

Monthly Town Board Meeting
March 6, 2014

The Town Board of the Town of Philipstown held their Monthly Meeting on the above date at 7:36 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 Monthly Meeting of February 6, 2014, were reviewed.

Councilwoman Montgomery asked that a correction be made to page 4, continuation paragraph concerning transporting of seniors. She stated that the paragraph reflected that the Town was looking for help transporting seniors. Councilwoman Montgomery added that the Town already has and has had a service at the Recreation Department to transport seniors.

Councilman Van Tassel made a motion, seconded by Councilwoman Montgomery and unanimously carried that the Minutes of February 6, 2014, are hereby approved with changes as presented.

The Minutes of the Weekly Meeting of February 19, 2014, were reviewed.

Councilman Van Tassel made a motion, second by Councilman Leonard and unanimously carried that the Minutes of February 19, 2014, are hereby approved as presented.

The Minutes of the Weekly Meeting of February 26, 2014, were reviewed.

Councilwoman Montgomery made a motion, seconded by Councilman Leonard and unanimously carried that the Minutes of February 26, 2014, are hereby approved as presented.

COMMITTEE REPORTS

CB – Councilman Leonard reported that the CB met on February 11, 2014. Two (2) items were on the agenda; the first item, Olspan LLC, involved a wetland permit for a building addition. The second item was an application that was presented to the Planning Board and Conservation Board last year regarding the restoration of property located off Route 9 down by the Hudson River. Councilman Leonard added

Monthly Town Board Meeting
March 6, 2014

that due to the snow banks, etc., the CB will probably not be able to examine the property until sometime in late March or April.

RECREATION – Councilman Van Tassel reported that the Recreation Commission did not meet because of the Haldane Basketball Game.

Councilwoman Montgomery reported that the Summer book will be available the week of March 10th and registration for summer camp opens on March 17th. Councilwoman Montgomery added that Recreation Supervisor Stickle received notification that the DASNY grant for \$50,000 was received. This grant is a municipal facilities program grant for the construction of a multi-purpose facility in the Town Park, otherwise known as the pavilion. Councilwoman Montgomery expressed her thanks to Ms. Stickle, Claudio Marzollo and Assemblywoman Sandy Galef.

Councilwoman Montgomery then reported that the signs for the North Highlands Park were received and would be installed as soon as the snow is removed. She stated that the signs would be informing town residents to please clean up after their dogs, which has become a huge problem at the Park. Several complaints have been received from the public concerning the conditions there. Councilwoman Montgomery added that the Town Board will, at some point, have to decide what is going to be done. She added that there was also the issue of dogs running loose and advised residents to call the sheriff, as there is a leash law in the Town. Councilman Van Tassel remarked that this was an on-going problem since the Park opened – it was unsafe with dogs running free, and that the Recreation Department was not going to pick up after dogs.

Recreation Commission member, Claudio Marzollo, recommended that there was a need for representatives from the Town Board and the Commission meet to discuss how the Commission could cooperate.

On another note, Councilman Van Tassel congratulated the Recreation Department on the Winter Carnival and stated that a full report would be forthcoming after the Recreation Commission meeting.

RECYCLING – Councilwoman Montgomery reported that the Recycling Center was closed the last two (2) Saturdays due to the snow, but would be opened this Saturday, March 8. She added that she had talked to Highway Superintendent Chirico and Ms. Mary Rice of Putnam County and was advised that the new electronic waste center has been up and running for two (2) months. Councilwoman Montgomery further reported that there was also a list of accepted items at the Recycling Center and asked if it could be put on the Town's website. Town Clerk Merando informed Councilwoman Montgomery that the list has been posted on the website for over a month.

Monthly Town Board Meeting
March 6, 2014

Councilman Van Tassel remarked on complaints received regarding the Saturday closings. He informed the public that the Highway Department had to move the snow from the roads and take it to the Recycling Center to dispose of it.

PLANNING BOARD - Councilman Leonard reported that the Planning Board met on February 10th with the following items on the agenda: A Public Hearing held on Winter Hill; Olspan Warehouse LLC site plan application; Cold Spring Farm, request for escrow return. Next meeting scheduled for March 20th.

ZONING – Councilman Van Tassel reported on the following items addressed at the February 10th meeting: Approval of Resolution for 20 Nazareth Way Area Variance, and Review for Completeness for 406 Route 9, Garrison. The next meeting is scheduled for March 10th.

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

BUILDING & LAND ACQUISITION – Supervisor Shea asked Town Clerk Merando if there had been any responses to the RFP? Town Clerk Merando informed Supervisor Shea that it was just advertised yesterday.

JULIA L. BUTTERFIELD LIBRARY – Councilwoman Montgomery read the report submitted by Jillian Thorpe, which covered the following:

- Receipt of a \$20,000 gift in the form of an annuity to support the technology budget for the next 15 years.
- Receipt of a collection of award winning books for the Children's Room.
- Annual Report for February submitted to New York State.
- Snow removal causing major issues with the Library's parking lot. Lot was closed to the public but people removed caution tape and used the lot anyway. Public is asked to please respect the signs and remember that the library lot is closed during off hours.
- Library hosted 29 events and programs in February.
- Tax forms will be printed for the public free of charge.
- Invitation to local artists to have exhibitions at the library, free of charge.

PUTNAM COUNTY LEGISLATOR – Legislator Scuccimarra reported that on February 19, the Putnam County DA conducted a forum addressing the drug epidemic providing information to the community about the current crises in the County's backyards. The forum was also an outreach to the community to bring awareness. She added that Haldane School has embraced it and things are already happening.

Legislator Scuccimarra then stated that she had brought two (2) items before the Legislature. The first item referred to Assemblywoman Galef's co-sponsoring of a bill in the Assembly, which prohibits the use of Styrofoam. The Legislature agreed to support the bill. Legislator Scuccimarra added that Styrofoam was the 5th largest

Monthly Town Board Meeting
March 6, 2014

hazardous waste in the US and a lot of counties and states have already banned its use.

The second item addressed a resolution promoting NYS agricultural products in order to preserve New York farms. Legislator Scuccimarra stated that the county is losing farmland at an alarming rate – ½ million acres lost in 25 years to subdivisions, strip malls and other developments. She added that we have 215 farms in Putnam County, most of which are small to mid-size farms and mostly food farms. These farms need support to survive and also protection of open space and water quality, as well as being an economic driver. Legislator Scuccimarra stated that she was working with Scenic Hudson and Glynwood Farms to find other ways to assist the farmers.

Legislator Scuccimarra then reported that Putnam County held a public meeting on the status of Tilly Foster Farm. She added that the Legislature should have a culmination of input within the next 50 to 90 days to determine what direction to go in.

She then stated that she had nothing to report on the Post Office – that she had written letters to the Post Office complaining about the Garrison situation and asked them to find another spot. To date, she has had no response. Legislator Scuccimarra added that Congressman Maloney's office has also written letters. She is hopeful that a response will be received by the next Legislature meeting.

Legislator Scuccimarra reported that a public information meeting was being held on Saturday, March 8th, with the Butterfield owners, at the Cold Spring Firehouse, and urged anyone with concerns to attend.

Supervisor Shea then questioned if the County was considering a ban on Styrofoam? Legislator Scuccimarra responded "yes," they were supporting it. Supervisor Shea questioned, "supporting the bill?" Legislator Scuccimarra stated, "if the bill passes, it's going to happen." She added that she would like to see it done in the county as well.

Supervisor Shea asked what practical steps were being taken as far as farming. Legislator Scuccimarra responded that Glynwood and Scenic Hudson were working on helping the farmers with networking and education.

TOWN OF PHILIPSTOWN
MONTHLY REPORT OF TOWN SUPERVISOR
MONIES RECEIVED AS OF MARCH 6, 2014

GENERAL & PART-TOWN FUNDS

Tax Collection – General B – Full Pay	\$ 195,809.81
Tax Collection – General B – Pro Ratas	1,637.19
Tax Collection – General A – Pro Ratas	309.47
Justice Fees – 1/14	8,974.50
Tax Collection – General A – Final Pay	1,454,018.28
Justice Fees – 1/14	8,445.50
Town Clerk Fees – 1/14	189.50
Town Clerk Fees – 1/14	390.00
Recreation Fees – 1/14	47,063.45
Bank Interest	136.96

HIGHWAY FUND

General Fund – Gas	\$ 129.95
Tax Collection – Highway – Final Pay	2,383,492.00
Bank Interest	137.39

CONTINENTAL VILLAGE WATER DISTRICT

Tax Collection – Full Pay	\$ 100,056.79
Bank Interest	6.74

CONTINENTAL VILLAGE PARK DISTRICT

Tax Collection – Full Pay	\$ 115,555.89
Bank Interest	25.79

AGENDA

1. Resolution approving the point listing for the Garrison Volunteer Ambulance Corps Length of Service Award Program for 2013.

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 approves the point listing for the Garrison Volunteer Ambulance Corps Length of Service Award Program for 2013.

2. Resolution approving the 2013 Conservation Board Annual Report.

RESOLUTION #-14

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

RESOLVED, that the Town Board hereby approves the 2013 Annual Conservation Board Report and authorizes Town Clerk Merando to forward the report to the New York State Commissioner of the Department of Environmental Conservation.

3. Resolution accepting the resignation of Donald H. MacDonald as Town Historian, effective March 15, 2014.

After Town Clerk Merando read Mr. MacDonald's letter of resignation, Supervisor Shea stated that he loved the fact that the resignation letter was typed – that it makes it an historical document in itself! Supervisor Shea then expressed thanks for Donald for his years of service, adding that Don had a wealth of knowledge and served as a volunteer.

RESOLUTION #-14

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

RESOLVED, that the Town Board of the Town of Philipstown hereby accepts the resignation of Donald H. MacDonald as Town Historian, effective March 15, 2014.

4. Resolution rejecting the bid submitted by Wilson Oil (sole bidder) of 634 Route 52, Beacon, New York, for #2 Bulk Fuel Oil Delivery at the Claudio Marzollo Community Center.

Town Clerk Merando stated the reason for the rejection was due to the fact that Wilson Oil had negated their proposal by changing the proposal and bid form which referenced "New York Barge Resell Price" to read "Newburgh Global Inv. Price."

RESOLUTION #-14

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

RESOLVED, that the Town Board of the Town of Philipstown hereby rejects the bid submitted by Wilson Oil (sole bidder) of 634 Route 52, Beacon, New York, for #2 Bulk Fuel Oil Delivery at the Claudio Marzollo Community Center.

5. Amended Resolution in the matter of a Cash Bond Agreement between Ryan Bozsik and the Town of Philipstown (previously adopted on February 19, 2014).

Supervisor Shea asked if the former resolution would have to be rescinded. Town Clerk Merando stated that according to Attorney Gaba, this would not have to be done.

RESOLUTION #-14

WHEREAS, the Town of Philipstown Planning Board has approved a residential subdivision plat entitled "Final Subdivision Plant of Lands of Carlson Construction Management Company, Inc." dated July 1, 2004 and filed in the Office of the Putnam County Clerk on May 4, 2009 as Filed Map No. 3090 and 3090A; and

WHEREAS, the subdivision proposed certain infrastructure improvements, particularly a private roadway called "Carlson Court"; and

WHEREAS, pursuant to Town Law §277(9) a bond was posted for construction of Carlson Court; and

WHEREAS, the said bond lapsed before the construction of Carlson Court was completed; and

WHEREAS, the owner of the five lots in the subdivision wish to obtain Building Permits and Certificates of Occupancy for the lots within the subdivision; and

WHEREAS, the Town has estimated the completion costs for the road at \$10,000, which divided among the existing lots results in a ratable share of \$2,000 each; and

WHEREAS, Ryan Bozsik, the record owner of Lot 4 in the subdivision has tendered a proposed roadway improvement bond in the amount of \$2,000, which has been reviewed by the Town's Attorney and found to be acceptable as to form;

NOW, THEREFORE, BE IT RESOLVED as follows:

1. That the Town Board does hereby approve the road improvement bond proposed for Lot No. 4 in the subdivision;

Monthly Town Board Meeting
March 6, 2014

2. Upon submission of a duly executed copy of the bond to the Town Clerk and deposit of \$2,000 with the Town Comptroller, the Town Clerk is authorized and directed to accept the said bond for filing and the Town Comptroller is authorized to accept the said funds for escrow;
3. Upon filing of the bond and deposit of the funds with the Town Clerk, the Town Building Inspector is authorized and directed to issue such land approvals for Lot No. 4 as he finds are warranted, including a Certificate of Occupancy; and
4. Pursuant to Tow Law §277 (9) (d) in the event that the roadway improvements are not completed within three (3) years, the Town reserves the right to call this and any other undertakings posted for such improvements.

Councilman Van Tassel presented the foregoing resolution, which was seconded by Councilman Leonard.

The vote on the foregoing Resolution as follows:

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

Resolution passed by majority vote.

6. Resolution authorizing Supervisor Shea to sign the required documentation for the agreement between the Town and Putnam County for the WIC Program.

RESOLUTION #-14

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

RESOLVED, that the Town Board of the Town of Philipstown hereby authorizes Supervisor Shea to sign the required documentation for the agreement between the Town and Putnam County to provide services with regard to the WIC Program.

7. Code Enforcement Monthly Report.

Town Clerk Merando read the Monthly Report.

8. Schedule Workshops/Meetings.

Wednesday, March 12, 2014 – Review of Wind Turbine Ordinance

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

Supervisor Shea stated that he received an e-mail from the Cold Spring Fire Company asking for help in obtaining a generator for the emergency cell tower on Lane Gate Road. Supervisor Shea remarked that the town would be able to lend support to the request. Councilwoman Montgomery stated that the tower services the town highways radios, EMTs and the local fire companies and felt that the Putnam County Bureau of Emergency Services could possibly help out. Councilwoman Montgomery then asked Legislator Scuccimarra if there might be some support from the County. Legislator Scuccimarra offered to contact the bureau.

Supervisor Shea reported that he had a meeting with Town Engineer, Ron Gainer on the Fjord Trail. Supervisor Shea stated that he and Mr. Gainer took a walk on the Cold Spring section of the proposed trail and Mr. Gainer will be working up a schematic that will include a sidewalk at Mayor's Field north to the intersection of Route 9D. Topics discussed was Putnam County's partnering with the Town on preparing a parking area across from Little Stony Point; discussion concerning the painting of a pedestrian walkway and lowering of the speed limit on the stretch of road, which the DOT has already done. Supervisor Shea added that another consolidation application would be submitted for more capital funding.

AUDIENCE

Cold Spring resident, Julia Famularo, spoke about the tax cap elimination program as it pertains to Haldane School. Ms. Famularo requested the community to write letters to the Legislature asking them to support the restoration of the cap elimination. Supervisor Shea asked what Haldane would do to make up the cap – would they cut programs? Ms. Famularo replied "yes." She added that this was going to be the discussion over the next few weeks, as she believed the adoption of the Haldane School budget was scheduled for April 8, 2014.

Mr. Singh of Countryside Motel addressed the board concerning re-zoning of the accessory building next to the motel for use as a liquor store. Supervisor Shea explained that since the accessory building had not been used for a lengthy period of time, when the re-zoning was done, the previous zoning was not grand-fathered in so the accessory building could not be used as commercial. After a brief synopsis of the situation, Supervisor Shea reported that the Town Attorney was drafting a local law to re-zone the specific area to highway commercial. The local law will be reviewed by local planning and county planning and a public hearing will be held.

Andrew Chmar, director of Hudson Highlands Land Trust, asked about the rescheduling of the workshop on Wind Turbines. Supervisor Shea responded that the workshop had been rescheduled already tonight. Mr. Chmar asked Town Clerk

Monthly Town Board Meeting
March 6, 2014

Merando if an advertisement had been placed with regard to the Comprehensive Plan Review Board. Town Clerk Merando replied that it has been advertised.

Liz Armstrong of Philipstown.com asked if the Fjord trail would go from the end of the Village of Cold Spring property all the way out to Little Stony Point? Supervisor Shea replied that it would go from where the wastewater treatment plant is, down past Mayor's Park all the way to the intersection, which becomes River Road and Route 9D – not out to the state highway. He added that when you get to that section, there is a trail from Little Stony Point that comes off into the State Park property. Supervisor Shea remarked that a person would be on the sidewalk or on the trail off the road traveling from the Cold Spring Train Station all the way down to where the trailhead begins. He stated that ultimately, the idea is to have the trail run from the Cold Spring Train Station to the Beacon Train Station.

Robert Juby of East Mountain Road South, was interested in why the Highway used 30' to 40' of crushed stone to fill in the pot holes on East Mountain Road, adding that if there is another snow storm, the plows will be pushing the stone off to the side. Councilwoman Montgomery replied that she was sure that there was a scientific formula for it's use – that she had spoken to Highway Superintendent Chirico, who explained that if he hadn't done this, there would be a lot of mud. Councilwoman Montgomery stated that the Board would asked Superintendent Chirico for his reason for using it.

Catherine Garnsey of the Putnam County News, requested clarification on a few matters, i.e. approval of a wind turbine by the Planning Board and clarification of names of presenters.

VACANCIES

Recreation Commission (1)
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 Van Tassel and unanimously carried that the General Vouchers in the amount of \$817,746.62 are hereby approved as set forth in Abstracts 2A & 3.

Councilwoman Montgomery made a motion, seconded by Councilman Leonard and unanimously carried that the Highway Vouchers in the amount of \$130,261.57 are hereby approved as set forth in Abstracts 2A & 3.

Monthly Town Board Meeting
March 6, 2014

Councilman Van Tassel made a motion, seconded by Councilwoman Montgomery and unanimously carried that the CVPD Vouchers in the amount of \$2,430.31 are hereby approved as set forth in Abstracts 3.

Councilman Leonard made a motion, seconded by Councilwoman Montgomery and unanimously carried that the CVWD Vouchers in the amount of \$18,589.77 are hereby approved as set forth in Abstracts 3.

There being no further business to discuss, Councilwoman Montgomery made a motion, seconded by Councilman Leonard to close the Town Board Monthly Meeting at 8:26 p.m.

Respectfully submitted by,

Joan B. Clauss
Deputy Town Clerk