garfinkle	C. Board	2-year term expiring March 3, 2017
M.J. Martin	C. Board	2-year term expiring March 3, 2017

RESOLUTION #-2015

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

RESOLVED, that the Town Board hereby re-appoints Lew Kingsley to serve as a member of the Conservation Board for a two (2) year term which will expire on March 3, 2017.

RESOLUTION #-2015

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

RESOLVED, that the Town Board hereby re-appoints Max Garfinkle to serve as a member of the Conservation Board for a two (2) year term which will expire on March 3, 2017.

RESOLUTION #-2015

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

RESOLVED, that the Town Board hereby re-appoints M. J. Martin to serve as a member of the Conservation Board for a two (2) year term which will expire on March 3, 2017.

5. Discussion on the ESP petition to re-zone property located at 3322 Route 9, Cold Spring, NY. (Owners Bruce & Donna Kehr)

Glen Watson, representing the Kehr's addressed the Town Board to ask to move forward with their petition. He said that they met with Supervisor Shea two years ago, at which

time they were advised to deal with the Planning Board and it was determined that there was no way to make the property conform without some kind of zoning change. They came back in August 2013 with a petition and met again with Supervisor Shea where he reiterated that they would have to go through the Planning Board process. They prepared a subdivision plan, made an application to the Planning Board, had a public hearing and the public hearing was closed. The petition calls for a change of the zoning of the back property from residential to commercial, but they added certain items to the site plan that would be improved if the zoning does get changed. It was noted that they added additional setbacks to the residential property beyond what is required in the zoning and are seeking, offered a conservation easement, agreed with the neighbors to join in on their maintenance agreement for Stephanie Lane, and made some improvements/corrections which were requested. They will also use the old driveway as requested by a neighbor. There is a letter from Mr. Gaba, on behalf of the Planning Board, who made a couple of suggestions; one that they work out the terms of a conservation easement to restrict building on that back property and suggested that there be some kind of escrow account or fund so that the conservation easement could be enforced.

Supervisor Shea said that the one comment he heard was with regard to the easement to really clearly denote in the field in some physical way the property that would be under the easement so that there is not an encroachment. Mr. Watson said that this is actually on the site plan; there is a chain link fence along the entire back of the front part of the property that segregates the developed area from what would be in the easement. Supervisor Shea said that he does hope that they can come to some accommodation here. He is aware that this has been an issue for a long time. He knows that there are valid concerns with the neighbors but also appreciates working with Don to lay them all out clearly and address each one. Supervisor Shea went on to note that the Board will not be making any decision tonight but did want to hear from the rest of the Board publicly.

Councilman Van Tassel said that he thinks that the fence will go a long way to eliminate (inaudible) and he thinks from past experience the property seems to increase. He was not aware of the fence.

Councilman Merandy stated that firstly after hearing Andy Chmar's presentation on conservation easements he does not feel that this parcel falls under that. He does not think it meets the standard. Second, there has been a history of disregard of the neighbor's rights and the town building code. Now that they would like to have this change made they made the effort to move forward. Would they have made this move if it weren't for this change they want? Councilman Merandy does not feel really confident this is an easement and second that they would comply with the codes and laws after this is completed. Mr. Watson responded to Councilman Merandy stating that there are two kinds of conservation easements; one being for maintaining green and open spaces and another conservation agreement for regulatory affect. So he disagrees with Councilman Merandy that the conservation easement can't be used to assist in regulatory enforcement. Mr. Watson said that he firmly argues that the complaints are on past issues. Councilman Merandy said that he does not want to punish them on past issues but it doesn't seem that he should feel really confident that things moving ahead would change because they

haven't until this point. He thinks they punished themselves. Mr. Watson said that there is another side to this. There were other things that got in the way, for example the new zoning law.

Councilman Leonard 's concerns are more with future zoning changes, not just the Kehrs, but also every owner thereafter. His opinion is that any zoning changes must be approached carefully and diligently, to ensure it is maintained and enforced. He supports the fencing idea and would also suggest a "do not enter" sign. Mr. Chmar suggested that using cement columns would be better as they would last longer.

Another meeting on this was scheduled for February 11, 2015. This will allow time for the Town Board to go over the plans again. Supervisor Shea said that he would like to go over terms with the Town Attorney on how to remedy violations and the stipulations of what is and what is not in any easement to be determined.

6. Discussion with regard to the Garrison Fire Department and the possible formation of a fire district.

Mr. Joe Regele thought that this was a Town driven item. He said that there has been a lot of conversation about the formation of a fire district; the boards have mentioned it on a number of occasions. He was under the assumption that it had been an ongoing discussion. He had the time to pull out the report issued in 2011 that the Town paid \$10 – 15,000 for. Supervisor Shea interjected that this was paid for by a grant. Mr. Regele pointed out the prime directive from this professionally written grant was that to consolidate the fire districts to have a single Townwide fire district. He would like to make sure that if there is going to be a discussion this is the time to bring all the emergency services together. He believes that everything in Philipstown is vulcanized whether it is the Fish Library, the Butterfield Library, the Cold Spring Village Highway Department, the Town Highway Department all these interest groups and not enough people working together. He is looking to this Board to provide some leadership and strike out and say maybe we can pull this together. Mr. Regele urges the Town Board to take a broader look at this. Supervisor Shea said that these are initial discussions and that his belief is that the fire and emergency services should lead the discussions on this. He has had a meeting with an attorney and we do not even know what the mechanism will be but when the meetings take place they will be Public Hearings.

7. Code Enforcement Monthly Report.

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

8. Resolution to appoint Cecily Hall as the Recreation Center's Recreation Leader.

Supervisor reported that there were two highly qualified candidates and it was a difficult decision. The Commission felt strongly about one of the candidates and he feels comfortable going with the Commission's recommendation.

Monthly Town Board Meeting
February 5, 2015

RESOLUTION #-2015

The following Resolution was presented by Councilman Van Tassel, seconded by Councilwoman Leonard with Councilman Merandy abstaining was unanimously carried;

RESOLVED, that the Town Board hereby approves hiring Cecily Hall as the Recreation Center's Recreation Leader.

9. Schedule Meetings/Workshops.

February 11, 2015 @ 7:30 pm Workshop – ESP

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

Councilman Van Tassel reported that the Town of Philipstown would host a NYS Preparedness Presentation. This course is provided by the Governor's initiative. It will give an introduction on responding to disasters (manmade or natural). The course will cover the tasks that need to be done to prepare, respond and recover from such an event. It will teach you and your family how to sustain and assist your neighbors. It will also give you information regarding collecting needed emergency supplies for the famous "Go Bag". Additional information will be provided as available. The date is Saturday March 14, 2015 at 1:00 pm at the Recreation Center.

Councilman Merandy wanted to mention the Winter Festival, which is this weekend.

AUDIENCE

Andy Chmar had a question about Recreation activities that are presently being held at the VFW center "will an announcement be made with regard to a change in the venue since the building has been sold?" Supervisor Shea said that individuals would be notified.

VACANCIES

Board of Assessment Review (1)
CV Park District Advisory Committee (3)
CV Water District Advisory Committee (4)

APPROVAL OF VOUCHERS

Councilwoman Van Tassel made a motion, seconded by Councilman Merandy and unanimously carried that the General Vouchers in the amount of \$1,032,310.73 are hereby approved as set forth in Abstract 2

Councilman Leonard made a motion, seconded by Councilman Merandy and unanimously carried that the Highway Vouchers in the amount of \$100,263.60 are hereby approved as set forth in Abstract 2.

Monthly Town Board Meeting
February 5, 2015

Councilman Merandy made a motion, seconded by Councilman Van Tassel and unanimously carried that the CVPD Vouchers in the amount of \$2,274.53 are hereby approved as set forth in Abstract 2.

Councilman Leonard made a motion, seconded by Councilman Merandy and unanimously carried that the CVWD Vouchers in the amount of \$12,867.88 are hereby approved as set forth in Abstract 2.

There being no further business to discuss, Councilman Leonard made a motion, seconded by Councilman Merandy to close the Town Board Monthly Meeting at 9:05 pm.

Respectfully submitted by,

Theresa Crawley
Deputy Town Clerk



Town Clerk <townclerk@philipstown.com>

Fwd: Oil Train Follow-up: Sample Hudson Valley Municipal Resolutions

1 message

Town Supervisor <supervisor@philipstown.com>

Tue, Nov 18, 2014 at 9:19 AM

To: Richard Shea <shea@philipstown.com>, Nancy Montgomery <NMontgomery@philipstown.com>, David Merandy <DMerandy@philipstown.com>, John VanTassel <JVanTassel@philipstown.com>, Michael Leonard <michaellleonard8544@gmail.com>, Town Clerk <townclerk@philipstown.com>

----- Forwarded message -----

From: **Michelle Smith** <michellesmith500@yahoo.com>

Date: Mon, Nov 17, 2014 at 9:39 PM

Subject: Oil Train Follow-up: Sample Hudson Valley Municipal Resolutions

To: Michelle Smith <michellesmith500@yahoo.com>, "supervisor@philipstown.com" <supervisor@philipstown.com>, Richard Shea <rshea62@optonline.net>

Hi Richard -

It was good running into you on Bull Hill on Saturday. I wanted to follow up on the Oil Trains issue we discussed. Yesterday a small group of Philipstown residents met over lunch in Cold Spring to discuss this issue.

We are hoping to see resolutions about oil transport along the Hudson considered by our local municipal governments, including Village, Town and County. We understand a number of local governments on the west side have already passed such resolutions in 2014, including the cities of Albany, Kingston, Newburgh, and the counties of Rockland, Orange, Ulster and Albany. Obviously the issues are different on the east side, but there is enough concern about these risks that Dutchess, Beacon and other east-side municipalities are considering similar resolutions. In addition, Stephanie Hawkins is interested in introducing the topic at the Village level, and we plan to discuss with Putnam County in the coming weeks.

I include below a sampling of the west side resolutions. They are all quite similar and many of the concerns also apply to the east side, but would need some changes. Paul Gallay from Riverkeeper, who now lives in Cold Spring, has been helpful in getting us this information.

Please let me know if something similar could be introduced to the Town board and if our group of local residents can be helpful in adapting the below to something more suitable for our area.

Thanks and look forward to hearing your thoughts.
Best regards, Michelle Smith

City of Newburgh: <http://www.riverkeeper.org/wp-content/uploads/2014/09/Newburgh-passed-9-8-2014.pdf>

RESOLUTION FROM THE TOWN OF PHILIPSTOWN'S TOWN BOARD EXPRESSING CONCERNS ABOUT THE TRANSPORTING OF CRUDE OIL BY RAIL, BARGE AND SHIP AND CALLING UPON FEDERAL AND STATE AGENCIES TO ENACT STRINGENT RULES AND REGULATIONS FOR SUCH TRANSPORT AND TO URGE AND ENCOURAGE THE EXPLORATION OF ALTERNATIVE MEANS FOR THE TRANSPORTATION AND DISTRIBUTION OF CRUDE OIL.

WHEREAS, crude oil is increasingly being transported along railroads from production fields in the west (particularly from the Bakken shale oil formation of North Dakota and heavy tar sands oil fields of Alberta, Canada) and along the CSX River Subdivision tracks along the west side of the Hudson River through the Hudson Highlands and beyond. Oil is also transported to ports including Albany, New York for transfer to barges and ships traveling on the Hudson River through the Hudson Highlands to East Coast refineries; and

WHEREAS, approximately two crude oil unit trains per day currently travel the Hudson Highlands immediately across from Philipstown in Putnam County; and

WHEREAS, approximately one articulated barge per day carrying 4 million gallons and one tanker per week carrying 7 million gallons currently pass through the Hudson Highlands on the Hudson River; and

WHEREAS, crude oil from the Bakken shale deposits have been proven to be far more explosive and more corrosive than typical crude oils, and heavy sinking oils from tar sands formations have been found to be more viscous than typical crude oils, making the protection of public safety and environmental health from these particular types of oils, as well as spill response and remediation, more difficult and more dangerous; and

WHEREAS, tourism supported by the pristine and natural environmental and unique landscapes of the Hudson Highlands is a key part of Philipstown's economy; and

WHEREAS, several habitats in the Hudson River in the vicinity of Philipstown have been designated by the State as Significant Coastal Fish and Wildlife Habitats including Constitution Marsh and the US EPA spent 10 years on remediation of Cadmium deposits in the Marsh adjacent to the West Point Foundry Preserve; and

WHEREAS, the tidal nature of the Hudson River could cause oil from a spill to be quickly transported both up and down the river harming fish and wildlife permanently damaging Constitution Marsh; and

WHEREAS, crude oil is mainly transported in class DOT-111 rail tank cars designed for general purpose liquid transport, not for hazardous cargos, despite the fact that these railcars lack even the basic safety measures (such as shields, pressure vents, or double hulls) despite repeated recommendations from the National Transportation Safety Board over the past thirty years (most recently in March 2012 and January 2014) that they not be used for crude oil transport; and

WHEREAS, class DOT-111 railcars are unacceptably dangerous, particularly in light of railroad enforcement, inspection, oversight and safety, highlighted by the testimony of the Chair of the Surface Transportation Board who testified in April, 2014 that “no community is prepared for the worst case scenario” for crude oil-by-rail disasters; and

WHEREAS, there have been a series of crude oil derailments in the United States and Canada that have led to loss of life, loss of property and significant economic and environmental damage, including the loss of 47 lives in Lac-Megantic, Quebec in July 2013; and

WHEREAS, there has been at least five oil train derailments with railroad cars carrying Bakken oil in New York State since December 2013, including those in West Nyack, Town of Ulster, Selkirk, Cheektowaga and Albany; and

WHEREAS, joint state-federal “inspection blitzes” have identified dozens of train and rail car safety defects requiring corrective action in rail yards in Albany and Buffalo, highlighting the risks facing our communities and environment, but no such inspections have been performed on tracks through the Hudson Highlands; and

WHEREAS, recent barge accidents resulting in petroleum spills in the Mississippi River and Galveston Bay have shown that even double-hulled vessels are not protective in all accidents; and

WHEREAS, on January 28, 2014 New York State Governor Andrew Cuomo signed an Executive Order recognizing that crude oil transportation by rail car and river vessels present an ongoing major risk to New York Communities and the environment, shortly after two safety recommendations by the National Transportation Safety Board reached the same conclusion and called for major system-wide reforms;

NOW THEREFORE, BE IT RESOLVED, that the Philipstown Town Board recognizes that the transport of crude oil, especially Bakken and heavy crudes, by rail and marine vessel through our community presents an immediate significant risk for people, our economy and the environment of our region; and be it further

RESOLVED, that the Philipstown Town Board calls upon the United States Department of Transportation, the United States Environmental Protection Agency, the New York State Department of Transportation (DOT) and Department of Environmental Conservation (DEC) to: immediately order a full environmental impact study of the potential impacts of increased crude oil transport by train, barge, or ship through the Hudson Highlands, and to enact stringent rules and regulations for the transportation of crude oil; and be it further

RESOLVED, that the Philipstown Town Board urges and encourages federal and state agencies to explore and develop alternative means for the distribution and transportation of crude oil; and be it further

RESOLVED, the Town Clerk of the Town of Philipstown is hereby authorized to and directed to send copies of this resolution to the United States Department of Transportation, the United States Environmental Protection Agency; U. S. Senator Charles E. Schumer, U. S. Senator Kristen E. Gillibrand, U. S. Congressmen Sean Patrick Maloney; New York State Governor Andrew Cuomo; New York State Department of Environmental Conservation (DEC) Commissioner Joe Martens, New York State Senator Sue Serino; and New York State Assembly member Sandra Galef.



Town Clerk <townclerk@philipstown.com>

Fwd: Proposed 2015 Fee Schedule - for consideration at reorganization meeting

1 message

Town Supervisor <supervisor@philipstown.com>
To: Town Clerk <townclerk@philipstown.com>

Wed, Dec 31, 2014 at 10:14 AM

----- Forwarded message -----

From: **Richard Shea** <shea@philipstown.com>
Date: Mon, Dec 29, 2014 at 7:16 PM
Subject: Re: Proposed 2015 Fee Schedule - for consideration at reorganization meeting
To: Town Supervisor <supervisor@philipstown.com>, Kevin Donohue <kcdonohue@philipstown.com>

I am not sure I agree with the change from \$2000 escrow to \$5000. Is this only for commercial? If so fine. It seems a little steep and also has the potential to increase billing against it. Have the escrows continued to be used at the same rate? I can understand the amount for subdivisions or commercial but for simple residential applications it seems a little high.
RS

On Mon, Dec 29, 2014 at 11:43 AM, Town Supervisor <supervisor@philipstown.com> wrote:

----- Forwarded message -----

From: **Kevin Donohue** <kcdonohue@philipstown.com>
Date: Mon, Dec 29, 2014 at 10:20 AM
Subject: Proposed 2015 Fee Schedule - for consideration at reorganization meeting
To: Richard Shea <supervisor@philipstown.com>, Nancy Montgomery <NMontgomery@philipstown.com>, Mike Leonard <MLeonard@philipstown.com>, Dave Merandy <DMerandy@philipstown.com>, John VanTassel <JVanTassel@philipstown.com>, Ron Gainer <rjgainer@comcast.net>

Memo

To: Town Board
From: Kevin Donohue, Code Enforcement Officer
Date: 12/29/2014
Re: Revision to the 2015 Fee Schedule

The following revisions are proposed for the 2015 Fee Schedule, for the 1/8/15 reorganization meeting.

1. Page 7, Escrow for A(1)a from ~~\$2,000~~ to \$5,000 minimum Escrow.

2. Page 7, Escrow added A(1)d for Subdivision \$5,000 minimum Escrow

3. Page 10, A. Residential.

On (1) (a), (b), (c), (d) Delete \$35, Add \$40

Delete (5) ~~Permit Application Fee~~ - \$100

Add (5) Wood or Pellet Stove (any solid fuel burning appliance) Fee - \$100

Delete

4. Page 11, B. Commercial

Delete (4) ~~Application Fee~~ - \$100

Add (4) Wood or Pellet Stove (any solid fuel burning appliance) Fee - \$100

On D.(1) e) Delete and piping system

5. Page 23, On #5, #6 **Add & Site Plan**

On #10 Add for Major Site Plan and or Special Use Permit

-

6. Page 24, On #2, #4, #5 **Add \$5,000** for minimum Escrow deposit.

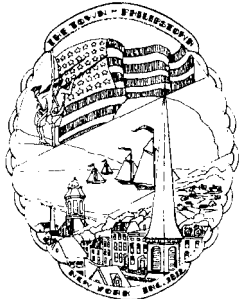
On #8c)1), Correction for no fee for Conservation Board Referral, prior Town Board Resolution.

On #8c)2) Correction to be consistent with Planning Board Fee on page 23.

7. Page 25, Town Board #1, #2, #3. **Add \$5,000** minimum Escrow deposit.

--

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



TOWN OF PHILIPSTOWN

238 Main St. P.O. Box 155 Cold Spring, NY 10516

RICHARD SHEA, SUPERVISOR

(845) 265-3329

TINA M. MERANDO
TOWN CLERK AND TAX COLLECTOR

NANCY MONTGOMERY, COUNCILWOMAN
JOHN VAN TASSEL, COUNCILMAN
DAVID MERANDY, COUNCILMAN
MICHAEL LEONARD, COUNCILMAN

February 27, 2015

Putnam County Legislatures
Putnam County Office Building
40 Gleneida Avenue
Carmel, New York 10512

Dear Honorable Members of the Putnam County Legislature,

Please accept this letter as an indication of our strong support for Legislator Scuccimarra's proposed ban on the use of polystyrene products in association with food services at County facilities. The well-established record of contamination of our local environment with the waste generated as a result of the use of these products is not acceptable. Furthermore, the Town Board of the Town of Philipstown would encourage a countywide ban of the use of polystyrene in the food service industry.

If you require our assistance in your efforts, please do not hesitate to contact me.

Sincerely,

Richard Shea
Philipstown Supervisor