

Monthly Town Board Meeting  
September 4, 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
	John Van Tassel	Councilman
	Michael Leonard	Councilman
ABSENT:	David Merandy	Councilman
	Nancy Montgomery	Councilwoman

**REVIEW OF MINUTES**

The Minutes of the Town Board Meeting of August 7, 2014, were reviewed.

Councilman Van Tassel made a motion, seconded by Councilman Leonard and unanimously carried, that the Minutes of the Town Board Meeting of August 7, 2014, are hereby approved as presented.

**COMMITTEE REPORTS**

**CB** – Councilman Leonard reported that the August 12, 2014 meeting had two (2) applications on the agenda: 316 West Point Road and ESP – 3330 Route 9. Earlier in the day they had performed site visits. The board discussed several other matters; ongoing bank mitigation on 9D, Stormwater, plant invasion, and fencing and protecting new trees. The next meeting is scheduled for September 9, 2014.

**RECREATION** – Councilwoman Montgomery was not present. No report submitted.

**RECYCLING** – Councilwoman Montgomery was not present. No report submitted.

**PLANNING BOARD** - Councilman Leonard reported that there was no meeting since his last report. The next meeting is scheduled for September 18, 2014.

**ZONING** – Councilman Van Tassel reported that there was no meeting since his last report. The next meeting is scheduled for September 8, 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 noted that there was an Agenda item on this and it would be discussed later in the meeting.

**PUTNAM COUNTY LEGISLATOR** – Legislator Scuccimarra reported that there will be another “Medication Take Back Day” (sponsored by the County) on September 20, 2014, from 9:00am to 12:00pm, at the American Legion building. Last year she had focused on medication getting into your drinking water and unfortunately it was sparsely attended. Due to the drug crisis this year they will be doing more advertising and focusing on discarding of unused medications in the household so children and others cannot get their hands on them. A bus for seniors will be provided, if necessary.

Legislator Scuccimarra announced that this is Suicide Prevention Week. Putnam County has an APP with helpful information that can be downloaded and they also have a crisis hotline (845) 225-1222.

Legislator Scuccimarra reported that she attended a meeting today at the Office of Senior Resources. Information was provided on the services that are offered to the seniors; wellness program, legal services, home delivered meals, and a heat program.

She announced that there is a new scam going around where the caller tells you that you owe monies and will be arrested if you do not call a certain number (an out of state number). Please beware.

Legislator Scuccimarra took a ride with Highway Superintendent Chirico to check out the paving work that was done on Lane Gate Road. She said that they have done a very good job. She also mentioned that Route 9 has been repaved.

She then reported that a meeting has been scheduled for September 23, 2014 with the County, Villages and Town to discuss Butterfield project.

Lastly, she asked that people consider contributing to a Fund Raiser for “Drug Crisis in our Backyard”. This group (several people who lost children to drug abuse) is working hard to get the word out about drug abuse.

**TOWN OF PHILIPSTOWN  
MONTHLY REPORT OF TOWN SUPERVISOR  
MONIES RECEIVED AS OF SEPTEMBER 4, 2014**

**GENERAL & PART-TOWN FUNDS**

NYS DFY (2013)	1,982.00
NYS Tree Grant	1,000.00
Rec. Fees 7/14	104,190.15
Tax Coll. Penalty Int	6,751.74
Tax Coll. Reminder Fee	98.00
Tax Coll. Reminder Fee	364.00
Tax Coll. Bank Int.	6.73
Bldg. Fees 8/14	8,892.16
CTV Fee	19,356.00
CTV Fee	12,900.00
PC DWI	220.00
Bank Int.	58.42

**HIGHWAY FUND**

Gen. Fund Ck Gas	1,055.36
Gen. Fund Ck Gas	177.16
Brookfield Removal-Junked Truck	2,500.00
Bank Int.	107.95

**CONTINENTAL VILLAGE WATER DISTRICT**

Bank Interest	2.26
Water Collection	80,000.00

**CONTINENTAL VILLAGE PARK DISTRICT**

Bank Interest	10.00
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**AGENDA**

Town Clerk Merando noted that there would be a change to the Agenda. Item #10 will move to #1 – a discussion with regard to Cablevision bills for seniors.

**1. Discussion with regard to a petition submitted to the Town calling for discounts for Seniors and Veterans on their Cablevision bills.**

Mr. Jan Thacher provided a copy of a petition, which was signed by over 500 residents and submitted to Cablevision requesting low fixed flat rate cable service for Seniors/Disabled/Fixed Income residents of Philipstown. Mr. Thacher went on to discuss the fact that cable services are no longer just entertainment, but a primary source of communication; a necessary resource for seniors and disabled residents. While collecting these signatures they found that due to rising costs, some residents have had to cut services or discontinue service altogether due to limited income. He said that there is a lack of competition in this area and would like help from the Town to advise these providers of the community's needs and to have some kind of workable solution. Supervisor Shea said the timing is excellent as the Town is going into franchise negotiations, and the Town Board has limited leverage, but they do have some. In the next couple of weeks a workshop will be scheduled and the Town Board will ask for the residents participation.

**2. Resolution re-appointing Anne Nichter to the Board of Assessment Review for a 5-year term, which will expire on September 30, 2019.**

Supervisor Shea stated that there is another vacancy on the Board of Assessment Review and have received a letter of interest. They would like to get this person in for a quick interview so that they have a full complement on the board.

**RESOLUTION #128-2014**

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

**RESOLVED**, that the Town Board hereby re-appoints Anne Nichter as a member of the Board of Assessment Review for a 5-year term, which will expire on September 30, 2019.

**3. Resolution authorizing Town Clerk Merando to advertise for bidders for the repairs to the Indian Brook Road Culvert. (Nunc Pro Tunc)**

**RESOLUTION #129-2014**

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

**RESOLVED**, that the Town Board hereby authorizes Town Clerk Merando to advertise for bidders for the repairs to the Indian Brook Road Culvert. (Nunc Pro Tunc)

**4. Discussion with regard to a petition received by the Town addressing the paving of a portion of East Mountain Road South.**

Supervisor Shea reported that a couple of weeks ago the Town received a petition from residents along a section of East Mountain Road South requesting that this section of the road be paved. He said that this is something that is being taken under consideration and has been discussed with the Highway Superintendent and put in the budget. There has never been an open discussion about this - just never got to that level. He went on to say that the Town also received letters from those against it. Supervisor Shea asked anyone who wanted to comment on this to limit remarks so that everyone could have a chance to speak.

Councilman Van Tassel commented that he thinks there is a lot of demand on the road, a lot of traffic, and that in the winter it becomes a hazard with mud and salt, which makes it very hard to drive on.

At least two-dozen residents attended the meeting including Robert Jube, Grace Snowden, Al Gerelli, Mr. & Mrs. Lusk, Paul Tschinkel, Andy Galler, and Terry Zaleski, to comment for and against the paving of a section of East Mountain Road South.

Comments for paving included: increase of traffic creating dust causing health problems, damage to plants and vegetation, dangerous conditions during rains and cold weather.

Comments against paving included: speeding, loss of rural quality.

One resident suggested that alternative solutions should be looked into; one being a dirt like substance that would help the dust problems.

Supervisor Shea said that this has been in the making for two to three years. It has been through a vetting process, has gone through court and an entire review. He remarked that this was the first real open discussion on this pavement issue. The Board plans on continuing the discussion, possibly having a workshop and then they will come to a resolution.

**5. Resolution authorizing Roger Chirico, Highway Superintendent to purchase Volvo Motor Grader in the amount of \$180,312.00.**

Supervisor Shea explained that this was an item approved with the 2014 budget. Superintendent Chirico has worked effortlessly to find a used grader. He did a lot of research and it is his opinion that the Town should purchase a new grader since this is a necessary piece of equipment.

**RESOLUTION #130-2014**

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

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**RESOLVED**, that the Town Board hereby authorizes Roger Chirico, Highway Superintendent to purchase a Volvo Motor Grader from HGABuy in the amount not to exceed \$180,312.00 as per the proposal submitted on August 8, 2014.

**6. Resolution accepting the Appraisal completed by McGrath & Company, Inc., for the VFW Hall, located at 34 Kemble Avenue, Cold Spring, New York.**

**RESOLUTION #131-2014**

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

**RESOLVED**, that the Town Board hereby accepts the appraisal submitted by McGrath & Company, Inc., of 1069 Main Street, Fishkill, New York, for town-owned property located at 34 Kemble Avenue, Cold Spring, New York, known as the VFW Hall.

**7. Resolution deeming that the VFW property to be a surplus and unnecessary for the Town use and directing it be offered for sale to the highest bidder.**

Supervisor Shea noted that this has been talked about for a while and has been discussed with the veterans who were okay with it. He remarked that it is surplus and the Town could definitely get by without it.

**RESOLUTION #132-2014**

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

**WHEREAS**, heretofore the Town Board has discussed the possibility of the Town selling property it owns known as the VFW Hall, located at 34 Kemble Avenue, Cold Spring, New York, and appearing on the tax maps as 48.-12-2-58 (hereinafter the "Property,") and;

**WHEREAS**, the Town Board has retained McGrath & Company, Inc., to prepare and present an appraisal of the Property to assist the Town Board in determining what the appropriate asking price for the Property should be, and;

**WHEREAS**, it is timely for the Town Board to proceed with a number of actions relating to the proposed sale of the Property;

**NOW, THEREFORE, BE IT RESOLVED**, as follows:

1. That the Town Board hereby deems the Property to be surplus and unnecessary for the Town's use and directs that it be offered for sale to the highest bidder, but no less than the appraised value, and;
2. That upon receipt of the appraisal from McGrath & Company, Inc., and following review and acceptance of the appraisal, the Town Board will proceed by publishing a notice in the official newspaper of the Town and posting a copy of the same on the Town Clerk's bulletin board requesting bids from proposed purchasers, which

said bids are required to be in an amount not less than the figure established by the Town Board following receipt and review of the McGrath appraisal, and:

3. The sale of the Property is subject to a permissive referendum pursuant to the provisions of Section 64, Subdivision 2 of the Town Law of the State of New York, which must be set forth in the notice to bidders as well as the Town Board reserving the right to reject any and all such bids.

**8. Type II SEQRA resolution with regard to the sale of the VFW Hall as an unlisted action.**

**RESOLUTION #133-2014**

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

**WHEREAS**, the Town Board of the Town of Philipstown has discussed the possibility of the Town selling property it owns known as the VFW Hall, located at 34 Kemble Avenue, Cold Spring, New York and appearing on the tax map as 48.-12-2-48.

**NOW, THEREFORE, BE IT RESOLVED**, that the action is a Type II Action, as defined under NYCRR Part 617.13d, which is an action or class of actions which have been classified by the State of New York to not have a significant effect on the environment and thus do not require environmental impact statements or other determination or procedures under Part 617 of the Environmental Conservation Law.

**9. Resolution authorizing Town Clerk Merando to advertise the sale of the VFW in the Putnam County News & Recorder and The Paper.**

Supervisor Shea said that one addendum to this will be to sit down and do some formatting before advertising.

**RESOLUTION #134-2014**

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

**RESOLVED**, that the Town Board hereby authorizes Town Clerk Merando to advertise the sale of the VFW Hall located at 34 Kemble Avenue, Cold Spring, New York.

**10. Resolution supporting the RUPCO Green Jobs – Green New York Program.**

Supervisor Shea noted that the Town Board had the people from RUPCO in at last months meeting about green jobs and he thinks that it is a great program and wants to support them. This program is under the auspices of NYSERDA. Supervisor Shea wants to give credit to Councilwoman Montgomery because she did a lot of work spearheading this.

**RESOLUTION #135-2014**

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

**WHEREAS**, RUPCO with the mission of creating homes, supporting people, and improving communities, is a constituency-based organization (CBO), making it easier for homeowners, renters, landlords, not-for-profits and small businesses to participate in energy efficiency programs offered by the New York State Energy Research and Development Authority (NYSERDA), as lead CBO for the Mid-Hudson Region, have been awarded a contract by NYSERDA to build an effective residential energy efficiency program that uses the high quality standards of the state's Green Jobs – Green New York (GJGNY) Program combined with activation of local trusted sources for word-of-mouth outreach,

**WHEREAS**, it is understood that the NYSERDA GJGNY is a statewide program to promote energy efficiency and the installation of clean energy technologies to reduce energy costs and reduce greenhouse gas emissions. The program will support sustainable community development and create opportunities for green jobs. This program will be administered by NYSERDA.

**WHEREAS**, the GJGNY Program provides New Yorkers with access to energy audits, installation services, low-cost financing, and pathways to training for various green-collar careers; and

**WHEREAS**, the GJGNY Program delivers services in targeted communities with the support of CBOs to recruit residential, small businesses, Not-for-Profits (NFP), and multi-family building owners into the energy audit and financing programs; and encourage individuals to take advantage of clean energy training opportunities; and

**WHEREAS**, the Town of Philipstown Town Board wishes to participate in the GJGNY Program to extend the benefits of energy efficiency to the residents, small businesses, not-for-profits, municipalities, and multi-family building owners throughout the Town of Philipstown; and

**WHEREAS**, the GJGNY Program solicits local community participation in order to maximize the outreach in driving demand for energy upgrades of homes; and

**WHEREAS**, the GJGNY Program provides a robust toolkit of resources, including staff and print and online materials, available to the partner municipalities who support and participate in the GJGNY Program; and

**NOW, THEREFORE BE IT RESOLVED**, that Town of Philipstown Town Board hereby adopts the RUPCO Green Jobs Green New York Partnership Pact, which states as follows: RUPCO and the Town of Philipstown will work together to identify the key community resources, to wit, a Municipal Energy Liaison, Energy Advocates, and Local Trusted Sources, to support the short and long term success of the RUPCO – Town of Philipstown Program.



**BE IT FURTHER RESOLVED**, the Town of Philipstown Town Board authorizes Supervisor Richard Shea to appoint a Municipal Energy Liaison or Liaisons from among municipal staff or civic volunteers, with the understanding that the Liaison(s) will serve as the chief point of contact between the RUPCO staff and the Town of Philipstown and its residents and civic associations and groups interested in promoting residential energy efficiency; and;

**BE IT FURTHER RESOLVED**, the Liaison(s) will work with the RUPCO GJGNY Outreach staff to identify local Energy Advocates, who typically will be homeowners in the community who completed a Home Performance with ENERGY STAR assessment and implemented energy upgrades to achieve savings, and whose role will be to assist the Liaison(s) in identifying local civic groups, both formal and informal, also known as Local Trusted Sources, whose members may be interested in learning about residential energy efficiency; and

**BE IT FURTHER RESOLVED**, the Energy Liaison(s) and local Energy Advocates will collaborate with the RUPCO staff in opening doors with civic groups for presentations about the GJGNY Program information, and any other outreach methods that the Municipal Liaison(s), Energy Advocates, and Local Trusted Sources may find effective in tailoring the GJGNY Program to this municipality.

#### **11. Code Enforcement Monthly 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.

#### **12. Schedule Workshops/Meetings.**

Supervisor Shea said that they would hold off on scheduling any meetings until all Board members are available.

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

Supervisor Shea wanted to briefly touch on one item - that being the purchase of a generator for the former landfill for the Town's communication tower. The Board will go ahead and move on this at a later date since they have gotten all the information together. He noted that it would be right around \$5,000 and will be purchased and installed directly from the supplier. It can be used by the Highway Department so they equally support it. The Highway Department was responsible for the initial set up of the tower.

Supervisor Shea wanted to thank the Highway Superintendent personally for resolving the issue down in Continental Village where they did the improvement on the end of Old Albany Road. A lot of drainage was put in and things have vastly improved. There were two properties (one of an elderly couple), that were continuously being flooded and it is nice to get in there and have these issues resolved. The next area they will be looking at is Knollwood Drive. The plan will be refined before the end of the year.

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Supervisor Shea reported that the Town received the final set of drawings for the Fjord Trail sidewalk project. He thanked the Village of Cold Spring, Recreation Commission and our Engineer. He said that he is waiting word on a Multi Modal Program Grant, which he wrote a couple of months ago with the support of Assemblywoman Sandy Galef. He thinks they will be successful in getting it and should know in the next couple of weeks. The Town is working closely with the State of New York, NYS Parks, and DOT to improve the Washburn Parking Lot, expanding and creating handicap parking and said, "This is something we are really pushing." The Town Board is also waiting news on a "Consolidated Funding Application" that was submitted last year and should have information in October whether they were successful. Those funds will be used toward improvements around the Breakneck Station. He went on to say that they are partnering with The Highland Land Trust and their Board, which has been super supportive. Scenic Hudson has taken a point of lead and has put a huge amount of resources into this.

Councilman Van Tassel will be attending a program Monday night given by Putnam County Transportation Safety Board, to become a "Car Fit Instructor." It is all about keeping seniors active and mobile. After the program they will go to Senior Centers throughout the County providing classes to make sure mirrors are right, seats are right, etc.

Supervisor Shea asked Councilman Leonard about the wind power project. Councilman Leonard responded that it is before the attorney who will take a look at it and get things together to change the zoning.

Supervisor Shea reported that the cemeteries would be mowed next week after much delay. The contractor who had been hired could not do the job, but had not informed the Town. The Board will also reach out to Haldane to fix the fence.

Town Clerk Merando had two (2) additional items added to the Agenda:

**1) Proposal for initial site survey and preparation of base map for Manitou Station Road submitted by Stantec.**

Supervisor Shea said that this is something that definitely has to be discussed with the..... We know that we have to do something down at Manitou Station. This is going to require a large capital infusion – about \$750,000.00. It is something that the Town Board will have to take a close look at, have a discussion with the Comptroller and look at the budget. He said they have been working with the County and the efforts to secure money have been unsuccessful. Legislator Scuccimarra said that she thinks that they need to have another meeting. Supervisor Shea said that they will meet, but they will act because the Town needs to get down there and secure the area. He would like to table this until they can get a full Board, can sit down with the Highway Superintendent and schedule a workshop on this issue.

**2) Resolution naming Mulberry Street a new road that is associated with East Mountain Holdings LLC minor subdivision off of Hustis Road.**

The resolution is contingent on receiving the house number from the County of Putnam. Town Clerk Merando said that she would have that tomorrow. Supervisor Shea thanked the Town Clerk for all the work she did on this.

**RESOLUTION #136-2014**

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

**WHEREAS**, the Town Board of the Town of Philipstown hereby approves "Mulberry Street" as the name of the road associated with the East Mountain Holdings, LLC minor subdivision; and

**WHEREAS**, "Mulberry Street" is located off of Hustis Road, in the Town of Philipstown;

**NOW, THEREFORE, BE IT RESOLVED**, contingent upon receiving the house number from the County of Putnam for Section 16.19, Lot 1, Block 27.13 this action is effective immediately.

**AUDIENCE**

Mr. Andy Chmar asked if there was going to be a Townwide Cleanup this year. Supervisor Shea said that so far there is not, but there is a good chance there could be one.

Mr. Jube said that he is curious about the rumble strips that were placed on Route 9 two weeks ago because he was told that this would not happen. Councilman Van Tassel said that when he spoke with the Transportation Safety Board and DOT he was told that it would not be done due to noise complaints from residents, so he is just as surprised. Mr. Jube does think that it is a good thing and believes that it will be much safer. Another item he would like to ask about is East Mountain Road South by the Rosenstein's; one day he noticed red paint on the road and several days later sees this metal railing (about 200 feet) there. He understands safety, but is baffled for the need for this. He added that the silver color is pretty ugly and feels that it would be nice to do something different, maybe wood. Councilman Van Tassel said it can be explored - there may be a reason for it, such as an engineering issue. Another audience member remarked that three residents on the road, who own the pond, had the railing installed for liability reasons.

Mary Ellen Finger appeared tonight to give the Town Board a copy of grants that are available from NYSERDA that she had mentioned at the last meeting. She also found other grants: Hudson Valley Greenway Communities Grant Program, NYS Environmental Protection Fund Urban Forestry Grant, and NYS Environmental Facilities grant. She will give the info to Town Clerk Merando. She said that perhaps there would be some monies for training and education for homeowners and landowners.

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Supervisor Shea noted that the Town did receive a Greenway Grant and a Forestry Grant. He said that there is a little tree nursery at the Haldane School and was working with Eco kids to put trees around Cold Spring.

Mr. Andy Merante wanted to ask the Town Board if there is any possibility to find out from Verizon why they just skipped Philipstown for FIOS. He said, "We are held prisoner to Cablevision" because when the introductory period ends the fees rise tremendously and this is a burden on people. He is asking the Town Board to make a thrust to Verizon to help. Supervisor Shea said that he has done a lot of research on FIOS and FIOS is not coming to Philipstown. Verizon is not expanding this program anywhere. Mr. Merante would like to see competition come into the Town so that there would be some relief from the fees.

### **VACANCIES**

Board of Assessment Review (1)  
CV Park District Advisory Committee (3)  
CV Water District Advisory Committee (3)

### **APPROVAL OF VOUCHERS**

Councilman Van Tassel made a motion, seconded by Councilman Leonard and unanimously carried that the General Vouchers in the amount of \$188,439.98 are hereby approved as set forth in Abstract 8A & 9.

Councilman Leonard made a motion, seconded by Councilman Van Tassel and unanimously carried that the Highway Vouchers in the amount of \$119,059.67 are hereby approved as set forth in Abstract 8A & 9.

Councilman Van Tassel made a motion, seconded by Councilman Leonard and unanimously carried that the CVPD Vouchers in the amount of \$6,184.67 are hereby approved as set forth in Abstract 9.

Councilman Leonard made a motion, seconded by Councilman Van Tassel and unanimously carried that the CVWD Vouchers in the amount of \$6,658.76 are hereby approved as set forth in Abstract 9.

There being no further business to discuss, Councilman Van Tassel made a motion, seconded by Councilman Leonard to close the Town Board Monthly Meeting at 9:10 pm.

Respectfully submitted by,

Theresa Crawley  
Deputy Town Clerk