

Monthly Town Board Meeting
June 4, 2015

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.

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| PRESENT: | Richard Shea | Supervisor |
| | John Van Tassel | Councilman |
| | Michael Leonard | Councilman |
| | Robert Flaherty | Councilman |

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| ABSENT: | Nancy Montgomery | Councilwoman |
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Brownie Troop #1605 of the Hudson Highlands opened the meeting with the Salute to the Flag.

REVIEW OF MINUTES

The Minutes of the Monthly Town Board Meeting of May 7, 2015, were reviewed.

Councilman Leonard made a motion, seconded by Councilman Van Tassel and unanimously carried, that the Minutes of the Monthly Town Board Meeting of May 7, 2015, are hereby approved as presented.

COMMITTEE REPORTS

CB – Councilman Leonard reported that he attended the May 1, 2015 meeting. There were two items on the agenda; Grasso application and Banker property. There was also a discussion on identifying actual drains for Stormwater protection. He said that the Town needs to make sure that any kind of drains in critical areas are cleaned out so they will be able to handle a lot more rain water and therefore reduce the chance for flooding. The next meeting will take place on June 9, 2015.

RECREATION – Councilman Van Tassel attended the May 26, 2015 meeting at which time the minutes and financial reports were read and approved unanimously. On May 13, 2015, the Recreation Department hosted a Senior Luncheon, which was well attended. Camp registration is ongoing and the staff is gearing up for an extremely busy season. Some availability does exist - if interested; contact the Recreation Department at 424-4618. The Rec Commission has put together a plan to do background checks on all coaches and staff for the upcoming season. The plan will be forwarded to the Town Board and Town Attorney for review. The Friends of Philipstown Rec will have an open meeting on June 8, 2015, @7:30 pm, at the Garrison Cafe. If you are interested in becoming part of the Philipstown Friends group, which is a 401C3 group that raises money for the Recreation Department, please attend. The next meeting will be on June 30, 2015.

RECYCLING – Councilwoman Montgomery was absent and nothing was reported.

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PLANNING BOARD - Councilman Flaherty attended the May 21, 2015 meeting. There were two items on the agenda; Grasso and Sabatini. The next meeting will be held on June 18, 2015.

ZONING – Councilman Van Tassel reported that there was no meeting in June. The next meeting will be July 13, 2015 at 7:30pm. There will be a venue change and he believes it will be at the Library, but this will be confirmed and everyone will be notified.

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

BUILDING & LAND ACQUISITION – Supervisor Shea reported there was nothing to report at this time. He noted that there is an agenda item that will be addressed later in the meeting.

BUTTERFIELD LIBRARY- Councilman Van Tassel read the report submitted.

PUTNAM COUNTY LEGISLATOR – Legislator Scuccimarra was not able to attend tonight's meeting.

**TOWN OF PHILIPSTOWN
MONTHLY REPORT OF TOWN SUPERVISOR
MONIES RECEIVED AS OF JUNE 4, 2015**

GENERAL & PART-TOWN FUNDS

| | |
|-----------------------|-------------|
| Rec Fees 4/15 | \$37,823.18 |
| Justice Fees 4/15 | 7,706.50 |
| Rec Comm Recycle | 78.75 |
| PC Mort Tax | 133,147.91 |
| Tax Coll Misc | 1.96 |
| Tax Coll Penalty Int. | 16,646.00 |
| Tax Coll Bank Int. | 172.08 |
| Tax Coll Reminder Fee | 130.00 |
| Bank Int. 2/15 – 4/15 | 244.64 |

HIGHWAY FUND

| | |
|------------------------|-------------|
| NYS FEMA | \$25,262.97 |
| Gen Ck Gas | 168.98 |
| Hwy Bank Int 2/15-4/15 | 338.70 |

CONTINENTAL VILLAGE WATER DISTRICT

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|-----------------------|---------|
| Bank Int. 2/15 – 4/15 | \$15.99 |
|-----------------------|---------|

CONTINENTAL VILLAGE PARK DISTRICT

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|-----------------------|---------|
| Bank Int. 2/15 – 4/15 | \$28.29 |
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Supervisor Shea announced that there was an additional item for the agenda tonight and welcomed two representatives from the Military Order of the Purple Heart, Chapter 21. He offered his apologies for being unprepared and then introduced Lt. Colonel Neil Gross (Retired), Commander of Chapter 21 and Sergeant Eugene Lang (Retired), Senior Vice Commander.

Sergeant Eugene Lang, Vietnam Combat Veteran, gave a brief history of the Purple Heart noting that The Purple Heart goes back to George Washington (1782) and then was redesigned in 1932 by General MacArthur.

Commander Neil Gross said he is proud of Putnam County for being the first County to become a Purple Heart County. He said that other counties have since followed. Commander Gross explained how important it is for our young people to understand that freedom is not free. That there has been a huge amount of sacrifice that has been given for this freedom we have. He again expressed how proud he is that Philipstown and Putnam County are a Purple Heart Town and County.

Supervisor Shea said that the Town would be sending them, The Military Order of the Purple Heart, a proclamation. He told them that if they were here on Memorial Day they would have seen the patriotic spirit that Philipstown residents possess.

AGENDA

- 1. Resolution appointing Jane Ponton as a member of the Recreation Commission filling the vacancy left by Cecily Hall, whose term will expire September 1, 2015.**

RESOLUTION #102-2015

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

RESOLVED, that the Town Board hereby appoints Jane Ponton as a member of the Recreation Commission filling the vacancy left by Cecily Hall, whose term will expire September 1, 2015.

- 2. Supervisor Shea's appointment of Robert Flaherty as liaison to the following:**

- **Planning Board**
- **Village of Cold Spring**
- **Land & Building**

Supervisor Shea stated that he hereby appoints Councilman Flaherty as liaison to the Planning Board, Village of Cold Spring and Land & Building.

Supervisor Shea then asked Councilman Flaherty, with regard to Land & Buildings, to start thinking about a memorial for Betty Budney. He said that the Town would set aside money

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for that so that a memorial could be set up in front of the Town Hall. Kim Conner asked if the public could donate to this and Supervisor Shea responded, "Absolutely, that is a great idea."

3. Resolution authorizing Supervisor Shea to sign the Parade Permit application for the Philipstown Lacrosse Association to be held on June 7, 2015. (Nunc Pro Tunc)

RESOLUTION #103-2015

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

RESOLVED, that the Town Board hereby authorizes Supervisor Shea to sign the Parade Permit application for the Philipstown Lacrosse Association to be held on June 7, 2015.

4. Schedule workshops/meetings.

- **Reschedule the Monthly Town Board Meeting from July 2, 2015 to July 9, 2015**

Supervisor Shea said they want to meet next Wednesday to have a final discussion on the project for South Mountain Pass and to put to a vote the drainage project and the paving of 2,600 feet of the road. He said that this process has been exhausted. The Board has listened to both sides and a decision has to be made. He hopes to have the Boards support and feels from last night's meeting that he does. Supervisor Shea went on to say that the Highway Superintendent is anxious to get the job done and noted that we are in hurricane season and do not want to see the road wash out again. He said, "Just to be clear, we are talking about paving from the Route 9D side up to the crest of the hill where it levels off" and will not be doing extensive paving in the flat areas. Supervisor Shea said they have their concerns for taxpayer money, environmental degradation and the constancy of the Highway Departments presence there. He does understand the concerns for higher speeds and increased traffic, but in his mind, the increased traffic issue does not hold water as he does not see more people traveling from Route 9 to Route 9D. The Board will be meeting with a group that has some ideas about alternatives and will show this to the Highway Superintendent.

Councilman Flaherty had a question with regard to the test on the steep slope area. Supervisor Shea said there would have to be a representative sample and time where we see different weather conditions. This will take 5 to 6 months.

Councilman Van Tassel had a concern with regard to different signage and enforcement for speeding. Supervisor Shea said that residents could and should call the Sheriff's Department if they see anyone speeding on the road. He said that the Town will have a Sheriff there especially in the beginning to monitor the situation.

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Councilman Leonard said that he walked the road today with some residents and noted that there is only one speed limit sign on the Route 9 side with nothing on the 9D side. He feels that this is unfair and additional signage should be put in place.

Supervisor Shea asked Councilman Van Tassel to research the town wide speed limit and whether we can have multiple speed limits.

Wednesday June 10, 2015 – Workshop - South Mountain Pass
Village of Nelsonville

Wednesday July 8, 2015 – Pre Board

Thursday July 9, 2015 – Town Board

RESOLUTION #104-2015

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

RESOLVED, that the Town Board hereby reschedules the July Town Board meeting from July 2, 2015 to July 9, 2015.

5. Code Enforcement Report.

Town Clerk Merando read the monthly report.

Supervisor Shea said that one thing he was compelled to say was that the Town has had some interaction with the Board of Health recently and has come into full compliance with their policy, which at times appears to be in conflict with New York State building code. Most recently they took it upon themselves to go out and start reviewing past Certificates of Occupancy. In his mind sort of harassing our residents, dragging them in and telling them that they were going to revoke their COO. Supervisor Shea thought that the fact that the Town had come to an agreement with them, sat down and talked things out, and went to court that they had agreed to move on. Only to find out that retroactively they were reviewing 19 permits. In the end not a single violation was issued and he is hoping that the issue has been laid to rest.

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

Councilman Flaherty met with a Garrison resident about the Post Office. He also talked to the Postmaster with regard to the complaints. He would like to meet with Legislator Scuccimarra in the next week or so as she has been involved with this. Supervisor Shea would also like to put Councilman Flaherty in touch with Congressman Maloney's office because they had been advised of this issue last year at a meeting at Haldane School.

Councilman Leonard toured the cemeteries this week and commented on how nice the new section of fence was at the old Cold Spring cemetery. All of the cemeteries were very

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well kept and looked good. He also noted that there were several dead trees at the Cedar Avenue Cemetery that need to be taken down.

Supervisor Shea talked about getting together for identifying graves and start preparation for the headstones. He went on to thank Tony Bardes, Habitat for Revival, for the great work they did in mowing and taking care of the cemeteries for Memorial Day.

Councilman Van Tassel said that he was contacted by the Captain of the Garrison Ambulance Corp. about a problem developing with Putnam Valley Ambulance, which was affecting the Garrison Ambulance Corp. Putnam Valley was having a manpower issue and was not getting their ambulance out. Garrison Ambulance now has an EMT, and they were being called regularly to go into Putnam Valley. Supervisor Shea reached out to the Putnam Valley Supervisor and Councilman Van Tassel reached out to one of their Council members. There has now been a change in leadership and a dramatic increase in the manpower. So Supervisor Shea and Councilman Van Tassel are hoping that it will correct itself or they will meet again with Putnam Valley to work something out.

Town Clerk Merando announced that there were two additional agenda items;

- 7. For the Town Board to consent to the contract of Sale made as of the 10th day of February 2015 between the Town as the seller and Kimberly Conner the purchaser to an LLC in which Kimberly Conner will be the managing member. (Roll call vote)**

Supervisor Shea said this is a formality and has been reviewed by the Town Attorney and he is fine with it.

RESOLUTION #105-2015

WHEREAS, heretofore the Town has entered into a contract to sell property located at 34 Kemble Avenue, Cold Spring, New York, to Kimberly Conner, and

WHEREAS, the contract does not permit assignment by the purchaser without the prior written consent of the seller, and

WHEREAS, the purchaser has requested that the Town consent to the assignment of the contract by the purchaser to an LLC in which the purchaser will be the managing member,

NOW, THEREFORE, BE IT RESOLVED as follows:

That the Town Board does hereby consent to the assignment of the contract of sale made as of the 10th day of February 2015, between the Town as the seller and Kimberly Conner as the purchaser, to an LLC in which Kimberly Conner will be the managing member.

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

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The vote on the foregoing resolution was as follows:

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

8. A letter from Highway Superintendent Roger Chirico with his recommendation for awarding the bid to Basil Ford Inc. in the amount of \$39,899.00 for a 2016 4-wheel Drive Single Wheel Pickup Truck.

Supervisor Shea said this is an action that was approved several weeks ago and which is in the budget.

RESOLUTION #106-2015

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

RESOLVED, that the Town Board hereby awards the bid for a 2016 4-wheel Drive Single Rear Wheel Pickup Truck in the amount of \$39,899.00 to Basil Ford, Inc., who was the qualified bidder.

Supervisor Shea talked about the Fjord Trail. He noted that the monies, a 2013 CFA consolidated funding application, has not yet been released from Washington D.C. and he is concerned because the Parks Department will match the grant 2 to 1, but this cannot happen until those monies are released and we get the approval to start work. The sidewalk program has been approved. Sandy Galef got that money for us through a NYS Multi-modal grant. We have presented a set of plans to the Village of Cold Spring and the Rec Commission. Everyone involved has approved the plans and we are looking to release it as an RFP to get bids on this project. The last thing that needs to be addressed is meeting with the neighbors to say there is going to be a sidewalk in front of their house. One other thing that needs to be worked out is the intersection of 9D with the DOT.

AUDIENCE

No participation

VACANCIES

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Recreation Commission (0)
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 \$95,232.53 are hereby approved as set forth in Abstract 5A & 6.

Councilman Leonard made a motion, seconded by Councilman Flaherty and unanimously carried that the Highway Vouchers in the amount of \$42,319.72 are hereby approved as set forth in Abstract 5A & 6.

Councilman Van Tassel made a motion, seconded by Councilman Flaherty and unanimously carried that the CVPD Vouchers in the amount of \$11,131.97 are hereby approved as set forth in Abstract 5A & 6.

Councilman Leonard made a motion, seconded by Councilman Flaherty and unanimously carried that the CVWD Vouchers in the amount of \$2,693.47 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 Councilman Flaherty to close the Town Board Monthly Meeting at 8:30 pm.

Respectfully submitted by,

Theresa Crawley
Deputy Town Clerk