

Monthly Town Board Meeting  
March 1, 2018

The Town Board 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
Michael Leonard	Councilman
Robert Flaherty	Councilman

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

**COMMITTEE REPORTS**

**CEMETERY COMMITTEE** - Councilman Leonard reported on the Cedar Street Cemetery, and the efforts moving forward to prune and cut down some trees. He announced that the County Cemetery Committee will be on March 14, 2018. He also reported that the Committee is filing for a 501C3, which any funds would be split between the 6 committees throughout Putnam. He stated that Michael Robertson created a new sign for the Mountain Avenue Cemetery. Councilman Leonard reported that Carmel and Philipstown Committee will have a joint meeting.

**RECREATION** – Councilman Van Tassel stated that the Summer Book will be released next week. Registration begins March 12<sup>th</sup> for residents and March 19<sup>th</sup> for non-residents. The Depot Plaza work is scheduled to begin soon, and the Town Park will be opening in early April. Amber Stickle, Director of the Recreation Department spoke with the Commission and the need for coaches to fill all the scheduled programs.

**PHILIPSTOWN COMMUNITIES THAT CARE** – Councilwoman Montgomery reported on the Family University Program which was held at Haldane last month. A county program (Co-Care) has been working more closely with this side of the county, which is promising. She is hopeful that Danielle Pack-McCarthy, the Prevention, Treatment and Recover Coordinator will find the county programs beneficial to anyone locally that needs assistance without traveling to the other side of county. Councilwoman Montgomery reported that a 24 hour detox center may be opening in Dutchess County and the Lexington, located in Mt. Kisco is also available if needed. Three billion dollars are to be appropriated by the Federal Government to address the opioid crisis. The funding will be coming in the form of regional grants in the form of treatment rather than prevention. Councilwoman Montgomery noted that prevention is the key to this epidemic.

**PLANNING BOARD** – Councilman Flaherty reported on the items address at the Planning Board Meeting of February 15, 2018. The return of escrow funds to Kristen Sorenson was approved. Two Public Hearings were held for the Hudson Highland Reserve, which was continued from January 18, 2018, many concerns were discussed.

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Robert Miller/Altec Service Center and SEJE Realty, LLC were addressed. Under old business, Surprise Lake Camp is seeking amended site plan approval for various site improvements to improve vehicle/pedestrian safety and James Copeland seeking to change use from retail to office space.

**ZONING** – Councilman Van Tassel reported on the items addressed at the Zoning Board of Appeals Meeting February 12, 2018. There was two Public Hearings, Essex Green, Inc. The Public Hearing for David & Ann Provan was closed and approved unanimously. Under old business the WHUD Tower replacement will have the Public Hearing on March 12, 2018. The Neave Group/Todd Berlander application was tabled, so that the Conservation Board could review it.

**HIGHWAY** – Councilman Van Tassel read the report submitted by Highway Superintendent, Carl Frisenda, which is on file in the Town Clerk's Office.

**PUTNAM COUNTY LEGISLATOR** – Legislator Scuccimarra addressed the Town Board confirming the receipt of a letter from County Executive requesting input for a name for the Senior Center. The Town Board thought that it be named "The Julia L Butterfield Center" would be appropriate. Legislator Scuccimarra went on to say that it is her hope that some services from the county could be located at the site a few times a month, easing the burden for Philipstown residents and the traveling involved.

She also noted for the record, that County personnel have stepped in and completed some of the project work for the center. They completed the demolition, rough plumbing, and work on the roof, whereby, bringing the cost down. Councilman Flaherty asked if there was a time frame once the bids come in. She responded saying that is what she has been told, because its interior work, it wouldn't be more than a few months. That's why she reached out to Amber Stickle to discuss programming, which is just preliminary. She plans on coming before the Town Board to further discuss and sure up any possible programming. She complimented the Town Board for all the programs that they have implemented for the seniors. She also reported that the Post Office will be opening in March, with a 24 hour window.

County Legislator Scuccimarra gave a brief overview of a new incentive the County is taken on with regard to the opioid crisis. They are forming a task force with different agencies including the District Attorney, Senator's, Assembly, etc. to meet monthly to assess trends, exploring the different entities and their approach. She welcomes Danielle Pack-McCarthy's participation in this program.

Councilwoman Montgomery expressed her desire to have this task force and its participant come to the Communities that Care meetings. Legislator Scuccimarra pointed out that this is a countywide effort, it is her hope that the county meetings will then trickle down to each town.

**CONSERVATION BOARD** – Councilman Leonard reported that the Board reviewed the Full Environmental Assessment and revised preliminary drawings for the Hudson

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Highland Reserve. Also discussed was Surprise Lake Camp, site plan approval for various site improvements. New business for Todd Berland to install a 12x16 foot pool with a deck and Filipe Ribeiro a proposed single-family residence with a deck. There was also a Stormwater discussion.

Councilman Flaherty announced that the Village of Cold Spring is now getting charged for recycling, which will filter down to us.

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**TOWN OF PHILIPSTOWN  
MONTHLY REPORT OF TOWN SUPERVISOR  
MONIES RECEIVED AS OF MARCH 1, 2018**

**GENERAL & PART-TOWN FUNDS**

Tax Coll.-Gen A-Partial Pay	500,000.00
Bldg Fees 1/18	21,649.00
Justice Fees 1/18	5,007.00
Justice Fees 1/18	6,491.00
TC Fees 1/18	399.88
TC Fees 1/18 Dogs	342.50
Re Comm Paper Recycle	91.95
Tax Coll.-CVFC	269,149.95
Tax Coll.-Phil #1 (Cold Spring)	69,642.96

**HIGHWAY FUND**

Tax Coll.-Hwy DB-Partial pay	500,000.00
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**CONTINENTAL VILLAGE WATER DISTRICT**

**CONTINENTAL VILLAGE PARK DISTRICT**

Clubhouse Fees	350.00
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**AGENDA**

**1. Resolution appointing Danielle Pack-McCarthy as the Prevention, Treatment & Recovery Coordinator.**

**RESOLUTION #67-2018**

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

**RESOLVED**, that the Town Board hereby appoints Danielle Pack-McCarthy as the Prevention, Treatment & Recovery Coordinator at the rate of pay of \$24.00 per hour, not to exceed \$10,000.00 for fiscal year 2018.

**2. Resolution calling for the release of the Risk Assessment related to the Algonquin Pipeline Crossing at Indian Point.**

**RESOLUTION #68-2018**

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

**WHEREAS**, the Town Board of the Town of Philipstown has a principal responsibility to protect the health and safety of its residents, businesses and institutions.

**WHEREAS**, the Town of Philipstown is located within the 50 mile evacuation zone of the Indian Point nuclear plant and a radioactive release there could adversely impact the health of Philipstown residents and business and institution personnel and/or render the Town of Philipstown uninhabitable for generations, and

**WHEREAS**, according to the January 8, 2017 Indian Point Closure Settlement Agreement,<sup>1</sup> Indian Point reactors 2 and 3 are scheduled to be closed in 2020 and 2021, respectively with more than 2700 tons of highly radioactive spent fuel stored onsite, and

**WHEREAS**, the safe decommissioning of Indian Point is critical to the well-being of the Town of Philipstown residents, businesses and institutions, and

**WHEREAS**, it will take decades to transfer the radioactive spent fuel to onsite dry cask storage, where it will be safer but not fully safe, and

**WHEREAS**, the Nuclear Regulatory Commission does not have expertise in gas pipeline dynamics and the Commission has not acknowledged that the gas pipelines pose an additional hazard at this site, and

here as, a massive high pressure 42" diameter gas transmission pipeline traverses the Indian Point property and a rupture in the pipeline at or near that location could destroy critical Indian Point nuclear safety infrastructure and back-up cooling equipment needed to protect the reactors and the spent fuel from igniting, and

**WHEREAS**, some elected officials have discussed siting a gas power plant on or nearby Indian Point property, and

**WHEREAS**, in February 2016 Governor Cuomo, recognizing the dangers of the co-location of the pipeline and Indian Point, asked four NY State agencies to undertake a risk assessment which resulted in the state initiating a work order for a risk assessment to be conducted by Henningson, Durham and Richardson in July 2016. The work order said that the risk assessment was to be completed by September 2016, the scope of which was subsequently expanded and due to be completed on December 31, 2016. The status of the risk assessment is unknown.

**THEREFORE BE IT RESOLVED**, that the Town Board of the Town of Philipstown, in the interests of its residents, businesses and institutions, urges that the New York State risk assessment be released as soon as possible so that elected officials, emergency providers and the public have the benefits of this information to be better prepared, that Entergy, the NRC and community groups and consultants involved in the decommissioning process can include this information in decommissioning planning and that the consulting firm, D.L. English Consulting, that New York State hired to conduct a site reuse study, can have a better understanding of opportunity parameters; and, be it further

**RESOLVED**, that it is in the interest of the well-being of Town of Philipstown's residents, businesses and institutions that the State conducts and releases an assessment that includes public input prior to any discussions regarding the possibility of siting a gas plant at or near Indian Point; and, be it further

**RESOLVED**, that the Town of Philipstown's Town Clerk shall forward this Resolution to the Governor of New York State, to the New York State Legislators in both the New York State Senate and the Assembly that represent the Town of Philipstown and to New York State's Public Service Commission Chairman, Department of Homeland Security and Emergency Services Commissioner, Department of Health Commissioner, Department of Environmental Conservation Commissioner, Empire State Development Commissioner and the NYSERDA Chairman to urge these actions be taken as promptly as possible.

**3. Discussion with regard to a revision to the Town Code, Section 175-46 which addresses Communication Towers.**

Supervisor Shea explained this has come to the Town's attention as a result of Homeland Towers. This addresses new technology 5G and the fact that it going to call for more towers. He went on to say that the Town needs to address it in some way,

however, the proposal as submitted is unacceptable. It's an open ended \$300.00 an hour.

Councilman Van Tassel interjected that with 5G technology is that it's not large towers, but rather multiple small towers, located every thousand feet. He explained that they may be small but make noise and generate heat. As stated by Mr. Menkes, if they are located in your front yard, no one will be happy with it. Mr. Menkes suggested that the Town get out a head of this, rather than being reactive. Councilman Van Tassel will reach out to Mr. Menkes to discuss the proposal and the rate of pay.

Robert Dee, Chairman of the Zoning Board stated that the current code sets in place a 150 foot setback, which he believes should read 50 feet. The second concern Mr. Dee has was that there are three zones, height being 195 feet and the rest of the zoning districts in the town is 110 feet. He suggested that the entire town should be 100 feet. The applicant needs to supply evidence of deficit of service, their submission report doesn't really make sense to board members, and therefore, he would like a list of residents located at the proposed site submit an affidavit stating that they are having issues with cell service.

Discussion briefly continued with regard to the cell towers in the town.

**4. Town Board and Justin Kacur of Highland Architect to discuss the proposed renovation to the Town Hall.**

Justin Kacur with the aid of construction documents gave an overview of the proposed plans for renovations at the Town Hall. Noting that they have completed an analysis of this structure and the needed improvements. He stated that the construction is set and they are prepared for the bidding process. Councilman Van Tassel questioned whether or not staff will remain in the building during the renovations, Mr. Kacur responded saying that during the walk-through with the contractors, they will realize the logistics with that issue and devise a plan that would work for all.

**5. Schedule meetings/workshops.**

It was noted that meetings have been scheduled for next Wednesday and Thursday, March 7<sup>th</sup> and 8<sup>th</sup>.

**6. Code Enforcement Monthly Report.**

Town Clerk Merando read the Code Enforcement Monthly Report, which is on file in the Town Clerk's Office.

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

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Supervisor Shea reported that he met with the Town Attorney and Greg Wunner and they are going to pursue charges against the illegal dumping in the town.

He also reported that he attended two shared services meeting at the county, one being with the board of supervisors' and the other with the county legislators to come up with a plan. There is a mandate from New York State that we have to show shared services this year otherwise we risk losing state funding. He noted that a lot of suggestion were made, and he believes it was a productive meeting.

Supervisor Shea brought up Magazzino, pointing out that it was constructed as an art storage facility. He then stated that everyone knows it's a museum with visitors coming from all over to visit it as a museum. He believes that the Town Board should entertain changing the zoning on the site, so it can be a museum. He believes that it would be in the best interest to have it be what it is. Supervisor Shea stated that the Town Board will consult with the Planning Board on this matter. Kim Conner, member of the Planning Board stated that while she thinks Magazzino is a great thing, she wishes that the applicant had been more truthful when they presented their plans for this project. Supervisor Shea interjected that he can't imagine a better outcome for that property and welcome it with open arms. He went to say that the Town Board will ponder the idea of changing the zoning for that parcel.

Councilwoman Montgomery stated she had spoken with Steve Gaba, Town Attorney with regard to changing the zoning in coordination with Ron Gainer, Town Engineer. Supervisor Shea responded saying that the Town Board should direct Steve Gaba to draft a resolution authorizing research and drafting of a Local Law to change the zoning. He asked Councilwoman Montgomery to reach out to the Town Attorney to draft the resolution and submit it to the Town Board for review.

Councilman Leonard gave an overview of the status of the Climate Smart Community's endeavors and applauded everyone participating. He announced that the Garden Club will be holding an Action Workshop at the Desmond Fish Library from 10 a.m. until 4:00 p.m. on March 3, 2018.

## **AUDIENCE**

Michele Smith of Hudson Highlands Land Trust addressed the Town Board to follow up on the updating water study. She stated that an update would include septic systems, Nelsonville and Continental Village issues and possible grants to address parcels of land that are close to i.e. Clove Creek and the Cold Spring water supply. She is asking to authorize Chazen Company to prepare a proposal to refresh the 2007 study. The Town Board agreed that a quote would be helpful to have an idea of the financial impact.



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Michele Smith also informed the board that Hudson Highlands Land Trust will be conducting a sustainability forum, which will address water on April 15, 2018 at the Highlands Country Club.

**VACANCIES**

Recreation Commission (1)  
CV Water District (1)

**APPROVAL OF VOUCHERS**

Councilman Van Tassel made a motion, seconded by Councilman Flaherty and unanimously carried that the General Vouchers in the amount of \$568,814.38 are hereby approved as set forth in Abstract 2A, 2B & 3.

Councilwoman Montgomery made a motion, seconded by Councilman Flaherty and unanimously carried that the Highway Vouchers in the amount of \$189,004.69 are hereby approved as set forth in Abstract 2A, 2B & 3.

Councilman Leonard made a motion, seconded by Councilwoman Montgomery and unanimously carried that the CVPD Vouchers in the amount of \$1,663,44 are hereby approved as set forth in Abstract 3.

Councilman Leonard made a motion, seconded by Councilwoman Montgomery and unanimously carried that the CVWD Vouchers in the amount of \$6,341.33 are hereby approved as set forth in Abstract 3.

There being no further business to discuss, Councilwoman Montgomery made a motion, seconded by Councilman Leonard to close the Monthly Meeting at 8:48 p.m.

Respectfully submitted by,

Tina M. Merando  
Town Clerk