

The Town Board held their Monthly Meeting on the above date at 7:30 p.m., the Town Hall, 238 Main Street, Cold Spring, New York 10516.

**PRESENT:**

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

<b>ABSENT:</b>	Michael Leonard	Councilman
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Supervisor Shea opened the meeting with the Salute to the Flag.

Town Clerk Merando swore Councilman Van Tassel in for another term.

**COMMITTEE REPORTS**

**CONSERVATION BOARD** – Councilman Leonard was not in attendance

**RECREATION** – Councilman Van Tassel reported that they had not met as yet this month. The meeting is scheduled for January 30, 2018.

**PUTNAM COALITION THAT CARES** - Councilwoman Montgomery reported that their meeting is scheduled for the third Thursday in January. She was not sure of the location as they move around.

**PLANNING BOARD** – Councilman Flaherty reported the Planning Board does not typically meet in December but due to a lot of activity they did meet on December 14, 2017. There were five (5) items on the agenda; Vista LLC – return of escrow, Lake Surprise Camp, 1657 Route 9D which was tabled, Aztec – Route 9 and Hudson Highlands Reserve. The next meeting is scheduled for January 18, 2018.

**ZONING BOARD** – Councilman Van Tassel reported that the meeting on January 8, 2018 had four (4) items on the agenda: the continuation of a Public Hearing for Vineyard Road, WHUD tower replacement, David & Ann Provan, and the Public Hearing for Essex-Green. The next meeting is scheduled for February 12, 2018.

**HIGHWAY** – Councilman Van Tassel read the report submitted by the Highway Department and which is on file in the Town Clerks office.

**BUILDING & LAND ACQUISITION** – Supervisor Shea reported that the Building Department has moved to the new building, 2 Cedar Street. Supervisor Shea said that they will be bonding out for the renovations needed to be done at the Town Hall building.

**CEMETERY COMMITTEE** – Councilman Leonard was not in attendance.

**PUTNAM COUNTY LEGISLATOR** – Legislator Scuccimarra did not show.

**TOWN OF PHILIPSTOWN  
MONTHLY REPORT OF TOWN SUPERVISOR  
MONIES RECEIVED AS OF JANUARY 11, 2018**

**GENERAL & PART-TOWN FUNDS**

Justice Fees 11/17	5,356.00
PC Mortgage Tax	201,583.95
CTV Fees	13,869.00
CTV Fees	21,666.00
Rec Fees 11/17	40,756.91
Rec Fees 12/17	17,435.90

**HIGHWAY FUND**

Gen Fund Gas	454.20
Gen Fund Gas	499.31
PC Gas	335.09
PC Gas	1,696.86

**CONTINENTAL VILLAGE WATER DISTRICT**

Water Collection	10,685.00
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**CONTINENTAL VILLAGE PARK DISTRICT**

Clubhouse Fees	750.00
Clubhouse Fees	175.00

## **AGENDA**

### **1. Progress report for the Climate Smart Communities incentive presented by Roberto Muller.**

Mr. Muller wanted to discuss the possibility of the Municipal staff serving on the Climate Smart Communities task force. Supervisor Shea asked in what capacity would this person required to serve. Mr. Muller said that it helps to move projects forward when people who know the day to day activities are able to sit in on these meetings. For example, someone from the Highway Department when a project involves roads or the Building Inspector if it involves something related to home efficiency. Supervisor Shea said that he feels that it might be better to development something that would be for a project to project program, as required .

Mr. Muller said that they have a large group of volunteers – about 10 right now who are willing to commit to meeting once a week and volunteer 3 hours a week. They are also getting a few business owners on board thanks to Councilwoman Montgomery. He said that the Chamber of Commerce will have a member to sit in as a business liaison.

Supervisor Shea said that he spoke with Jason Angell today with regard to the possibility of getting a grant. He also said that they want to raise additional funds for Mr. Muller's stipend because he is putting in so much time. Mr. Muller said that he spoke with Europa about the Climate Smart Community grants.

### **2. Resolution accepting the resignation of Edward Barticciotto from the CV Water District effective January 1, 2018.**

#### **RESOLUTION #46-2018**

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

**RESOLVED**, that the Town Board hereby accepts the resignation of Edward Barticciotto from the CV Water District effective January 1, 2018.

### **3. Resolution setting the rate of pay for the Coordinator of the Philipstown's Climate Smart Community.**

#### **RESOLUTION #47-2018**

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

**RESOLVED**, that the Town Board hereby sets the rate pay for the Coordinator of the Philipstown's Climate Smart Community at \$400.00 per month, with the understanding

that the Supervisor will acquire an additional \$100.00 per month for this position for a total of \$500.00 per month.

**4. Resolution setting the rate of pay for the Philipstown's Prevention, Treatment & Recovery Coordinator.**

**RESOLUTION #48-2018**

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

**RESOLVED**, that the Town Board hereby sets the rate pay for the Philipstown's Prevention, Treatment & Recovery Coordinator at \$24.00 per hour, not to exceed \$10,000.00 per year.

**5. Schedule Workshops/Meetings.**

January 17, 2018 – Workshop @7:30 pm – Hudson Highland Land Trust  
Philipstown Depot Theatre  
Set date for Public Hearing – Safe  
Gun Storage

**6. Code Enforcement Monthly Report.**

Town Clerk Merando read the reports submitted for Cold Spring and Philipstown which are on file in the Town Clerks office.

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

Town Clerk Merando had another item for the Town Board to approve; Resolution determining Foil Appeal by Robert D. Gaudio.

**RESOLUTION #49-2018**

**WHEREAS**, on or about November 17, 2017, Robert D. Gaudio, Esq., of Snyder & Snyder, LLP, submitted a request under the New York State Freedom of Information Law ("FOIL") requesting "the entire file [of the Town of Philipstown] regarding Homeland Towers, LLC"; and

**WHEREAS**, on or about Nov 27, 2017, the Town Clerk, as FOIL Officer for the Town, provided a response to the said FOIL request providing certain documents and indicating that there may be outstanding or additional documents which would be forwarded if and when received by the Clerk from the Town's various boards and officers; and

**WHEREAS**, on January 5, 2018, Mr. Gaudioso filed an appeal to the Town Board from the FOIL Officer's response terming it an "effective denial" of his request because (1) it failed to immediately provide all materials in the Town's possession, (2) "failed to include minutes and tapes of any meeting related to this matter", (3) failed to include unidentified "emails received by the Zoning Board from residents", and (4) "there were also no documents related to the Town's dismissal of Ron Graiff"; and

**WHEREAS**, the Town Board has inquired into this matter in regard to the FOIL demand and the response provided by the Town's FOIL Officer;

**NOW, THEREFORE, BE IT RESOLVED** that the FOIL appeal herein is decided as follows:

1. That the appeal is granted to the extent that the Town Clerk shall forthwith provide or otherwise make available to Mr. Gaudioso copies of minutes of all meetings of municipal boards of the Town of Philipstown pertaining to Homeland Towers, LLC and/or the property at 50 Vineyard Road. The appeal is denied in regard to the request for tapes, videos, photographs and notes pertaining to meetings of municipal boards of the Town of Philipstown pertaining to Homeland Towers, LLC and/or the property at 50 Vineyard Road as such materials are not in the Town's possession or control.

2. That the appeal is further granted to the extent that the Town Clerk shall forthwith provide to Mr. Gaudioso any and all such other non-privileged emails and correspondence as the Town may have, if any, pertaining to Homeland Towers, LLC and/or the property at 50 Vineyard Road, and shall not delay turning over such materials until such time as they may be submitted by the various boards and officers of the Town.

3. That the appeal is denied in regard to the request for documents related to the Town's dismissal of Ron Graiff as it appears that no such documents are in the Town's possession or control.

Councilwoman Montgomery presented the foregoing resolution which was seconded by Councilman Flaherty,

The vote on the foregoing resolution was as follows

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

**AUDIENCE**

**VACANCIES**

CV Water District (1)  
Recreation Commission (1)

**APPROVAL OF VOUCHERS**

Councilwoman Montgomery made a motion, seconded by Councilman Flaherty and unanimously carried that the General Vouchers in the amount of \$84,937.79 are hereby approved as set forth in Abstract 12A.

Councilman Flaherty made a motion, seconded by Councilwoman Montgomery and unanimously carried that the Highway Vouchers in the amount of \$92,968.47 are hereby approved as set forth in Abstract 12A.

Councilwoman Montgomery made a motion, seconded by Councilman Van Tassel and unanimously carried that the CVPD Vouchers in the amount of \$5,174.66 are hereby approved as set forth in Abstract 12A.

Councilman Van Tassel made a motion, seconded by Councilman Flaherty and unanimously carried that the CVWD Vouchers in the amount of \$15,030.04 are hereby approved as set forth in Abstract 12A.

There being no further business to discuss, Councilwoman Montgomery made a motion, seconded by Councilman Van Tassel to close the Monthly Meeting at 8:00 p.m.

Respectfully submitted by,

Theresa Crawley  
Deputy Town Clerk