

Monthly Town Board Meeting  
June 5, 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.

PRESENT:	Richard Shea	Supervisor
	Nancy Montgomery	Councilwoman
	John Van Tassel	Councilman
	David Merandy	Councilman
	Michael Leonard	Councilman

Councilwoman Montgomery introduced the 8<sup>th</sup> grade cadets from the girl scouts – Abigail Duncan, Alyssa Cavelli, Samantha Monroe and Heather Winne, who led in the Salute to the Flag tonight.

**REVIEW OF MINUTES**

The Minutes of the Special Town Board Meeting of April 24, 2014, were reviewed.

Councilman Van Tassel made a motion, seconded by Councilman Leonard and unanimously carried, that the Minutes of the Special Town Board Meeting of April 24, 2014, are hereby approved as presented.

The Minutes of the Bid Opening of April 30, 2014 (Qualification-Architectural Services for Town Hall & Dahlia House), were reviewed.

Councilman Van Tassel made a motion, seconded by Councilwoman Montgomery and unanimously carried, Minutes of the Bid Opening of April 30, 2014 (Qualification-Architectural Services for Town Hall & Dahlia House), are hereby approved as presented.

The Minutes of the Town Board Meeting of May 1, 2014, were reviewed.

Councilman Merandy made a motion, seconded by Councilwoman Montgomery and unanimously carried, that the Minutes of the Town Board Meeting of May 1, 2014, are hereby approved as presented.

The Minutes of the Executive Session of May 14, 2014, were reviewed.

Councilman Merandy made a motion, seconded by Councilman Leonard and unanimously carried, that the Minutes of the Executive Session of May 14, 2014, are hereby approved as presented.

The Minutes of the Weekly Town Board Meeting of May 14, 2014, were reviewed.

Councilman Van Tassel made a motion, seconded by Councilman Leonard and unanimously carried, that the Minutes of the Weekly Town Board Meeting of May 14, 2014, are hereby approved as presented.

## **COMMITTEE REPORTS**

**CB** – Councilman Leonard reported that the May 13, 2014 meeting, had four (4) applications on the agenda: Scanga Realty, RDR Equities, Bresnan, Robert & Anita Jacobson.

**RECREATION** – Councilman Van Tassel reported that he attended the May 27, 2014 meeting of the Recreation Commission and reported that prior to the meeting the Commission had interviewed two (2) applicants. The minutes were read and approved along with the financials. As per Director Stickle, the budget is on track for 2014. Recreation hosted the senior lunch, which was well attended with about 80 seniors. Councilman Van Tassel thanked all those who volunteered and B & L Deli for catering and donating the cake. Camp registration has been strong for the summer. The Recreation Department has contacted three excavation contractors for bids to eliminate the pool and fence and grade the area. The only bid received was from Polhemus in the amount of \$4,950. The Commission will meet with Mr. Polhemus to discuss the proposal and proceed to eliminate this health and safety hazard. The Commission is looking to finish, grade and seed the area around the ice rink. The Depot Theatre reported that the “Looking Swell Fundraising Campaign” has reached \$200,000 and work to improve the theatre facility will begin soon. Currently showing at the theatre is “Gasping.” The next meeting will be on June 24, 2014.

**RECYCLING** – Councilwoman Montgomery reported that the Recycling Center will be closed on June 14, 2014. She asked for this to be posted in the paper and posted on the municipal channel.

**PLANNING BOARD** - Councilman Merandy reported that there was one (1) item on the agenda for the May 15, 2014 meeting; 201 Old Stone Road. The next meeting will be held on June 19, 2014 at Butterfield Library.

**ZONING** – Councilman Van Tassel reported that there were no appeals at the May 12, 2014 meeting. There was a discussion on the appeals process and possible changes to expedite the progression of appeal. The consensus was to leave the current process as is. The attorney and the Board also discussed the process and time constraints for the meeting minutes to be posted. The June 9 meeting has been cancelled due to no application, so the next meeting will be July 14, 2014.

**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 reported that he has had discussions with the veterans and they have agreed that if the Town wants to sell the VFW building, they would go along with that. He said that we already have enough buildings and this could be sold for a surplus. The monies could be put into this campus (Town Hall) here. The Town would have to compensate the Vets for the remainder of their lease and

Monthly Town Board Meeting  
June 5, 2014

the details will be worked out. The first thing that needs to be done is to get Don McGrath to do an evaluation of the building.

**BUTTERFIELD LIBRARY** – Councilwoman Montgomery read the report submitted by Gillian Thorpe which included:

**Community**

- School visits took place in May and will continue in June including visits with all Haldane 3<sup>rd</sup> graders to promoting summer reading.
- The library received a grant to partner with Haldane School District and provide support for their required summer reading.
- Bookmark Contest saw over 150 entries this year. The winners were announced on Big Truck Day.
- The Library will offer a free summer camp to Philipstown children. This year's theme will experiment with all things science. The four-day camp will feature games, activities, crafts and special guests.

**Technology**

- Butterfield will launch a new website this month still at "butterfieldlibrary.org"
- The library's online calendar was upgraded in May
- The library has a new online catalog. It is more intuitive and user friendly.

**Programs/Use of Facility**

- 12 outside organizations/agency will meet at the library in June
- 18 library programs are scheduled for June

Councilwoman Montgomery had a message from the recording secretary of the Senior Citizens Club about them hosting a speaker from AARP on June 19, 2014 at 10:30am, at their Chestnut Ridge Community Room. The topic is "Aging in Place." The seniors group is very proactive at trying to come up with new solutions for resources for the seniors and this solution brings the whole community together.

**COUNTY LEGISLATOR REPORT** - Legislator Scuccimarra feels that is very important to mention the drug problem at every meeting and what is going on in the County to prevent this. On June 10, 2014, St. Christopher's Inn at Graymoor, will have three speakers: Judge Reitz, St. Christopher's Inn and the Walter Hoving Home, who will be addressing three approaches to treatment called "Pathways to Recovery." If anyone is interested in attending, contact Susan Salomone at 914-582-8384.

Again, Legislator Scuccimarra has convinced the County to have a "Medication Take Back Day." Last year it was sparsely attended, but at that time, she focused on drugs getting into the drinking water. Now the focus has been shifted to getting your medication out of your medicine cabinet so your children and their friends cannot get their hands on it. Legislator Scuccimarra has been trying to get lock boxes put in Philipstown, but unfortunately it has to be policed 24 hrs and that is not possible here.

Monthly Town Board Meeting  
June 5, 2014

The County Emergency Services will be offering an EMT course in Putnam Valley. Up to now, most of the classes are in Carmel, which can be difficult for some with such an intensive course, to travel over there several days in a row. It has been a tough argument to have it moved, but they have agreed to do it in Putnam Valley. The date will be some time in August. Councilwoman Montgomery asked if it could be given here in Philipstown and Legislator Scuccimarra said it would not because their reasoning was that there is not a facility large enough here in Cold Spring, where Putnam Valley has a large facility that can hold several classes at the same time.

The polystyrene ban Legislator Scuccimarra has introduced is moving forward. She feels that in the next couple of months they will have a law drafted that will put into place banning polystyrenes or Styrofoam in food services in the municipalities. They will see how that works and then if it goes okay, it will be implemented countywide. Once the law is in effect, they will give people six months to find alternatives.

The trailers have been removed from the Garrison Post Office and already there has been an improvement in the parking situation. The Postmaster has been very accommodating with all the problems. Legislator Scuccimarra would still like to see the Cold Spring carriers come back, but they still have not found a location in Cold Spring.

Legislator Scuccimarra will be meeting with Paul Guillaro and Pat Sheehy from the Office of Senior Resources to start planning the senior center and what the County would be willing to do.

Legislator Scuccimarra said that it is also time to discuss the court consolidation. If the Town is going to take space at Butterfield for the courts, they will have to start planning soon. Supervisor Shea said that they have had discussions with the Villages. He wants to see a plan before everyone gets together again. Legislator Scuccimarra said it would be good to start looking for funding and the State would definitely help with that.

Legislator Scuccimarra has written several letters to the State about the condition of Route 9D from the Bear Mountain bridge to Polhemus'. The road is awful and dangerous for bikers and hikers. She has spoken to William Gordon from the State DOT, who said that there is no money to do anything. She feels if she keeps calling and bringing attention to the matter maybe something will be done. Supervisor Shea said that he had the same conversation with them.

She also wanted to repeat what Councilwoman Montgomery said about "Aging in Place" - older adults want to age in their homes regardless of age, ability and income. She thanked Linda Ann Ewing for organizing this; she has been a great advocate for the seniors.

Supervisor Shea thank Tony Bardes for the donation of the flowers in front of the Town Hall for Memorial Day. He also wanted to wish Betty Budney a speedy recovery. He then thanked the B & L Deli.

**TOWN OF PHILIPSTOWN  
MONTHLY REPORT OF TOWN SUPERVISOR  
MONIES RECEIVED AS OF June 5, 2014**

**GENERAL & PART-TOWN FUNDS**

Building Fees 4/14	10,765.00
T.C. Fees 4/14	813.42
T.C. Fees 4/14 – Dogs	405.50
Rec. Fees 2/14	11.50
Rec. Fees 3/14	44,555.60
Tax Coll. Penalty Int.	18,150.07
Tax Coll Reminder Fee	112.00
Tax Coll. Bank Int.	346.98
Tax Coll. Misc.	3.30
P.C. Mort Tax	125,985.00
Rec. Comm. Recycling	47.39
Justice Fee 4/14	8,776.50
Rec. Fee 4/14	50,164.20
Justice Fee 4/14	14,087.50
Bank Int.	132.43
Justice Fee 5/14	11,505.50
Bldg. Fee 5/14	21,465.00

**HIGHWAY FUND**

P. C. Gas	2,301.75
Village of C.S. salt	2,411.63
Haldane School salt	160.77
General Fund Gas	418.23
P. C. Gas	2,256.53
Bank Int.	186.04

**CONTINENTAL VILLAGE WATER DISTRICT**

Bank Interest	6.71
---------------	------

**CONTINENTAL VILLAGE PARK DISTRICT**

Bank Interest	14.79
Taxes Cortlandt	37,497.00
Clubhouse Fees	525.00

**AGENDA**

**1. Honorary Resolution for Al Zgolinski, member of the Philipstown Recreation Commission.**

Supervisor Shea thanked Mr. Zgolinski for his 30 years of service on the Rec Commission.

**RESOLUTION #95-2014**

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

**WHEREAS**, Al Zgolinski has served the youth of our community for nearly 30 years; and

**WHEREAS**, Al helped to start the Philipstown Soccer Program realizing that recreation encompasses a myriad of activities that result in satisfaction and family unity and promotes a zestful approach to life in general; and

**WHEREAS**, Al was the principal author of the first Philipstown Recreation Master Plan, which was adopted in 1989, recognizing that recreation activities contribute immeasurably to the physical, mental, and economic health of our residents and youth; and

**WHEREAS**, Al has donated his architectural expertise for many projects undertaken to improve the facilities at the Recreation Department with an outstanding spirit of dedication, enthusiasm and hard work;

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board of the Town of Philipstown wish to extend to Al Zgolinski our sincere appreciation for his outstanding performance and for his countless contributions and exemplary service to our community

**2. Hugo Jule, Outreach Coordinator, Green Jobs New York Program – presenting NYSERDA home performance with energy star program.**

Mr. Michael D'Arcy, Outreach Coordinator for RUPCO, introduced himself and the company. They are a not-for-profit agency and as it relates to NYSERDA, they are a constituency-based organization, established in 1981, and are an independent contractor for NYS Energy Research and Development Authority. NYSERDA has been around since 1975 and are tasked with addressing the states energy use issues. They have come a long way since then. He said that State legislation was passed in 2009, which is called "Green Jobs - Green NY" pact – reduce energy consumption and cost, reduce greenhouse gas emissions, support sustainable community development and create green job opportunities. He went on to discuss three residential programs; Home Performance with Energy Star, Assisted Home Performance with Energy Star and Enpower. These programs provide free or reduced energy audits, cash incentives and low interest financing. People can save over \$1,000 a year on bills. Property eligibility is 1-4 family homes and the structure must be in NYS.

Monthly Town Board Meeting  
June 5, 2014

Hugo Jule, went over the steps needed to make your energy efficiency upgrades. There are six (6) simple steps:

- 1) Get assessed
- 2) Make a plan
- 3) Paying for the work (2 options – On-Bill Recovery Loan, Smart Energy Loan
- 4) Get approved
- 5) Do upgrade
- 6) Test-out – and earn incentives

Mr. D'Arcy said lastly, he is asking the Town to consider a draft version of the RUPCO Partnership Pact Resolution. It creates a partnership between the Town and a sense of commitment to promote this program and the Town Board can rely on the RUPCO staff to be down here to do presentation and workshops. This pact would also create a position in the town called "Energy Liaison," and all that a person would do is tell them where to put their efforts. He said one question he gets all the time is "Will this cost the Town?" He responded, no, this cost nothing as long as you pay the utility bill and the systems benefit charge. RUPCO will provide a tool kit of information, marketing materials, feet on the ground resources, training and even go as far to challenge the town in what's called a 10% challenge.

**3. Resolution authorizing Supervisor Shea to sign the Parade Permit application for the Walter Hoving Home to be held on July 26, 2014**

**RESOLUTION #96-2014**

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

**RESOLVED**, that the Town Board hereby authorizes Supervisor Shea to sign the Parade Permit for the Walter Hoving Home to be held on July 26, 2014.

**4. Resolution authorizing Supervisor Shea to sign the Parade Permit application for the Philipstown Lacrosse Association to be held on June 1, 2014. (Nunc Pro Tunc)**

**RESOLUTION #97-2014**

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

**RESOLVED**, that the Town Board hereby authorizes Supervisor Shea to sign the Parade Permit for the Philipstown LaCrosse Association to be held on June 1, 2014. (Nunc Pro Tunc)

Monthly Town Board Meeting  
June 5, 2014

**5. Resolution appointing Lydia McMahon to fill the Recreation Commission vacancy left by Al Zgolinski, effective immediately, whose term will expire September 1, 2014.**

Town Clerk Merando said this was a recommendation from the Commission.

Supervisor Shea said that he knows that the Commission had a difficult time choosing people because everyone who applied was very well qualified.

**RESOLUTION #98-2014**

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

**RESOLVED**, that the Town Board hereby appoints Lydia McMahon to fill the Recreation Commission vacancy left by Al Zgolinski, effective immediately, whose term will expire September 1, 2014.

**6. Resolution appointing Cecily Hall to fill the Recreation Commission vacancy left by Stephanie Hawkins, effective immediately, whose term will expire on September 1, 2015.**

Town Clerk Merando said once again this was based on a recommendation from the Rec Commission.

**RESOLUTION #99-2014**

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

**RESOLVED**, that the Town Board appoints Cecily Hall to fill the Recreation Commission vacancy left by Stephanie Hawkins, effective immediately, whose term will expire on September 1, 2015.

**7. Resolution authorizing Supervisor Shea to sign the proposal submitted by Performer Compliance, LLC, for the tank installation at the Claudio Marzollo Community Center. (Nunc Pro Tunc)**

Councilman Merandy said basically that they did not realize that they had to fill out closeout documents for the DEC for the new tank since they were not included in the original proposal, and they have to address the oil leak. Supervisor Shea said on the good side of that, they have seen some significant savings for the oil.

**RESOLUTION #100-2014**

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



Monthly Town Board Meeting  
June 5, 2014

**RESOLVED**, that the Town Board hereby authorizes Supervisor Shea to sign the proposal submitted by Performer Compliance, LLC, for the tank installation at the Claudio Marzollo Community Center. (Nunc Pro Tunc)

**8. Resolution hiring Marc's Landscaping for the 2014 season as set forth in his proposal. (Nunc Pro Tunc)**

Supervisor Shea had a discussion with Amber Stickle pertaining to this and it represents no increase for the 3<sup>rd</sup> year and she is very pleased with their performance.

**RESOLUTION #101-2014**

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

**RESOLVED**, that the Town Board hereby approves the hiring of Marc's Landscaping for the 2014 season as set forth in his proposal. (Nunc Pro Tunc)

**9. Discussion with regard to cemetery maintenance.**

Councilman Leonard received two (2) bids and noted that the State Law requires the Towns to maintain the cemeteries. He reviewed the bids and his recommendation is to award the bid to KSS Commercial Services.

**RESOLUTION #102-2014**

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

**RESOLVED**, that the Town of Philipstown hereby accepts the proposal submitted for cleanup and maintenance of the cemeteries by KSS Commercial Services on the condition that they supply the Town with proper insurance before starting the work.

**10. Resolution entering into an Inter-Municipal Agreement with the Town of Cortlandt to act on matters relating to the proposed scour protection plan for the Cortlandt Lake Dam.**

Mr. Michael Phelan said that about 5 years ago they received a grant from New York State to do the rehab on the dam and every year the DEC comes out to check. They have discovered that with the rehab of the dam, which is 80 years old, that the process was leveling the top of the dam and now there is a consistent flow out of the lake. They have noticed that one side of the base of the dam is scouring because the other side is on bedrock. They recommend that boulders be put at the base of the dam to alleviate any potential for scouring or undermining. Since the Town of Cortlandt has been running with the ball maintaining these investigations, they would like to be the lead agency. Since the Towns of Philipstown, Putnam Valley and Cortlandt are all involved in the Continental Village Park District the Town of Philipstown needs to give them the okay to act on the Town's behest in order to see that the remediation at the base of the dam is taken care of.

Monthly Town Board Meeting  
June 5, 2014

Supervisor Shea asked if this is the engineer's solution. Mr. Phelan said, "Yes," the engineers have come up with two proposals; a total concrete abutment at the base of the dam and the other was heavy-duty stone with a concrete overlay on top of it. So they are going to decide which is most viable and proceed. The Town of Cortlandt would like the Town of Philipstown to give them permission to continue with the engineering company and to what procedure will be the best. Supervisor Shea thanked Mr. Phelan for all the work he has done on this and all the work he does at the Continental Village Park District. Councilman Leonard said that he would second that. Mr. Phelan does a great job on the grounds, is a hard worker and has a wealth of knowledge.

**RESOLUTION #103-2014**

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

**RESOLVED**, that the Town of the Town of Philipstown hereby agrees to enter into an Inter-Municipal Agreement with the Town of Cortlandt's Director of Technical Services on matters relating to the proposed scour protection plan of the Cortlandt Lake Dam.

**11. Schedule Workshop/Meetings**

Reschedule the Monthly Town Board Meeting from July 3 to July 10, 2014

- June 11, 2014 @7:30pm Weekly Workshop – Wind Energy
- June 18, 2014 @7:30pm Weekly Workshop – Continuation of Public Hearing
- July 9, 2014 @7:30pm Pre Board
- July 10, 2014 @7:30pm Monthly Town Board

**12. Resolution accepting the resignation of Linda Lomonaco as the Garrison School Crossing Guard, effective June 30, 2014.**

Supervisor Shea said Ms. Lomonaco has been doing this job for 12 years and that the Town Board needs to talk about whether a new crossing guard is needed down there now that they have installed the light. He thanked her and said they would seek her input on the situation.

**RESOLUTION #104-2014**

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

**RESOLVED**, that the Town Board hereby accepts the resignation of Linda Lomonaco as the Garrison School Crossing Guard, effective June 30, 2014.

**13. Resolution approving expenditures not to exceed \$3,000 to enforce the provisions of Philipstown vs. Universal Outdoor, Inc. – A 2002 Supreme Court Order/Stipulation to remove the billboard on Route 9.**

Supervisor Shea said this was something that was finalized when he first got on the board. It is the big-lighted billboard on Route 9D heading south. This was put up illegally and now it is time to come out and the company doesn't want to comply with the court order. He said the Town has had no cooperation from them and they have not applied for any of the permits required. It is an eyesore. The Town wants to go into court to ask a judge to reinforce this stipulation.

**RESOLUTION #105-2014**

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

**RESOLVED**, that the Town Board hereby approves expenditures, not to exceed \$3,000 to enforce the provisions of Philipstown vs. Universal Outdoor, Inc. – A 2002 Supreme Court Order/Stipulation to remove the billboard located on Route 9, Cold Spring, New York.

**14. Resolution authorizing the Town Board to forward a proposed contract with Burke Electric with regard to solar panels at the Recreation Center, to Stephen Gaba for his review and comment.**

Councilwoman Montgomery said that there was a workshop on this and they are moving forward with getting more information on putting solar on the roof of the Recreation Department. Councilman Van Tassel spoke with the Town's insurance broker and is getting information on insurance. The underwriters had a few questions, which he has responded to. They do not feel there will be a negative impact on the building but they do want to see a copy of the contract. Supervisor Shea noted that there had been a workshop where a supplier came in and said an 80-kilowatt solar system could be put on the Recreation roof, which is perfect for this and at no cost to the Town. After 5 years, the Town would own this and the electric bills would be cut by 50% (projection). After that, all the savings would be Philipstown's. Supervisor Shea said that the Town was looking at a 25-year program and so far, has found no downside to this - it is free and clean energy. The roof has been insulated, lighting has been replaced and new boilers have been installed at Recreation. He thinks this is a great program.

**RESOLUTION #106-2014**

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

**RESOLVED**, that the Town Board hereby agrees to forward a proposed contract with Burke Electric with regard to solar panels installation at the Recreation Center, to Stephen Gaba for his review and comment.

**15. Code Enforcement Report**

Town Clerk Merando read the report submitted by the Code Enforcement Officer, Kevin Donohue, copy of which is on file in the Town Clerks Office.

Monthly Town Board Meeting  
June 5, 2014

Supervisor Shea asked for people's patience with the Code Enforcement Officer. He feels that there needs to be an adjustment period as he is a "by the book kind of guy," and has a wealth of experience. People need to get used to a real atmosphere of solid enforcement. If anyone has an issue, they can contact the Town Board and everyone will be treated equally.

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

Supervisor Shea said that he has already mentioned the potential sale of the VFW building. Hopefully they can sell the VFW building - realize some profit from that, satisfy the requirements for the lease, get working on modernizing/updating some of the facilities here at Town Hall.

Supervisor Shea went on to say that they would continue the review of the Garrison Volunteer Fire Department's annual statement.

Supervisor Shea has asked Councilman Leonard to put together the information for the wind turbine law. He said that the Town does have to have something on the books and so will have to extend the moratorium. There are four model laws the Board will pick through. NYSERTA has a model law and is a really good resource. The major point will be height and visibility. The Town Board has decided that they want to respect ridgelines and do not want to intrude on the ridgelines. It is a trade off, but they think it is important. He wants to set a date to further discuss; meet next Wednesday at the Workshop.

Supervisor Shea said that he has been working with Ron Gainer on some issues down at Continental Village. It is a tough area – one of the things they did foresee with the improvement of the road is the fact that the volume water is not going to be increased, but will travel more quickly through the new drainage system. One of the houses has experienced problems for a long time and the Town wants to help them. The stream is clogged with our material from the road. We need to clean it out and we are working to get a DEC permit. The Town does have two draft easements for the two properties that are adjacent to the stream. He said that they are looking for some dry weather to get in there with a small machine to get some of the material out to free up that brook and keep it from going into the elderly couples backyard. He said that the Town is responsible and we need to get in there as part of this overall project. Thanks to Ron Gainer we were out there with the DEC twice and he has come up with a plan and, hopefully, the Town will be able to execute the plan this summer.

Councilman Van Tassel received a report from a concerned citizen on Saturday about a tree issue at the Town Park. He called Amber Stickle, who went down there on Sunday to look at the situation. Lou Kingsley was there today and a section of the tree will be taken down.

Councilwoman Montgomery received a call from the Captain of the Garrison Volunteer Ambulance Corp and they will be doing Narcan training this coming Monday. She said this is another step toward addressing the heroin crisis and it will be great to get all of the

Monthly Town Board Meeting  
June 5, 2014

agencies in Philipstown trained on the Narcan. As she was just reminded that tomorrow is D-Day, she wanted to give a shout out to Joe Etta and all those who served, especially those who landed on Normandy 70 years ago.

Town Clerk Merando thanked the PCNR and staff for generously donating the flag for the Town Hall.

## **AUDIENCE**

Mr. Jube wanted to thank Roger and the Highway Department for the work on the culvert on East Mountain Road So. He can say that with the heavy storms you would not even know that there had been a problem. It's now 100 %.

Mr. Russ Cusick said that he was originally scheduled to be on the agenda for this evening but was removed for some reason, which is not clear to him and he has not been told by anyone on the Board as to why. Last week he decided to address the Town Board in regards to the Town's federal Stormwater mandate. He contacted Town Clerk Merando and was reminded what he had to do and he complied with everything. He actually hand delivered it on Friday. He was preparing to meet with the Town Board to share his concerns when on Tuesday he received an e-mail from Town Clerk Merando that he had been taken off the agenda. So his first question is "why was I removed from the agenda? All I wanted to do was discuss Stormwater issues." Supervisor Shea said that he had not received any material from him or the Clerk – written or otherwise. They looked at the scope of the agenda and did try to contact him. Supervisor Shea stated the Town Board was not saying that he could not be on the agenda, but it would be more convenient to be on next month's agenda so that they could prepare for it. Mr. Cusick asked "is this an across the board...is this a requirement that you require of everybody before they address the Philipstown Town Board?" Supervisor Shea said that "Yes, when there is a serious issue and someone is going to give a presentation of sorts, we want to know what the presentation entails, want to have some documentation of that and want to have the time we think they need to be allotted." Mr. Cusick asked Supervisor Shea "Is it required for taxpayers/residents of Philipstown to send you documentation before individuals get up to address you?" Supervisor Shea said, "we like to have some idea of the scope and scale of the discussion, especially involving serious issues like storm management." Mr. Cusick went on to ask when was the last time the Town had, as is required by federal law, an annual Stormwater meeting? He asked the Town Board, "Do you all believe, collectively, that the Town of Philipstown is currently in compliance with our Stormwater mandate?" Supervisor Shea said it would be more productive if he would submit his questions - that this is a complicated issue and if he is serious about getting answers, he should submit his questions so they can supply the answers. Mr. Cusick had another question about compliance as far as construction and building permits. He asked, "applicants who appear before the Planning Board, as an example, have they had applicants for residential properties or business properties been allowed to receive building permits; have they been green lighted for projects that are over 1 acre of soil disturbance without sending notice of intent to the NYS DEC and without following the federal Stormwater mandates from breaking of the ground to the completion of the project? Has that happened in the last five

Monthly Town Board Meeting  
June 5, 2014

(5) years?" Supervisor Shea answered that the policy in Philipstown is that anyone who applies for a building permit and are going to have more than 43,560 square feet of disturbance must file a notice of intent. Mr. Cusick asked, "Who is responsible for enforcing that?" Supervisor Shea said that this is a joint effort between the Code Enforcement Officer and the town's Natural Resources Officer. Mr. Cusick said he has tons of questions and Supervisor Shea said that it would be better to have a workshop, sit down and go through these issues - it would be a lot more productive. Mr. Cusick asked Supervisor Shea for a written explanation as to why he was removed from the agenda. He said he does plan to be on next month's agenda and would like him to be specific about what he needs to submit. Supervisor Shea said that those questions would be a good start so they can supply answers.

Supervisor Shea went on to say that we are not lax in enforcing environmental issues since the entire breathe of all the committee reports that open this meeting revolve around environmental issues. The building inspector, Code Enforcement Officer, is knowledgeable and does follow the letter of the law regarding the notice of intent. Again, looking at the Planning Board and their reviews – these are intensive reviews. People come from both sides of the issue. A lot of people think the Town is heavy handed on enforcement. The town does not shirk responsibility with regard to enforcement of laws. These mandates come with a heavy price. Mr. Cusick interrupted Supervisor Shea and was invited to return to the microphone. Councilwoman Montgomery said she just wanted to point out that as liaison, she takes information from him and brings his questions to the Stormwater officer and gets the answers. Councilman Montgomery added that she had not heard from Mr. Cusick since 2012, and if he has questions for her as the liaison, he should submit them to her. She read an e-mail from the Town Clerk to her outlining the procedure for putting an item on the agenda and that the agenda is approved by the Supervisor. She noted that the Supervisor had not approved this agenda. Mr. Cusick said that he is not 100% sure what her point is and Councilman Merandy interjected that the Town Clerk had instructed her on how the procedure works; the procedure is that everything has to go to the Supervisor, so the point is, this agenda had not gone to the Supervisor. Councilman Merandy read comments Mr. Cusick made on Facebook. Councilman Van Tassel responded that he is disappointed that Facebook is being discussed.

Mr. Gabriel Kourie from Upland Drive asked Supervisor Shea if there was going to be some repair work with regard to drainage in Continental Village. Supervisor Shea said that the work would not affect Upland Drive. Mr. Kourie said that the road is atrocious. He feels that the water that comes off of West Point Road, which is 30 feet wide and washes out Upland Drive, should be the responsibility of the Town. He knows that the town has done some work, but it has not alleviated the problem. Supervisor Shea explained that this is a private road and the Town cannot go on a private road. He said that five years ago, the Town tried to get an easement. Some of the residents agreed, but Mr. Kourie had not. Mr. Kourie said that something has to be done. Supervisor Shea said that he would contact the Highway Superintendent tomorrow, have a discussion, go and look at it and see what solution they can come up with.

Monthly Town Board Meeting  
June 5, 2014

**VACANCIES**

Recreation Commission (2)  
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 Leonard and unanimously carried that the General Vouchers in the amount of \$127,882.15 are hereby approved as set forth in Abstract 5A & 6.

Councilman Van Tassel made a motion, seconded by Councilwoman Montgomery and unanimously carried that the Highway Vouchers in the amount of \$60,859.79 are hereby approved as set forth in Abstract 5A & 6.

Councilman Leonard made a motion, seconded by Councilman Van Tassel and unanimously carried that the CVPD Vouchers in the amount of \$1,479.90 are hereby approved as set forth in Abstract 5A & 6.

Councilman Van Tassel made a motion, seconded by Councilman Leonard and unanimously carried that the CVWD Vouchers in the amount of \$13,849.75 are hereby approved as set forth in Abstract 5A & 6.

There being no further business to discuss, Councilman Van Tassel made a motion, seconded by Councilwoman Montgomery to close the Town Board Monthly Meeting at 9:30 pm.

Respectfully submitted by,

Theresa Crawley  
Deputy Town Clerk