

June 22, 2015  
June 29, 2015  
June 30, 2015  
July 2, 2015

## **PUBLIC HEARING**

**7:15 p.m. – Public Hearing – Local Law to amend Town Code Chapter 89 “Filming” by changing the title of the Chapter to “Filming, Events and Mass Gatherings.”**

## **IMMEDIATELY FOLLOWING:**

## **MONTHLY TOWN BOARD MEETING**

**Salute to the Flag**

## **REVIEW OF MINUTES**

- Public Hearing of May 27, 2015 – Cablevision Franchise
- Weekly Town Board Meeting of May 27, 2015
- Monthly Town Board Meeting of June 4, 2015
- Weekly Town Board Meeting of June 10, 2015
- Weekly Town Board Meeting of June 17, 2015

## **COMMITTEE REPORTS**

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

## **AGENDA**

- 1. Honorary Resolution for Marlene Bowman.**
- 2. Presentation from Karen Ertl, Conservation Chairperson for the Philipstown Garden Club to discuss “How Green is My Town.”**
- 3. Resolution setting public hearing for consideration of forming a fire district in the existing Garrison Fire Protection District of the Town of Philipstown.**
- 4. Resolutions for Consideration of the Dissolution of the Garrison Fire Protection District of the Town of Philipstown.**
- 5. Resolution authorizing Supervisor Shea to sign a letter of support for Manitoga’s 2015 NYS Consolidated Funding Application.**

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**6. Resolution adopting the revision to the 2015 Fee Schedule as submitted by Kevin Donohue, Code Enforcement Officer.**

**7. Resolutions needed to adopt Local Law, Chapter 89.**

- **SEQRA/ Negative Declaration**
- **Adopt Local Law**

**8. Resolution authorizing Supervisor Shea to sign the Filming Permit for Possible Productions, Inc. for filming on June 16, 2015. (Nunc Pro Tunc)**

**9. Resolution to adopt the Hazard Mitigation Plan**

**10. Resolution authorizing Supervisor Shea to sign the Letter of Intent for the Putnam County Youth Bureau funding for the year 2016.**

**11. Resolution to raise monies to construct a Betty Budney Memorial.**

**12. Resolution authorizing Supervisor Shea to sign a letter to Governor Cuomo requesting the expansion of Solar Energy use in New York State.**

**13. Resolution scheduling a Public Hearing on a proposed Local Law to amend the Town Code Chapter 172 by amending Town Code Section 17-5 "Existing Wood-Fired Furnaces" to impose time of operation restrictions on pre-existing wood-fire furnaces. ( suggested date July 29, 2015 )**

**14. Resolution authorizing Supervisor Shea to sign a Letter of Intent for the Consolidated Fund Grant being written by Putnam County.**

**15. Resolution creating a policy for resolutions and their distribution via-mail.**

**16. Schedule workshops/meetings.**

**17. Code Enforcement Monthly Report.**

**18. 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)

June 22, 2015  
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## **APPROVAL OF VOUCHERS**

General      Highway      CVPD      CVWD

## **ADJOURNMENT**

## **NOTICE OF PUBLIC HEARING**

**NOTICE IS HEREBY GIVEN** that the Town Board of the Town of Philipstown will conduct a Public Hearing on 9th day of July, 2015 at 7:15 p.m., at the Town Hall, 238 Main Street, Cold Spring, New York. The purpose of the Public Hearing is to hear comments for/against a proposed **LOCAL LAW TO AMEND TOWN CODE CHAPTER 89 "FILMING" BY CHANGING THE TITLE OF THE CHAPTER TO "FILMING, EVENTS AND MASS GATHERINGS" AND AMENDING THE PROVISIONS OF THE CHAPTER TO PROVIDE FOR REGULATION OF EVENTS AND MASS GATHERINGS.**

A copy of the proposed Local Law is on file in the Town Clerk's Office where it may be examined during regular business hours.

**BY ORDER OF THE TOWN BOARD  
OF THE TOWN OF PHILIPSTOWN**

**DATED:** July 1, 2015

Tina M. Merando  
Town Clerk



**Putnam County  
Department of Planning, Development,  
and Public Transportation**

*www.putnamcountyny.com*

841 Fair Street  
Carmel, NY 10512

Phone: (845) 878-3480

Fax: (845) 808-1948

**SECTION 239 CASE REFERRAL**

Case Received:  Report Required:  Completed:

Application Name:  Referral #:

TOWN: Carmel: ☐ Philipstown: ☒ VILLAGE: Brewster: ☐  
Kent: ☐ Putnam Valley: ☐ Cold Spring: ☐  
Patterson: ☐ Southeast: ☐ Nelsonville: ☐

Referred by: PB: ☐ ZBA: ☐ Town Board: ☒ Historic District Review Board: ☐

Location of Project:

Present Zone:  Tax Map #:

Type of action: Variance: ☐ Zoning Ordinance: ☐ Master Plan: ☐  
Subdivision: ☐ Special Use Permit: ☐ Subdivision Regulations: ☐  
Site Plan: ☐ Rezoning: ☐ Certificate of Appropriateness: ☐  
Zoning Amendment: ☒

**DECISION BY COUNTY:**

Approved as Submitted: ☒ Modification: ☐ Disapproved: ☐

Basis for Decision Other than Approval:

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Reviewed by Barbara Barosa Barbara Barosa, Planner  
(Signature) (Title)

rc 1-14/word

**received**  
7-26-15 JBC

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  
Lisa M. Card  
Alana R. Bartley  
Jessica M. Alesandro

Jennifer L. Schneider  
Managing Attorney

\*LL.M. in Taxation

June 24, 2015

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

Re: Draft Local Law To Amend Town Code Chapter 89  
Our File No.: 6082-66596

Dear Supervisor Shea and Board Members:

I am writing to provide you with the Planning Board's report and comments on the proposed local law to amend Town Code Chapter 89 "Filming" to add provisions regarding "Events and Mass Gatherings." The Planning Board takes no position on whether or not the proposed local law should be adopted. However, the consensus among the Planning Board Members was to offer the following comments:

(1) Event permits are required for assemblies of 100 or more persons, and the local law does not make any distinction between events held by "for profit" entities and fund raising events held by "not for profit" entities. Although no permit is required for fund raising events held at venues which have site plan approval for hosting events (such as restaurants and bars) and the local law gives the Town Board discretion to waive the requirements of event permits on a case-by-case basis, perhaps consideration should be given to exempting events held by not for profit entities from the requirement of obtaining a permit.

(2) The local law applies to gatherings at which either rent is charged for use of the site or there is a charge to participants. It would not apply to gatherings at which no fee is paid to the property owner for use of the site and there is no charge to participants, but a "voluntary donation" may be made by participants. Perhaps consideration should be given to revising the definition of "event" to have it include gatherings for the purpose of raising funds, regardless of whether or not a fee is charged to participants.

(3) Section 89-4A(G) provides that if an event or mass gathering is to be held in a building (other than a tent) without sprinklers the host must make arrangements for a pumper/tanker truck to be *on site* during the event. If there are several of such events held at the same time, there may not be enough pumper/tanker trucks available to cover all of the events. Perhaps consideration should be given to revising the text to provide that the host must merely make arrangements for a pumper/tanker truck to be *available* to provide fire protection services on the day of the event or mass gathering.

ATTN: RICHARD SHEA

June 24, 2015

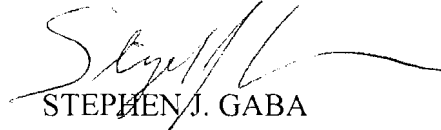
Page 2

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(4) Section 89-4A(L) requires applicants for event or mass gathering permits to advise the Town Board of whether outdoor music is proposed and, if so, what kind of sound system will be used. While the law authorizes the Town Board to impose conditions in granting permits (including conditions on sound systems) it does not impose or recommend any specific limitations or guidelines for regulating noise generated by events and mass gatherings. Perhaps the text of the local law should be amended to reference Town Code §175-40(C) which imposes specific standards and limitations on noise generated by sites.

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

Very truly yours,



STEPHEN J. GABA

SJG/431311

cc: Planning Board

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DRAKE

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## Local Law Filing

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

☐ County ☐ City ☒ Town ☐ Village  
(Select one:)

of Philipstown

Local Law No. \_\_\_\_\_ of the year 20<sup>15</sup>

A local law TO AMEND TOWN CODE CHAPTER 89 "FILMING" BY CHANGING THE TITLE  
(Insert Title)  
OF THE CHAPTER TO "FILMING, EVENTS AND MASS GATHERINGS" AND  
AMENDING THE PROVISIONS OF THE CHAPTER TO PROVIDE FOR REGULATION  
OF EVENTS AND MASS GATHERINGS.

Be it enacted by the Town Board \_\_\_\_\_ of the  
(Name of Legislative Body)

☐ County ☐ City ☒ Town ☐ Village  
(Select one:)

of Philipstown. \_\_\_\_\_ as follows:

(If additional space is needed, attach pages the same size as this sheet, and number each.)



TOWN OF PHILIPSTOWN LOCAL LAW NO.    OF 2015

A LOCAL LAW TO AMEND TOWN CODE CHAPTER 89 "FILMING" BY CHANGING THE TITLE OF THE CHAPTER TO "FILMING, EVENTS AND MASS GATHERINGS" AND AMENDING THE PROVISIONS OF THE CHAPTER TO PROVIDE FOR REGULATION OF EVENTS AND MASS GATHERINGS.

SECTION 1. INTENT and AUTHORITY.

This Local Law is adopted pursuant to the provisions of the Municipal Home Rule Law of the State of New York and Article 16 of the Town Law of the State of New York. To the extent the provisions of this Local Law are in conflict with Town Law, the Town Board hereby asserts its intention to supersede Town Law pursuant to the Municipal Home Rule Law.

SECTION 2. PURPOSE.

The purpose of this Local Law is to amend Town Code Chapter 89 "Filming" by changing the title of the chapter to "Filming, Events and Mass Gatherings" and adding provisions to the chapter to reasonably regulate events and mass gatherings held on private lands by requiring a permit for such activity.

SECTION 3. AMENDMENT OF TOWN CODE.

1. The title of Town Code Chapter 89 is hereby amended to read: "FILMING, EVENTS AND MASS GATHERINGS."
2. Section 89-1 "Legislative findings and intent" is hereby repealed and re-enacted to provide as follows:
  - A. The Town Board finds that interest in filming, videotaping and recording on private and public property has been increasing in the Town of Philipstown for commercial purposes, which has resulted in possible hardship, inconvenience, danger and discomfort to large numbers of residents of the Town of Philipstown due to disruption of traffic on public streets and in private neighborhoods.
  - B. The Town Board finds that use of private lands as temporary places of assembly for events and mass gatherings, such as wedding receptions, large parties or other such festivities is an ongoing occurrence in the Town of Philipstown and that such activity, if unregulated, can cause hardship, inconvenience and discomfort to neighboring property owners and may endanger the safety of attendees.

- C. By reason of the foregoing, the Town Board finds that the health, safety and welfare of the residents of the Town of Philipstown will be served by the adoption of a local law which provides a means of regulating, by permit, any filming, videotaping or recording in a commercial manner, on public or private lands and any assembly of persons on private lands for an event or mass gathering as defined in this chapter.
- D. The Town Board does hereby ordain and enact this chapter to accomplish the aforesaid purposes.

3. Section 89-2 "Definitions" is hereby amended to add the following placed in alphabetical order within the existing text of the Section:

EVENT. The simultaneous assembly of One Hundred (100) or more persons for a reception, party, festival, dance or other such occasion on private lands which do not have an approved site plan or equivalent approval for such use and for which a fee is charged for use of the land and/or for participation in the activity upon the land.

MASS GATHERING. Any simultaneous assembly of Two Hundred and Fifty (250) persons or more for a reception, party, festival, dance or other such occasion on private lands which do not have an approved site plan or equivalent approval for such use regardless of whether a fee is charged for use of the land and/or for participation in the activity upon the land.

4. Section 89-3 "Permit required" is hereby repealed and re-enacted to provide as follows:

No person shall film or permit filming within the Town of Philipstown or hold or permit to be held an event or mass gathering within the Town without first obtaining a permit therefor from the Town Board.

5. The title of Section 89-4 "Application for permit" is hereby amended to read "Application for filming permit."

6. Town Code Chapter 89 is hereby amended to add Section 89-4A "Applications for event and mass gathering permits" which shall provide as follows:

§ 89-4A. Applications for event and mass gathering permits.

An application for an event or mass gathering permit shall be made at least ten (10) days prior to the date of the proposed event or mass gathering. The application shall be on forms prescribed by the Town Board, which forms may be established and/or amended by resolution, and which shall contain at least the following information as applicable:

- A. Name, address and telephone number of the person or entity sponsoring the event or mass gathering and the name, phone number and e-mail address of a contact person for the sponsor.
- B. A general statement of the purpose of the event or mass gathering and the anticipated number of persons attending daily (both estimated maximum simultaneous attendance and overall daily total).
- C. The street address of the property at which the event or mass gathering will be held.
- D. Dates and times of day that the property will be used for the event or mass gathering.
- E. Name and address of owner(s) of property and, if different than the sponsor, a copy of a signed consent of owner(s) for use of the property for the event or mass gathering.
- F. A list of the buildings and tents that will be used in the event or mass gathering, the approximate dimensions of each and their maximum capacity
- G. A description of the fire protection available at the property for the event or mass gathering, including had fire extinguishers, sprinkler systems, fire apparatus and the location of a water source. If the event or mass gathering is to be held in a structure, other than a tent, without sprinklers the application must be accompanied by a letter from a local Fire Company stating that a manned pumper/tanker truck will be on site during the event.
- H. A description of the sanitary facilities on the property which will be used to accommodate the attendees.
- I. A description of the on-site safety plan which will be used for the event or mass gathering, including emergency lighting, smoke detection devices, and location of

emergency exits from all structures and tents involved in the event or mass gathering.

- J. A description of the plan for on-site trash and recycling receptacles, removal and clean up.
- K. A description of the parking arrangements and traffic circulation plan for the event or mass gathering.
- L. If outdoor music is proposed for the event or mass gathering, a description shall be provided of the system for broadcast and/or amplification.
- M. Such other information as may be required by the Town Board of the Town of Philipstown.

7. The title of Section 89-5 "Permit: restrictions, waivers and denials" is hereby amended to read "Filming permits: restrictions, waivers and denials."

8. Town Code Chapter 89 is hereby amended to add Section 89-5A "Event and mass gathering permits: restrictions, waivers and denials" which shall provide as follows:

§ 89-5. Event and mass gathering permits: restrictions, waivers and denials

- A. Every event or mass gathering permit shall contain a date of commencement and an expiration date.
- B. No permit shall be issued for filming within the Town of Philipstown unless the applicant for such permit provides proof of liability insurance coverage in the amount of not less than \$1,000,000 for each occurrence and \$2,000,000 aggregate for bodily injury naming the Town as a certificate holder entitled to notice of cancellation. The Town Board is authorized to change the above-stated coverage amounts by resolution.
- C. The Town Board may waive of any of the requirements or limitations of this chapter regarding applications for event and mass gathering permits when it determines, in its sole discretion, that such waiver would not endanger the public health, safety and welfare.

- D. In determining whether to grant applications for permits for events and mass gatherings, the Town Board shall consider the following criteria:
- (1) The capacity and suitability of the property and the buildings and structures thereon to host the proposed event or mass gathering.
  - (2) Whether the plans for fire protection, sanitary facilities, safety, trash removal and traffic are adequate.
  - (3) The extent, if any, to which the proposed event or mass gathering will be detrimental to nearby properties and the neighborhood, including noise, light, visual and other environmental impacts.
  - (4) Whether the sponsor or property owner has a prior history of failing to comply with the terms, conditions and requirements of applicable laws, codes, rules and regulations in the holding of previous events or mass gatherings.
  - (5) Any apparent and inherent incompatibility between the dates proposed for the event or mass gathering and other events, mass gatherings or occurrences in Town previously approved or reasonably anticipated to take place at the time of the proposed event or mass gathering.
  - (6) In granting an event or mass gathering permit, the Town Board may attach reasonable conditions to such permit.
  - (7) In the event the Town denies permission to hold a mass gathering at the time and place requested, the Town shall promptly provide the applicant with written notice of such denial and shall include in such written notice the reasons for such denial.
  - (8) Any person aggrieved by a decision of the Town Board granting or denying a permit may appeal in accordance with Article 78 of the Civil Practice Law and Rules. Any such appeal must be instituted no later than 30 days after the decision of the Town Board.

9. Section 89-6 "Suspension or revocation of permit" is hereby repealed and re-enacted to provide as follows:

§ 89-6. Suspension or revocation of filming, event and mass gathering permits.

A. The Town Board may suspend or revoke a filming, event or mass gathering permit issued for any of the following reasons:

- (1) Violation of any law, code, rule or regulation of the United States, the State of New York, the County of Putnam, the Town, or any department or agency thereof.
- (2) Violation of any condition of the permit.
- (3) Conduct that is detrimental to the health, safety or welfare of the public.

B. A decision of the Town Board to suspend or revoke a filming, event or mass gathering permit shall be appealable in accordance with Article 78 of the Civil Practice Law and Rules, and must be instituted no later than 30 days after the decision of the Town Board.

C. In the event that a filming, event or mass gathering permit is suspended or revoked, the fees paid therefor shall be forfeited and shall not be refunded.

8. Town Code Chapter 89-10 "Exemptions" is hereby amended to add the following provisions:

F. Gatherings of persons for the spontaneous exercise of the to freedom of speech under the First Amendment to the Constitution of the United States, such as activities made in response to a contemporaneous or nearly contemporaneous occurrence under such circumstances that the delay occasioned by compliance with the permit application process would effectively chill the participants' First Amendment rights.

#### SECTION 4. SEVERABILITY.

If any clause, sentence, paragraph, word, section or part of this local law shall be judged by any court of competent jurisdiction to be unconstitutional, illegal or invalid, such judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the language directly involved in the controversy in which judgment shall have been rendered.

#### SECTION 5. EFFECTIVE DATE.

This Local Law shall become effective upon filing with the Secretary of State of the State of New York subsequent to having been duly adopted by the Town Board.

**(Complete the certification in the paragraph that applies to the filing of this local law and  
strike out that which is not applicable.)**

**1. (Final adoption by local legislative body only.)**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20<sup>15</sup> of the (County)(City)(Town)(Village) of Town of Philipstown was duly passed by the Town Board on \_\_\_\_\_ 20\_\_\_\_, in accordance with the applicable provisions of law.  
*(Name of Legislative Body)*

**2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer\*.)**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_, and was (approved)(not approved) *(Name of Legislative Body)* (repassed after disapproval) by the \_\_\_\_\_ and was deemed duly adopted *(Elective Chief Executive Officer\*)* on \_\_\_\_\_ 20\_\_\_\_, in accordance with the applicable provisions of law.

**3. (Final adoption by referendum.)**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_, and was (approved)(not approved) *(Name of Legislative Body)* (repassed after disapproval) by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_. *(Elective Chief Executive Officer\*)*

Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on \_\_\_\_\_ 20\_\_\_\_, in accordance with the applicable provisions of law.

**4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_, and was (approved)(not approved) *(Name of Legislative Body)* (repassed after disapproval) by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_. Such local *(Elective Chief Executive Officer\*)* law was subject to permissive referendum and no valid petition requesting such referendum was filed as of \_\_\_\_\_ 20\_\_\_\_, in accordance with the applicable provisions of law.

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\* Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.



**5. (City local law concerning Charter revision proposed by petition.)**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the City of \_\_\_\_\_ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on \_\_\_\_\_ 20\_\_\_\_, became operative.

**6. (County local law concerning adoption of Charter.)**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the County of \_\_\_\_\_ State of New York, having been submitted to the electors at the General Election of November \_\_\_\_\_ 20\_\_\_\_, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

**(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)**

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph \_\_\_\_\_ above.

\_\_\_\_\_  
Clerk of the county legislative body, City, Town or Village Clerk or  
officer designated by local legislative body

(Seal)

Date: \_\_\_\_\_

# Short Environmental Assessment Form

## Part 1 - Project Information

### Instructions for Completing

**Part 1 - Project Information.** The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

<b>Part 1 - Project and Sponsor Information</b>							
Name of Action or Project: Local Law No. ____ of 2015							
Project Location (describe, and attach a location map): Unincorporated area of Philipstown							
Brief Description of Proposed Action: Adoption of a local law entitled: Local Law to amend Town Code Chapter 89" Filming" by changing the title of the chapter to "Filming, Events and Mass Gatherings" and amending the provisions of the Chapter to provide for regulation of Events and Mass Gatherings.							
Name of Applicant or Sponsor: Town Board, Town of Philipstown		Telephone: 845-265-5200 E-Mail: supervisor@philipstown.com					
Address: 238 Main Street							
City/PO: Cold Spring		State: NY	Zip Code: 10516				
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="padding: 2px;">NO</td> <td style="padding: 2px;">YES</td> </tr> <tr> <td style="text-align: center; padding: 5px;"><input type="checkbox"/></td> <td style="text-align: center; padding: 5px;"><input checked="" type="checkbox"/></td> </tr> </table>	NO	YES	<input type="checkbox"/>	<input checked="" type="checkbox"/>
NO	YES						
<input type="checkbox"/>	<input checked="" type="checkbox"/>						
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval:			<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="padding: 2px;">NO</td> <td style="padding: 2px;">YES</td> </tr> <tr> <td style="text-align: center; padding: 5px;"><input checked="" type="checkbox"/></td> <td style="text-align: center; padding: 5px;"><input type="checkbox"/></td> </tr> </table>	NO	YES	<input checked="" type="checkbox"/>	<input type="checkbox"/>
NO	YES						
<input checked="" type="checkbox"/>	<input type="checkbox"/>						
3.a. Total acreage of the site of the proposed action? _____ n/a acres b. Total acreage to be physically disturbed? _____ n/a acres c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ n/a acres							
4. Check all land uses that occur on, adjoining and near the proposed action. <input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban) <input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): n/a _____ <input type="checkbox"/> Parkland							

5. Is the proposed action, a. A permitted use under the zoning regulations?	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	N/A <input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO <input type="checkbox"/>	YES <input type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	NO <input type="checkbox"/>	YES <input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO <input type="checkbox"/>	YES <input type="checkbox"/>	
b. Are public transportation service(s) available at or near the site of the proposed action?	<input type="checkbox"/>	<input type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	<input type="checkbox"/>	<input type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____	NO <input type="checkbox"/>	YES <input type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply?  If No, describe method for providing potable water: _____	NO <input type="checkbox"/>	YES <input type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities?  If No, describe method for providing wastewater treatment: _____	NO <input type="checkbox"/>	YES <input type="checkbox"/>	
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?	NO <input type="checkbox"/>	YES <input type="checkbox"/>	
b. Is the proposed action located in an archeological sensitive area?	<input type="checkbox"/>	<input type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	NO <input type="checkbox"/>	YES <input type="checkbox"/>	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____	<input type="checkbox"/>	<input type="checkbox"/>	
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input type="checkbox"/> Suburban			
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO <input type="checkbox"/>	YES <input type="checkbox"/>	
16. Is the project site located in the 100 year flood plain?	NO <input type="checkbox"/>	YES <input type="checkbox"/>	
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? <input type="checkbox"/> NO <input type="checkbox"/> YES	NO <input type="checkbox"/>	YES <input type="checkbox"/>	
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: _____ _____	<input type="checkbox"/> NO <input type="checkbox"/> YES		

18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____ _____ _____	<b>NO</b>   <input type="checkbox"/>	<b>YES</b>   <input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____ _____ _____	<b>NO</b>   <input type="checkbox"/>	<b>YES</b>   <input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____ _____ _____	<b>NO</b>   <input type="checkbox"/>	<b>YES</b>   <input type="checkbox"/>
<b>I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</b>  Applicant/sponsor name: <u>Town of Philipstown</u> Date: _____ Signature: _____		

**PRINT FORM**

Project:

Date:

***Short Environmental Assessment Form***  
***Part 2 - Impact Assessment***

**Part 2 is to be completed by the Lead Agency.**

Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
a. public / private water supplies?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. public / private wastewater treatment utilities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Project: Date: 

### ***Short Environmental Assessment Form***

#### ***Part 3 Determination of Significance***

For every question in Part 2 that was answered “moderate to large impact may occur”, or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

- ☐ Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.
- ☒ Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.

Town of Philipstown

Name of Lead Agency

Date

Richard Shea

Supervisor

Print or Type Name of Responsible Officer in Lead Agency

Title of Responsible Officer

Signature of Responsible Officer in Lead Agency

Signature of Preparer (if different from Responsible Officer)

**PRINT FORM**

**Narrative Description – Short Form Environmental Assessment Form**  
**Part 1, Question 1:**

The Local Law would amend the Town Code by to amending Town Code Chapter 89 "Filming" by changing the title of the chapter to "Filming, Events and Mass Gatherings" and adding provisions to the chapter to reasonably regulate events and mass gatherings held on private lands by requiring a permit for such activity.

Public Hearings – Cablevision Franchise Agreement  
May 27, 2015

The Town Board held a Public Hearing on the above date at the Town Hall, 238 Main Street, Cold Spring, New York at 7:30 p.m. The purpose of the Public Hearing was to hear comments for/against the Cablevision Franchise Agreement for the Northern and Southern areas of Philipstown between Cablevision of Wappingers, Inc. and the Town of Philipstown.

**PRESENT:**

Richard Shea	Supervisor
Nancy Montgomery	Councilwoman
John Van Tassel	Councilman
Michael Leonard	Councilman
Robert Flaherty	Councilman

Town Clerk Merando read the public notice.

Supervisor Shea stated that the Town Board has been reviewing the proposed agreement and the Supervisor has met with members of the community and the seniors. Cablevision has been generous to the Town of Philipstown in offering services, such as free Internet access for Chestnut Ridge, as well as the schools and emergency services.

Dan Ahouse, Area Director of Government Affairs, noted that the agreement before the Board is a ten (10) year term. They mirror the current agreement with the exception of some updates as required by federal and state laws, and technical updates. Cablevision is totally built out, therefore, no construction is required. Ten (10) areas in the town are offered free services, as mentioned above. Maintenance will be provided for the town's municipal channel as well as a \$10,000 grant to upgrade the government access channel. The agreement also includes a 5% franchise fee payable to the town.

Councilman Leonard stated that in the southern area of Philipstown the audio is very low. Mr. Ahouse acknowledged that there is a problem and they had some engineers at the Town Hall today looking at the equipment. They had some complaints about the sound and video quality. Mr. Ahouse stated that today was the first time that he had heard of quality issues in the southern area of broadcast.

Councilman Van Tassel questioned free services for the firehouses. Mr. Ahouse responded saying that they are included.

Joyce Blum compared FIOS with Cablevision and the increased costs for CATV customers. Mr. Ahouse reported that Cablevision is building a large WiFi (hot spots) in this area that are free. He went on to explain three (3) new products that are now available, the first being FREEWHEEL, a mobile phone that works off of WiFi. It offers text, phone and unlimited access to the Internet, which is



Public Hearings – Cablevision Franchise Agreement  
May 27, 2015

more affordable than mobile plans. Second, a low cost broadband product is now available and a digital antenna. All of these services are less expensive than even the promotional cost for new customers. Cablevision is bringing new products to address affordability issues, recognizing that there are now many ways customers can access programs, for example, NETFLIX, etc.

Councilwoman Montgomery then responded to a question that Ms. Blum posed earlier and that is that Fios has no desire to come into Philipstown - the numbers are just not there. Supervisor Shea added that FIOS needs to have 90% coverage within five years and the terrain in Philipstown is too rugged.

There being no further comments from the public, Councilman Leonard made a motion, seconded by Councilwoman Montgomery and unanimously carried to close the Public Hearing at 7:52 p.m.

Respectfully submitted by,

Tina M. Merando  
Town Clerk

Weekly Town Board Meeting  
May 27, 2015

The Town Board held their Weekly Meeting on the above date at the Town Hall, 238 Main Street, Cold Spring, New York 10516 at 7:52 p.m.

**PRESENT:**

Richard Shea	Supervisor
Nancy Montgomery	Councilwoman
John Van Tassel	Councilman
Michael Leonard	Councilman
Robert Flaherty	Councilman

**AGENDA**

**1. Resolution authorizing Supervisor Shea to sign the Cablevision Franchise agreement for the Northern area of Philipstown.**

- SEQRA

**RESOLUTION**

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

**WHEREAS**, the Town Board held a Public Hearing on May 27, 2015 to hear comments for/against renewing the Cablevision Franchise Agreement for the Northern and Southern area of Philipstown between Cablevision of Wappingers, Inc. and the Town of Philipstown'

**NOW, THEREFORE, BE IT RESOLVED**, that this action is a Type II Action, as defined under NYCRR Part 617.13d, which is an action or class of actions which have been classified by the State of New York to not have a significant effect on the environment and thus do not require environmental impact statements or other determination or procedures under Part 617 of the Environmental Conservation Law.

- Agreement Resolution

**WHEREAS**, the Town of Philipstown (the "Town") is a "franchising authority" in accordance with Title VI of the Communications Act of 1934, (the "Communications Act"), and is authorized to grant one or more nonexclusive cable television franchises pursuant to Article 11 of the New York Public Service Law, as amended, and Title 16, Chapter VIII, Parts 890.60 through 899, of the Official Compilation of Codes, Rules and Regulations of the State of New York, as amended (collectively the "Cable Laws");

**WHEREAS**, the Town, executed two (2) franchise renewal agreements with Cablevision of Wappingers Falls, Inc. ("the Franchisee") on November 12, 2003, each covering a separate and distinct service area wholly located within the Town, which

Weekly Town Board Meeting  
May 27, 2015

were thereafter confirmed and made effective by the New York State Public Service Commission ("Commission") on September 3, 2004 for a term of ten (10) years (Case Nos. 04-V-0436 and 04-V-0437), and

**WHEREAS**, Franchisee has submitted two (2) proposed franchise renewal agreements (collectively the "Franchise Renewal Agreements") to continue operating said cable systems within the Town; and

**WHEREAS**, the Town and Franchisee have mutually agreed to the terms of said Franchise Renewal Agreements; and

**WHEREAS**, the Town has determined that the Franchisee is and has been in substantial compliance with all terms/provisions of its existing franchises and applicable law; and

**WHEREAS**, the Town has determined that Franchisee has the requisite legal, technical and financial capabilities to operate cable systems within the Town and that Franchisee's proposals for renewal of the franchises meet the cable related needs of the Community; and

**WHEREAS**, a duly noticed Public Hearing, affording an opportunity for all those interested parties within the Town to be heard on the proposed Franchise Renewal Agreements was held before the Town on May 27, 2015.

**NOW, THEREFORE**, be it

**RESOLVED**, that the Town Board determines that it is in the best interest of the public to award the Franchise Renewal Agreements, each covering a separate and distinct service area wholly located within the Town, to the Franchisee; and be it

**FURTHER RESOLVED**, that the Town Board hereby authorizes the Town Supervisor to enter into Franchise Renewal Agreements with Cablevision of Wappingers Falls, Inc., and to execute any other documents necessary to effectuate the granting of the franchise renewals on behalf of the Town of Philipstown.

Motion made by Councilwoman Montgomery, seconded by Councilman Leonard;

The vote on the foregoing resolution was as follows:

Supervisor Shea	AYE
Councilwoman Montgomery	AYE
Councilman Van Tassel	AYE
Councilwoman Leonard	AYE
Councilman Flaherty	AYE

The resolution was thereupon declared duly adopted.

**2. Resolution authorizing Supervisor Shea to sign the Cablevision Franchise agreement for the Southern area of Philipstown.**

This matter was duly adopted when Item #1 was addressed.

**3. Resolution referring a Local Law to amend Town Code Chapter 172 by amending Town Code Section 17-5 "Existing Wood-Fired Furnaces" to impose time of operation restrictions on pre-existing Wood-Fired Furnaces to the Philipstown Planning Board and the Putnam County Division of Planning for review and comment.**

**RESOLUTION #**

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

**WHEREAS**, on May 5, 2015 a proposed Local Law to amend Town Code Chapter 172 by amending Town Code Section 17-5 "Existing Wood-Fired Furnaces" to impose time of operation restrictions on pre-existing wood-fire furnaces was distributed to the Town Board;

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board hereby refers the proposed Local Law to the Philipstown Planning Board and the Putnam County Division of Planning for their review and comment.

**4. Resolution referring a Local Law to amend Town Code Chapter 89" Filming" by changing the title of the chapter to "Filming, Events and Mass Gatherings" and amending the provisions of the Chapter to provide for regulation of Events and Mass Gatherings to the Philipstown Planning Board and the Putnam County Division of Planning for review and comment.**

**RESOLUTION #**

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

**WHEREAS**, on May 5, 2015 a proposed Local Law to amend Town Code Chapter 89 "Filming" by changing the title of the Chapter to "Filming, Events and Mass Gatherings" and amending the provisions of the Chapter to provide for regulation of Events and Mass Gatherings was distributed to the Town Board;

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board hereby refers the proposed Local Law to the Philipstown Planning Board and the Putnam County Division of Planning for their review and comment.

**5. Resolution approving the Change Order No. 1 for the South Mountain Pass Drainage Project.**

Supervisor Shea stated that this is an effort to address the drainage issue on the hill that runs down to Route 9D off of South Mountain Pass. Initially, it was only funded for the drainage halfway up the hill. Now, the Town is considering going all the way up the hill to High Ridge Road. He noted that this project, as set forth, does not include paving, however, there is an ongoing discussion with regard to paving up the hill. He explained that if the town were going to invest \$290,000 in drainage, the town would like to secure that investment. The town has, in the past, completed drainage projects only to see them wash away. The environmental impact is enormous as the washout ends up in the stream. He stated that there are different opinions out there, believing that it could have been done better. However, he disagrees, as the town has had Penn State conduct studies of dirt roads just to name one. The one thing the town is sure of is that when a road is paved, they stay put. One example is East Mountain Road during Hurricane Irene. There was no damage. Had it not been paved, he doubts it would be open even now. The idea is that the town will make the necessary improvements to the drainage, and have an open discussion on this matter on June 3<sup>rd</sup>. Supervisor Shea stated that there is no right or wrong here. They are trying to address a problem as a Town Board, trying to spend taxpayer's monies effectively. He acknowledged the feeling on both sides with regard to dirt vs. paved. The Town Board doesn't have an opinion to the nature of dirt roads; they know the history and are aware of what occurs during big storms. With that put aside, the Town Board needs to address the issues at hand. History shows that the Board has addressed these types of issues and this doesn't mean that South Mountain Pass is going to be paved from Route 9 to Route 9D. It means that the Town Board is entertaining the idea of paving the hill. The Town Board needs to secure the investment that the Town is putting in there. Supervisor Shea also added there are other reasons, such as, the fill that needs to be hauled in, and the dirt road material washing in the stream. Dust, chemical additives applied year round are also something to be considered. He noted that the materials needed for dirt road maintenance has become more difficult to get as it might have to be trucked in from further away. He mentioned the success with the drainage on the hill at Saunders, adding that this is continually maintained. He also noted for the record that he supports paving the hill on South Mountain Pass.

He briefly explained the damage on Old Albany Post Road and costs associated with the repairs.

Russel Dushin thanked Supervisor Shea for taking on this issue stating that he understands the reason for paving a portion of the hill on South Mountain Pass. His belief is most of the issues are caused by landowners. For instance, the driveway off Fern Hill --- water cascades onto the town road and causes all of the problems on the hill. He referenced other properties that are causing drainage problems. When traveling on the road he noticed that markings were in place on the flat sections of South Mountain Pass. He went on to say that at the steepest section of that road,

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there are no drainage problems, and he attributes that to good old-fashioned ditches, which are very effective. His question was, why are the markings in areas that have no problems? A resident pointed out that the markings that are being discussed were that of Cablevision and not the proposed project site.

Joyce Blum spoke of a drainage project completed several years ago alongside High Ridge Road that has never worked.

A resident from South Mountain Pass stated that there are other ways to maintain these roads, and people from Vermont use these methods and studies have been completed from the University of Pennsylvania. He is aware that Peter Davoren has suggested some alternatives to the town and other ways of maintaining the road to preserve the road as is. He reiterated the fact that they don't want paving, they want what is currently there. He acknowledged that the town is trying to address the costs associated with its maintenance. It is of his understanding that alternative maintenance has costs in mind. What upsets him is that a method has not been tried anywhere in Philipstown.

Once again, Supervisor Shea stated that he supports the paving project for the hill. He also stated that people drive on this road, and safety, air quality and stream degradation all have to be addressed. A concerned citizen asked that the proposed resolution slated for tonight, be postponed. Supervisor Shea responded saying that it would be tabled this evening.

Nick Angel then addressed the Town Board stating that there have been studies done that absolutely revolutionize the thinking of dirt roads. The fact is, the new technology demonstrates that maintaining dirt roads is less expensive than paving. He stated that the state of Vermont is covered with dirt roads and they have done a superb job of using the up-to-date technologies. The town's highway department completely stonewalled any effort to use modern technology, including drainage. He assumes that the town's highway department has recommended the proposed drainage. Supervisor Shea replied stating that the town's engineer has recommended it. It is Mr. Angels' belief that the amount of equipment and manpower used on South Mountain Pass over the last few years is just to demonstrate the need for paving.

Mr. Angel stated that he has a proposal for the town to consider that won't cost the town a nickel. It would mean postponing the project for a few months. The broad outline of the plan is that some of the residents will pay for doing a drainage system of 100 or 200 feet at the most difficult portions of the road. The idea is to wait a few months and see how the system works with the heavy rainfalls. If successful, an analysis would be conducted, at their cost, to identify the total cost for an expanded drainage. He continued to discuss cost of his proposal vs. the current drainage and paving. Another resident in favor of this proposal gave a passionate plea as why the town should consider this alternative, which would preserve the heritage of this road.

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**RESOLUTION #**

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

**RESOLVED**, that the Town Board hereby tables the resolution approving the Change Order No. 1 for the South Mountain Pass Drainage Project.

**6. Resolution authorizing Supervisor Shea to sign the Filming Permit for Possible Productions, Inc.**

**RESOLUTION #**

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

**RESOLVED**, that the Town Board hereby authorizes Supervisor Shea to sign the Filming Permit for Possible Productions, Inc., to be held on June 8, 2015, on Lane Gate Road.

The Town Board then began a workshop with Cold Spring Farms and Town Clerk Merando was excused at 8:45 p.m.

Respectfully submitted by,

Tina M. Merando  
Town Clerk

Monthly Town Board Meeting  
June 4, 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.

<b>PRESENT:</b>	Richard Shea	Supervisor
	John Van Tassel	Councilman
	Michael Leonard	Councilman
	Robert Flaherty	Councilman

<b>ABSENT:</b>	Nancy Montgomery	Councilwoman
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**Brownie Troop #1605 of the Hudson Highlands opened the meeting with the Salute to the Flag.**

**REVIEW OF MINUTES**

The Minutes of the Monthly Town Board Meeting of May 7, 2015, were reviewed.

Councilman Leonard made a motion, seconded by Councilman Van Tassel and unanimously carried, that the Minutes of the Monthly Town Board Meeting of May 7, 2015, are hereby approved as presented.

**COMMITTEE REPORTS**

**CB** – Councilman Leonard reported that he attended the May 1, 2015 meeting. There were two items on the agenda; Grasso application and Banker property. There was also a discussion on identifying actual drains for Stormwater protection. He said that the Town needs to make sure that any kind of drains in critical areas are cleaned out so they will be able to handle a lot more rain water and therefore reduce the chance for flooding. The next meeting will take place on June 9, 2015.

**RECREATION** – Councilman Van Tassel attended the May 26, 2015 meeting at which time the minutes and financial reports were read and approved unanimously. On May 13, 2015, the Recreation Department hosted a Senior Luncheon, which was well attended. Camp registration is ongoing and the staff is gearing up for an extremely busy season. Some availability does exist - if interested; contact the Recreation Department at 424-4618. The Rec Commission has put together a plan to do background checks on all coaches and staff for the upcoming season. The plan will be forwarded to the Town Board and Town Attorney for review. The Friends of Philipstown Rec will have an open meeting on June 8, 2015, @7:30 pm, at the Garrison Cafe. If you are interested in becoming part of the Philipstown Friends group, which is a 401C3 group that raises money for the Recreation Department, please attend. The next meeting will be on June 30, 2015.

**RECYCLING** – Councilwoman Montgomery was absent and nothing was reported.



Monthly Town Board Meeting  
June 4, 2015

**PLANNING BOARD** - Councilman Flaherty attended the May 21, 2015 meeting. There were two items on the agenda; Grasso and Sabatini. The next meeting will be held on June 18, 2015.

**ZONING** – Councilman Van Tassel reported that there was no meeting in June. The next meeting will be July 13, 2015 at 7:30pm. There will be a venue change and he believes it will be at the Library, but this will be confirmed and everyone will be notified.

**HIGHWAY** – Councilman Van Tassel read the report submitted by Roger Chirico, Highway Superintendent that is on file at the Town Clerks office.

**BUILDING & LAND ACQUISITION** – Supervisor Shea reported there was nothing to report at this time. He noted that there is an agenda item that will be addressed later in the meeting.

**BUTTERFIELD LIBRARY**- Councilman Van Tassel read the report submitted.

**PUTNAM COUNTY LEGISLATOR** – Legislator Scuccimarra was not able to attend tonight's meeting.

**TOWN OF PHILIPSTOWN  
MONTHLY REPORT OF TOWN SUPERVISOR  
MONIES RECEIVED AS OF JUNE 4, 2015**

**GENERAL & PART-TOWN FUNDS**

Rec Fees 4/15	\$37,823.18
Justice Fees 4/15	7,706.50
Rec Comm Recycle	78.75
PC Mort Tax	133,147.91
Tax Coll Misc	1.96
Tax Coll Penalty Int.	16,646.00
Tax Coll Bank Int.	172.08
Tax Coll Reminder Fee	130.00
Bank Int. 2/15 – 4/15	244.64

**HIGHWAY FUND**

NYS FEMA	\$25,262.97
Gen Ck Gas	168.98
Hwy Bank Int 2/15-4/15	338.70

**CONTINENTAL VILLAGE WATER DISTRICT**

Bank Int. 2/15 – 4/15	\$15.99
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**CONTINENTAL VILLAGE PARK DISTRICT**

Bank Int. 2/15 – 4/15	\$28.29
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Supervisor Shea announced that there was an additional item for the agenda tonight and welcomed two representatives from the Military Order of the Purple Heart, Chapter 21. He offered his apologies for being unprepared and then introduced Lt. Colonel Neil Gross (Retired), Commander of Chapter 21 and Sergeant Eugene Lang (Retired), Senior Vice Commander.

Sergeant Eugene Lang, Vietnam Combat Veteran, gave a brief history of the Purple Heart noting that The Purple Heart goes back to George Washington (1782) and then was redesigned in 1932 by General MacArthur.

Commander Neil Gross said he is proud of Putnam County for being the first County to become a Purple Heart County. He said that other counties have since followed. Commander Gross explained how important it is for our young people to understand that freedom is not free. That there has been a huge amount of sacrifice that has been given for this freedom we have. He again expressed how proud he is that Philipstown and Putnam County are a Purple Heart Town and County.

Supervisor Shea said that the Town would be sending them, The Military Order of the Purple Heart, a proclamation. He told them that if they were here on Memorial Day they would have seen the patriotic spirit that Philipstown residents possess.

## **AGENDA**

- 1. Resolution appointing Jane Ponton as a member of the Recreation Commission filling the vacancy left by Cecily Hall, whose term will expire September 1, 2015.**

### **RESOLUTION #-2015**

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

**RESOLVED**, that the Town Board hereby appoints Jane Ponton as a member of the Recreation Commission filling the vacancy left by Cecily Hall, whose term will expire September 1, 2015.

- 2. Supervisor Shea's appointment of Robert Flaherty as liaison to the following:**

- **Planning Board**
- **Village of Cold Spring**
- **Land & Building**

Supervisor Shea stated that he hereby appoints Councilman Flaherty as liaison to the Planning Board, Village of Cold Spring and Land & Building.

Supervisor Shea then asked Councilman Flaherty, with regard to Land & Buildings, to start thinking about a memorial for Betty Budney. He said that the Town would set aside money

Monthly Town Board Meeting  
June 4, 2015

for that so that a memorial could be set up in front of the Town Hall. Kim Conner asked if the public could donate to this and Supervisor Shea responded, "Absolutely, that is a great idea."

3. **Resolution authorizing Supervisor Shea to sign the Parade Permit application for the Philipstown Lacrosse Association to be held on June 7, 2015. (Nunc Pro Tunc)**

**RESOLUTION #-2015**

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

**RESOLVED**, that the Town Board hereby authorizes Supervisor Shea to sign the Parade Permit application for the Philipstown Lacrosse Association to be held on June 7, 2015.

**4. Schedule workshops/meetings.**

- **Reschedule the Monthly Town Board Meeting from July 2, 2015 to July 9, 2015**

Supervisor Shea said they want to meet next Wednesday to have a final discussion on the project for South Mountain Pass and to put to a vote the drainage project and the paving of 2,600 feet of the road. He said that this process has been exhausted. The Board has listened to both sides and a decision has to be made. He hopes to have the Boards support and feels from last night's meeting that he does. Supervisor Shea went on to say that the Highway Superintendent is anxious to get the job done and noted that we are in hurricane season and do not want to see the road wash out again. He said, "Just to be clear, we are talking about paving from the Route 9D side up to the crest of the hill where it levels off" and will not be doing extensive paving in the flat areas. Supervisor Shea said they have their concerns for taxpayer money, environmental degradation and the constancy of the Highway Departments presence there. He does understand the concerns for higher speeds and increased traffic, but in his mind, the increased traffic issue does not hold water as he does not see more people traveling from Route 9 to Route 9D. The Board will be meeting with a group that has some ideas about alternatives and will show this to the Highway Superintendent.

Councilman Flaherty had a question with regard to the test on the steep slope area. Supervisor Shea said there would have to be a representative sample and time where we see different weather conditions. This will take 5 to 6 months.

Councilman Van Tassel had a concern with regard to different signage and enforcement for speeding. Supervisor Shea said that residents could and should call the Sheriff's Department if they see anyone speeding on the road. He said that the Town will have a Sheriff there especially in the beginning to monitor the situation.

Monthly Town Board Meeting  
June 4, 2015

Councilman Leonard said that he walked the road today with some residents and noted that there is only one speed limit sign on the Route 9 side with nothing on the 9D side. He feels that this is unfair and additional signage should be put in place.

Supervisor Shea asked Councilman Van Tassel to research the town wide speed limit and whether we can have multiple speed limits.

Wednesday June 10, 2015 – Workshop - South Mountain Pass  
Village of Nelsonville

Wednesday July 8, 2015 – Pre Board

Thursday July 9, 2015 – Town Board

#### **RESOLUTION #-2015**

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

**RESOLVED**, that the Town Board hereby reschedules the July Town Board meeting from July 2, 2015 to July 9, 2015.

#### **5. Code Enforcement Report.**

Town Clerk Merando read the monthly report.

Supervisor Shea said that one thing he was compelled to say was that the Town has had some interaction with the Board of Health recently and has come into full compliance with their policy, which at times appears to be in conflict with New York State building code. Most recently they took it upon themselves to go out and start reviewing past Certificates of Occupancy. In his mind sort of harassing our residents, dragging them in and telling them that they were going to revoke their COO. Supervisor Shea thought that the fact that the Town had come to an agreement with them, sat down and talked things out, and went to court that they had agreed to move on. Only to find out that retroactively they were reviewing 19 permits. In the end not a single violation was issued and he is hoping that the issue has been laid to rest.

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

Councilman Flaherty met with a Garrison resident about the Post Office. He also talked to the Postmaster with regard to the complaints. He would like to meet with Legislator Scuccimarra in the next week or so as she has been involved with this. Supervisor Shea would also like to put Councilman Flaherty in touch with Congressman Maloney's office because they had been advised of this issue last year at a meeting at Haldane School.

Councilman Leonard toured the cemeteries this week and commented on how nice the new section of fence was at the old Cold Spring cemetery. All of the cemeteries were very

well kept and looked good. He also noted that there were several dead trees at the Cedar Avenue Cemetery that need to be taken down.

Supervisor Shea talked about getting together for identifying graves and start preparation for the headstones. He went on to thank Tony Bardes, Habitat for Revival, for the great work they did in mowing and taking care of the cemeteries for Memorial Day.

Councilman Van Tassel said that he was contacted by the Captain of the Garrison Ambulance Corp. about a problem developing with Putnam Valley Ambulance, which was affecting the Garrison Ambulance Corp. Putnam Valley was having a manpower issue and was not getting their ambulance out. Garrison Ambulance now has an EMT, and they were being called regularly to go into Putnam Valley. Supervisor Shea reached out to the Putnam Valley Supervisor and Councilman Van Tassel reached out to one of their Council members. There has now been a change in leadership and a dramatic increase in the manpower. So Supervisor Shea and Councilman Van Tassel are hoping that it will correct itself or they will meet again with Putnam Valley to work something out.

Town Clerk Merando announced that there were two additional agenda items;

- 7. For the Town Board to consent to the contract of Sale made as of the 10<sup>th</sup> day of February 2015 between the Town as the seller and Kimberly Conner the purchaser to an LLC in which Kimberly Conner will be the managing member. (Roll call vote)**

Supervisor Shea said this is a formality and has been reviewed by the Town Attorney and he is fine with it.

**RESOLUTION #-2015**

**WHEREAS**, heretofore the Town has entered into a contract to sell property located at 34 Kemble Avenue, Cold Spring, New York, to Kimberly Conner, and

**WHEREAS**, the contract does not permit assignment by the purchaser without the prior written consent of the seller, and

**WHEREAS**, the purchaser has requested that the Town consent to the assignment of the contract by the purchaser to an LLC in which the purchaser will be the managing member,

**NOW, THEREFORE, BE IT RESOLVED** as follows:

That the Town Board does hereby consent to the assignment of the contract of sale made as of the 10th day of February 2015, between the Town as the seller and Kimberly Conner as the purchaser, to an LLC in which Kimberly Conner will be the managing member.

Councilman Van Tassel presented the foregoing resolution, which was seconded by Councilman Flaherty.

Monthly Town Board Meeting  
June 4, 2015

The vote on the foregoing resolution was as follows:

Robert Flaherty, Councilman, voting	AYE
Michael Leonard, Councilman, voting	AYE
John Van Tassel, Councilman, voting	AYE
Richard Shea, Supervisor, voting	AYE
Nancy Montgomery, Councilwoman, voting	ABSENT

**8. A letter from Highway Superintendent Roger Chirico with his recommendation for awarding the bid to Basil Ford Inc. in the amount of \$39,899.00 for a 2016 4-wheel Drive Single Wheel Pickup Truck.**

Supervisor Shea said this is an action that was approved several weeks ago and which is in the budget.

**RESOLUTION #-2015**

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

**RESOLVED**, that the Town Board hereby awards the bid for a 2016 4-wheel Drive Single Rear Wheel Pickup Truck in the amount of \$39,899.00 to Basil Ford, Inc., who was the qualified bidder.

Supervisor Shea talked about the Fjord Trail. He noted that the monies, a 2013 CFA consolidated funding application, has not yet been released from Washington D.C. and he is concerned because the Parks Department will match the grant 2 to 1, but this cannot happen until those monies are released and we get the approval to start work. The sidewalk program has been approved. Sandy Galef got that money for us through a NYS Multi-modal grant. We have presented a set of plans to the Village of Cold Spring and the Rec Commission. Everyone involved has approved the plans and we are looking to release it as an RFP to get bids on this project. The last thing that needs to be addressed is meeting with the neighbors to say there is going to be a sidewalk in front of their house. One other thing that needs to be worked out is the intersection of 9D with the DOT.

**AUDIENCE**

No participation

**VACANCIES**

Monthly Town Board Meeting  
June 4, 2015

Recreation Commission (0)  
Board of Assessment Review (1)  
CV Park District Advisory Committee (3)  
CV Water District Advisory Committee (3)

### **APPROVAL OF VOUCHERS**

Councilman Van Tassel made a motion, seconded by Councilman Leonard and unanimously carried that the General Vouchers in the amount of \$95,232.53 are hereby approved as set forth in Abstract 5A & 6.

Councilman Leonard made a motion, seconded by Councilman Flaherty and unanimously carried that the Highway Vouchers in the amount of \$42,319.72 are hereby approved as set forth in Abstract 5A & 6.

Councilman Van Tassel made a motion, seconded by Councilman Flaherty and unanimously carried that the CVPD Vouchers in the amount of \$11,131.97 are hereby approved as set forth in Abstract 5A & 6.

Councilman Leonard made a motion, seconded by Councilman Flaherty and unanimously carried that the CVWD Vouchers in the amount of \$2,693.47 are hereby approved as set forth in Abstract 5A & 6.

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

Respectfully submitted by,

Theresa Crawley  
Deputy Town Clerk



Weekly Town Board Meeting  
June 10, 2015

The Town Board of the Town of Philipstown held their Weekly Meeting 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
Michael Leonard	Councilman
Robert Flaherty	Councilman

**SALUTE TO THE FLAG**

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

**AGENDA**

**1. Resolution approving the Change Order No. 1 for the South Mountain Pass Drainage Project.**

Supervisor Shea stated that there have been lengthy discussions on this matter. However, this evenings discussion is about the drainage project and not of paving. He noted that the Town Board is not entertaining public comment this evening.

Terrance Zaleski, President of the Old Roads Society, asked to address the Town Board as he was out of town during the last two meetings on this matter. He went on to say that there are serious issues that need to be heard before the Board takes a vote. He reviewed the proposed project for clarification, noting that the initial project was for 600 feet - now an additional 600 is being considered with paving of approximately 2400 to 2600 feet.

Mr. Zaleski began to give a brief history when Supervisor Shea reminded him to be brief. He referenced the budget workshop held in October where South Mountain Pass Drainage was not on the 2015 list of major projects. He then quoted the proposed budget of \$4,759 for work needed on the road, as per Highway Superintendent Roger Chirico. He said that the total capital budget for paving and culvert work to be done in all of Philipstown was \$183,983.00. He compared that amount with the costs associated with the drainage project and the change order before the Board at present, and that's not the additional costs for paving.

Supervisor Shea interjected that we currently have a surplus in the highway budget. Also, the money for paving is coming out of the chips fund.

Weekly Town Board Meeting  
June 10, 2015

Mr. Zaleski expressed his disappointment with the lack of outreach to the residents, which led to passionate verbiage. At that point, Supervisor Shea responded stating that the Board conducts all business in an open format.

Mr. Zaleski questioned the legality of the change order, that possibly a new request for bidders is warranted. He continued the discussion on procurement. He also addressed the multi model funding, at which Supervisor Shea ended his presentation.

Councilwoman Montgomery called for a discussion on this matter. She stated that at last weeks meeting she left undecided as to her vote, well aware that this project, as a whole, was leading to paving. She realizes that drainage is needed, but not necessarily the drainage proposed. She believes more time is needed to further discuss the options.

Councilman Leonard added that he has had many discussions with various residents as well as Ron Gainer, the Town Engineer. Based on this, he is disappointed in the process.

#### **RESOLUTION #**

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

**WHEREAS**, the Town Board desires to have the balance of drainage improvements originally proposed under the NYSDOT "Multi-Modal" grant completed at this time, and other necessary drainage replacements performed for the South Mountain Pass Drainage Project and;

**WHEREAS**, Change Order No. 1 has been prepared utilizing pricing contained in the Contractor's Bid pricing totaling \$121,040.60; and

**WHEREAS**, the total original Contract Price that was previously awarded to Sun-Up Enterprises, Inc. totals \$129,876.00, will increase to a total of \$250,916.60;

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board hereby approves Change Order No. 1 for the South Mountain Pass Drainage Project.

Councilwoman Montgomery and Councilman Leonard voted Nay to the change order.

Resolution adopted by majority vote.

**2. Resolution authorizing Susan Keeney to close the Valley Lane Tax Account with M & T Bank.**

**RESOLUTION #**

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

**RESOLVED**, that the Town Board hereby authorizes Susan Kenney to close the Valley Lane Tax Account with M & T Bank.

**3. Resolution authorizing Susan Kenney to close the Valley Lane Capital Account with M & T Bank.**

**RESOLUTION #**

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

**RESOLVED**, that the Town Board hereby authorizes Susan Kenney to close the Valley Lane Capital Account with M & T Bank.

**4. Resolution for New York State Retirement System – Standard Work Day and Reporting.**

**RESOLUTION #**

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

**RESOLUTION ATTACHED AS ATTACHMENT “A”**

**5. Resolution of support endorsing the Master Plan of the Hudson Highlands Fjord Trail in the Town of Philipstown.**

**RESOLUTION #**

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

**WHEREAS**, officials of the Town of Philipstown consider bicycle and pedestrian transportation and safety to be of utmost importance to the region by providing the region with recreation and transportation opportunities as well as the possibilities of economic and community development; and

**WHEREAS**, hiking opportunities in the Hudson Highlands attract thousands of visitors each year to the Route 9D corridor south of the City of Beacon in the Town of Fishkill; and

**WHEREAS**, the Towns of Philipstown and Fishkill, the City of Beacon and the Village of Cold Spring, Dutchess and Putnam counties, Scenic Hudson, Hudson Highlands Land Trust, Open Space Institute, Greenway Council have worked collaboratively with state Department of Transportation, state Office of Parks, Recreation and Historic Preservation and Metro-North Railroad to develop the concept and build support for the

Weekly Town Board Meeting  
June 10, 2015

Hudson Highlands Fjord Trail way as a means of improving visitor safety, visitor access and economic development to the surrounding area; and

**WHEREAS**, many agencies have pledged funding for the Hudson Highlands Fjord Trail including the Hudson Highlands Land Trust, NYS Hudson River Valley Greenway, Hudson River Foundation, and Open Space Institute. Additional support from Scenic Hudson, Town of Philipstown, Town of Fishkill, Village of Cold Spring, City of Beacon, Friends of Fahnestock and Hudson Highlands State Par, NY-NJ Trail Conference, Little Stony Point Citizens Association, NYS Office of Parks, Recreation and Historic Preservation, NYS Department of Transportation, and Metro-North Railroad; and

**WHEREAS**, Town of Philipstown has reviewed the Hudson Highlands Fjord Trail Master Plan; and

**WHEREAS**, officials of the Town of Philipstown feel that it is in the best interest of the citizens of the Town to endorse said plan;

**NOW, THEREFORE BE IT RESOLVED**, that the Town of Philipstown hereby endorses the Hudson Highlands Fjord Trail Master Plan and its goals and pledges to work with the lead agency to conduct the required environmental review.

**6. Workshop with the Village of Nelsonville re: Shared Services.**

Town Clerk Merando was excused from the workshop at 7:55 p.m.

Respectfully submitted by,

Tina M. Merando  
Town Clerk



Office of the New York State Comptroller  
New York State and Local Retirement System  
Employees' Retirement System  
Police and Fire Retirement System  
110 State Street, Albany, New York 12244-0001

## ATTACHMENT A

# Standard Work Day and Reporting Resolution for Elected and Appointed Officials Continuation Form

### RS 2417-B

(Rev. 3/14)

Title	Standard Work Day (Hrs/day) Min. 6 hrs, Max. 8 hrs	Name (First & Last)	Social Security Number (Last 4 digits)	Registration Number	Tier 1 (Check only if member is in Tier 1)	Current Term Begin & End Dates  (mm/dd/yy-mm/dd/yy)	Participates in Employer's Time Keeping System  (Yes/No-If Yes, do not complete the last two columns)	Record of Activities Result*	Not Submitted  (Check only if official did not submit their Record of Activities)
<b>Elected Officials</b>									
Town Clerk	7.0	Tina M. Merando	4954	37317278	<input type="checkbox"/>	01-01-12/12/31/15	N	22.47	<input type="checkbox"/>
					<input type="checkbox"/>				<input type="checkbox"/>
					<input type="checkbox"/>				<input type="checkbox"/>
					<input type="checkbox"/>				<input type="checkbox"/>
					<input type="checkbox"/>				<input type="checkbox"/>
					<input type="checkbox"/>				<input type="checkbox"/>
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					<input type="checkbox"/>				<input type="checkbox"/>
					<input type="checkbox"/>				<input type="checkbox"/>
					<input type="checkbox"/>				<input type="checkbox"/>
					<input type="checkbox"/>				<input type="checkbox"/>
<b>Appointed Officials</b>									
Deputy Town Clerk	7.0	Joan Clauss	0676	41600461	<input type="checkbox"/>	01-01-15/12-31-15	Y		<input type="checkbox"/>
Deputy Town Clerk	7.0	Theresa Crawley	0601	43158765	<input type="checkbox"/>	01-01-15/12-31-15	Y		<input type="checkbox"/>
Court Clerk	7.0	Rosemarie Bernascon	5184	41244948	<input type="checkbox"/>	01-01-15/12-31-15	Y		<input type="checkbox"/>
Court Clerk	7.0	Annette Flaherty	2242	50325729	<input type="checkbox"/>	01-01-15/12-31-15	Y		<input type="checkbox"/>
					<input type="checkbox"/>				<input type="checkbox"/>
					<input type="checkbox"/>				<input type="checkbox"/>
					<input type="checkbox"/>				<input type="checkbox"/>
					<input type="checkbox"/>				<input type="checkbox"/>
					<input type="checkbox"/>				<input type="checkbox"/>
					<input type="checkbox"/>				<input type="checkbox"/>
					<input type="checkbox"/>				<input type="checkbox"/>
					<input type="checkbox"/>				<input type="checkbox"/>
					<input type="checkbox"/>				<input type="checkbox"/>
					<input type="checkbox"/>				<input type="checkbox"/>



Office of the New York State Comptroller  
New York State and Local Retirement System  
Employees' Retirement System  
Police and Fire Retirement System  
110 State Street, Albany, New York 12244-0001

# Standard Work Day and Reporting Resolution for Elected and Appointed Officials

**RS 2417-A**

(Rev. 3/14)

BE IT RESOLVED, that the Town of Philipstown / 30098 hereby establishes the following standard work days for these titles and  
(Name of Employer) (Location Code)

will report the officials to the New York State and Local Retirement System based on time keeping system records or their record of activities:

Title	Standard Work Day (Hrs/day) Min. 6 hrs Max. 8 hrs	Name (First and Last)	Social Security Number (Last 4 digits)	Registration Number	Tier 1 (Check only if member is in Tier 1)	Current Term Begin & End Dates (mm/dd/yy-mm/dd/yy)	Participates in Employer's Time Keeping System (Yes/No-If Yes, do not complete the last two columns)	Record of Activities Result*	Not Submitted (Check only if official did not submit their Record of Activities)
<b>Elected Officials</b>									
Town Clerk	7.0	Tina M. Merando	4954	37317278	<input type="checkbox"/>	01-01-12/12-31-15	N	22.47	<input type="checkbox"/>
					<input type="checkbox"/>				<input type="checkbox"/>
					<input type="checkbox"/>				<input type="checkbox"/>
<b>Appointed Officials</b>									
Deputy Town Clerk	7.0	Joan Clauss	0676	41600461	<input type="checkbox"/>	01-01-15/12-31-15	Y		<input type="checkbox"/>
Deputy Town Clerk	7.0	Theresa Crawley	0601	43158765	<input type="checkbox"/>	01-01-15/12-31-15	Y		<input type="checkbox"/>
					<input type="checkbox"/>				<input type="checkbox"/>

## SEE INSTRUCTIONS FOR COMPLETING FORM ON REVERSE SIDE

I, Tina M. Merando, secretary/clerk of the governing board of the Town of Philipstown, of the State of New York,  
(Name of secretary or clerk) (Circle one) (Name of Employer)  
do hereby certify that I have compared the foregoing with the original resolution passed by such board at a legally convened meeting held on the 10th day of  
June, 20 15 on file as part of the minutes of such meeting, and that same is a true copy thereof and the whole of such original.

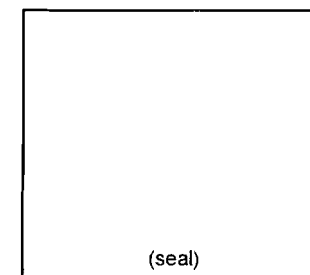
IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the Town of Philipstown on this 10th day  
of June, 20 15,  
(Signature of the secretary or clerk) (Name of Employer)

**Affidavit of Posting:** I, Tina M. Merando, being duly sworn, deposes and says that the posting of the  
(Name of secretary or clerk)  
Resolution began on 6/10/15 and continued for at least 30 days. That the Resolution was available to the public on the  
(Date)

☒ Employer's website at www.philipstown.com

☒ Official sign board at 238 Main Street, Cold Spring, New York 10516

☒ Main entrance secretary or clerk's office at 238 Main Street, Cold Spring, New York 10516





Office of the New York State Comptroller  
New York State and Local Retirement System  
Employees' Retirement System  
Police and Fire Retirement System  
110 State Street, Albany, New York 12244-0001

# Standard Work Day and Reporting Resolution for Elected and Appointed Officials

**RS 2417-A**  
(Rev. 3/14)

BE IT RESOLVED, that the Town of Philipstown / 30098 hereby establishes the following standard work days for these titles and  
(Name of Employer) (Location Code)

will report the officials to the New York State and Local Retirement System based on time keeping system records or their record of activities:

Title	Standard Work Day (Hrs/day) Min. 6 hrs Max. 8 hrs	Name (First and Last)	Social Security Number (Last 4 digits)	Registration Number	Tier 1 (Check only if member is in Tier 1)	Current Term Begin & End Dates (mm/dd/yy-mm/dd/yy)	Participates in Employer's Time Keeping System (Yes/No-If Yes, do not complete the last two columns)	Record of Activities Result*	Not Submitted (Check only if official did not submit their Record of Activities)
<b>Elected Officials</b>									
					<input type="checkbox"/>				<input type="checkbox"/>
					<input type="checkbox"/>				<input type="checkbox"/>
					<input type="checkbox"/>				<input type="checkbox"/>
<b>Appointed Officials</b>									
Court Clerk	7.0	Rosemarie Bernasconi	5184	41244948	<input type="checkbox"/>	01-01-15/12-31-15	Y		<input type="checkbox"/>
Court Clerk	7.0	Annette Flaherty	2242	50325729	<input type="checkbox"/>	01-01-15/12-31-15	Y		<input type="checkbox"/>
					<input type="checkbox"/>				<input type="checkbox"/>

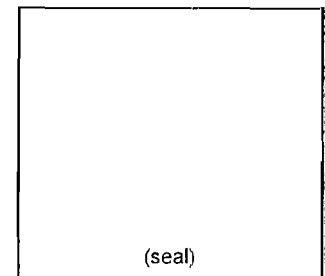
**SEE INSTRUCTIONS FOR COMPLETING FORM ON REVERSE SIDE**

I, Tina M. Merando, secretary/clerk of the governing board of the Town of Philipstown, of the State of New York,  
(Name of secretary or clerk) (Circle one) (Name of Employer)  
do hereby certify that I have compared the foregoing with the original resolution passed by such board at a legally convened meeting held on the 10th day of June, 20 15 on file as part of the minutes of such meeting, and that same is a true copy thereof and the whole of such original.

**IN WITNESS WHEREOF**, I have hereunto set my hand and the seal of the Town of Philipstown on this 10th day  
of June, 20 15,  
(Signature of the secretary or clerk) (Name of Employer)

**Affidavit of Posting:** I, Tina M. Merando, being duly sworn, deposes and says that the posting of the  
(Name of secretary or clerk)  
Resolution began on 6/10/15 and continued for at least 30 days. That the Resolution was available to the public on the  
(Date)

- ☒ Employer's website at www.philipstown.com  
☒ Official sign board at 238 Main Street, Cold Spring, New York 10516  
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Office of the New York State Comptroller  
New York State and Local Retirement System  
Employees' Retirement System  
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110 State Street, Albany, New York 12244-0001

## Recertification of the Record of Activities

**RS 2419**

(Rev. 9/12)

I, Tina M. Merando, certify that I completed a 3-month record of activities for the term that began 01-01-2012 for my position as Town Clerk.

I attest that the record of activities maintained for the above named term is still representative of my hours worked and that my responsibilities have not substantially or materially changed. My current term begins on 01-01-2012 and ends on 12-31-2015.

\_\_\_\_\_  
Signature of Member

June 10, 2015  
Date

NYSLRS Registration Number: 37317278

Employer Location Code: 30098

NOTE: A record of activities and any certification based upon such record shall not be valid for more than eight years from the date of the taking of office for which the record of activities was initially maintained.

Please keep this form on file in your records and submit a copy to NYSLRS only upon request.



Weekly Town Board Meeting  
June 17, 2015

The Town Board of the Town of Philipstown held their Weekly Meeting on the above date at 7:30 p.m. at the VFW Hall, 34 Kemble Avenue, Cold Spring, New York, 10516.

**PRESENT:**

Richard Shea	Supervisor
Nancy Montgomery	Councilwoman
John Van Tassel	Councilman
Michael Leonard	Councilman
Robert Flaherty	Councilman

**SALUTE TO THE FLAG**

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

**AGENDA**

**1. Resolution proclaiming the Town of Philipstown “A Purple Heart Town.”**

**RESOLUTION #**

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

**WHEREAS**, the Purple Heart is awarded to men and women in the U.S. Military who were wounded or killed in combat by enemy forces while defending the United States of America; and

**WHEREAS**, the Town Board of the Town of Philipstown salutes all the brave men and women who paid the ultimate price of freedom by leaving their families, friends and communities, and placing themselves in harms way for the good and protection of all Americans; and

**WHEREAS**, the Town Board of the Town of Philipstown acknowledges the heroic contributions and sacrifices of these men and women in the military because they are the foundation in maintaining the freedoms and way of life for all Americans; and

**WHEREAS**, the Town Board of the Town of Philipstown recognizes the men and women of the military who reside in the Town of Philipstown, who paid the ultimate sacrifice while serving in the armed forces and who are the recipients of the Purple Heart Medal. We honor them and commend them for their acts of bravery;

**NOW, THEREFORE, BE IT RESOLVED**, by order of the Town Board of the Town of Philipstown, who hereby proclaims the Town of Philipstown as “ A

Weekly Town Board Meeting  
June 17, 2015

**PURPLE HEART TOWN**” and recognizes the dedication and sacrifices of all men and women in the United States Military who valiantly serve to protect the freedoms enjoyed by all Americans. God bless our armed forces and God bless the United States of America

There being no further business to discuss, the Weekly Meeting ended at 7:55 p.m.

Respectfully submitted by,

Tina M. Merando  
Town Clerk

Weekly Town Board Meeting  
June 24, 2015

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

**PRESENT:**

Richard Shea	Supervisor
Nancy Montgomery	Councilwoman
John Van Tassel	Councilman (arrived late)
Michael Leonard	Councilman
Robert Flaherty	Councilman

**AGENDA**

**1.Resolution scheduling a Public Hearing for a proposed Local Law to amend Town Code Chapter 89 “Filming” by changing the title of the Chapter to “Filming, Events and Mass Gatherings” and amending the provisions of the Chapter to provide for regulation of Events and Mass Gatherings. (Suggested date July 9, 2015 @ 7:15 p.m.)**

Supervisor Shea gave a brief overview of the proposed law, pointing out that this is something to give institutional land owners the opportunity to hold unusual gatherings without going through a full blown site plan review. This could benefit private landowners wishing to have larger gatherings. There is no mechanism in place to allow people the right of assembly. He noted that the Planning Board had some comments, which can be amended, and the Town Board can sit down with them to further discuss this matter. Supervisor Shea noted that he wants to move forward with this process, as summertime is a busy time for events. The Town Board will issue permits. He also stated that safety is at the forefront of this proposed law, requiring fire apparatus on site.

He went on to say that one comment from the Planning Board was to increase the number of people attending an event. He believes that there was a bit of misunderstanding with the Planning Board as to the thrust of what the Town Board was trying to achieve. This law is certainly not intended to put more restrictions on gatherings or events.

Councilman Flaherty referenced Section 6, paragraph G, requiring that fire apparatus be on site during the event. He pointed out that all fire companies are manned with volunteers and asked whether or not a fee is associated with this.

Supervisor Shea responded saying that he believes that there would be discussions between the fire companies and the applicant. He is aware that there have been some discussions between Glynwood and the North Highlands Fire Company. It is his feeling that no one is going to contact a fire company and assume they just going to arrive. It is his belief that there will be a discretionary donation made. Supervisor Shea stated that there is awareness that these are

volunteers and is a valuable service for them. They are serving not only for emergencies, but are also showing support to the community.

**RESOLUTION #**

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

**RESOLVED**, that the Town Board hereby authorizes Town Clerk Merando to advertise a Public Hearing for a proposed Local Law to amend Town Code Chapter 89 "Filming" by changing the title of the Chapter to "Filming, Events and Mass Gatherings" and amending the provisions of the Chapter to provide for regulation of Events and Mass Gatherings to be held on July 9, 2015 at 7:15 p.m. at the Town Hall, 238 Main Street, Cold Spring, New York.

**2. Resolution appointing Michael Carr as Deputy Code Enforcement Officer at the rate of pay not to exceed \$50.00 per hour.**

**RESOLUTION #**

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

**RESOLVED**, that the Town Board appoints Michael Carr to serve as Deputy Code Enforcement Officer at the rate of pay not to exceed \$50.00 per hour.

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

Councilwoman Montgomery stated the she and Town Clerk Merando attended a meeting on the 2015 Consolidated Funding Grant application that the county would like the Town of Philipstown to participate in, as is every other municipality in Putnam County. They are asking for a letter of intent. It was noted that the county would be covering the match in the amount of \$125,000.00.

The Town needs to review projects that they would like to see come to fruition. Councilwoman Montgomery pointed out that the monies would be used for a feasibility study involving countywide projects, thus splitting the funding between all municipalities. The main focuses at the meeting were subjects such as tourism, trails, and recreation.

Town Clerk Merando reported that she attended the regional conference on this grant opportunity months ago. She reported to the Town Board that another area of interest for this funding was creating hamlets. She referenced the Fishkill Road Project and the installation of sidewalks. Supervisor Shea recalled the project, which would allow traversing via sidewalks from the field to the plaza. Councilwoman Montgomery noted that there is a detailed study for that on the county website. Other municipalities in the county are also considering

Weekly Town Board Meeting  
June 24, 2015

hotel/motel/ bed and breakfast facilities. It was noted that there are no restrictions in our town's zoning for that use. She would like to see a feasibility study to assist emergency services, as tourism has generated many emergency calls over taxing the services. Councilwoman Montgomery asked that the Town Board put some thought into this and she will draft a letter for the Board to act upon at the July Town Board meeting.

There being no further business to discuss, Councilwoman Montgomery made a motion seconded by Councilman Van Tassel and unanimously carried to close the Weekly Meeting at 7:55 p.m.

Respectfully submitted by,

Tina M. Merando, Town Clerk

Town of Philipstown  
July 2015 Monthly Board  
Meeting  
Butterfield Library Report

- 
- Over 450 people enjoyed Big Truck Day! Thank you to Haldane Honor Society students and the Cold Spring Fire Company, Philipstown Ambulance, Village of CS, Haldane, Lisikatos Construction, Polhemus Construction, Sal Pidala, and Downey Energy. Together you raised over \$2000 for the library.
- Summer Reading programs have begun – children of all ages can sign up for our reading programs at [butterfieldlibrary.org](http://butterfieldlibrary.org).
- Haldane required summer lists are also posted on the library's website. The library has purchased multiple copies of most required books, but if you need a copy we don't own we will purchase it for you.
- Museum passes are available to library patrons in Philipstown. These are in high-demand during the summer months, but we will do our best to accommodate our users.
- The library offers home delivery to any Philipstown homebound resident. It's easy to sign up, just contact the library 265-3040 or [jblstaff@gmail.com](mailto:jblstaff@gmail.com).

For more information regarding anything about the library, visit us online at [butterfieldlibrary.org](http://butterfieldlibrary.org).

**WHEREAS**, on behalf of the Town of Philipstown, we wish to extend our sincere condolences over the passing of Marlene Bowman; and

**WHEREAS**, Marlene's death leaves our community with a deep feeling of sorrow for the loss of such an honored and respected citizen;

**WHEREAS**, Marlene served this community as Philipstown Court Clerk since 1982 and retired on March 23, 2007; and

**WHEREAS**, Marlene earned the respect, admiration and high regard of all with whom she came into contact, and our community has sustained a great loss in her death; and

**WHEREAS**, Marlene was a shining example of a person who demonstrated how much she cared for her community;

**NOW, THEREFORE, BE IT RESOLVED**, in recognition of Marlene's contributions to our community and its citizens, we hereby express our deep appreciation for her service to our community and extend to her family our sincere sympathy upon her passing.

2



Town Clerk <townclerk@philipstown.com>

---

## How Green is My Town

1 message

---

**karen ertl** <kaertl@optimum.net>  
To: townclerk@philipstown.com

Thu, Jun 25, 2015 at 11:46 AM

I see my mistake - Fingers must have moved too quickly. Sorry for the mix-up. Karen Ertl

----- Begin forwarded message -----

Subject: Board appointment  
Date: 06/10/15 08:51:54 AM  
From: "karen ertl"  
To: townclerk@philipstown.com, supervisor@philipstown.com

Good morning -

My name is Karen Ertl and I am the Conservation Chairperson for the Philipstown Garden Club. This spring we did a survey with the town, "How Green is My Town", in an attempt to examine current green energy policies in the Town of Philipstown and seek strategies that would allow for the development of a plan to prepare for future growth. We would like to request an opportunity to share our results with the board during the July Board meeting.

I have been in contact with Supervisor Shea's office and they are aware of our request.

Please feel free to contact me for more information or clarification of this request.

Thank you - Karen Ertl

kaertl@optimum.net  
845-424-3343



**Resolution to Hold Public Hearing  
to Consider Fire District Formation**

Resolution # \_\_-2015

WHEREAS, Town Law §170(2) authorizes a town board to establish in the whole or a portion of such town a fire district for the purposes stated in such law provided all of the territory in such fire district shall be contiguous, and

WHEREAS, it appears to the Town Board of the Town of Philipstown that the consideration of the formation of a fire district in the area now comprising the Garrison Fire Protection District within the Town of Philipstown may be in the public interest, and a public hearing on the formation of a fire district should be held for such purposes, pursuant to Town Law §171;

NOW THEREFORE, it is hereby

RESOLVED, that the Town Board of the Town of Philipstown shall convene and conduct a public hearing on August \_\_, 2015 at \_\_:00 p.m. at the Philipstown Town Hall in the Town of Philipstown for the purpose of considering the establishment of a fire district and that notice thereof be given by the Town Clerk as required by law.

Council Member \_\_\_\_\_ moved, Council Member \_\_\_\_\_ seconded, and the Town Board voted as follows:

Name:	Voting: Aye or Nay:
Supervisor Shea	_____
Councilwoman Montgomery	_____
Councilman Van Tassel	_____
Councilman Leonard	_____
Councilman Flaherty	_____

The foregoing resolution was thereupon declared duly adopted.

July \_\_, 2015

\_\_\_\_\_  
Tina M. Merando, Town Clerk  
Town of Philipstown

**Resolutions for Consideration of the Dissolution of the  
Garrison Fire Protection District of the Town of Philipstown**

**WHEREAS**, pursuant to General Municipal Law §773 the Town Board of the Town of Philipstown ("Town Board"), as the governing body of the Garrison Fire Protection District of the Town of Philipstown, a local government entity pursuant to General Municipal Law §750, may, by resolution, endorse a proposed dissolution plan for the purpose of commencing dissolution proceedings under Article 17A of the General Municipal Law; and

**WHEREAS**, pursuant to Town Law §170 (2) the Town Board may upon its own motion and without a petition establish fire districts; and

**WHEREAS**, the Town Board is considering the dissolution of the existing Garrison Fire Protection District of the Town of Philipstown ("Fire Protection District") and the creation of the Garrison Fire District may be in the public interest; and

**WHEREAS**, the Town Board, as the governing body of the Fire Protection District, has received and considered a Proposed Dissolution Plan for the Garrison Fire Protection District of the Town of Philipstown, for the purpose of commencing dissolution proceedings under Article 17A of the General Municipal Law, a copy of which Proposed Dissolution Plan is attached to these Resolutions as Exhibit 1;

**NOW THEREFORE**, it is hereby

**RESOLVED**, that no later than five business days after adoption of these Resolutions, a copy of the Proposed Dissolution Plan, along with a descriptive summary thereof, to be displayed and readily accessible to the public for inspection in a public place or places within the Garrison Fire Protection District of the Town of Philipstown; and it is further

**RESOLVED**, that the Proposed Dissolution Plan, along with a descriptive summary thereof and a reference to the public place or places within the Garrison Fire Protection District of the Town of Philipstown where a copy thereof may be examined, shall be displayed on the website maintained by the Town of Philipstown; and it is further

**RESOLVED**, that a descriptive summary of the Proposed Dissolution Plan and a reference to the public place or places within the Garrison Fire Protection District of the Town of Philipstown where a copy of the Proposed Dissolution Plan may be examined, be published at least once each week for four

successive weeks in a newspaper having a general circulation within the Garrison Fire Protection District of the Town of Philipstown; and it is further

**RESOLVED**, that the Town Board of the Town of Philipstown shall convene and conduct a public hearing on August \_\_, 2015 at \_\_:00 p.m. at the Philipstown Town Hall in the Town of Philipstown for the purpose of considering the of the Proposed Dissolution Plan of the Garrison Fire Protection District of the Town of Philipstown and that notice thereof shall be given by the Town Clerk as required by law.

Council Member \_\_\_\_\_ moved, Council Member \_\_\_\_\_ seconded, and the Town Board voted as follows:

Name:	Voting: Aye or Nay:
Supervisor Shea	_____
Councilwoman Montgomery	_____
Councilman Van Tassel	_____
Councilman Leonard	_____
Councilman Flaherty	_____

The foregoing resolutions were thereupon declared duly adopted.

July \_\_, 2015

\_\_\_\_\_  
Tina M. Merando, Town Clerk  
Town of Philipstown

## **EXHIBIT 1**

### **Proposed Dissolution Plan**

#### **Garrison Fire Protection District of the Town of Philipstown**

1. The name of the local government entity to be dissolved is the "Garrison Fire Protection District of the Town of Philipstown" (the "Fire Protection District") which was established by resolution of the Town Board of the Town of Philipstown on June 21, 1965.

2. The territorial boundaries of the Fire Protection District is set forth in Schedule A hereto and is wholly outside of any city or village.

3. The type of local government entity is a fire protection district under Town Law Article 11.

4. The fiscal estimate of the cost of dissolution is minimal, consisting only of the costs for legal, publication and filing fees, if any, attributable to the process of dissolution.

5. There will be no transfer or elimination of public employees in the dissolution of the Fire Protection District.

6. The Fire Protection District has no assets, including but not limited to real and personal property, other than accumulated Length of Service Award Program ("LOSAP") funds which funds will be transferred to the new Garrison Fire District upon its formation.

7. The Fire Protection District has no liabilities and indebtedness, bonded or otherwise other than accumulated and future payments of LOSAP benefits, which liabilities will be transferred to the new Garrison Fire District upon its formation and which Fire District will be fully responsible for sponsoring and administering such LOSAP thereafter.

8. There are no agreements entered into with the Town of Philipstown in order to carry out the dissolution.

9. The manner and means by which the residents of the Fire Protection District will continue to be furnished municipal services following the dissolution of the Fire Protection District is the creation of a new Fire District into the whole of the existing Fire Protection District and upon formation of the Fire District it will provide all the same fire and emergency services currently provided by or through the Fire Protection District.

## **EXHIBIT 1**

10. The Fire Protection District's assets consisting solely of accumulated Length of Service Award Program ("LOSAP") funds will be transferred to the new Garrison Fire District upon creation, which Fire District will be fully responsible for sponsoring and administering such LOSAP thereafter. There will be no further asset acquisition, liabilities or indebtedness incurred in 2015.

11. There will be no local laws, ordinances, rules or regulations of the Fire Protection District which shall remain in effect after the effective date of the dissolution or that will remain in effect for a period of time other than as provided in General Municipal Law 789.

12. The proposed dissolution shall take place upon the formation of the Garrison Fire District and the formation of such Fire District is a condition precedent to the within dissolution.

13. The time and place for the public hearing on the proposed dissolution plan shall be made pursuant to General Municipal Law 776.

Dated: July 9, 2015

TOWN BOARD OF THE TOWN OF PHILIPSTOWN

## SCHEDULE A

ALL that area in and section of the Town of Philipstown, bounded and described as follows:

BEGINNING at a point in the center line of the present New York-Albany Post Road (U.S. Route 9), where same intersects the Southerly line of the Town of Philipstown and the Northerly line of the County of Westchester;

THENCE running Northerly along the center line of said U.S. Route 9 to a point where same is intersected by the Southwesterly prolongation of the Southeasterly line of property of the Franciscan Friars of Atonement (Graymoor);

THENCE Northeasterly along said prolongation of the Southeasterly line of the Franciscan Friars of Atonement and continuing Northeasterly along the Southeasterly and Southerly line of said Franciscan Friars of Atonement to a point in the center line of Old West Point Road;

THENCE running Easterly along the center line of the Old West Point Road to a point where same intersects the center line of the Old Albany Post Road;

THENCE Northerly along the center line of the Old Albany Post Road to a point where same intersects the Catskill Aqueduct;

THENCE Northerly along the line of the Catskill Aqueduct to a point where said line meets the line of the property of the Franciscan Friars of Atonement;

THENCE continuing Northerly along the line of the land of the Franciscan Friars of Atonement to a point where said line intersects the Easterly line of the lands of the Cattell Realty Corporation;

THENCE Northerly along the Easterly line of said Cattell Realty Corporation to a point where same intersects the Southerly line of property now or formerly of Herman Stapf and George Stapf;

THENCE running Easterly along said Southerly line of Stapf, crossing the Old Albany Post Road and continuing along the Southerly line of land now or formerly of Stapf to a point where said line intersects the Easterly line of the Town of Philipstown and the Westerly line of the Town of Putnam Valley;

THENCE running Northerly along the Westerly boundary of the Town of Putnam Valley and Easterly boundary of the Town of Philipstown to a point where said line intersects the boundary between the Southerly line of Haldane Central School District No. 1 and the Northerly line of the Garrison Union Free School District;

THENCE running Westerly along the Southerly boundary line of the Haldane Central School District No. 1 to a point where said line intersects the center line of the Catskill Aqueduct;

THENCE running Southerly along the center line of the Catskill Aqueduct to a point where said center line intersects the center line of Indian Brook;

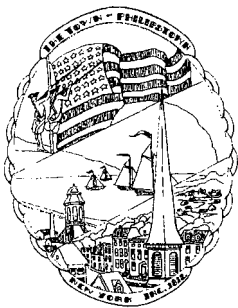
THENCE running Westerly and Southerly along the center line of said Indian Brook to the mouth of said Brook;

THENCE running Southwesterly to a Southwest corner of a trestle or bridge of the New York Central Railroad;

THENCE running West to the East bank of the Hudson River;

THENCE running Southerly along the East bank of the Hudson River to the Northerly line of the County of Westchester and the Southerly line of the Town of Philipstown;

THENCE running Easterly along the boundary of the Northerly line of Westchester County and the Southerly line of the Town of Philipstown to the center line of the New York Albany Post Road (U.S. Route 9) the point and place of BEGINNING.



## 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  
MICHAEL LEONARD, COUNCILMAN  
ROBERT FLAHERTY, COUNCILMAN

June 30, 2015

Dennis Murray, Co-Chair  
Leonard S. Schleifer, Co-Chair  
Mid-Hudson Regional Economic Development Council  
33 Airport Center, Drive #201  
New Windsor, NY 12553

Dear Members of the Council:

I am writing to you on behalf of the Town Board of the Town of Philipstown in support of Manitoga's 2016 NYS Consolidated Funding Application. If funded, the project will ensure access for fire and emergency vehicles to protect this National Historic Landmark, improve safety for pick-up and drop-off at the Manitoga Summer Nature and Design Camp and other programs, and facilitate visits from those who arrive in our community by public and private transportation.

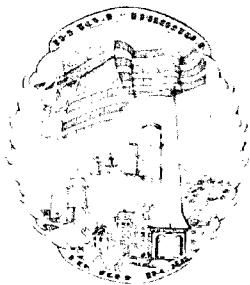
Manitoga is a major cultural tourism destination in Philipstown and our region. It is the only National Historic Landmark in Putnam County and among the few modern National Historic Landmarks open to the public in the country. This grant will ensure that this cultural treasure will be appreciated by many and protected for years to come.

Because of the above reasons, the Town Board of the Town of Philipstown endorses Manitoga's 2016 Consolidated Funding Grant application.

Sincerely,

Richard Shea  
Supervisor





## Town of Philipstown

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

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

# Memo

To: Town Board  
From: Kevin Donohue, Code Enforcement Officer  
Date: 6/25/2015  
Re: Revision to the 2015 Fee Schedule

---

I would like to request a revision to the 2015 Fee Schedule for Tenant Space Fire Inspections. The revision adjusts the “application of the fee” to the actual work performed by the office.

Underlined = Add    ~~Strikethrough~~ = Delete

I would like to propose the following changes to the Fee Schedule on pages 11;

### **C. Supplemental Fees**

(6) Fire safety and property maintenance inspections fee:

(a) Minimum - \$100

add for commercial building area - .02 cents per square

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

(b) Tenant Spaces Request for separate report - \$50 each

# Town of Philipstown - 2015 Fee Schedule

Effective March 18, 2015

(5) Minimum Fee - \$250

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

## C. Supplemental Fees

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

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

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

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

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

(6) Fire safety and property maintenance inspections fee:

(a) Minimum - \$100

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

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

(7) Operational Permits

(a) Minimum \$200

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

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

(8) Bedroom Count Fee - \$25

Existing →

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

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

- a) Solid Fuel and Gas Heating Appliances
- b) Heating producing equipment and piping and duct systems
- c) Electrical Equipment and systems
- d) Flammable and Combustibles Gas and Liquid storage (above tank) and piping systems
- e) Flammable and Combustibles Gas and Liquid storage (underground tank) and piping systems-add \$100 to above fee.

**RESOLUTION #**

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

**RESOLVED**, that the Town Board hereby revises the Fee Schedule for the Town of Philipstown for "Tenant Space Fire Inspections." and

**BE IT FURTHER RESOLVED**, that the revision adjusts the "application of the fee" to the actual work performed by the office as submitted by Kevin Donohue, Code Enforcement Office.

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**RESOLUTION #**

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

**WHEREAS**, the Town Board has introduced Local Law No. 2 of the year 2015 entitled a Local Law to amend Town Code Chapter 89 "Filming" by changing the title of the Chapter to "Filming, Events and Mass Gatherings" and amending the provisions of the Chapter to provide for regulation of Events and Mass Gatherings; 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 on July 9, 2015 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 has determined that the adoption of the Local Law No. 2 of the year 2015 will not result in any significant adverse environmental impacts and does hereby adopt the Negative Declaration attached hereto.

**RESOLUTION #**

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

**WHEREAS**, the Town Board has considered the adoption of Local Law No. 2 of the year 2015 entitled a Local Law to amend Town Code Chapter 89 "Filming" by changing the title of the Chapter to "Filming, Events and Mass Gatherings" and amending the provisions of the Chapter to provide for regulation of Events and Mass Gatherings; and

**WHEREAS**, following due notice, the Town Board held a public hearing on July 9, 2015 on the proposed local law;

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board does hereby adopt Local Law No. 2 of the year 2015 entitled a Local Law to amend Town Code Chapter 89 "Filming" by changing the title of the Chapter to "Filming, Events and Mass Gatherings" and amending the provisions of the Chapter to provide for regulation of Events and Mass Gatherings

**TOWN OF PHILIPSTOWN**  
**P.O. Box 155, 238 Main Street, Cold Spring, NY 10516**  
**Tel.: (845)265-3329 Fax: (845)265-3958**



**Application for Filming Permit**

**Applicant:** Possible Productions, Inc.  
(Name of Company and/or Individual)  
25 Washington Ave, Suite 4400  
(Street Address)  
Brooklyn, NY 10205 917.671.4250  
(Locality) (State) (Zip) (Telephone)

**Contact Information**

Supply the name, address, local telephone number and cell number of the person who will be available 24 hours a day during the activity. This person should have control and responsibility for the direction of all participants in the permitted activity and for the property for which the activity is permitted.

Riley Malone  
(Name of Individual)  
25 Washington Ave, Suite 4400 Brooklyn, NY 11205  
(Street Address) (Locality) (State) (Zip)  
917.671.4250 512.925.9830  
(Telephone Number) (Cell Number)

If applicant is not owner or tenant in possession of property where filming is to take place, supply owner information below:

**OWNER:** ① Frank D Barri (The Chalet) ② Elizabeth Nealey  
(Owner of Property) 3250 NY-9D 501 Lane Gate Rd  
① 845.265.2600 Cold Spring, NY 10516 ② Cold Spring, NY 10516  
(Telephone Number) (Cell Number)

**FILMING FORMAT**

Student ☐ Public Service,  
Teaching or Not-for-Profit ☐ Agency Advertising ☐ Feature Film,  
TV, or Video ☒  
☐ Private Property ☐ Public Property ☐

**PROJECT NAME:** The Affair Season 2  
(Name of Person or Entity Being Filmed)

**LOCATION:** ① The Chalet 3250 NY-9D ② 501 Lane Gate Road  
(Street Address) (Locality)

**FILMING DATES:** 6.16.15 **HOURS:** Noon - 3  
6.16.15 3p - 7p

(APPLICATION CONTINUED)

**DESCRIPTION OF ALL VEHICLES, EQUIPMENT, PROPS AND SETS TO BE USED IN CONNECTION WITH FILMING:**

Vehicles: 10 personal cars; 1 box truck, 1 stake bed pickup

Equipment: Camera equipment, Grip, lighting, 10x10 tent

Props: picture car - small coyote truck  
picture car - Ford pickup

Sets: n/a

Outdoor Lighting: 2 10K lights

**Attach child performer permit(s) for each performer under 18.**

**OTHER INFORMATION AS MAY BE REQUIRED BY THE TOWN:**

**TOWN OF PHILIPSTOWN**

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

Tel.: (845)265-3329 Fax: (845)265-3958

Applicant: \_\_\_\_\_

Date

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

Title: \_\_\_\_\_

The Owner hereby consents to this Application and the filming to be done hereunder:

Signature of Owner(s)

Date

**RELEASE AND INDEMNITY OF LIABILITY**

In consideration of permission granted by the Town of Philipstown for the use of the above Filming Permit:

The undersigned applicant hereby releases from liability, absolves and agrees to defend, indemnify and hold harmless the Town of Philipstown, its officers, officials, employees, agents and volunteers, from and against any and all claims, actions at law, damages and/or liability, including expenses, attorney's fees, losses, claims, recoveries, judgments and causes of action whatsoever arising out of the grant of this filming permit. If, as a result of the grant of this filming permit, damage is sustained to any property owned by the Town of Philipstown, the undersigned permit holder agrees to reimburse to the Town of Philipstown the fair market value of any repair to, or replacement of, such property.

Applicant

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

Title: \_\_\_\_\_

**FOR OFFICE USE**

**FILMING PERMIT**

APPROVED ☒

APPROVED WITH SPECIAL CONDITIONS ☐

DENIED ☐

Commencement Date: June 16, 2015

Expiration Date: June 16, 2015

Rick Shea  
Town Supervisor

Subject to the restrictions in Town Code Section 89-5 and Chapter 89

SPECIAL CONDITIONS: \_\_\_\_\_



**RESOLUTION #**

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

**RESOLVED**, that the Town Board hereby authorizes Supervisor Shea to sign the Filming Permit for Possible Productions, Inc. for filming on June 16, 2015, (Nunc Pro Tunc)

**RESOLUTION #**

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

The Town Board of the Town of Philipstown with offices located at 238 Main Street, Cold Spring, New York;

**WHEREAS**, Putnam County, with the assistance from the Town of Philipstown, has gathered information and prepared the Putnam County Natural Hazard Mitigation Plan; and

**WHEREAS**, the Putnam County Natural Hazard Mitigation Plan has been prepared in accordance with the Disaster Mitigation Act of 2000 for Natural Hazards only; and

**WHEREAS**, the Town of Philipstown is a local unit of government and relied on Putnam County to afford the citizens an opportunity to commend and provide input to the Putnam County Hazard Mitigation Plan for the Town of Philipstown; and

**WHEREAS**, the Town of Philipstown has reviewed the Putnam County Hazard Mitigation Plan and affirms that the Plan will be updated no less than every five years;

**NOW, THEREFORE, BE IT RESOLVED**, by the Town Board that the Town of Philipstown adopts the Putnam County Natural Hazard Mitigation Plan as the Town of Philipstown Natural Hazard Mitigation Plan, and resolves to execute the actions in the Plan for the Town.

**ADOPTED** this 9<sup>th</sup> day of July, 2015 at the meeting of the Town Board

July 9, 2015

Ms. Pamela Phillips-Zeller  
Putnam County Youth Bureau  
110 Old Route 6, Building # 3  
Carmel, New York 10512

Dear Ms. Phillips-Zeller:

The Town of Philipstown will be seeking funding for the Philipstown Youth Services as well as Philipstown Youth Recreation Programs for the year 2016. The amount of funding being requested to operate that program is \$105,667.38 for salaries and wages. Thank you.

Sincerely,

Richard Shea  
Supervisor

TMM

cc: file

**RESOLUTION AUTHORIZING THE TOWN BOARD OF PHILIPSTOWN  
TO ERECT A MEMORIAL TO BETTY BUDNEY FOR HER MANY YEARS  
OF DEDICATION AND SERVICE TO THE TOWN OF PHILIPSTOWN**

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

**WHEREAS**, Betty Budney, a lifelong resident of the Town of Philipstown and Village of Cold Spring, passed away on March 2, 2015; and

**WHEREAS**, throughout her life, Betty Budney distinguished herself as a member of the community and a public servant by, among other things, serving as the Town of Philipstown's first Councilwoman and as a Deputy Town Supervisor, as well as serving as President of the Cold Spring Lions Club and providing distinguished volunteer service and civic commitment to Philipstown; and

**WHEREAS**, it is appropriate and fitting that a memorial to Betty Budney be erected in recognition of her many years of exemplary civil and community service;

**NOW, THEREFORE, IT IS HEREBY RESOLVED AS FOLLOWS:**

1. **THAT** the Town of Philipstown shall undertake to erect a memorial to Betty Budney consisting of a memorial bench placed on the front western side of the Town Hall along with stone pavers; and
2. **THAT** the Town shall raise funds for the memorial primarily by soliciting private donations and holding such fund-raising events as the Town Board may hereafter determine, including without limitation, allowing purchase of engraved space on the pavers in the memorial for appropriate name designation of donors and personal memorial messages; and
3. **THAT**, if necessary, after completing the said fund-raising efforts, the Town shall pay any remaining costs of the memorial from funds in the Town's annual budget; and
4. **THAT** the Town Board is authorized to solicit quotes from local suppliers to determine the costs involved with the project and the appropriate procedure for awarding contracts for labor and/or materials; and
5. **THAT** this action is subject to a permissive referendum and the Town Clerk is hereby authorized and directed, within ten (10) days after the adoption of this resolution, to cause to be published in \_\_\_\_\_, a newspaper having a general circulation within said Town and hereby designated as the official newspaper of the Town for such publication, and posted on the sign board of the Town maintained pursuant to the Town Law, a Notice of Adoption, which said Notice is attached hereto and made a part of this resolution; and
6. **THAT** the Town Clerk is hereby authorized and directed to post on the sign board of the Town maintained pursuant to the Town Law, and on the website maintained by the Town, said Notice of Adoption.

Dated: June , 2015

The vote on the foregoing resolution was as follows:

Nancy Montgomery, Councilwoman, voting \_\_\_\_\_

John Van Tassel, Councilman, voting \_\_\_\_\_

Robert Flaherty, Councilman, voting \_\_\_\_\_

Michael Leonard, Councilman, voting \_\_\_\_\_

Richard Shea, Supervisor, voting \_\_\_\_\_

July 9, 2015

Honorable Andrew M. Cuomo  
Governor of New York State  
NYS State Capitol Building  
Albany, NY 12224

Dear Governor Cuomo:

As local and state civic leaders, we encourage you to make solar energy a key element of New York's energy future.

By using solar energy to power our homes, businesses, schools, farms and government buildings, we can reduce pollution, reduce energy bills and boost local economics, and can help reduce pollution, saving consumers. Yet, a small fraction of New York's power comes from the sun.

Solar is growing in New York and across the country. Over the past three years, solar capacity grew by 63 percent per years. In the first half of 2014, more than half of the new electric power capacity installed in the U. S. was solar. Recent progress shows we can take it to the next level.

Solar helps the environment, and it also boosts local economies. The solar industry jobs grew ten times faster than the rest of the economy in 2013. And because solar has no fuel costs, it helps protect us from rising fossil fuel prices.

Using solar here in New York will help to protect our environment while creating local jobs that cannot be outsourced.

By committing New York to expanding solar, we are investing in a virtually limitless energy source with no fuel costs. For the sake of our environment, our health, and the economy, we ask that you join us in committing the state to getting 20 percent of our power from the sun by 2025. We can achieve that goal if we grow solar by 47 percent per year.

The cost of solar is declining. The cost of air and water pollution from fossil fuels is growing, along with the threats posed by climate change. Please help to set strong goals for solar in New York, to put us on a path to clean energy leaderships.

Sincerely,

Richard Shea  
Supervisor

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## Local Law Filing

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

☐ County ☐ City ☒ Town ☐ Village  
(Select one:)

of Philipstown

Local Law No. \_\_\_\_\_ of the year 20<sup>15</sup>

A local law TO AMEND TOWN CODE CHAPTER 172 BY AMENDING TOWN CODE SECTION 17-5

(Insert Title)

"EXISTING WOOD-FIRED FURNACES" TO IMPOSE TIME OF OPERATION

RESTRICTIONS ON PRE-EXISTING WOOD-FIRE FURNACES

Be it enacted by the Town Board \_\_\_\_\_ of the  
(Name of Legislative Body)

☐ County ☐ City ☒ Town ☐ Village  
(Select one:)

of Philipstown. \_\_\_\_\_ as follows:

(If additional space is needed, attach pages the same size as this sheet, and number each.)



## TOWN OF PHILIPSTOWN LOCAL LAW NO. OF 2015

A LOCAL LAW TO AMEND TOWN CODE CHAPTER 172 BY AMENDING TOWN CODE SECTION 172-5 "EXISTING WOOD-FIRED FURNACES" TO IMPOSE TIME OF OPERATION RESTRICTIONS ON PRE-EXISTING WOOD-FIRED FURNACES.

### SECTION 1. INTENT and AUTHORITY.

This Local Law is adopted pursuant to the provisions of the Municipal Home Rule Law of the State of New York and Article 16 of the Town Law of the State of New York. To the extent the provisions of this Local Law are in conflict with Town Law, the Town Board hereby asserts its intention to supersede Town Law pursuant to the Municipal Home Rule Law.

### SECTION 2. PURPOSE.

The purpose of this Local Law is to amend Town Code Chapter 172 by amending Town Code Section 172-5 "Existing wood-fired furnaces" to impose time of operation restrictions on pre-existing wood-fired furnaces.

### SECTION 3. AMENDMENT OF TOWN CODE.

Town Code Section 172-5 "Existing wood-fired furnaces" is hereby amended to repeal §172-5(a) and to re-enact it as follows:

- A. Any wood-fired furnace in existence as of the effective date of this Chapter, which has received a permit from the Town, shall be permitted to remain, provided that the emissions from the furnace do not interfere with the reasonable enjoyment of life or property and, further, provided that such wood-fired furnaces shall be operated only between November 1 and April 15. No replacement of any existing wood-fired furnace will be allowed without full compliance with the requirements herein. "Existing" or "in existences" means that the wood-fired furnace is in place on the site.

### SECTION 4. SEVERABILITY

If any clause, sentence, paragraph, word, section or part of this local law shall be judged by any court of competent jurisdiction to be unconstitutional, illegal or invalid, such judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the language directly involved in the controversy in which judgment shall have been rendered.

### SECTION 5. EFFECTIVE DATE

This Local Law shall become effective upon filing with the Secretary of State of the State of New York subsequent to having been duly adopted by the Town Board.

STATE OF NEW YORK )  
COUNTY OF ORANGE ) ss:

I, the undersigned, hereby certify that the foregoing Local Law contains the correct text and that all proper proceedings have been had or taken for the enactment of the Local Law annexed hereto.

---

Stephen J. Gaba, Town Attorney  
Town of Philipstown

Dated: \_\_\_\_\_, 2015

I hereby certify that the Local Law annexed hereto, designated as Local Law No. \_\_\_\_ of the year 2015, of the Town of Philipstown was duly passed by the Town Board on \_\_\_\_\_, 2015, in accordance with the applicable provisions of law.

I further certify that I have compared the preceding Local Law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original Local Law, and was finally adopted in the manner indicated in paragraph 1 above.

\_\_\_\_\_  
Tina M. Merando, Town Clerk  
Town of Philipstown

Dated: \_\_\_\_\_, 2015

(SEAL)

**5. (City local law concerning Charter revision proposed by petition.)**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20 \_\_\_\_ of the City of \_\_\_\_\_ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on \_\_\_\_\_ 20\_\_\_\_, became operative.

**6. (County local law concerning adoption of Charter.)**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20 \_\_\_\_ of the County of \_\_\_\_\_ State of New York, having been submitted to the electors at the General Election of November \_\_\_\_\_ 20\_\_\_\_, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

**(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)**

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph \_\_\_\_\_ above.

\_\_\_\_\_  
Clerk of the county legislative body, City, Town or Village Clerk or  
officer designated by local legislative body

(Seal)

Date: \_\_\_\_\_

**(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)**

**1. (Final adoption by local legislative body only.)**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20<sup>15</sup> of the (County)(City)(Town)(Village) of Town of Philipstown was duly passed by the Town Board on \_\_\_\_\_ 20\_\_\_\_, in accordance with the applicable provisions of law.  
*(Name of Legislative Body)*

**2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer\*.)**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_, and was (approved)(not approved) *(Name of Legislative Body)* (repassed after disapproval) by the \_\_\_\_\_ and was deemed duly adopted *(Elective Chief Executive Officer\*)* on \_\_\_\_\_ 20   , in accordance with the applicable provisions of law.

**3. (Final adoption by referendum.)**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_, and was (approved)(not approved) *(Name of Legislative Body)* (repassed after disapproval) by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_. *(Elective Chief Executive Officer\*)*

Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on \_\_\_\_\_ 20\_\_\_\_, in accordance with the applicable provisions of law.

**4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_, and was (approved)(not approved) *(Name of Legislative Body)* (repassed after disapproval) by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of \_\_\_\_\_ 20\_\_\_\_, in accordance with the applicable provisions of law.

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\* Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

July 9, 2015

Barbara Barosa  
Planning Department  
841 Fair Street  
Carmel, NY 10512

Subject: CFA Grant

Dear Barbara ,

The Town of Philipstown intends to participate in the collaborative application process with Putnam County to the 2015 New York State Consolidated Funding Grant application (CFA).

Please provide drafts and final application for our approval as they are available.

Kind regards,

Richard Shea  
Supervisor  
Town of Philipstown

Resolution\_\_\_\_\_

Submitted by Councilwoman Montgomery

July 2, 2015

Resolution on Supervisor Shea signing a letter of intent for Philipstown to participate in Putnam County's CFA application.

Whereas the Town of Philipstown intends to collaborate and participate in Putnam County's New York State 2015 Consolidated Funding Application.

Be it resolved, that the Town Board of Philipstown authorizes Supervisor Shea to sign the letter of intent to submit to Putnam County to participate in the CFA grant application.

Resolution\_\_\_\_\_

Submitted by Councilwoman Montgomery

July 2, 2015

Resolution authorizing the Town Clerk to electronically submit all resolutions to the department in which the resolution pertains to at the time it is passed.

Whereas the Town of Philipstown understands that the use of electronic communication results in the efficiency of town related business.

Be it resolved, that the Town Board of Philipstown authorizes the Town of Philipstown Clerk's office to submit all resolutions to appropriate departments within twenty-four hours that they are passed.





Town Clerk <townclerk@philipstown.com>

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## Re FOIL chap 89 - July agenda item

1 message

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

Mon, Jun 29, 2015 at 5:59 PM

To: Town Clerk <townclerk@philipstown.com>, Town Supervisor <supervisor@philipstown.com>  
Cc: John VanTassel <Jvantassel@philipstown.com>, Mike Leonard <MLeonard@philipstown.com>, Robert Flaherty <rwf361@optonline.net>

To All -

Just processing this email now.

In addition to correspondence regarding chapter 89 it also brings up an important issue.

This 'mis'communication regarding timing of agenda items has come up in the past and with different departments.

At the time, I requested that when a resolution is passed it be forwarded by the clerks office electronically to the appropriate department the following day.

This would avoid any delay in getting things on their agendas.

I've also requested the following in the past:

Please place on the July agenda this resolution:

"All resolutions are to be electronically submitted to appropriate departments within 24 hours that they are passed."

Thank you.

Nancy

Sent from my iPhone

Begin forwarded message:

**From:** Ann Gallagher <amgal720@yahoo.com>

**Date:** June 15, 2015 at 9:11:44 PM EDT

**To:** Town Clerk <townclerk@philipstown.com>

**Cc:** Richard Shea <rshea62@optonline.net>, Anthony Merante <adm1243@gmail.com>, Kim Conner <kkconner@gmail.com>, Joey Giachinta <giachinta@msn.com>, David Hardy <hardy@highlands.com>, Peter Lewis <petergarfieldlewis@gmail.com>, Neal Zuckerman <zuckerman.neal@bcg.com>, Mary Ellen Finger <horsementrail@gmail.com>, Ron Gainer <rjgainer@comcast.net>, Stephen Gaba <sgaba@drakelob.com>, Dottie Turner <supervisor@philipstown.com>, Joan Clauss <j.clauss1@verizon.net>

**Subject:** Re: Revised Planning Board June 18, 2015 Agenda

**Reply-To:** Ann Gallagher <amgal720@yahoo.com>

Tina,

Dottie called me this afternoon and asked if the Local Law to amend Town Code Chapter 89 was put on the June 18, 2015 Planning Board agenda. I told her that it was not. You may recall that last week, after you told me there were two Local Laws to go onto the agenda, you forwarded just one Local Law - (Chapter 172). I called your office, spoke with Joan and asked why both weren't forwarded. I believe you said that the second one didn't pertain to the Planning Board. So, I added Local Law 172 only to the Planning Board agenda, revised the agenda, and forwarded to all. Dottie told me that Richard wanted the Local Law to amend Town Code Chapter 89 on the June 18, 2015 agenda, I called your office and spoke with Joan. I asked her to forward the cover letter (referral dated May 28, 2015) together with the Local Law and added it as an agenda item. I forwarded both to all parties involved and revised the agenda. So now, both Local Laws are on the Planning Board agenda for June 18, 2015.

This is a good example of why I believe that we should all correspond electronically. It is quicker, cheaper, more reliable and serves as an actual "receipt". Had these local laws been forwarded electronically the day after the Town Board meeting when it was decided that they would be referred to the Planning Board, we could have saved a lot unnecessary time and confusion.

On Monday, June 15, 2015 5:01 PM, Town Clerk <townclerk@philipstown.com> wrote:

Ann,

Why is chapter 89 on the agenda as a referral? Thank you.

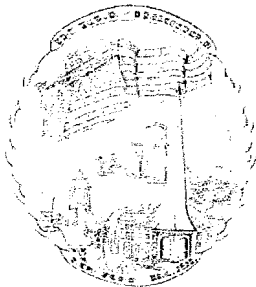
tina

On Mon, Jun 15, 2015 at 4:28 PM, Ann Gallagher <amgal720@yahoo.com> wrote:

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Tina M. Merando  
Town Clerk  
Town of Philipstown  
238 Main St.  
Cold Spring, NY 10516

TEL: 845-265-3329  
FAX: 845-265-3958



# 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 June 2015

1. Fees Collected	<u># 30,708-</u>
2. Total Number of Permits Issued	<u>21</u>
3. New One- or Two-family dwellings:	<u>1</u>
4. New Commercial/Industrial buildings:	<u>0</u>
5. New Hazardous (H) occupancies:	<u>0</u>
6. New Multi family occupancies:	<u>0</u>
7. Additions, alterations or repairs residential buildings	<u>6</u>
8. Additions, alterations or repairs commercial buildings:	<u>2</u>
9. All other permits (pools, sheds, decks, plumbing, HVAC, etc.)	<u>12</u>
10. Number of Certificates of Occupancy :	<u>25</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>4</u>
18. Inspection of buildings with 3 or more dwelling units:	<u>0</u>

Projects of Significance: Olson - Addition to Commercial Building Rt 9  
HFE Inc ~~Inc~~ - Alteration (Mansion) Lisbourn Lane