

## **Town Board Monthly Meeting**

**September 4, 2014      7:30 p.m.      Town Hall**

### **SALUTE TO THE FLAG**

### **APPROVAL OF MINUTES**

- Monthly Town Board Meeting of August 7, 2014

### **COMMITTEE REPORTS**

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

### **AGENDA**

- 1. Resolution re-appointing Anne Nichter to the Board of Assessment Review for a 5 year term, which will expire on September 30, 2019.**
- 2. Resolution authorizing Town Clerk Merando to advertise for bidders for the repairs to the Indian Brook Road Culvert. (Nunc Pro Tunc)**
- 3. Discussion with regard to a petition received by the Town addressing the paving of a portion of East Mountain Road South.**
- 4. Resolution authorizing Roger Chirico, Highway Superintendent to purchase Volvo Motor Grader in the amount of \$180,312.00.**
- 5. Resolution accepting the Appraisal completed by McGrath & Company, Inc., for the VFW Hall, located at 34 Kemble Avenue, Cold Spring, New York.**
- 6. Resolution deeming that the VFW property to be a surplus and unnecessary for the Town use and directing it be offered for sale to the highest bidder.**
- 7. Type II SEQRA resolution with regard to the sale of the VFW Hall as an unlisted action.**
- 8. Resolution authorizing Town Clerk Merando to advertise the sale of the VFW in the Putnam County News & Recorder and The Paper.**
- 9. Resolution supporting the RUPCO Green Jobs – Green New York Program.**
- 10. Discussion with regard to a petition submitted to the Town calling for discounts for Senior's and Veteran's on their Cablevision Bills.**

August 25, 2013

**11. Code Enforcement Monthly Report.**

**12. Schedule Workshops/Meetings**

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

**AUDIENCE**

**VACANCIES**

Board of Assessment Review (1)

CV Park District Advisory Committee (3)

CV Water District Advisory Committee (3)

**APPROVAL OF VOUCHERS**

General      Highway      CVPD      CVWD

**ADJOURNMENT**

Monthly Town Board Meeting  
August 7, 2014

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

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

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

**REVIEW OF MINUTES**

The Minutes of the Bid Opening of May 23, 2014, Manitou Station Road & Culvert, were reviewed.

Councilman Merandy made a motion, seconded by Councilman Leonard and unanimously carried that the Minutes of the Bid Opening of May 23, 2014, Manitou Station Road & Culvert, are hereby approved as presented.

The Minutes of the Bid Opening of May 28, 2014, Fjord Trail Signage, were reviewed.

Councilman Van Tassel made a motion, seconded by Councilman Merandy and unanimously carried that the Minutes of the Bid Opening of May 28, 2014, Fjord Trail Signage, are hereby approved as presented.

The Minutes of the Special Meeting of May 30, 2014, were reviewed.

Councilwoman Montgomery made a motion, seconded by Councilman Leonard and unanimously carried that the Minutes of the Special Meeting of May 30, 2014, are hereby approved as presented.

The Minutes of the Bid Opening of June 11, 2014, Fjord Trail Signage, were reviewed.

Councilman Merandy made a motion, seconded by Councilman Leonard and unanimously carried that the Minutes of the Bid Opening of June 11, Fjord Trail Signage, are hereby approved as presented.

The Minutes of the Weekly Town Board Meeting of June 25, 2014, were reviewed.

Councilwoman Montgomery made a motion, seconded by Councilman Van Tassel and unanimously carried that the Minutes of the Weekly Town Board Meeting of June 25, 2014, are hereby approved as presented.

The Minutes of the Monthly Town Board Meeting of July 10, 2014, were reviewed.

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Councilman Leonard made a motion, seconded by Councilman Van Tassel and unanimously carried that the Minutes of the Monthly Town Board meeting of July 10, 2014, are hereby approved as presented.

The Minutes of the Special Meeting of July 25, 2014, were reviewed.  
*(Councilwoman Montgomery abstained)*

Councilman Van Tassel made a motion, seconded by Councilman Merandy and unanimously carried that the Minutes of the Special Meeting of July 25, 2014, are hereby approved as presented.

The Minutes of the Special Meeting of July 31, 2014, were reviewed.

Councilwoman Montgomery made a motion, seconded by Councilman Leonard and unanimously carried that the Minutes of the Special Meeting of July 25, 2014, are hereby approved as presented. *(Councilman Merandy abstained)*

## **COMMITTEE REPORTS**

**CB** – Councilman Leonard reported that the Conservation Board did not meet in July because applicants were not prepared.

**RECREATION** – Councilwoman Montgomery reported that the Commission met on July 29<sup>th</sup> at which time financials were given and accepted. The following items were discussed: summer program, installation of an A/C at the Depot Theatre; moving of items from Garrison Fire Station 1; success of the play “Fiddler,” repair of the well pump, which was broken and repaired; request to Highway to grade parking lot. Councilwoman Montgomery further reported that the “Sport Swap” room has been completed and discussion was held regarding the field soccer program. Recreation has also received many requests for senior programs. Councilwoman Montgomery stated that she was seeking permission from the Town Board to speak with Putnam County to support some senior programs.

**RECYCLING** – No report.

**PLANNING BOARD** - Councilman Leonard reported that the Planning Board met on July 22<sup>nd</sup> for three (3) public hearings. The first public hearing was for approval of a site plan for 201 Old Stone Road; the second public hearing was for approval for construction of a single-family residence on Old West Point Road West, and thirdly, Joseph Tuana's property on Old Albany Post Road. Councilman Leonard stated that the Planning Board had adopted a Negative Declaration under SEQRA on May 17, 2007. However, the conditional approval lapsed and an application dated May 15, 2008 was filed requesting re-approval of three-lot subdivision. A public hearing was held on June 19, 2008. The July 22, 2014 public hearing is a continuation of the June 19<sup>th</sup> hearing.

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Upon completion of the public hearings, the following applications were addressed:

Tuana – 3-lot subdivision located at 992-996 Old Albany Post Road, Garrison – revised subdivision and survey of property/discussion.

Auth – site plan application for 279 Route 9, Cold Spring – submission of elevation plan, color choices and outdoor lighting/discussion of site visit.

ESP – new subdivision application and site plan revisions – 3330 Route 9, Cold Spring.

RDR Equities, LLC – site plan application for 1510 Route 9, Garrison – submission of revised landscaping and planting plans.

Councilman Leonard reported that no meeting is scheduled for August. Next meeting will be held in September.

**ZONING** – Councilman Van Tassel reported that no meeting was held in July. Next meeting is scheduled for September 8<sup>th</sup>.

**Highway** – Councilman Van Tassel read the Highway Report, which is on file in the Town Clerk's Office.

**BUILDING & LAND ACQUISITION** – No report.

## TOWN OF PHILIPSTOWN

### MONTHLY REPORT OF TOWN SUPERVISOR

#### MONIES RECEIVED AS OF AUGUST 7, 2014

#### GENERAL & PART-TOWN FUNDS

Recreation Community Fees – Recycle	\$ 106.20
Town Clerk Fees – 6/14	826.22
Town Clerk Fees – Dogs – 6/14	266.00
Justice Fees – 6/14	6,140.00
Justice Fees – 6/14	7,536.00
Recreation Fees – 5/14	30,591.46
Recreation Fees – 6/14	52,705.17
A. W. Scrap Metal	1,150.00
Building Fees – 7/14	13,638.00
Town Clerk Fees – 7/14	186.21
Town Clerk Fees – 7/14	443.50
Justice Fees – 7/14	4,212.00
Justice Fees – 7/14	8,408.00
Bank Interest	85.70

**HIGHWAY FUND**

Putnam County Sheriff's Gas	\$ 1,842.48
Putnam County – Gas	600.85
State Insurance Fund	306.00
Bank Interest	138.75

**CONTINENTAL VILLAGE WATER DISTRICT**

Bank Interest	\$ 2.01
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**CONTINENTAL VILLAGE PARK DISTRICT**

Bank Interest	\$ 13.31
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**AGENDA**

**1. Russell Cusick to address the Town Board with regard to Storm water.**

Mr. Cusick briefly addressed the Town's lack of overseeing storm water management in the Town of Philipstown. Mr. Cusick covered the building permits issued since 2009, claiming that the construction sites were not properly investigated for soil disturbance. Mr. Cusick then stated that only 22 storm water applications were completed in eleven years. Supervisor Shea responded that to his knowledge the Town has been in compliance, but there may have been times when sites got bigger during construction. Mr. Cusick then addressed the North Highlands Fire Company building, claiming that the 2009 construction site sits on protected wetlands and was not in compliance with DEC laws. Councilman Van Tassel stated that the engineer for the project assured the Board of Commissioners that at no point was there more than one acre of soil disturbance. Mr. Cusick offered to meet with the Town Board and discuss storm water management further.

**2. Resolution authorizing the release of escrow funds for CF Diversified Corp.**

**RESOLUTION #-14**

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

**RESOLVED**, that the Town Board hereby authorizes the release of escrow funds for CF Diversified Corp. (Christopher Fadden)

**3. Resolution authorizing Supervisor Shea to sign the contract between the County of Putnam and Vintage Tech, LLC to provide Electronic Waste Recycling. (Nunc Pro Tunc)**

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**RESOLUTION #-14**

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

**RESOLVED**, that the Town Board hereby authorizes Supervisor Shea to sign the contract between the County of Putnam and Vintage Tech, LLC to provide Electronic Waste Recycling. (Nunc Pro Tunc)

**4. Resolution calling for a Moratorium on the Algonquin Gas Transmission, LLC until air emissions, baseline assessment and risk assessment are completed and reviewed by local government officials, et al.**

**RESOLUTION #**

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

**RESOLVED**, that the Town Board hereby calls for a Moratorium on the Algonquin Gas Transmission, LLC, until air emissions, baseline assessment and risk assessment are completed and reviewed by local government officials, et al.

**WHEREAS**, Algonquin Gas Transmission, LLC, a wholly-owned subsidiary of Spectra Energy Partners, submitted Resource Report #9 in Docket # CP14-96-000, which does not reflect aggregate (existing and proposed) and cumulative emissions from compressor stations, metering stations, and pipelines in the entire Algonquin Incremental Market project; and

**WHEREAS**, impacts from the current AIM project infrastructure have not been fully evaluated to establish a baseline for air quality; and

**WHEREAS**, peer-reviewed scientific studies indicate that emissions from compressor stations and other shale gas infrastructure are associated with negative health impacts; and

**WHEREAS**, the current emissions will be significantly increased by the expansion of the Southeast and Stony Point compressor stations, and the region including Putnam, Rockland and Westchester counties is already considered a non-attainment zone for air quality standards according to the U.S. Environmental Protection Agency and exceeds the limits for air pollutants, such as ground level ozone; and

**WHEREAS**, the location of the AIM pipeline within close proximity to the Indian Point Nuclear Facility and 40 years of spent fuel roads, and in close proximity to a significant seismic zone, poses a risk of catastrophic damage with profound long-term impacts on the region; and

**WHEREAS**, municipalities may bear costs involved with emergency training, equipment, including up-to-date foam to extinguish fires, and first response to a pipeline, compressor or metering station event; and

**WHEREAS**, Algonquin Gas Transmission LLC and Spectra Energy Partners may not have adequate resources or insurance coverage to reimburse municipalities for costs borne by the municipality should an event occur that requires emergency response by first responders;

**NOW, THEREFORE BE IT RESOLVED**, that an independent air emissions baseline assessment be conducted in the areas directly impacted by the compressor and metering stations modifications, by an independent expert acceptable to industry, local government officials, advocates and the public, funded by industry, and that continuous emissions monitoring be conducted with transparent record keeping as stringent as possible; and be it further

**RESOLVED**, that the best mitigation technology available be required to be installed on every possible component of AIM's compressor and metering stations, including selective catalytic reduction, zero emission dehydrators, blow down prevention, vapor recovery units, and methane capturing equipment outlined by the U.S. EPA, and that there be a public hearing for the permits for each compressor station; and be it further

**RESOLVED**, that a comprehensive and transparent Health Impact Assessment (HIA), as outlined by the Centers for Disease Control and the National Academy of Sciences, be conducted by an independent entity acceptable to industry, local government officials, advocates and the public, and funded by industry; and be it further

**RESOLVED**, that Algonquin Gas Transmission, LLC and Spectra Energy Partners provide a full cost analysis and procurement of emergency supplies, equipment and training for local first response teams to respond to events related to the Algonquin Pipeline Expansion (AIM) project, including fires, explosions, leaks, spills, problems and evacuations due to blow down releases and other incidents; and be it further

**RESOLVED**, that Algonquin Transmission, LLC and Spectra Energy Partners provide proof of insurance or self-insurance represented by segregated cash reserves for all potential costs and expenses involved with maintenance and responding to emergencies and mitigating damages as a result of any incident relating to or resulting from the Algonquin Pipeline Expansion (AIM) Project; and be it further

**RESOLVED**, that a Moratorium be enacted on this project, until such air emissions baseline assessment, Health Impact Assessment (HIA), and risk assessment are completed and reviewed by industry, local government officials and advocates and the public, health impacts are fully addressed and mitigated that fully protect and preserve the health and safety of residents and evidence of acceptable levels of insurance and self-insurance represented by segregated cash reserves, as aforesaid, are presented and approved by all interested parties; and be it further

**RESOLVED**, that a copy of this Resolution be sent to the Federal Energy Regulatory Commission.

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**5. Resolution authorizing Supervisor Shea to sign the Temporary Construction & Maintenance Easements for 416 & 418 Sprout Brook Road, Garrison, New York.**

**RESOLUTION #-14**

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

**WHEREAS**, the Town wishes to acquire a Maintenance Easement to enter the Grantor's property for purposes of performing clearing and maintenance and related work on a small portion of the Sprout Brook Stream as may be required from time to time;

**NOW, THEREFORE BE IT RESOLVED**, that the Town Board hereby authorizes Supervisor Shea to sign Temporary Construction & Maintenance Easements for 416 Sprout Brook Road, in the Town of Philipstown, County of Putnam, State of New York, described on the tax map of the Town as Section 83.13, Block 1, Lot 48 and fully described in the deed recorded in the Office of the County Clerk at Deed Book 1813, Page 58 and for 418 Sprout Brook Road, Section 83.13, Block 1, Lot 47 and described in the deed recorded in the Office of the County Clerk at Deed Book 16377, page 191

**6. Resolution appointing Lydia McMahon as a member of the Recreation Commission for a seven (7) year term, which will expire on September 2, 2021.**

**RESOLUTION #-14**

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

**RESOLVED**, that the Town Board of the Town of Philipstown hereby appoints Lydia McMahon as a member of the Recreation Commission for a seven (7) year term, which will expire on September 1, 2021.

**11. Code Enforcement Monthly Report.**

Town Clerk Merando read the Monthly Report.

**13. Schedule Workshops/Meetings.**

August 27, 2014      7:30 P.M.      Public Hearing for Continental Village Fire Dept.  
for purchase of new equipment

**13. Authorize Supervisor Shea to sign the Sponsor Authorization Form for the 2013 Garrison Volunteer Ambulance Corp. LOSAP.**

**RESOLUTION #-14**

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

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**RESOLVED**, that the Philipstown Town Board hereby authorizes Supervisor Shea to sign the Sponsor Authorization Form for the 2013 Length of Service Award Program for the Garrison Volunteer Ambulance Corp.

**14. Authorize Supervisor Shea to sign the Sponsor Authorization Form and approve the point listing for the 2013 Philipstown Volunteer Ambulance Corp. LOSAP.**

**RESOLUTION #-14**

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

**RESOLVED**, that the Philipstown Town Board hereby authorizes Supervisor Shea to sign the Sponsor Authorization Form and approves the point listing for the 2013 Length of Service Award Program for the Philipstown Volunteer Ambulance Corp.

**15. Resolution authorizing Supervisor Shea to sign the Temporary Construction & Maintenance Easements for the Indian Brook Road Culvert. (*Nunc Pro Tunc*)**

**RESOLUTION #-14**

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

**WHEREAS**, the Town wishes to acquire a Temporary Construction & Maintenance Easement from the Grantors for the purpose of performing culvert replacement and related work;

**NOW, THEREFORE BE IT RESOLVED**, that the Town Board hereby authorizes Supervisor Shea to sign a Temporary Construction & Maintenance Easement for 325 Indian Brook Road, in the Town of Philipstown, County of Putnam, State of New York, described on the tax map of the Town as Section 39-4-2 and Section 49, Block 3, Lot 74, and more fully described in the deed recorded in the Office of the County Clerk at Liber 735, Page 332.

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

Supervisor Shea remarked at the need for a generator at the communication tower at the Recycling Center, which the Town Board feels they should invest in. He feels that the County should also be involved. Supervisor Shea said that in the meantime, information will be gathered and a request for proposals will be prepared.

Supervisor Shea reported that he received notice that phases 1 and 1 for a \$100,000 grant for the Fjord project was on its way for possible approval.

Councilman Leonard reported that he attended the July 24<sup>th</sup> Senior Forum held by Assemblywoman Sandy Galef at the Cortlandt Town Hall. Items discussed were scams, fraud, voter registration, medical technology, and Medicare assistance.

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Councilwoman Montgomery reported that North Highlands Fire District was awarded \$110,000 for new life-saving equipment through a fire-fighters grant.

Supervisor Shea reported that he spoke with Senator Terry Gibson re: Route 9D South. Senator Gibson informed Supervisor Shea that he would speak with the DOT and get the Town of Philipstown on a list for repairs.

## **AUDIENCE**

Garrison resident, Paula Clair, who gave a presentation on the Algonquin Pipeline at the July meeting, thanked the Town Board for passing the resolution to protect the Town from risks that are present in the Algonquin pipeline expansion. Supervisor Shea thanked Mrs. Clair for her work on this project.

Cold Spring resident, Richard Butensky addressed Cablevisions monopoly of Philipstown residents as it pertains to internet service and asked if the Town was still in the process of negotiations with Cablevisions. Supervisor Shea responded that the Town has not started negotiations yet although initial conversations were had about things the Town would like to see, but the Town does not have a lot of leverage. Supervisor Shea stated that the Town receives 5% of fees that are charged and needs to verify if the 5% is for "Triple Play." Supervisor Shea feels it is difficult since there is no competition and urged people to write to their representatives. Supervisor Shea added that he would be meeting with Cablevision and will bring up the issue of internet packaging.

Cold Spring resident, Mary Ellen Finger, addressed the Town Board about the storm water that was flooding her property coming from Knollwood Lane and the wetland above it, and stated that she wanted to reassure the Board that she has no objections to any measures that the Board takes to mitigate the problem. Supervisor Shea responded, okay. Mrs. Finger then mentioned the design that Town Engineer, Ron Gainer, had come up with over a year ago. She then added that anything that the Town was willing to do, even if it's not going to be a long term possible cure for the problem, but anything that could be done in the short term ... because she was having a real problem with all of the water running down off of Knollwood Lane and the whole mountain. Supervisor Shea responded that he didn't know if the whole mountain could be dealt with, but what comes off of Knollwood can be dealt with. Mrs. Finger stated that would help, and just anything the Board could do to help mitigate the wetland that is being drained into the storm water basin on Knollwood – that would be a big help too.

Supervisor Shea responded that he knew that the engineer came up with the design and the Town was ready to implement that. Mrs. Finger then asked if the Town could just fund Highway Superintendent Chirico's budget, which seemed to be one of his complaints – the lack of money in his budget. Supervisor Shea replied that there was money available. Mrs. Finger asked if that was for this year, in which Supervisor Shea

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responded, "yes." Mrs. Finger remarked that this would be great and asked how she would find out when that work would possible be done? Supervisor Shea informed her that he could call the engineer and speak with Highway Superintendent Chirico tomorrow. Mrs. Finger then thanked Supervisor Shea.

**VACANCIES**

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

**APPROVAL OF VOUCHERS**

Councilwoman Montgomery made a motion, seconded by Councilman Leonard and unanimously carried that the General Vouchers in the amount of \$79,845.50, are hereby approved as set forth in Abstracts 7A & 8.

Councilman Van Tassel made a motion, seconded by Councilman Merandy and unanimously carried that the Highway Vouchers in the amount of \$42,563.82, are hereby approved as set forth in Abstracts 7A & 8.

Councilwoman Montgomery made a motion, seconded by Councilman Leonard and unanimously carried that the CVPD Vouchers in the amount of \$6,909.74, are hereby approved as set forth in Abstracts 7A & 8.

Councilwoman Montgomery made a motion, seconded by Councilman Leonard and unanimously carried that the CVWD Vouchers in the amount of \$9,283.96, are hereby approved as set forth in Abstracts 7A & 8.

There being no further business to discuss, Councilwoman Montgomery made a motion, seconded by Councilman Leonard to close the Town Board Monthly Meeting at 8:53 p.m.

Respectfully submitted by,

Joan B. Claus  
Deputy Town Clerk

**TOWN OF PHILIPSTOWN APPOINTED POSITION LIST (6/2014)**

**TERM EXPIRES**

March 31, 2017  
 March 31, 2015  
 March 31, 2018  
 March 31, 2015  
 March 31, 2016

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

Robert Dee, Chairman, 5 Old Albany Post Rd., Garrison 424-6034  
 Vincent Cestone, 44 Aqueduct Rd., Garrison 737-0111(unlisted)  
 Paula Clair, 162 Gallows Hill Rd., Garrison 739-2141  
 William Flaherty, 18 JoAnn Place, Cold Spring 265-2988  
 Leonard Lim, 11 Horton Rd., Cold Spring 265-3554  
 Tina Landolfi, Secretary 519-9489

**PLANNING BOARD (4 Year Term)**

March 31, 2018 Anthony Merante, Chairman, 18 Yesterday Drive, Cold Spring 809-5024  
 March 31, 2017 Joseph Giachinta, 10 Pond Road, Cold Spring 265-3265  
 March 31, 2015 Kim Conner, P.O. Box 60, Cold Spring 265-4840  
 March 31, 2015 David Hardy, 70 Barrett Pond Road, Cold Spring 265-4290  
 March 31, 2018 Neal Zuckerman, 663 Old Albany Post Road, Garrison 424-6057  
 March 31, 2017 Mary Finger, 3 Horsemens Trail, Cold Spring 265-2665  
 March 31, 2016 Pat Sexton, 16 Corey Lane, Cold Spring 265-9361  
 Ann Gallagher, Secretary 265-3424

**BOARD OF ASSESSMENT REVIEW(5 Year Term)**

September 30, 2015 Jamie Adams, Chairman, 36 Manitou Woods Rd., Garrison 424-8310  
 September 30, 2015 Gordon Casement, 65 Moffett Road, Cold Spring 809-5072  
 September 30, 2018 **(Position Vacant)**  
 September 30, 2017 Kathyrine Tomann, 287 Main Street, Nelsonville, NY 265-9369  
 September 30, 2014 ? Anne Nichter, 519 N. Fishkill Road N, Cold Spring 265-2619

**RECREATION COMMISSION (7 Year Term)**

September 1, 2020 William Mazzuca, 22 Parrott St., Cold Spring 265-9393  
 September 1, 2014 & 2021 Lydia McMahan, 17 Greencliff Lane, Garrison 424-3463  
 September 1, 2018 Claudio Marzollo, Lane Gate Rd., Cold Spring 265-3937  
 September 1, 2015 Ceciley Hall, 8A Fishkill Road, Cold Spring 917-968-2687  
 September 1, 2018 Philippe Cotenec, 223 Route 301, Cold Spring 265-2172  
 September 1, 2019 John Maasik, 2792 Route 9, PO Box 69, Cold Spring 926-7187  
 September 1, 2020 Joel Conybear, 81 Perk's Blvd., Cold Spring 265-2897

**CONSERVATION BOARD (2 Year Term)**

March 3, 2016 Eric Lind (Interim Chairman), PO Box 174, Cold Spring 265-2601  
 March 3, 2016 Andrew Galler, 170 Old Albany Post Rd, Garrison 739-0108  
 March 3, 2016 Robert Repetto, 9 Old Albany Post Rd., Garrison (845) 737-5113  
 March 3, 2015 Lew Kingsley, 16 Reservoir Lane, Cold Spring 265-3721  
 March 3, 2016 Mark Galezo, P.O. Box 186, Garrison 424-3595  
 March 3, 2015 Max Garfinkle, 32 Mountainview Drive, Cold Spring (845) 490-1453  
 March 3, 2015 M. J. Martin, 398 Indian Brook Road, Garrison 424-6068  
 Wetlands Inspector David Klotzle, 6 Skytop Dr., Croton (914) 736-7132  
 Tina Landolfi, Secretary 519-9489

**CONTINENTAL VILLAGE WATER DISTRICT (1 Year Term)**

Employees Answering Service 1-845-737-2442  
 January 1, 2014 Ralph Bassignani, 12 Howland Rd., Garrison (Superintendent)  
 Cell# 914-980-2493 Home# 737-8290  
 January 1, 2014 Diane Barton, 65 Aqueduct Rd., Garrison (Collector) (845)-739-5728  
 January 1, 2014 Steve LeClaire  
 January 1, 2014 Ed Barticcio A.W.T.P.O  
 January 1, 2014 Ken Gonsalves A.W.T.P.O  
 January 1, 2014 Stan Houghton A.W.T.P.O

**ADVISORY COMMITTEE (1 Year Term)**

January 1, 2014 Michael Phelan, 10 Evans Knoll, Garrison 737-0341  
 January 1, 2014 **(Position Vacant)**  
 January 1, 2014 **(Position Vacant)**  
 January 1, 2014 **(Position Vacant)**

**CONTINENTAL VILLAGE PARK DISTRICT (1Year Term)**

Superintendent Michael Phelan, 10 Evans Knoll, Garrison 737-0341

**ADVISORY COMMITTEE**

January 1, 2014 **(Position Vacant)**  
 January 1, 2014 **(Position Vacant)**  
 January 1, 2014 Frederick Romer, 26 Schuyler Lane, Garrison 734-4070  
 January 1, 2014 Ken Gonsalves, 4 Evans Terrace, Garrison 737-9239  
 January 1, 2014 **(Position Vacant)**  
 January 1, 2014 Tony Galfano, 467 Sprout Brook Rd, Garrison 736-4198

**RESOLUTION #**

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

**RESOLVED**, that the Town Board hereby re-appoints Anne Nichter as a member of the Board of Assessment Review, whose term will expire September 30, 2019.

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**RESOLUTION #**

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

**RESOLVED**, that the Town Board hereby authorizes Town Clerk Merando to advertise for bidders for the Indian Brook Road Culvert Replacement Project.  
(Nunc Pro Tunc)

### Petition for Improvement Road Paving

We the undersigned petitioners do hereby petition the Philipstown Board to approve the paving of a section of East Mountain Road South.

Located from the Gagnon property (616 East Mtn Rd South) to East Mtn. Rd. North.

We the undersigned petitioners do hereby certify that we are the property owners on the addresses listed below.

**NAME**

**ADDRESS**

- | NAME                        | ADDRESS                                   |
|-----------------------------|-------------------------------------------|
| 1. <u>Mae Snowden</u>       | <u>668 East Mtn. Rd. South</u>            |
| 2. <u>John P Melbyre</u>    | <u>668 East Mtn. Rd. South</u>            |
| 3. <u>Rage Melbyre</u>      | <u>668 East Mtn Rd. South</u>             |
| 4. <u>Barbara J. Turley</u> | <u>30 Deerland Acres, Cold Spring, NY</u> |
| 5. <u>Samuel J. Fink</u>    | <u>30 Deerland Acres Cold Sprg NY</u>     |
| 6. <u>ROBERT H. MURKIN</u>  | <u>30 DEERLAND ACRES COLD SPR, NY</u>     |
| 7. <u>Sharon Fuggs</u>      | <u>10 Deerland Acres Cold Spring NY</u>   |
| 8. <u>Edward Fug</u>        | <u>10 Deerland Acres Cold Sprg NY</u>     |



## Petition for Improvement Road Paving

We the undersigned petitioners do hereby petition the Philipstown Board to approve the paving of a section of East Mountain Road South.

Located from the Gagnon property (616 East Mtn Rd South) to East Mtn. Rd. North.

We the undersigned petitioners do hereby certify that we are the property owners on the addresses listed below.

NAME

ADDRESS

- 
9. Ronda R. Matthews      636 East Mt. Rd. South, Cold Spring
  10. John Matthews      636 E. Mountain Rd. S, Cold Spring
  11. Priscilla Eldridge      638 E. Mtn Rd. South, Cold Spring
  12. Paul Edrigh      638 E. Mtn. Rd. So., Cold Spring
  13. \_\_\_\_\_
  14. \_\_\_\_\_
  15. \_\_\_\_\_
  16. \_\_\_\_\_



30 Deerland Acres  
Cold Spring, NY 10516  
Aug. 7, 2014

Richard Shea,  
Supervisor  
Town Board  
Town of Philipstown  
238 Main Street/P.O. Box 155  
Cold Spring, NY 10516

Re: Dirt Road Dilemma on East Mountain Road-South

Dear Mr. Shea:

Between the paved top of Todd Hill (near the Gagnon house) and the intersection of East Mountain Road-South with the paved East Mountain Road-North lie certain problems which could be covered up nicely with a coating of pavement.

First, there is the cost. Apparently the tax dollars needed to maintain the dirt road are four to five times that of a paved road. This includes repairing washed away areas, pot holes, washboard ridges, muddy patches, etc. More salt is needed during winter weather for dirt roads than paved ones. This salt leaches into the land adjacent to the roadways. As to muddy areas, my husband, Tim, has twice had to pull my car out of these, one being near the Gagnon house when the road was totally dirt.

Second, a situation of safety surfaces here. When driving, one must keep an eye out for the road's condition so that his/her car does not get damaged by the potholes or loose traction. This concentration two feet in front of one's car distracts from needed attention to what might be further down the road. The washboard condition can cause a vehicle, especially a light pickup, to change direction as it bounces over those ridges.

Third, there is a coefficient of friction problem. If one has to brake suddenly on dirt, often skidding occurs. On a drive to a neighbor's house, my husband saw a cloud of dust caused by a car coming rather quickly just as he (my husband) approached the McIntyre/Snowden house. He pulled off the right side of the road as much as possible and stopped. The other driver put on his brakes hard and slid into my husband's car sideways, pushing it about a foot and one half backwards and causing a lot of damage. Braking hard on dirt somewhat resembles trying to stop on ball bearings, what with all of those pebbles rolling about.

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Fourth, concerning snow and ice, different plow trucks are needed for paved roads and dirt roads. The dirt roads can ice up faster than the paved ones, especially as the winter progresses, and the ground freezes under the road. About two years before we had our son, I was on my way home after my third shift at IBM East Fishkill in a snow storm. I drove our "good" car as mine was in the shop. The car skidded close to the bottom of a hill and got stuck between two snowbanks. Anyone who came down that hill would not see the car until it was too late and probably glide into our car. I dug the car out and turned it around and then headed home the other way (Route 9, etc.). I turned up East Mountain Road-South and got as far as the bottom of Todd Hill near the Polich house. At that time, East Mountain Road-South was not paved. To get home, I had to walk up Todd Hill and continue until I reached home. After the plows came through, my husband and I went down the mountain to retrieve our car. That evening, I had a miscarriage.

When I was pregnant with our son, Bob, fortunately Todd Hill and other parts of East Mountain Road-South had been paved. When returning from my third shift job during another snow storm, I made the trek up Todd Hill successfully and didn't have to walk. If the walk had become necessary, I might have had another miscarriage. This time, my doctor considered my situation a "high risk" pregnancy. I have since been thankful for that pavement.

Fifth, for those who live on our mountain "full time", we have to get to and back from jobs in all kinds of weather. Those with weekend houses have the luxury of not having to concern themselves with this problem. There is also the situation for those who are no longer "spring chickens". By the time the snow flies next winter, I will be 70. My husband, who has had three back operations, one hip replacement, etc., and I no longer look forward to long treks by foot in snow storms. It's different when one is in his/her thirties, forties, or fifties.

Sixth, dust from the dirt can affect health, both for people and plants. Jack Coulston, who lived in the house next to the McIntyre/Snowden house, spent quite a bit of effort and money to add some lovely plantings to his property. The dust from the road killed most of these plants. He tried to help them but, in the long run, gave up and moved away. If this dust can cause problems for plants, think what it does to people.

The paving of that portion of East Mountain Road-South from the Gagnon house to where East Mountain Road-South intersects the paved East Mountain Road-North would be of great assistance to those living along this stretch of road with health, safety, and convenience situations.

Sincerely,



Barbara J. Lusk

30 Deerland Acres  
Cold Spring, NY 10516  
8AUG2014

Richard Shea,  
Supervisor  
Town Board  
Town of Philipstown  
238 Main Street/P.O. Box 155  
Cold Spring, NY 10516

Re: East Mountain Road South - Dirt Road Dangers

Dear Mr. Shea:

The fact that a heavily used section of East Mountain Road South is unpaved is unacceptably dangerous and will get people killed if it has not already. The dirt surface is very slippery and hard to drive on and contributes to the frequent accidents in the area. There have been two that I am aware of that happened within a hundred feet of our driveway in the past year alone.

On 11AUG2013, a car spin out of a turn just before our driveway, destroyed both trash cans at the end of it and ended up on the stone wall on the north side of East Mountain Road South, taking a large chunk out of it in the process. I heard this particular crash and was the one to call for help for them as cell service in the area is tenuous at best..

On 4JAN2014, a car skidded off the road at the same turn, smashed our mailbox mounting stand and launched the mailboxes that were on it into the snow in the woods on the south side of East Mountain Road South. This is not the first time this has happened, and is the reason our mailbox stand is made of scrap/cull lumber as it gets destroyed in a crash every few years.

There have been far more than the above crashes on this patch of road, as the many scrapes and gouges on the trees, rocks and utility poles in the area can attest. It is only a matter of time until crosses and stuffed animals by the roadside join them.

Sincerely,



Robert H. Lusk

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RESOLUTION #

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

RESOLVED, that the Town Board hereby authorizes Roger Chirico, Highway Superintendent to purchase a Volvo Motor Grader from HGACBuy in the amount not to exceed \$180,312.00 as per the proposal submitted on August 8, 2014.

**RESOLUTION #**

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

RESOLVED, that the Town Board hereby accepts the appraisal submitted by McGrath & Company, Inc., of 1069 Main Street, Fishkill, New York for town owned property located at 34 Kemble Avenue, Cold Spring, New York, known as the VFW Hall.

**WHEREAS**, heretofore the Town Board has discussed the possibility of the Town selling property it owns known as the VFW Hall, located at 34 Kemble Avenue, Cold Spring, New York, and appearing on the tax maps as 48.-12-2-58 (hereinafter the "Property",) and;

**WHEREAS**, the Town Board has retained McGrath & Company, Inc., to prepare and present an appraisal of the Property to assist the Town Board in determining what the appropriate asking price for the Property should be, and;

**WHEREAS**, it is timely for the Town Board to proceed with a number of actions relating to the proposed sale of the Property;

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

1. That the Town Board hereby deems the Property to be surplus and unnecessary for the Town's use and directs that it be offered for sale to the highest bidder, but no less than the appraised value, and;
2. That upon receipt of the appraisal from McGrath & Company, Inc., and following review and acceptance of the appraisal, the Town Board will proceed by publishing a notice in the official newspaper of the Town and posting a copy of the same on the Town Clerk's bulletin board requesting bids from proposed purchasers which said bids are required to be in an amount not less than the figure established by the Town Board following receipt and review of the McGrath appraisal, and
3. The sale of the Property is subject to a permissive referendum pursuant to the provisions of Section 64, Subdivision 2 of the Town Law of the State of New York, which must be set forth in the notice to bidders as well as the Town Board reserving the right to reject any and all such bids.

**RESOLUTION**

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

**WHEREAS**, the Town Board of the Town of Philipstown has discussed the possibility of the Town selling property it owns known as the VFW Hall, located at 34 Kemble Avenue, Cold Spring, New York and appearing on the tax map as 48.-12-2-48.

**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.

**RESOLUTION #**

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

RESOLVED, that the Town Board hereby authorizes Town Clerk Merando to advertise the sale of the VFW Hall located at 34 Kemble Avenue, Cold Spring, New York.

Municipal Resolution in Support of the RUPCO Green Jobs –  
Green New York Program  
(RUPCO Green Jobs Green New York Partnership Pact)

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

**WHEREAS**, RUPCO with the mission of creating homes, supporting people, and improving communities, is a constituency-based organization (CBO), making it easier for homeowners, renters, landlords, not-for-profits and small businesses to participate in energy efficiency programs offered by the New York State Energy Research and Development Authority (NYSERDA), as lead CBO for the Mid-Hudson Region, have been awarded a contract by NYSERDA to build an effective residential energy efficiency program that uses the high quality standards of the state’s Green Jobs – Green New York (GJGNY) Program combined with activation of local trusted sources for word-of-mouth outreach,

**WHEREAS**, it is understood that the NYSERDA GJGNY is a statewide program to promote energy efficiency and the installation of clean energy technologies to reduce energy costs and reduce greenhouse gas emissions. The program will support sustainable community development and create opportunities for green jobs. This program will be administered by NYSERDA.

**WHEREAS**, the GJGNY Program provides New Yorkers with access to energy audits, installation services, low-cost financing, and pathways to training for various green-collar careers; and

**WHEREAS**, the GJGNY Program delivers services in targeted communities with the support of CBOs to recruit residential, small businesses, Not-for-Profits (NFP), and multi-family building owners into the energy audit and financing programs; and encourage individuals to take advantage of clean energy training opportunities; and

**WHEREAS**, the Town of Philipstown Town Board wishes to participate in the GJGNY Program to extend the benefits of energy efficiency to the residents, small businesses, not-for-profits, municipalities, and multi-family building owners throughout the Town of Philipstown; and

**WHEREAS**, the GJGNY Program solicits local community participation in order to maximize the outreach in driving demand for energy upgrades of homes; and

**WHEREAS**, the GJGNY Program provides a robust toolkit of resources, including staff and print and online materials, available to the partner municipalities who support and participate in the GJGNY Program; and

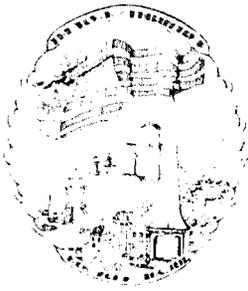
**NOW, THEREFORE BE IT RESOLVED**, that Town of Philipstown Town Board hereby adopts the RUPCO Green Jobs Green New York Partnership Pact, which states as follows:

RUPCO and the Town of Philipstown will work together to identify the key community resources, to wit, a Municipal Energy Liaison, Energy Advocates, and Local Trusted Sources, to support the short and long term success of the RUPCO – Town of Philipstown Program.

**BE IT FURTHER RESOLVED**, the Town of Philipstown Town Board authorizes Supervisor Richard Shea to appoint a Municipal Energy Liaison or Liaisons from among municipal staff or civic volunteers, with the understanding that the Liaison(s) will serve as the chief point of contact between the RUPCO staff and the Town of Philipstown and its residents and civic associations and groups interested in promoting residential energy efficiency; and

**BE IT FURTHER RESOLVED**, the Liaison(s) will work with the RUPCO GJGNY Outreach staff to identify local Energy Advocates, who typically will be homeowners in the community who completed a Home Performance with ENERGY STAR assessment and implemented energy upgrades to achieve savings, and whose role will be to assist the Liaison(s) in identifying local civic groups, both formal and informal, also known as Local Trusted Sources, whose members may be interested in learning about residential energy efficiency; and

**BE IT FURTHER RESOLVED**, the Energy Liaison(s) and local Energy Advocates will collaborate with the RUPCO staff in opening doors with civic groups for presentations about the GJGNY Program information, and any other outreach methods that the Municipal Liaison(s), Energy Advocates, and Local Trusted Sources may find effective in tailoring the GJGNY Program to this municipality.



# 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 August 2014

1. Fees Collected	<u>8892.16</u>
2. Total Number of Permits Issued	<u>23</u>
3. New One- or Two-family dwellings:	<u>-</u>
4. New Commercial/Industrial buildings:	<u>-</u>
5. New Hazardous (H) occupancies:	<u>.</u>
6. New Multi family occupancies:	<u>.</u>
7. Additions, alterations or repairs residential buildings	<u>6</u>
8. Additions, alterations or repairs commercial buildings:	<u>-</u>
9. All other permits (pools, sheds, decks, plumbing, HVAC, etc.)	<u>17</u>
10. Number of Certificates of Occupancy :	<u>21</u>
11. Number of Stop Work Orders issued:	<u>0</u>
12. Operating permits issued	<u>0</u>
13. Operating permits issued hazardous materials	<u>0</u>
14. Operating permits Hazardous processes and activities	<u>0</u>
15. Permits issued for the Use of pyrotechnic devices:	<u>0</u>
16. Inspection of public assembly :	<u>0</u>
17. Inspection of commercial occupancies	<u>0</u>
18. Inspection of buildings with 3 or more dwelling units:	<u>0</u>

Projects of Significance: CO issued for Mantou School

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