

Monthly Town Board Meeting
January 5, 2017

The Town Board held their Monthly Meeting on the above date at 7:32 p.m., the Town Hall, 238 Main Street, Cold Spring, New York 10516.

PRESENT:

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

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

REVIEW OF MINUTES

Public Hearing of November 9, 2017 – CV Park & Water Budget were reviewed.

Councilman Leonard made a motion, seconded by Councilman Flaherty that the Minutes of the Public Hearing of November 9, 2016 – CV Park & Water Budget, are hereby approved as presented.

Public Hearing of November 9, 2016 – General Budget, were reviewed.

Councilman Van Tassel made a motion, seconded by Councilman Flaherty that the Minutes of the Public Hearing – General Budget of November 9, 2016, are hereby approved as presented.

Minutes of the Special Town Board Meeting of November 9, 2016, were reviewed.

Councilman Flaherty made a motion, seconded by Councilman Leonard that the Minutes of the Special Town Board Meeting of November 9, 2016, are hereby approved as presented.

Minutes of the Special Town Board Meeting of November 16, 2016, were reviewed.

Councilman Van Tassel made a motion, seconded by Councilman Flaherty that the Minutes of the Special Town Board Meeting – Adopt Town Budget for 2017 of November 16, 2016, are hereby approved as presented.

COMMITTEE REPORTS

CONSERVATION BOARD – Councilman Leonard reported that they met on December 13, 2016. There were two applications on the agenda: Clove Creek & Sprout Brook and Griffins Landscaping. The next meeting is scheduled for January 10, 2017

RECREATION – Councilman Van Tassel attended the December 13, 2016 at which time the minutes and financial reports read and approved. There was a discussion on projects: the gym floor was done, the ice rink assembled and was filled, and new water fountains have been installed. Amber reported that all three boilers are working. The Winter Carnival has been scheduled for February 11, 2017 – many events have been planned. The next meeting is scheduled for January 31, 2017.

RECYCLING – Councilwoman Montgomery reported that there was nothing new this month.

PLANNING BOARD – Councilman Flaherty reported that they did not meet in December. The next meeting is scheduled for January 12, 2017.

ZONING BOARD – Councilman Van Tassel reported that they did not meet in December. The next meeting is scheduled for January 9, 2017.

HIGHWAY – Councilman Van Tassel read the report submitted by Highway.

BUILDING & LAND ACQUISITION – Supervisor Shea said that there is an item on the agenda and there would be further discussion at that time.

CEMETERY COMMITTEE – Councilman Leonard reported that they met on December 13, 2016. They discussed mapping of the Mountain Avenue cemetery. There was a meeting on December 14, 2016 with the towns and the county (although the representative for the County did not come). Councilman Leonard reported that he had received a Veterans Book that was created by the County. Interestingly enough Philipstown has the only Confederate Soldier buried in a Putnam County Cemetery. He also reported that they have received some private funding. The next meeting will be held on January 10, 2017.

PUTNAM COUNTY LEGISLATOR – Legislator Scuccimarra was unable to attend tonight's meeting.

Councilman Flaherty reported that he had poured the foundation for the Betty Budney Memorial and said that the bench is ready to be delivered and the bricks will arrive next week. The memorial should be done by the spring. Councilman Flaherty thanked Valenti Concrete for donating the concrete that was used for the foundation.

Supervisor Shea thanked Councilman Flaherty for all his work on the project.

**TOWN OF PHILIPSTOWN
MONTHLY REPORT OF TOWN SUPERVISOR
MONIES RECEIVED AS OF JANUARY 5, 2017**

GENERAL & PART-TOWN FUNDS

Re Community Paper Recycling	\$59.10
Justice Fee 11/16	14,838.50
CTV Fees	13,989.00
CTV Fees	20,916.00
AW Scrap Metal	239.00
AW Scrap Metal	189.00
AW Scrap Metal	123.00
Re Community Paper Recycling	70.20
PC Mart Tax	200,251.04
PC Cemetery Mowing	4,570.00
Rec Fees 11/16	39,949.85
Rec Fees 12/16	24,810.64
Bldg. Fees 12/16	21,814.05

HIGHWAY FUND

Put. Co. Gas	59.20
Put. Co. Gas	298.04
Put. Co. Gas	1,157.18
Gen Fund Gas	251.79
Gen Fund Gas	228.40
Put. Co. Gas	248.27
NYS CHIPS	176,703.80
NYS CHIPS	30,867.09
Put. Co. Gas	1,469.59

CONTINENTAL VILLAGE WATER DISTRICT

CONTINENTAL VILLAGE PARK DISTRICT

AGENDA

1. Lynda Ewen to address the Town Board with regard to the Philipstown Senior Citizens Club.

Ms Ewen stated that she wanted to bring the Board up to date with what was going on with the Philipstown Senior Citizens Club. She noted that they have 100 members; 24 honorary members over the age of 85. They are an independent organization and their mission is to provide fellowship, advocacy and education. The club has been working with the County and Town and wanted to thank the Town for their support. The recreation center has been fantastic with the trips, luncheons and exercise classes which give the seniors the opportunity to meet people and interact.

The group wanted to thank Barbara Scuccimarra for her work with them in regard to the senior center. Legislator Scuccimarra organized a presentation with the architect to inform the seniors to what was going to be done at the new center and they were happy with the design. Ms Ewen went on to say that they are not happy with the fact that there will not be a sprinkler system in the new center. She noted that seniors have a hard time getting around and if something should happen it would take time to get out of the building. Ms. Ewen is asking the Town to get involved with helping the seniors to get sprinklers in the building. Councilwoman Montgomery said that by law it was not required. Supervisor Shea said that they would see what they could do to help with this.

Ms. Ewen thanked the Board again, and said that she is optimistic with the future of the center.

2. Resolution rejecting all the bids for the Fair Street Sidewalk Project.

Supervisor Shea said that all the bids came in over what they expected therefore this project would not happen at this time unless they could come up with more money.

RESOLUTION #46-2017

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

RESOLVED, that the Town Board hereby rejects all bids submitted by Land Works Excavating, Inc., Con Tech Construction Technology, Inc., and Sun Up Enterprises, Inc. for the Fair Street Sidewalk Improvements which were opened on September 28, 2016.

3. Resolution awarding the bid for the Town Hall Annex (Dahlia House).

Supervisor Shea said that four (4) bids were received on this project. He sat down and compared all the bids. It seems that Advanced Construction Systems is the low bidder

and if they meet the insurance requirements and then have a preconstruction meeting Supervisor Shea will be satisfied in awarding them the bid.

Councilman Van Tassel asked what was their background and Supervisor Shea said that they would request some references from them.

RESOLUTION #47-2017

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

RESOLVED, that the Town Board of the Town of Philipstown hereby awards the bid for the Town Hall Annex (Dahlia House) Project to Advanced Construction Systems, 50 Wildwood Drive, Wappingers, New York 12590 in an amount not to exceed \$219,400.00.

The vote on the foregoing resolution was as follows:

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

RESOLUTION #48-2017

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

RESOLVED, that the Town Board of the Town of Philipstown hereby awards the bid for the Town Hall Annex (Dahlia House) – Heating, Air Conditioning and Ventilation portion to Comfort Master Heating and Cooling Services, 3191 Route 9, Cold Spring, New York 10516 in an amount not to exceed \$32,000.00.

The vote on the foregoing resolution was as follows:

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

RESOLUTION #49-2017

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 awards the bid for the Town Hall Annex (Dahlia House) - Electric portion to Pidala Electric Inc., 3212 Route 9, Cold Spring, New York 10516 in an amount not to exceed \$42,900.00.

The vote on the foregoing resolution was as follows:

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

4. Resolution scheduling a Public Hearing for a request for abandonment of a portion of the right-of-way for Old Albany Post Road.

Supervisor Shea that this is a request from a resident on that road whose house is partially in the right of way. They are trying to sell their property and can't get title insurance for it. The Town Attorney does not feel there is any risk to the Town in doing this. Any fees that might be incurred will be paid by the resident with no cost to the Town.

RESOLUTION #50-2017

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

WHEREAS, Thomas Whyatt and Tobin Whyatt have submitted a request to the Town of Philipstown to abandon a portion of the right of way along Old Albany Post Road fronting on the property located at 848 Old Albany Post Road; and

WHEREAS, a survey identifying the portion of the right of way along Old Albany Post Road requested to be abandoned has been provided to the Town Board; and

WHEREAS, the Town Board is willing to entertain the said request to abandon a portion of the right of way along Old Albany Post Road pursuant to New York State Highway Law §205; and

NOW, THEREFORE BE IT RESOLVED as follows:

1. That the Town of Philipstown Town Board acknowledges receipt of the request of Thomas Whyatt and Robin Whyatt for the Town to abandon a portion of the right of way along Old Albany Post Road fronting on the property located at 848 Old Albany Post Road; and
2. That Town of Philipstown Town Board hereby refers the said request to the Town Highway Superintendent, the Town's Engineering Consultant and the

Town's Attorney for review and submission of a report and recommendation;
and

3. That the Town of Philipstown Town Board hereby requires submission of an escrow account to be held by the Town Clerk in the amount of Four Thousand and 00/100 Dollars (\$4,000.00) payable by Thomas Whyatt and Robin Whyatt out of which all costs and expenses of the Town in connection with the said request shall be paid; and
4. That a Public Hearing on the said request is hereby set for January 18, 2017 at 7:30 o'clock p.m. and that due notice of the same is directed to be given by publication and posting.

The vote on the foregoing resolution was as follows:

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

5. Schedule Workshops/Meetings.

January 18, 2017 @7:30pm – Public Hearing for the abandonment of a portion of the right of way for Old Albany Post Road.

6. Code Enforcement Monthly Report.

Town Clerk Merando read the report which is on file in the Town Clerks office.

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

Town Clerk Merando announced that there was an additional item for the agenda tonight; a resolution approving an agreement with PayPal, Inc. This is for accepting on line credit card payments.

RESOLUTION #51-2017

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

WHEREAS, the Town of Philipstown Town Board has received a proposed Agreement with PayPal, Inc. for provision of payment services, a copy of which is annexed hereto; and

WHEREAS, under the said Agreement individuals may make payments to the Town via credit cards through PayPal payment services on condition that a service charge is added to the amount of the payment in the amounts indicated on the schedules in the said Agreement ; and

WHEREAS, the Town Board is willing to approve the PayPal agreement on condition that the cost of the service charge on such credit card transactions is paid by the individuals making the payments; and

NOW, THEREFORE BE IT RESOLVED as follows:

1. That the Town of Philipstown Town Board hereby approves the said payment services agreement with PayPal, Inc.;
2. That it shall be a condition of offering the payment by credit card service under the said Agreement to the public that the cost of the service charge on the credit card transactions shall be borne by the payers and shall be added to the amount being paid to the Town; and
3. That the Town Clerk is hereby authorized to execute the said Agreement on behalf of the Town as well as any other and further documents necessary to put the said Agreement into effect.

The vote on the foregoing resolution was as follows:

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

Councilman Flaherty thanked Judge Tomann for filling in for the time that was open due to Judge Steiner retiring. He also thanked Frank Weise for all his 34 years of service to the Town and wished him well in his retirement. Councilman Flaherty went on to thank the new members of the Garrison Fire District and commented on how well the elections went with a very large turnout. He then welcomed Judge Camille Linson.

Supervisor Shea wanted to say that they do appreciate all the Garrison Fire Department does and did not want people to think that the Town Board was roughing them up because they questioned the increased budget. He wished that there had been a better dialogue and this could have been avoided.

Councilwoman Montgomery reminded everyone that St. Christopher's Inn has a seminar on the first Sunday of every month @2:30pm, for opioid prevention training.

AUDIENCE

Kim Conner addressed the Board with a question on the credit card payment for taxes. She asked Town Clerk Merando if there were any fee associated with it. Town Clerk Merando responded that there were; 2.2% plus a transaction of \$.30.

Frank Keenan addressed the Board with regard to the sprinkler system at the senior center. His view is that this issue should be left up to the experts.

Nat Prentiss thanked Councilman Flaherty for acknowledging a very inspirational event that took place in Garrison and was delighted by the turnout. He went on to thank the Town Clerks Office, Kim and Liz with the newspapers for getting the word out. Most importantly he thinks that the people said something important and that is that they do not want to see anymore bickering. They would like to put all this behind us.

VACANCIES

Conservation Board (1)

APPROVAL OF VOUCHERS

Councilwoman Montgomery made a motion, seconded by Councilman Flaherty and unanimously carried that the General Vouchers in the amount of \$415,485.32 are hereby approved as set forth in Abstract 12A & 1.

Councilman Leonard made a motion, seconded by Councilman Flaherty and unanimously carried that the Highway Vouchers in the amount of \$132,070.64 are hereby approved as set forth in Abstract 12A & 1.

Councilman Flaherty made a motion, seconded by Councilman Van Tassel and unanimously carried that the CVPD Vouchers in the amount of \$2,082.88 are hereby approved as set forth in Abstract 12A & 1.

Councilman Leonard made a motion, seconded by Councilman Flaherty and unanimously carried that the CVWD Vouchers in the amount of \$5,379.30 are hereby approved as set forth in Abstract 1.

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There being no further business to discuss, Councilwoman Montgomery made a motion, seconded by Councilman Leonard to close the Monthly Meeting at 8:20 p.m.

Respectfully submitted by,

Theresa Crawley
Deputy Town Clerk