

Monthly Town Board Meeting  
July 6, 2017

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
John Van Tassel	Councilman
Michael Leonard	Councilman
Robert Flaherty	Councilman

**Absent:**

Nancy Montgomery	Councilwoman
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Supervisor Shea opened the meeting with the Salute to the Flag.

**REVIEW OF MINUTES**

Minutes of the Monthly Town Board Meeting of June 1, 2017 were reviewed.

Councilman Van Tassel made a motion, seconded by Councilman Flaherty that the Minutes of the Monthly Town Board Meeting of June 1, 2017, are hereby approved as presented.

Minutes of the Weekly Town Board Meeting of June 7, 2017 were reviewed.

Councilman Flaherty made a motion, seconded by Councilman Leonard that the Minutes of the Weekly Town Board Meeting of June 7, 2017, are hereby approved as presented.

Minutes of the Special Town Board Meeting of June 23, 2017 were reviewed.

Councilman Leonard made a motion, seconded by Councilman Flaherty that the Minutes of the Special Town Board Meeting of June 23, 2017, are hereby approved as presented.

**COMMITTEE REPORTS**

**CONSERVATION BOARD** - Councilman Leonard reported that he attended the Conservation Board meeting on June 13, 2017. There were 3 items on the agenda:

- 1) Jose & Maria Lojano – 17 Ox Yoke Rd, Garrison
- 2) Homeland Towers LLC – 40 Yesterday Dr.
- 3) Masson Copeland Foods – 3056 Route 9, Cold Spring

Councilman Leonard reported that the joint training between the Conservation Board and Planning Board, led by Susan Jainchil, took place on June 14 and he felt it was very beneficial and a great success. The next meeting of the Conservation Board will be held July 11, 2017.

**RECREATION** - Councilman Van Tassel reported he did not attend the last meeting of the Recreation Commission, but received a report from Amber Stickle. She reported that Summer Camp began on June 26<sup>th</sup> and enrollment is up for all weeks. She thanked the Highlands Country Club for the use of the pool for camp and Haldane for helping provide trip transportation. It was reported that the Depot Theatre received permission from the MTA to repave the plaza at the Garrison Landing. The Commission has been working to put together a background check and coaches training policy, which will be presented to

the Board in the very near future. The Recreation Department is still looking to hire someone as a park attendant. Anyone interested is asked to contact Amber at the Recreation Department. The next meeting is July 25<sup>th</sup>, 2017. Supervisor Shea questioned what the Park Attendant position would entail. Councilman Van Tassel reported that the park is getting abused on weekends; even when the gate is locked people seem to still enter and basically do what they want. Supervisor Shea suggested one remedy could possibly be to start prosecuting people for trespassing. The Commission is looking for someone who could basically drive through there a couple of times a day on the weekend and in the evening on weekdays. Councilman Van Tassel suggested the position would be great for someone like a retired police officer; someone who would not be afraid to approach a large group. Councilman Leonard reported that a lot of the time it is people who come from out of town.

**PLANNING BOARD** – Councilman Flaherty attended the June 15<sup>th</sup> meeting held at the Old VFW Hall. He thanked Kim Conner for allowing the Planning Board to use the location for their meetings and for continuing to allow their meetings to be held there. The Councilman reported that the agenda was rather small with just 3 items, those items being:

- 1) Index Industrial Design, 1602 Route 9, Garrison – Public Hearing Scheduled for July 20<sup>th</sup> at 7:30 p.m.
- 2) Rockman-Berquist, 67 Old West Point Road, Garrison
- 3) Hudson Highland Reserve, Route 9 & Horton Road – Workshop Scheduled for July 13<sup>th</sup> at 7:30 at the Old VFW Hall.

The Councilman reported that the next meeting of the Planning Board will be held on July 20<sup>th</sup>, 2017.

**ZONING BOARD** – Councilman Van Tassel reported that the Zoning Board met on June 12, 2017; the two items on the agenda were:

- 1) Homeland Towers LLC – 40 Yesterday Dr. – July 10, 2017 – Continued Application review
- 2) Martin McHugh – 200 Lake Surprise Road – July 10, 2017 – Public Hearing

The next meeting of the Zoning Board is scheduled for July 10, 2017.

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

**BUILDING & LAND ACQUISITION** – Councilman Van Tassel gave a report on the progress with the Dahlia House. The Councilman reported that the structural repairs and framing is done on the main house; there was a lot of termite damage. The foundation for the addition is also complete. The work on the underground electrical service has begun; work on foundation repairs to the main house is expected to begin next week, as well as the framing for the addition. Supervisor Shea reported that they met with the architect, Justin Kacur of Highland Architecture, to discuss the plans for the renovations to the Town Hall. Supervisor Shea reported that he also met with Ron Gainer in regards to the bid documents for new windows at the Town Hall, which should be ready by Tuesday. Councilman Van Tassel noted that a window needed to be added; they will be removing the door where the fire escape is, as well as the fire escape itself, and replacing it with a window. Supervisor Shea hopes to move ahead with the project next spring.

**CEMETERY COMMITTEE** – Councilman Leonard reported that the committee met on June 13, 2017 and commended the committee for placing a number of flags at both Cold Spring Cemeteries prior to the July 4<sup>th</sup> Holiday. The Councilman reported there has been a \$10,000+ restoration performed at the Cedar Street Cemetery, which looks wonderful. Philipstown Tree was thanked for the work they did cutting and trimming back some of the trees. Councilman Leonard added that a sign is in the works for the Mountain Ave cemetery. The Councilman reported that much more could be done if they were able to receive some private funding; the next meeting will take place on July 11, 2017.

## **AGENDA**

### **1. Resolution authorizing the lease/purchase of a 2018 International 7500 Series Truck for the Highway Department in the amount not to exceed \$195,802.00. (Roll Call Vote)**

Supervisor Shea stated that this is in the budget and asked if there was any comment from the Board. Councilman Flaherty questioned if the truck was 4-wheel drive to which Councilman Van Tassel as well as the Supervisor explained it is not.

### **RESOLUTION #113-2017**

#### **RESOLUTION APPROVING PURCHASE OF HIGHWAY DEPARTMENT TRUCK**

WHEREAS, the Town of Philipstown wishes to purchase a 2018 International 7500 series truck ("the truck") for the Town Highway Department for \$195,802.00 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 Alternatives" ("EFA") Form, a copy of which is attached hereto; and

WHEREAS, the Town Board has determined that the 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

Monthly Town Board Meeting  
July 6, 2017

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.

Councilman Flaherty presented the foregoing resolution which was seconded by Councilman Leonard,

The vote on the foregoing resolution was as follows

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

**2. Resolution authorizing Supervisor Shea to sign the Section 147(f) Approval and Written Agreement and Chief Elected Official's Approval in connection with the lease/purchase of equipment for the Continental Village Volunteer Fire Department, Inc.**

Supervisor Shea noted that a Public Hearing was held earlier, prior to the beginning of the Town Board meeting, and that there was no input from the public but Continental Village Volunteer Fire Dept. was well represented. The Supervisor added that they have the trucks on a staggered schedule; one is 10 years old and the one being replaced is almost 20. This helps lessen the financial burden when needing to purchase a new truck.

**RESOLUTION #114-2017**

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

**WHEREAS**, the Continental Village Volunteer Fire Department, Inc., conducted a Public Hearing on July 6, 2017 at 7:30 p.m., at the Town Hall, 238 Main Street, Cold spring, New York, in connection with entering into an Agreement in order to finance equipment consisting of One (1) New Marion Custom Pumper and Equipment, Truck and Chassis, which hearing was held pursuant to Internal Revenue Code Section 147(f); and

**WHEREAS**, said Section 147(f) approval of such financing by the Town, which approval does not in any way constitute any financial involvement of obligation of the Town;

Monthly Town Board Meeting  
July 6, 2017

**NOW, THEREFORE, BE IT RESOLVED**, that the Supervisor is hereby authorized to sign the Section 147(f) Approval and Written Agreement and Chief Elected Official's Approval, presented by the Continental Village Volunteer Fire Department, Inc., in connection with the foregoing financing.

**3. Resolution authorizing Supervisor Shea to sign a Parade Permit for the Walter Hoving Home's event scheduled for July 15, 2017 and waive the fees associated with said permit.**

Supervisor Shea stated that this is something the Walter Hoving Home does every year and the Board is happy to supply a parade permit as well as waive the fees.

**RESOLUTION #115-2017**

The following Resolution was presented by Councilman Van Tassel, 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's event scheduled for July 15, 2017 and hereby waives the fees associated with said permit.

**4. Discussion with regard to the Putnam County Fire & EMS Mutual Aid Plan.**

There was no one present representing and Councilman Van Tassel reported he doesn't ever recall the Board having to review it in past years. Councilman Van Tassel said he would look into the matter and report back to the Board.

**5. Discussion on appointing a Task Force for Climate Smart Communities.**

Supervisor Shea called upon Karen Ertl to address the Board in regards to creating a Task Force for Climate Smart Communities. Ms. Ertl reminded Supervisor Shea that the Garden Club had supplied a list of names of people who would be interested in being on the Task Force when the Resolution was originally passed and she has since heard from a few additional people who are interested. She stated that she had been sending the Board some information from DEC on suggestions. She suggested the Board have a discussion amongst themselves in terms of what the Task Force would be charged with, goals & objectives. She suggested having a workshop with interested parties to discuss the direction of the Task Force. Ms. Ertl stated there are many things that need to be discussed such as number of members, their stake in the Task Force, as well as the Mission Statement. Supervisor Shea suggested, since there are multiple goals listed to be met, they could be split up into multiple committees. Councilman Van Tassel suggested that the key is the Chairman and they want to find someone who is very passionate about the issue. Ms. Ertl reported that they had received a resume from a gentleman who was very interested. She stated she had no issues being on the Task Force and being a so-called "driving force" but suggested someone younger "take on the charge" and perpetuate what's going on. Again, she suggested, it also depends on what the constituency of the Task Force looks like. Supervisor Shea suggested that July & August, due to summer and many people vacationing, might not be the best time to form a new Task Force. Waiting until September gives the Board time to discuss some of the ideas Karen Ertl suggested and "layout some ground work" such as setting some objectives and defining what the Task Force would be doing and also suggested advertising. Councilman Leonard suggested so-called "benchmarking" the Town to see where we are and where we would like to be so that the Board can have a better understanding and better guide the new Task Force. Karen Ertl suggested it could even be a "fluid" thing, as long as there is a core committee. She added that it is now the Board's vision in regards to what they

## Monthly Town Board Meeting

July 6, 2017

would like to accomplish in terms of reducing greenhouse gasses, waste, etc. and how the Task Force can help the Board to identify these things; Ms. Ertl added that Europa McGovern has also offered her help. Ms. Ertl suggested reaching out to Orange County; they have set a very aggressive objective and have partnered up with other Climate Smart communities to help reach their goal. Councilman Leonard asked

if the Task Force would be limited to residents only and was told that it would be open to non-residents. Supervisor Shea stated that the Board would start discussions and possibly reach out to Europa McGovern as well as advertise to get a grasp on the level of interest. Councilman Leonard suggested reaching out to the people on the list supplied by the Garden Club. Karen Ertl reported that Mike Rouch had expressed his interest as well.

### **6. Schedule Workshops/Meetings**

- Monthly Town Board Meeting – August 10, 2017 7:30 pm
- Interviews for PB/ZB/CB Secretary – July 12, 2017 7:30 pm

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

Councilman Flaherty reported that he had received more quotes in regards to replacing the phone system. The Councilman would like to review them all and make a decision sooner than later. The Councilman stated it can be done relatively quickly once a decision is made; the decision just has to be made.

Supervisor Shea reported that the Board is supposed to be receiving a decision on the Appeal from RNV (Ventura), who is operating an illegal transfer station, this week, if not, early next week. Supervisor Shea stated if the Appeal is denied, they will get an injunction and it will be shut down. Supervisor Shea stated he has called DEC investigating officer 4 times and has not received a call back.

Supervisor Shea reported that he met with Homeland Towers LLC and Steve Gaba together to discuss that project and any alternatives. As far as visual impact, the Supervisor suggested this location would be better than at the landfill. Councilman Leonard questioned if they offered any possibility of camouflage and added that it is encouraged. Supervisor Shea stated that they were going to approach Verizon with the idea of lowering the height. Supervisor Shea also requested documentation stating the need for the structure to be as tall as 180 feet. Councilman Flaherty questioned how many cell towers already exist in Philipstown; Supervisor Shea stated there are at least 6. Supervisor Shea wanted to make clear that the Board is aware of the public's concerns and are addressing them.

### **8. Code Enforcement Monthly Report**

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

Supervisor Shea noted that a lot more people seem willing to come in and get permits and credited this to how comfortable people feel with the new Building Inspector, Greg Wunner.

#### **AUDIENCE**

#### **VACANCIES**

There are 0 vacancies at this time.

**Approval of Vouchers**

Councilman Van Tassel made a motion, seconded by Councilman Flaherty and unanimously carried that the General Vouchers in the amount of \$140,685.49 are hereby approved as set forth in Abstract 6A & 7.

Councilman Flaherty made a motion, seconded by Councilman Van Tassel and unanimously carried that the Highway Vouchers in the amount of \$130,942.84 are hereby approved as set forth in Abstract 6A & 7.

Councilman Leonard made a motion, seconded by Councilman Flaherty and unanimously carried that the CVPI Vouchers in the amount of \$6,160.74 are hereby approved as set forth in Abstract 7.

Councilman Leonard made a motion, seconded by Councilman Van Tassel and unanimously carried that the CVWD Vouchers in the amount of \$5,643.31 are hereby approved as set forth in Abstract 7.

There being no further business to discuss, Councilman Flaherty made a motion, seconded by Councilman Leonard to close the Monthly Meeting at 8:25 p.m.

Respectfully submitted by,

Tara K. Percacciolo  
Deputy Town Clerk

Monthly Town Board Meeting  
July 6, 2017

**TOWN OF PHILIPSTOWN  
MONTHLY REPORT OF TOWN SUPERVISOR  
MONIES RECEIVED AS OF July 6, 2017**

**GENERAL & PART-TOWN FUNDS**

Rec Fees 5/17	53,746.00
CTV Fees	22,583.00
CTV Fees	14,328.00
Justice Fees 5/17	5,409.60
TC Fees 5/17	364.36
TC Fees 5/17	455.50
Rec Fees 4/17	47,395.12
AW Scrap	329.00
ReComm.	75.45
Justice Fees 5/17	8,430.50
P.C. Mortgage Tax	203,980.52
Rec Fees 5/17	44,464.43

**HIGHWAY FUND**

Gen. Fund Gas	660.26
Haldane Salt	167.06
PC Gas	1,434.78

**CONTINENTAL VILLAGE WATER DISTRICT**

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**CONTINENTAL VILLAGE PARK DISTRICT**

Clubhouse Fees	175.00
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