

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 10516.

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.

Supervisor Shea announced that a great member of the community Pat Sexton, long time member of the Planning Board, has passed away. Condolences were offered to her husband Tony as well as her whole family. A moment of silence was observed. Supervisor Shea added that she would be greatly missed. Councilman Leonard stated he had worked with her for many years as part of the Planning Board and was impressed with her wealth of knowledge. Councilman Leonard added that she was a great help to him when he first joined the Planning Board.

Review of Minutes

Minutes of the Public Hearing of May 5, 2016 regarding the ESP re-zoning were reviewed.

Councilwoman Montgomery made a motion, seconded by Councilman Flaherty that the Minutes of the Public Hearing of May 5, 2016, are hereby approved as presented.

Supervisor Shea made note that an escrow still needs to be established for this. He has spoken with representatives of the Hudson Highlands Land Trust who will be monitoring that easement for us or will be setting up the monitoring of the easement for the Town. He stated that it is going to be at least \$400 a year, so the required escrow amount needs to be determined because it has to go on in perpetuity. Andy Chmar stated that they would charge an hourly rate based on the average of 3 to 4 hours.

Minutes of the Monthly Town Board Meeting of May 5, 2016 were reviewed.

Councilman Van Tassel made a motion, seconded by Councilman Leonard that the Minutes of the Monthly Town Board Meeting of May 5, 2016, are hereby approved as presented.

Minutes of the Bid Opening of May 11, 2016, the Washburn Parking Lot, were reviewed.

Councilwoman Montgomery made a motion, seconded by Councilman Leonard that the Minutes of the Bid Opening of May 11, 2016, are hereby approved as presented.

Supervisor Shea noted that all bids, unfortunately, had to be rejected because they all came in too high. It will be going out for re-bid next week after tweaking the plans a bit. Councilman Flaherty questioned whether the contractors who bid the first time would be able to bid the second time around. Supervisor Shea responded saying, they can and he expects and hopes they will.

Before moving on to Committee Reports, Supervisor Shea offered Andy Chmar the opportunity to introduce his replacement as Executive Director at the Hudson Highlands Land Trust.

Andy Chmar spoke about his time working at the Land Trust and his collaboration with the Town Board. He applauded the board for the time they are putting in, in regards to the Fjord project. He introduced Michelle Smith as his replacement. She has been on their board for the past 2 plus years and knows the organization intimately. Michelle is a former managing director from Goldman & Sachs and is confident in her abilities moving forward. Michelle then thanked the board for their collaboration on the Fjord Trail and everything else that the board does for the town. She looks forward to working with the members of the board in the future. Councilwoman Montgomery thanked Andy Chmar for all of his hard work and welcomed Michelle. Councilman Van Tassel also thanked Mr. Chmar. Supervisor Shea thanked Mr. Chmar and relayed his appreciation for all the hard work that he and the Land Trust have done for Philipstown.

COMMITTEE REPORTS

CONSERVATION BOARD – Councilman Leonard reported that the Board met on May 10, 2016 having three (3) applications, two of them being repeat applications: 1) Garrison Station Plaza AKA Guinan's, 2) Riverview Properties and 3) Victoria Manor. Councilman Leonard stated he spoke with Bob Emerick and Susan Jainchill, AKRF planner, regarding a joint training session for the Conservation Board and Planning Board. The next meeting will be held on June 14, 2016. Councilman Flaherty asked if any dates had been suggested for said training. Councilman Leonard stated it would hopefully happen towards the end of summer or beginning of fall, probably September.

RECREATION – Councilman Van Tassel was unable to attend the last Recreation Commission meeting but has the report from Amber. Camp registration is at a record high with a number of weeks having waiting lists. It was announced that Kendall Helbock will be leaving the recreation department and relocating to Massachusetts. Recreation will be hiring new personnel at the learning center as well as the pre and after school programs that are scheduled for September. Amber and the Recreation Commission have been meeting with contractors regarding rehabilitation of the athletic fields at the town park. The Depot Theater held its 20th Anniversary Benefit, which was a sold out night. The theater board continues to work with the MTA regarding repairs at the plaza. The next meeting will be held June 28, 2016.

RECYCLING – Councilwoman Montgomery reported that Vintage Tech, the electronic waste company contracted with the county to pick up e-waste, has failed to respond to several phone calls and emails. Councilwoman Montgomery suggested that an ad be put in the paper stating no more e-waste be accepted until the problem has been resolved. The E-waste container is full at this time. Councilwoman Montgomery added that this program was financed through the state with state funding and it is her belief that the money allotted is no longer there and Vintage Tech is no longer being reimbursed for the pick-ups. Supervisor Shea suggested reaching out to our legislator to find out the status. He also agreed that an ad in the paper was necessary in order to alert the public.

PLANNING BOARD – Councilman Flaherty attended the May 19, 2016 meeting. There were 4 (four) items on the agenda: 1) Public Hearing for Garrison Station Plaza – Guinan's 2) John & Kimberly Sabitini – 101 Dick's Castle Road 3) ESP/Kehr – 3300 Route 9 4) Olspan LLC – 27 Route 9 Cold

Spring (old Cyberchron bldg). Additional items on the Agenda were the return of escrow for Synergy Gas & Lee Kristoferson.

ZONING BOARD – Councilman Van Tassel reported that they met on May 9, 2016 with one application: Special Use Permit – Steven Flavin. A public hearing was scheduled for Monday June 13, 2016. The next meeting will be held on June 13, 2016.

HIGHWAY – Councilman Van Tassel read the Highway Report submitted by Carl Frisenda, Highway Superintendent, which is on file in the Town Clerk’s Office. Councilwoman Montgomery added that she recently had an individual approach her to comment about how pleased he was with the condition of the road he lives on, Old Albany Post Road.

BUILDING & LAND ACQUISITION – Supervisor Shea reported that plans have been completed for the Dahlia House. Ron Gainer will put together the bid packet and it will hopefully be put out to bid in the next 2 weeks.

PUTNAM COUNTY LEGISLATOR – County Legislator Scuccimarra was unable to attend the meeting due to a conflict.

CEMETERY COMMITTEE – Councilman Leonard reported that the committee was extremely busy this month. Councilman Leonard thanked PCNR and the Highlands Current for the publicity on the condition of the cemeteries. He also thanked the Haldane 7th graders for their letters to the committee expressing their concerns over the state of the Mountain Avenue and Cedar Street cemeteries. Councilman Leonard reported that John Benjamin, the stonemason, repaired 35 graves in the last month and that the trees appear to be in good condition with nothing threatening at this time. Councilman Leonard said he would like to try and do some more restorations in the fall and that John Benjamin is retiring, but will continue to help with restorations. The next meeting will be held on June 14, 2016.

**TOWN OF PHILIPSTOWN
MONTHLY REPORT OF TOWN SUPERVISOR
MONIES RECEIVED AS OF JUNE 9, 2016**

GENERAL & PART-TOWN FUNDS

Rec. Fees – 4/16	43,715.01
AW Scrap	276.00
TV Fees – 1st Q	20,324.00
CTV Fees – 1st Q	13,639.00
Bldg. Fees – 5/16	17,362.33
Justice Fees – 5/16	8,599.00
T.C. Fees – 5/16	1,377.50
T.C. Fees Dogs – 5/16	403.50
Bank Interest – 1/16-4/16	427.31

HIGHWAY FUND

Put. Co. Gas	1,324.50
Village of Nelsonville Salt	2,005.95
Put. Co. Gas	1,460.28
Gen. Fund Gas	75.51
Gen. Fund Gas	218.61
Put. Co. Gas	361.12
Perma Worker's Comp	1,217.75
Bank Interest – 1/16-4/16	686.08

CONTINENTAL VILLAGE WATER DISTRICT

Bank Interest – 1/16-4/16	12.56
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CONTINENTAL VILLAGE PARK DISTRICT

Bank Interest – 1/16-4/16	29.43
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AGENDA

1. Resolution approving the purchase of a Highway Department Truck – 7400 Truck with Front Plow and Spreader and authorizing Supervisor Shea to sign the agreement:

Town Clerk Merando made note that this has already been approved; however the amount has increased due to a stainless steel oil pan.

AMENDED RESOLUTION #112-2016

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

WHEREAS, the Town of Philipstown wishes to purchase an International model 7400 truck with front plow and spreader (“the truck”) for the Town Highway Department for \$164,999.39 off of the County bid contract issued by Onondaga County and awarded to Navistar, Inc.; and

WHEREAS, the Town proposes to finance the purchase of the truck through an installment lease/purchase agreement with KS StateBank; and

WHEREAS, the Town Board has investigated the cost of borrowing the funds for purchase of the truck as an alternative to the proposed lease/purchase agreement and, further, the Town has completed an “Evaluation of Financing Alternative” (“EFA”) Form, a copy of which is attached hereto; and

WHEREAS, the Town Board has determined that borrowing funds for the purchase of the truck does not offer any advantages over the proposed lease-purchase agreement; and

WHEREAS, the Town Board finds that the proposed installment lease/purchase agreement with KS StateBank complies with the requirements of General Municipal Law §109-b;

NOW, THEREFORE, BE IT RESOLVED as follows:

1. That the Town Board hereby approves the proposed purchase of the truck subject to the submission of a contract in a form acceptable to the Attorney for the Town; and
2. That the Town Board hereby determines and finds that execution and delivery of the proposed installment lease/purchase agreement with KS StateBank is in the best financial interests of the Town based on due consideration of the other available acquisition and financing alternatives as set forth in the EFA form and on other administrative and management considerations with respect to the acquisition of the truck; and
3. That the Town Board hereby authorizes the Town Supervisor to execute the said contract, lease-purchase agreement and such other and further documents as may be necessary to carry out the terms and conditions thereof.

The vote on the foregoing resolution was as follows

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

The resolution was thereupon declared duly adopted.

2. Resolution authorizing Supervisor Shea to sign the Parade Permit for Rural & Migrant Ministry for an event on May 24th & 25th and waive the fees associated with said permit (Nunc Pro Tunc):

Supervisor Shea commented that this was to bring awareness to underpaid farm workers.

RESOLUTION #113-2016

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

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RESOLVED, that the Town Board hereby authorizes Supervisor Shea to sign the Parade Permit for the Rural & Migrant Ministry for an event to be held on May 24th and 25th, Nunc Pro Tunc, and waives the fees.

3. Resolution authorizing the release of escrow funds for Synergy Gas for processing and consultant's fees:

Town Clerk Merando commented that the information was incorrect. It is not an escrow account, but rather a cash performance bond. The Planning Board has placed it on the agenda for the next meeting in order to provide the proper paperwork.

RESOLUTION #114-2016

A motion was made by Councilman Flaherty, seconded by Councilman Leonard and unanimously carried to table the item.

RESOLVED, that the Philipstown Town Board hereby tables the release of escrow funds for Synergy Gas.

4. Resolution authorizing the release of escrow funds for Lee Kristoferson for processing and consultant's fees:

Town Clerk Merando commented that the information was incorrect. It is not an escrow account, but rather a cash performance bond. The Planning Board has placed it on the agenda for the next meeting in order to provide the proper paperwork.

RESOLUTION #115-2016

A motion was made by Councilwoman Montgomery, seconded by Councilman Leonard and unanimously carried to table the item.

RESOLVED, that the Philipstown Town Board hereby tables the release of escrow funds for Lee Kristoferson.

5. Resolution approving the points listing for the Philipstown Volunteer Ambulance Corp's and Garrison First Aid Squad's LOSAP program:

Councilman Van Tassel noted that the Garrison information was missing. The information on hand was only from Philipstown.

RESOLUTION #116-2016

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

RESOLVED, that the Philipstown Town Board hereby approves the ambulance worker's Service Award Program lists of all 2015 active volunteer ambulance workers of the Philipstown Volunteer Ambulance Corps.

6. Resolution approving the 2015 Conservation Board's Annual Report and authorizing David Klotzle to forward said report to the New York State Department of Environmental Conservation for filing:

Supervisor Shea noted this is something that is required every year and is based mostly on the work & activities of the Conservation Board for the year. Councilman Leonard added that it also includes the stormwater training that took place in 2015. It also lists all Spedes permits.

RESOLUTION #117-2016

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

WHEREAS, the Town of Philipstown has been identified as a Municipal Separate Storm Sewer System (MS4) under the EPA's Phase II Stormwater Regulations under the Clean Water Act of 1999, and

WHEREAS, the Phase II Program requires each MS4 to prepare an Annual Report, on the efforts the Town of Philipstown to protect and improve the water quality of our streams and water bodies; and

WHEREAS, the public is invited to review the Annual Report and provide input; and

WHEREAS, a Annual Report has been prepared in conformance with the Phase II Regulations by the Stormwater Management Officer of the Town of Philipstown; and

WHEREAS, the Annual Report must be submitted to the New York State Department of Environmental Conservation Offices in Albany, New York by June 1, 2016, or as amended;

NOW, THEREFORE, BE IT RESOLVED, that the Annual report is accepted by the Town of Philipstown Town Board and that said Annual Report is available for public review at <http://www.Philipstown.com> and the Philipstown Town Hall;

AND BE IT FURTHER RESOLVED, that David Klotzle, Resource Officer forward said report to the New York State Department of Environmental Conservation for filing.

7. Resolution authorizing Supervisor Shea to serve as the representative for Philipstown for the Renewable Highlands Community Choice Aggregation:

Supervisor Shea reported that he has been working with this group and that it would be great to get a CCA for Philipstown. Supervisor Shea stated that Westchester has one and they were able to put it out to bid and lower people's electric rates while also having that supply come from renewable resources. Michelle Smith added that they have over 100,000 members in Westchester with 14 participating municipalities.

RESOLUTION #118-2016

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

RESOLVED, that the Town Board hereby authorizes Supervisor Shea to represent the Town of Philipstown for the Renewable Highlands Community Choice Aggregation.

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8. Resolution authorizing Supervisor Shea to sign the Solar Power Sales Agreement with Blueland LLC for solar panels at the Claudio Marzollo Community Center:

Supervisor Shea stated he would like the board to authorize this with the knowledge that there will probably be some changes based on some suggestions from Jim Loeb. Supervisor Shea added that he would like to go through the agreement one more time in order to ensure that all the points that Jim Loeb brought up are going to be included in the contract. Supervisor Shea also wants to speak with Amber again to make sure that the town is the account holder for the meters. The only outstanding issue that needs to be decided on is how long it will take to own the panels. Supervisor Shea added that the sooner we own the panels, the better. Councilman Van Tassel questioned whether there was any consideration to the fact that there are generators on the building and how they might be affected. Councilman Van Tassel noted that he is aware that these systems don't operate during a power failure. Supervisor Shea explained that as with any generator, there would be a disconnect in place so if the power goes out the system is isolated.

RESOLUTION #119-2016

A motion was made by Councilwoman Montgomery, seconded by Councilman Flaherty and unanimously carried to table the item.

RESOLVED, that the Philipstown Town Board hereby tables authorizing Supervisor Shea to sign the Solar Power Sales Agreement with Blueland LLC for solar panels at the Claudio Marzollo Community Center.

9. Resolution authorizing Supervisor Shea to sign the New York City Department of Environmental Protection request to use the paved area at the Philipstown Highway Garage to conduct certain activities with regard to repairs to the water supply facility:

Supervisor Shea stated that Drake/Loeb has reviewed the agreement and made some changes. Councilman Van Tassel questioned if they would be notified of when exactly this would be happening

and suggested the public be notified as well, because it will likely be a very large helicopter. Supervisor Shea stated we will receive advance notice and that it would be happening very soon.

RESOLUTION #120-2016

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

WHEREAS, the Town of Philipstown, owns premises located at 50 Fishkill Road, Cold Spring, New York, which is used as the Philipstown Highway Garage; and

WHEREAS, the Town has received a request from the New York City Department of Environmental Protection (“DEP”) to enter into a License Agreement permitting the DEP contractor to have access to the premises for the purpose of a staging spot and pick up zone for a helicopter to pick up material to be used to install new drainage pipes and other repairs to the DEP water supply facilities located at Breakneck Mountain; and

WHEREAS, the License Agreement would be effective from June 1, 2016 to August 1, 2016; and

WHEREAS, the NYCEPA has agreed to hold the Town harmless from claims of any person or party alleging any injury or damage as a result of any negligence performed by DEP or its contractor in connection with the use of the premises; and

WHEREAS, DEP’s contractor has provided the Town with a certificate of liability insurance in the amount of \$2,000,000 for each occurrence, \$4,000,000 aggregate, which said certificate names the Town of Philipstown as an addition insured; and

WHEREAS, the DEP has reviewed the project with the Town Highway Superintendent and he has no problem with it; and

WHEREAS, the Attorney for the Town has reviewed the license agreement, a copy of which is annexed hereto and the insurance certificate and finds all of the terms and conditions to be in order;

NOW, THEREFORE, BE IT RESOLVED as follows;

1. That the Town Board hereby agrees to enter into a License Agreement with the DEP for the period of June 1, 2016 to August 1, 2016, a copy of which is annexed hereto; and
2. That the Supervisor is hereby authorized to execute the License Agreement on behalf of the Town upon receipt by the Town of the License Agreement executed by the DEP; and
3. That after considering all of the information presented to it the Town Board hereby determines that the adoption of this resolution is a Type II Action and not subject to SEQRA.

ROLL CALL VOTE

Supervisor Shea	AYE
Councilwoman Montgomery	AYE

Councilman Van Tassel	AYE
Councilman Leonard	AYE
Councilman Flaherty	AYE

The resolution was thereupon declared duly adopted.

10. Schedule Workshops/Meetings:

June 15, 2016	7:30pm	Dirt Road Society, Resolution authorizing Supervisor Shea to sign the Solar Power Agreement
June 16, 2016	7:00pm	Interviews for Building Inspector
July 7, 2016	7:30pm	Monthly Town Board Meeting

11. Code Enforcement Monthly Report – Town Clerk Merando read the Code Enforcement Monthly Report which is on file in the Town Clerk’s office.

12. Any other business that may come before the Town Board:

Supervisor Shea attended a Fjord Trail meeting to look at the current state of progress with the Washburn Lot, the sidewalk project in Cold Spring, the Breakneck Project; The Breakneck Project is really impressive, a great job is being done. Supervisor Shea questioned when the public presentation on all of the work that is being done, all the information about the Breakneck Connector, is taking place. Michelle Smith informed the board that it is on June 27th at 6:30 pm at The Chalet. Supervisor Shea thanked the Land Trust for providing the meeting space as well as everyone serving on the Steering committee. Supervisor Shea thanked Amy Kacala for keeping everyone on task and moving forward.

Councilman Leonard updated the board on the ongoing Lakeland school tax issue. The Councilman spoke with Assemblywoman Galef regarding the issue and also reached out and discussed the issue with Jackie Annabi from Senator Serino’s office, regarding the very “complex formula” for figuring out the increases. Councilman Leonard reminded everyone that this is in regards to the fact that, over the last 10 years, the Continental Village portion of the Lakeland School District has been going up every year. Senator Serino’s office seems to be convinced that revaluation is the answer. Councilman Leonard explained that he has expressed his frustrations over this issue to Assemblywoman Galef. Councilwoman Montgomery stated that these ongoing issues warrant the state to come down. The Councilwoman noted that the State has specifically appointed a board to deal with this issue. Councilman Leonard wrote an email to send out to update the community regarding this matter and to reassure the residents that the issue has not been dropped. Supervisor Shea suggested that the next big meeting that occurs down in Continental Village include Assemblywoman Galef, Senator Serino, and someone from the State who can give a determination on this issue. Supervisor Shea also suggested a sit-down with the Assessor, Brian Kenney, to discuss setting up a schedule and how to go about performing the revaluation.

Town Clerk Merando reported that there was one other item, a parade permit for the Walter Hoving Home for an event to be held on July 9, 2016.

RESOLUTION #121-2016

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

RESOLVED, that the Town Board hereby authorizes Supervisor Shea to sign the Parade Permit for the Walter Hoving Home for an event to be held on July 9, 2016, and waives the fees.

Councilman Flaherty reported that he and his wife had attended Narcan training at St. Christopher's Inn. He encourages others to attend and stated it only took about a half hour. They run every month and are looking to train as many people as possible. Councilwoman Montgomery added that the Narcan training schedule is on the town website as well as the bulletin board in the Town Hall, the Municipal Channel, and Philipstown Coalition That Cares page. Supervisor Shea stated that he believes that these trainings really have an impact. Councilwoman Montgomery added that the public outreach and interest, grant money that provided these programs, and the medication take-back box have all made an impact. Supervisor Shea noted that the medication take-back box has had overwhelming success. Town Clerk
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Merando added that it has been emptied numerous times already. Councilwoman Montgomery stated that there are so many great initiatives from the federal, state, and local level; It is one thing that, it seems, all these government organizations have been working together on. Councilwoman Montgomery then thanked the Philipstown Coalition That Cares for all of their hard work.

Councilwoman Montgomery informed the board that at the July 7th meeting a member of the Putnam County Health Department, Barbara Ilardi will give an information session on the Zika virus.

Councilwoman Montgomery congratulated all the local graduates on their accomplishments adding that she and Supervisor Shea both have seniors graduating. Haldane graduation will be held on June 18th. Supervisor Shea noted that the graduating class is an extraordinary group.

AUDIENCE

VACANCIES

Zoning Board (1)

APPROVAL OF VOUCHERS

Councilman Leonard made a motion, seconded by Councilman Flaherty and unanimously carried that the General Vouchers in the amount of \$84,592.23 are hereby approved as set forth in Abstracts 5A & 6.

Councilwoman Montgomery made a motion, seconded by Councilman Van Tassel and unanimously carried that the Highway Vouchers in the amount of \$85,493.48 are hereby approved as set forth in Abstracts 5A & 6.

Councilman Leonard made a motion, seconded by Councilman Van Tassel and unanimously carried that the CVPD Vouchers in the amount of \$19,536.64 are hereby approved as set forth in Abstracts 5A & 6.

Councilman Leonard made a motion, seconded by Councilwoman Montgomery and unanimously carried that the CVWD Vouchers in the amount of \$14,473.86 are hereby approved as set forth in Abstract 6.

Supervisor Shea added that Mike Phelan reported to him the previous evening that the walking bridge, which had been washed out during hurricane Irene, has been finished. The entire project was completed for less than \$70,000 and in short order. Supervisor Shea added that he would like to find out who owns the lot at the end of Steuben and if found that the town does own it, he would like it turned over to the Park District so they can better maintain the property around the walking bridge.

There being no further business to discuss, Councilwoman Montgomery made a motion, seconded by Councilman Van Tassel to close the Monthly Meeting at 8:38 p.m.

Respectfully submitted by,

Tara Percacciolo
Deputy Town Clerk