

Monthly Town Board Meeting
December 4, 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.

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

Supervisor Shea opened the Monthly Meeting with the Salute to the Flag.

REVIEW OF MINUTES

The Minutes of the Public Hearing of November 5, 2014 – CV Park & Water District Budget were reviewed.

Councilwoman Montgomery made a motion, seconded by Councilman Leonard and unanimously carried, that the Minutes of the Public Hearing of November 5, 2014 - CV Park & Water District Budget, are hereby approved as presented.

The Minutes of the Public Hearing of November 5, 2014 – General Budget were reviewed.

Councilman Leonard made a motion, seconded by Councilwoman Montgomery and unanimously carried, that the Minutes of the Public Hearing of November 5, 2014 – General Budget, are hereby approved as presented.

The Minutes of the Monthly Town Board Meeting of November 6, 2014, were reviewed.

Councilwoman Montgomery made a motion, seconded by Councilman Merandy and unanimously carried, that the Minutes of the Monthly Town Board Meeting of November 6, 2014, are hereby approved as presented.

COMMITTEE REPORTS

CB – Councilman Leonard reported that the meeting was held on November 18, 2014 at which time they had a site visit and two (2) items on the agenda; Mystery Point Road and the Banker, a property located at 9D/Hudson River. There was also a discussion on Stormwater Management. The Board is still trying to arrange a meeting for Stormwater and is looking at April. The next meeting will be held on December 16, 2014.

RECREATION – Councilman Van Tassel reported the commission has not met yet this month. The next meeting will be held on December 9, 2014. One thing he did

Monthly Town Board Meeting
December 4, 2014

want to mention was that the boards are all up on the ice-skating rink and the liner has been installed. It will be all ready once the ground freezes.

RECYCLING – Councilwoman Montgomery reported that she has had difficulty contacting the E-Waste company. They have not responded to her calls or e-mails. Legislator Scuccimarra said she would see what she could do.

PLANNING BOARD - Councilman Merandy reported that he was not able to attend the meeting held on November 20, 2014, but did watch the DVD of the meeting. He reported that there were five items on the agenda; Scanga Realty, ESP, Burstein, Old Stone Road, and Horton LLC. There was also a short discussion on amending Local Law Chapter 175 on wind energy. There will be no meeting in December. The next meeting is scheduled for January 15, 2015.

Supervisor Shea read a statement with regard to the Horton LLC project and his involvement with the project in the interest of full disclosure.

Councilman Merandy thanked Andy Merante for all the work that is done on these projects.

ZONING – Councilman Van Tassel reported that the meeting was held on November 10, 2014 with two items on the agenda; Appeal #886 – Joseph Estvanik and Appeal #887 – Stellmacher. The next meeting will be held on January 12, 2015.

HIGHWAY – Councilman Van Tassel read the report submitted by Highway Superintendent Roger Chirico, which is on file at the Town's office.

BUILDING & LAND ACQUISITION – Supervisor Shea said that there was an item on the agenda and it would be discussed at that time.

PUTNAM COUNTY LEGISLATOR – Legislator Scuccimarra reported that on November 19, 2014, she attended a “Kick Off” meeting for the Putnam County Communities Care Coalition, which Councilwoman Montgomery also attended. She reiterated that this is a community problem and reported that a “prevention needs assessment survey” has been done in all the schools in Putnam County. Legislator Scuccimarra went on to announce, for anyone interested, that there will be a meeting on December 19, 2015 at 9:00 am at the Butterfield Library to discuss the drug problems in our community.

She attended a meeting on “Aging in Place” this morning, which Councilman Leonard also attended; to talk about what can be done to help seniors and which does not cost too much. Also discussed at that meeting were ways to help seniors find out what is available to them.

The County Executive has launched the 2015 Pilot Program –“Putnam Invests in Leaders of Tomorrow” a summer internship program, which is both paid and unpaid

Monthly Town Board Meeting
December 4, 2014

for High School and College students. This program has been successful in the past and gives the students an opportunity to learn county government.

Legislator Scuccimarra talked about new trolley routes planned for this year and provided a map to the Town Board showing the routes.

The last thing she wanted to mention was that she has been working on getting Styrofoam banned in the County. She said that she was disappointed with the fact that the American Chemical Companies, who want their day in court, are delaying this program from moving forward. She will continue her work to ban Styrofoam in Putnam County.

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**TOWN OF PHILIPSTOWN
MONTHLY REPORT OF TOWN SUPERVISOR
MONIES RECEIVED AS OF DECEMBER 4, 2014**

GENERAL & PART-TOWN FUNDS

| | |
|------------------------|------------|
| Justice Fees – 10/14 | 11,413.50 |
| Justice Fees – 10/14 | 5,738.00 |
| T.C. Fees – 10/14 | 382.95 |
| T.C. Fees Dogs – 10/14 | 412.50 |
| Rec. Fees – 10/14 | 35,941.77 |
| Rec. Community Recycle | 58.65 |
| P.C. Mort Tax | 137,131.95 |
| Perma Credit | 8,922.00 |
| CTV Fees | 19,841.00 |
| CTV Fees | 12,946.00 |
| Justice Fees 11/14 | 5,029.00 |
| Bldg. Fees 11/14 | 15,252.00 |
| Bank Interest | 52.26 |

HIGHWAY FUND

| | |
|---------------------------------------|----------|
| P.C. Gas | 494.45 |
| General Fund Ck | 461.97 |
| Liberty Mutual Ins. Guard rail Damage | 3,165.75 |
| Bank Interest | 132.57 |

CONTINENTAL VILLAGE WATER DISTRICT

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|------------------|-----------|
| Water Collection | 10,522.00 |
| Bank Interest | 5.08 |

CONTINENTAL VILLAGE PARK DISTRICT

| | |
|----------------|--------|
| Bank Interest | 14.11 |
| Clubhouse Fees | 350.00 |

AGENDA

1. Richard Franco to discuss Municipal Composting possibilities.

Mr. Franco, a resident of Cold Spring, was doing a project for a course he was taking and decided to do it on municipal composting. He did research on what the County was doing and as he looked into it he realized that we had a situation locally. The Village of Cold Spring has had a place for many years to discard their debris but he found that it reached its capacity this year. Composting the leaves was considered but no suitable location within the village could be found. One possible solution would be to use the old capped Philipstown landfill, which is a typical site scheme for municipal facilities. He came to Supervisor Shea to see if anything could be done. The Village and Town's wood waste could be combined and chipped with the Town's chipper. The compost could be utilized by the Town and/or Village, or made available to the residents. The Town would not even need a permit for such a small operation...you would only have to inform the DEC.

Mr. Franco reviewed the process for municipal processing and went on to note that the Town currently owns most of the equipment needed. A larger gravel pad would have to be created to properly manage the piles.

He went on to say that if the Town does have an interest in such a program he would recommend that they meet with Beacon to see their facility, which has been in existence for 20 years. They do at least 10 times what we would have to do but we could see what it entails. Another possibility would be bringing leaves up to Beacon. This could be looked into. It costs Beacon \$100,000 - \$200,000 a year to operate the compost facility which produces 4,000 tons. It costs anywhere from \$2.00 - \$10.00 a ton processing costs – labor, gas.

Something should be decided before next year because what the Village was doing just isn't there anymore.

Supervisor Shea said that the Village has not approached the Town as yet. Stephanie Hawkins said that it is her understanding that Ed Trimble is talking to Roger Chirico but nothing formal has been arrived at. In speaking with Mayor Falloon both she and he are supportive of any joint arrangement or collaboration that works for both parties. She thinks that the village respects that this is not something that can be embraced all at once and they understand that it is important to phase in. She said, "if Mr. Chirico can accommodate the space for the disposal of leaves at the landfill and if that is a routine that is working and not a problem then the Town and Village can move on from there". Both she and the Mayor agree that this should be deferred to the Highway Departments and what is workable for them. Supervisor Shea said that they would look to hear from Roger Chirico. He stated that the landfill/recycling center is a Town property, not a highway facility so ultimately the decision would be made by the Town Board.

2. Resolution authorizing Supervisor Shea to sign the response consenting that the Philipstown Planning Board serve as Lead Agency for the Horton Road, LLC, Conservation Subdivision.

Supervisor Shea said that as he mentioned earlier he would not have a role in this. It has been turned over to the Planning Board and they already have control and he does not see any issue with him signing the response. Councilwoman Montgomery said that it should be in the Planning Board hands, but she would like it if we had a Planner. Andy Merante said that at the direction of the Board they have already made a commitment with AKRF and they will be on board with this project. AKRF will attend the workshop that will be held before their regular monthly meeting. Mr. Merante said that this is a large project and it will involve a lot of discussion and input. Councilman Merandy asked what the options were on being lead agency. Mr. Merante said that generally the Planning Board would be lead agency on a project this size, unless there is Town legislation.

RESOLUTION #165-2014

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 consents that the Philipstown Planning Board serve as Lead Agency for the Horton Road LLC, Conservation Subdivision consisting of 155.4 acres as follows;

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|----------------------|----------|-------------|
| Section 17.1-77.2 | totaling | 27.71 acres |
| Section 17.-1-76.112 | totaling | 86.88 acres |
| Section 17.-1-39 | totaling | 19.99 acres |
| Section 17.-1-76.21 | totaling | 20.82 acres |

BE IT FURTHER RESOLVED, that the Town Board authorizes Supervisor Shea to sign the response to the above noted application as per Title 6 NYCRR 617.6 (b) (5).

3. Award Highway Material Bids for 2015.

Town Clerk Merando read the memo from Highway Superintendent Chirico on his recommendations.

RESOLUTION #166-2014

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

RESOLVED, that the Town Board hereby accepts the recommendations of the Highway Superintendent for the Material Bids for 2015.

4. Schedule Workshops/Meetings.

- Year-End Meeting – December 29, 2014

Monthly Town Board Meeting
December 4, 2014

- Re-Organization – January 8, 2015 to start @ 7:00pm
- Monthly Town Board Meeting – January 8, 2015

- Weekly Workshop (to be confirmed) to discuss Clear Channel Entertainment – December 10, 2014

5. Code Enforcement Monthly Report.

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

6. Resolution awarding the bid for the sale of the VFW Hall property located at 34 Kemble Avenue, Cold Spring, New York.

Supervisor Shea said that the Town received one bid for this sale. He remarked that there is one issue that needs to be addressed, that being where to put the Office of the Aging. He is hopeful that eventually we may be able to move that office to the building behind the Town Hall. In the meantime we may be able to find a spot at the Recreation Department. Councilwoman Montgomery (inaudible).

RESOLUTION #167-2014

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

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 does not require environmental impact statements or other determination or procedures under Part 617 of the Environmental Conservation Law.

The vote on the foregoing resolution was as follows:

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|-------------------------|-----|
| Councilwoman Leonard | Aye |
| Councilman Merandy | Aye |
| Councilman Van Tassel | Aye |
| Councilwoman Montgomery | Aye |
| Supervisor Shea | Aye |

RESOLUTION #168-2014

WHEREAS, the Town of Philipstown owns certain real property known as the VFW Hall, located at 34 Kemble Avenue, Cold Spring, New York; and

WHEREAS, the Town Board declared the said property to be surplus and put it out for sale at public bid; and

Monthly Town Board Meeting
December 4, 2014

WHEREAS, the Town Board has received a bid in the amount of \$285,000.00 from Kimberly Conner; and

WHEREAS, the Town Board finds that the said bid represents fair market value for said property;

NOW, THEREFORE, IT IS HEREBY RESOLVED AS FOLLOWS:

- (1) That the Town Board hereby accepts the bid for the sale of the VFW Hall property located at 34 Kemble Avenue, Cold Spring, New York to Kimberly Conner in the amount of \$285,000.00; and
- (2) That the sale is conditioned upon the preparation and execution of an appropriate contract of sale, including terms providing that the sale of the property is in "as in" condition with no warranties; and
- (3) That the sale is subject to and conditioned upon the permissive referendum provisions of Town Law §90 and §91, and, as such, the acceptance of the said bid shall not take effect until thirty days after the date of this resolution or, in the event that a valid petition for referendum is filed, until approval of the proposed sale upon referendum; and
- (4) That the Town Clerk is hereby directed to post and publish notice of the adoption of this resolution.

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

The vote on the foregoing resolution was as follows:

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|-------------------------|-----|
| Councilman Van Tassel | Aye |
| Councilwoman Montgomery | Aye |
| Councilman Merandy | Aye |
| Councilwoman Leonard | Aye |
| Supervisor Shea | Aye |

7. Resolution awarding the bid for professional design services for the reconstruction of the lower end of Manitou Station Road to Stantec Consulting Services, Inc. in the amount not to exceed \$58,300.00.

Supervisor Shea noted that Stantec was the low bidder for the project and have already been awarded the survey and planning portion for which the work has been done to the satisfaction of the Town's Engineer and Highway Superintendent. Now the Town needs to move to the second phase where they do the detailed plans so we can execute the project and get it out to bid. He does not know how much the Town will put out to bid as they are still looking at that. They are estimating this to be in excess of \$700,000. The Town Board

Monthly Town Board Meeting
December 4, 2014

will not know until the finalized plans come in. The Town will partner with the County on this project. This is the next phase on addressing what's been a long-standing concern on Manitou Station Road.

RESOLUTION #169-2014

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

RESOLVED, that the Town Board hereby awards the bid for professional design services for the reconstruction of the lower end of Manitou Station Road to Stantec Consulting Services, Inc. in an amount not to exceed \$58,300.00.

AUDIENCE

Councilman Van Tassel pointed out that if anyone was considering joining a fire department now is the time to do it because a class – Firefighter 1 (which is usually offered in Carmel) will be offered at the North Highland Fire Department at the end of January. This is a 104-hour class with CPR.

Councilwoman Montgomery announced that there would be one more public information session for Open Enrollment on December 13, 2014 at the JLB Library. This is a great resource for anyone in need of health insurance or having difficulty getting information.

Andy Merante informed the Town Board that there is space on Pearl Street (side of Nelsonville Village Hall) that possibly could be used for the Office of Aging.

VACANCIES

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

APPROVAL OF VOUCHERS

Councilwoman Montgomery made a motion, seconded by Councilman Merandy and unanimously carried that the General Vouchers in the amount of \$253,329.52 are hereby approved as set forth in Abstract 11A & 12

Councilman Van Tassel made a motion, seconded by Councilman Leonard and unanimously carried that the Highway Vouchers in the amount of \$188,387.42 are hereby approved as set forth in Abstract 11A & 12.

Councilman Leonard made a motion, seconded by Councilwoman Montgomery and unanimously carried that the CVPD Vouchers in the amount of \$1,144.50 are hereby approved as set forth in Abstract 12.

Monthly Town Board Meeting
December 4, 2014

Councilwoman Montgomery made a motion, seconded by Councilman Merandy and unanimously carried that the CVWD Vouchers in the amount of \$9,436.05 are hereby approved as set forth in Abstract 12.

There being no further business to discuss, Councilwoman Montgomery made a motion, seconded by Councilman Merandy to close the Town Board Monthly Meeting at 8:40 pm.

Respectfully submitted by,

Theresa Crawley
Deputy Town Clerk