Town Board Monthly Meeting

June 4, 2020 7:30 p.m. 107 Glenclyffe Drive, Garrison, New York

SALUTE TO THE FLAG

APPROVAL OF MINUTES

- Monthly Town Board Meeting of April 2, 2020
- Monthly Town Board Meeting of May 7, 2020

COMMITTEE REPORTS

- 1) Conservation Board 2) Recreation 3) The Philipstown Hub 4) Planning Board
- 5) Zoning 6) Highway 7) Building & Land Acquisition 8) Cemetery Committee
- 9) Putnam County Legislator

AGENDA

- 1. Resolution Supporting the "Emergency First Responders Privacy and Protection Act". (ROLL CALL VOTE)
- 2. Resolution adopting the Philipstown Fleet Efficiency Policy. (ROLL CALL VOTE)
- 3. Resolution introducing proposed Local Law #1-2020 entitled "The Town of Philipstown Temporary Moratorium on New Land Use Development on Properties located on Upland Drive and Ridge Road" and setting a public hearing for such. (ROLL CALL VOTE)
- 4. Resolution approving the New Leaf Proposal for a community garden.
- 5. Resolution authorizing the return of escrow for James & Kristan Connolly.
- 6. Resolution authorizing Supervisor Shea to sign the letter of intent to participate in the Putnam County Jurisdictional All-Hazard Mitigation Plan (HMP) update project.

- 7. Resolution authorizing the cancellation of in-person summer camp programs at the Philipstown Recreation Department for the 2020 summer season.
- 8. Jeff Mikkelson to make statement of support in regard to the board's consideration of the Resolution in support of the NYS Health Act
- 9. Schedule Workshops/Meetings.
 - Monthly Town Board Meeting July 2, 2020
 - Workshop to discuss the results of the Community GHG Emissions Inventory, Emissions Reduction Targets and Next Steps to develop a Climate Action Plan – June 10 or June 17, 2020
- 10. Code Enforcement Monthly Report.
- 11. Any other business that may come before the Town Board.

AUDIENCE

VACANCIES - 0

APPROVAL OF VOUCHERS

General Highway CVPD CVWD

ADJOURNMENT

The Town Board held their Monthly Meeting on the above date at 7:30 p.m., via Zoom.

PRESENT: Richard Shea Supervisor

John Van Tassel Councilman
Michael Leonard Councilman
Robert Flaherty Councilman
Judith Farrell Councilwoman

Supervisor Shea opened the meeting with the Salute to the Flag.

APPROVAL OF MINUTES

Minutes of the Monthly Town Board Meeting of March 5, 2020.

Councilman Leonard made a motion, seconded by Councilman Flaherty, that the Minutes of the Monthly Town Board Meeting of March 5, 2020 are hereby approved as presented.

COMMITTEE REPORTS

CONSERVATION BOARD – Councilman Leonard reported that they met on March 10,2020 with the following items on the agenda:

- 1. Riverview Industries major site plan Planning Board referral
- 2. 12 Hudson River Lane dock area
- 3. Mountain Brook Drive
- 4. Ox-yoke Road

The next meeting has not been scheduled as yet.

RECREATION — Councilwoman Farrell reported that they met on March 31, 2020. They agreed to extend the closure at least until April 15, 2020 and possibly further. All classes have been cancelled and not made up. Credits will be issued. Spring classes will be review. Pre-school and after school programs tuition will be returned. Working on a small scale production at the Depot Theatre for the spring.

PHILIPSTOWN HUB – the Hub is closed right now but Danielle Pack-McCarthy can be reached at danielle@philipstownhub.org or 845-260-1001 for info on resources available.

PLANNING BOARD - Councilman Flaherty reported that they not meet this month. He spoke with Neil Zuckerman to find out if they were going to do something remotely, but a decision has not been made as yet.

Monthly Town Board Meeting April 2, 2020

ZONING BOARD – Councilman Van Tassel reported that there was no meeting this month and the April 13, 2020 meeting has been cancelled.

Next meeting is scheduled for May 11, 2020.

HIGHWAY – Councilman Van Tassel read the report submitted by Carl Frisenda for the month, which is on file in the Town Clerks office.

BUILDING & LAND ACQUISITION – Supervisor Shea reported that the project at Town hall is ongoing. Hopefully still going to hit the target date. Councilman Van Tassel reported that it is moving along on time.

CEMETERY COMMITTEE – Councilman Leonard reported that they met on March 10, 2020. The two village cemeteries had some work done. They are researching "the real daughter" which is located in the North Highland cemetery and may have another. He has held off work at the North Highland cemetery since it is not essential.

PC LEGISLATOR – Legislator Montgomery was not in attendance.

Supervisor Shea made an announcement with regard to assistance that the Town can provide for this in need at this time. The Town can provide Foodtown gift cards and credit at Drug World. You can call 845-265-5200 to request. Information is also provided on the Town website. He is asking everyone to be responsible and do the right thing by wearing face masks and keeping distance.

Supervisor Shea also is asking that no one call 911 unless it is an actual emergency.

TOWN OF PHILIPSTOWN MONTHLY REPORT OF TOWN SUPERVISOR MONIES RECEIVED AS OF APRIL 2, 2020

GENERAL & PART-TOWN FUNDS

TC Fees 2/20 TC. ees 2/20 Bldg. Fees 2/20 NYS Antitrust CTV Fees 4th Q 2019 CTV Fees 4th Q 2019 Rec Fees 12/19 Rec Fees 1/20 Rec Fees 2/20	\$290.00 523.50 17,491.20 69.87 12,943.00 21,061.00 6,023.62 62,026.98 40,690.98
Rec Fees 2/20 Bldg Fees 3/20	40,690.98

HIGHWAY

Gen Gas	212.77
Expressway Auto Iron	249.00
Expressway Auto Iron	271.60
PC Gas	188.03
	1,666.56

CONTINENTAL VILLAGE PARK DISTRICT

CONTINENTAL VILLAGE PARK DISTRICT

Clubhouse Rental	200.00
Clubhouse Rentals	400.00
Taxes Putnam Vallev	15,146.00

AGENDA

1. Resolution authorizing a donation in the amount of \$300.00 to the Nelsonville Fish & Fur Club for this years "Kids Fishing Day" scheduled for May 3, 2020.

RESOLUTION #2020

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

RESOLVED, that the Town Board hereby authorizes a donation in the amount of \$300.00 to the Nelsonville Fish & Fur Club for this year "Kids Fishing Day" scheduled for May 3, 2020.

2. Resolution accepting the resignation of Robert Ferris, Dog Control Officer, effective April 24, 2020.

Supervisor Shea wished Bob well in his retirement. Thanked him for his service to the Town.

RESOLUTION #-2020

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

RESOLVED, that the Town Board hereby accepts the resignation of Robert Ferris, Dog Control Officer, effective April 24, 2020.

3. Resolution approving the purchase of a Building Department Truck in the amount of \$36,729.00 through an installment purchase agreement. (Nunc Pro Tunc).

RESOLUTION #-2020

WHEREAS, the Town of Philipstown wishes to purchase a 2020 Ford Explorer truck ("the truck") for the Town Building Department for \$36,729.00 off of the public bid contract awarded to Delacy Ford; and

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

WHEREAS, the Town Board has investigated the cost of borrowing the funds for purchase of the truck as an alternative to the proposed installment 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 installment purchase agreement;

WHEREAS, the Town Board finds that the proposed installment purchase agreement with KS State Bank complies with the requirements of General Municipal Law § 109-b:

NOW, THEREFORE. BE IT RESOLVED as follows:

- 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 purchase agreement with KS State Bank 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 and on Other administrative and management considerations With respect to the acquisition of the truck; and
- That the Town Board hereby authorizes the Town Supervisor to execute the said contract, installment 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 Van Tassel.

The vote on the foregoing resolution was as follows

Judith Farrell, Councilwoman,	voting Aye
John Van Tassel, councilman,	voting Aye
Robert Flaherty, Councilman,	voting Aye
Michael Leonard, councilman,	voting Aye
Richard Shea, Supervisor,	voting Aye

4. Resolution authorizing Supervisor Shea to sign the Putnam County Real Property Tax Service Contract for 2020. (Nunc Pro Tunc).

RESOLUTION #-2020

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

RESOLVED, that the Town Board hereby authorizes Supervisor Shea to sign the Putnam County Real Property Tax Service Contract for 2020. (Nunc Pro Tunc).

5. Resolution approving the following 1 change order for the Town Hall Renovation project in the amount of \$4,650.00. (Nunc Pro Tunc).

1) Soda Blasting Existing Tin Ceiling (PVS Construction-\$4,650).

RESOLUTION #-2020

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

RESOLVED, that the Town Board hereby approves the following 1 change order for the Town Hall Renovation project in the amount of \$4,650.00. (Nunc Pro Tunc).

- 1) Soda Blasting Existing Tin Ceiling (PVS Construction- \$4,650).
- 6. Resolution approving the following 1 change order for the Town Hall Renovation project in the amount of \$28,571.20. (Nunc Pro Tunc)
 - 1) Lighting changes, upgrades & extra work items (MC Electrical Systems) \$28,571.20.

RESOLUTION #-2020

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

RESOLVED, that the Town Board hereby approves the following 1 change order for the Town Hall Renovation project in the amount of \$\$28,571.20. (Nunc Pro Tunc).

- 1) Lighting changes, upgrades & extra work items (MC Electrical Systems) \$28,571.20
- 7. Resolution approving the following 1 change order for the Town Hall Renovation project in the amount of \$5,727.00. (Nunc Pro Tunc)
 - 1) Rezoning of heat to accommodate the revised layout of the building (MH Heating and Cooling) \$5,727.00

RESOLUTION #-2020

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

RESOLVED, that the Town Board hereby approves the following 1 change order for the Town Hall Renovations project in the amount of \$5,727.00. (Nunc Pro Tunc)

1) Rezoning of heat to accommodate the revised layout of the building (MH Heating and Cooling) - \$5,727.00

8. Schedule Workshops/Meetings.

No meetings scheduled.

Supervisor Shea had a call with the Putnam County Department of Health this morning and said that there were about 250 cases reported, but only a very small amount of people have been tested here in Putnam. There was a letter authored today by the 5 (five) towns in Putnam to all our elected officials saying that they feel like Putnam has been passed over and that there should be more testing here. They ordered filter for masks and have enough for 50,000 which will be distributed to hospitals. He went on to reiterate that we have some very generous people here which have given donations for those in need at this time.

9. Code Enforcement Monthly Reports.

Town Clerk Percacciolo read the reports submitted which are on file in the Town Clerks office.

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

Councilwoman Farrell made an announcement that the Food Pantry has open enrollment for those in need due to the coronavirus. You can contact her for more information at ifarrell@philipstown.com. Info will also be on the website.

Supervisor Shea said that a mailer will go out with information on how anyone in need can apply for help during the crisis.

Councilman Van Tassel thanked Dr. Kupper who provided an information sheet. This sheet is on our website. It is also provided by Haldane. He did reach out to Garrison school, Boy Scouts, Our Lady of Loretto CCD to see if anyone needs help.

Councilman Leonard reported that Stormwater annual report is continuing. A resolution has been prepared, but the public hearing may be delayed due to the crisis.

Councilwoman Farrell wanted to thank the Garrison Fire Department for the information they provided to the Hoving Home.

Councilman Flaherty thanked the person who made the large donation. Also the emergency servces.

AUDIENCE

VACANCIES

Planning Board (2)

APPROVAL OF VOUCHERS

Councilman Van Tassel made a motion, seconded by Councilman Flaherty and unanimously carried that the General Vouchers in the amount of \$146,217.14 are hereby approved as set forth in Abstract 3A & 4.

Councilman Flaherty made a motion, seconded by Councilwoman Farrell and unanimously carried that the Highway Vouchers in the amount of \$46,916.91 are hereby approved as set forth in Abstract 3A & 4

Councilman Leonard made a motion, seconded by Councilwoman Farrell and unanimously carried that the CVPD Vouchers in the amount of \$6,8790.92 are hereby approved as set forth in Abstract 4

Councilman Van Tassel made a motion, seconded by Councilman Leonard and unanimously carried that the CVWD Vouchers in the amount of \$5,257.88 are hereby approved as set forth in Abstract 4.

Supervisor Shea said that he is working with our attorney with regard to the executive orders pending with the NYS Health Department. They are required to respond to within 24 hours, but it is now a week later and we still have not heard from them. He found out that the Parks Department along with the Department of Transportation are trying to delay this. He feels that they are not seeing the problem and right now it is important that the parking is modified. We need help now...we will see what happens. There is a meeting with the Commissioner of Parks tomorrow who will be coming down to the Washburn lot and maybe something will come of that.

Councilman Flaherty asked about the Corey Lyons request last month for a resolution last month with regard to the EMS. Councilman Van Tassel will research.

There being no further business to discuss, Councilman Van Tassel made a motion, seconded by Councilwoman Farrell to close the Monthly Meeting at 8:13 pm.

Respectfully submitted by,

Theresa Crawley Deputy Town Clerk The Town Board held their Monthly Meeting on the above date at 7:30 p.m., via Zoom.

PRESENT: Richard Shea Supervisor

John Van Tassel Councilman
Michael Leonard Councilman
Robert Flaherty Councilman
Judith Farrell Councilwoman

Supervisor Shea opened the meeting with the Salute to the Flag.

APPROVAL OF MINUTES

COMMITTEE REPORTS

CONSERVATION BOARD – Councilman Leonard reported that they did not meet in April. Members attended a number of meetings/sessions online regarding climate control.

The next meeting is scheduled for May 12th via Zoom.

RECREATION – Councilwoman Farrell reported that they did not hold a meeting this week. She stated all programs are still closed for the time being and they will meet on May 12.

PHILIPSTOWN HUB — Councilwoman Farrell reported there was an online meeting held over Zoom to try and get middle schoolers engaged. This month is also Mental Health Awareness month.

PLANNING BOARD - Councilman Flaherty reported that the board did not meet in April. There are 2 new members and the next meeting will be held on May 21st via Zoom.

ZONING BOARD – Councilman Van Tassel reported that the board did not meet in April.

The next meeting is scheduled for May 11th via Zoom.

HIGHWAY – Councilman Van Tassel read the report submitted by Carl Frisenda for the month, which is on file in the Town Clerks office. Supervisor Shea reported they have been working with Justin Kacur on developing the plans for the replacement of the Highway Garage and Badey & Watson is working on a survey.

With regard to trail closures, the Supervisor acknowledged that some people are not happy but it was a necessity. He thanked the state as well as the Mayors of Nelsonville & the Village of Cold Spring, Nancy Montgomery, Evan Thompson and others for their help in getting the trails closed.

Monthly Town Board Meeting May 7, 2020

BUILDING & LAND ACQUISITION – Supervisor Shea reported that the Town Hall renovation project continues and they're making great progress.

CEMETERY COMMITTEE – Councilman Leonard reported they have not met in person but have been having conversations over the phone. He stated that all work has been stopped.

The Councilman reported that the Scouts normally put the flags up in the cemetery for Memorial Day but they are not allowed this year so he was gathering volunteers to be able to put them up.

Supervisor Shea suggested the mason could work as long as he is working alone and following social distancing protocols.

PC LEGISLATOR – Legislator Montgomery was not in attendance. Supervisor Shea stated he is in constant contact with the Legislator and that she is fighting for our Town every day.

TOWN OF PHILIPSTOWN MONTHLY REPORT OF TOWN SUPERVISOR MONIES RECEIVED AS OF MAY 7, 2020

GENERAL & PART-TOWN FUNDS

T.C. Fees 3/20	\$111.00
T.C. Fees 3/20	331.66
Bldg. Fees	16,764.00

HIGHWAY

PC Gas	1,093.26
PC Gas	241.12

CONTINENTAL VILLAGE PARK DISTRICT

CONTINENTAL VILLAGE PARK DISTRICT

Taxes of Cortlandt 51,095.00

AGENDA

- 1. Resolution approving the following 1 change order for the Town Hall Renovation Project in the amount of \$7216.68:
 - 1) Mezzanine Coverage (S&L Plumbing & Heating)

RESOLUTION #2020

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

RESOLVED, that the Town Board hereby approves the following 1 change order for the Town Hall Renovations in the total amount of \$7216.68

- 1) Mezzanine Coverage (S&L Plumbing & Heating) \$7,216.68
- 2. Resolution approving the following 1 change order for the Town Hall Renovation Project in the amount of \$10,442.56:
 - 1) Automatic Transfer Switch Install (MC Electrical Systems)

RESOLUTION #-2020

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

RESOLVED, that the Town Board hereby approves the following 1 change order for the Town Hall Renovations in the amount of \$10,442.56:

1) Automatic Transfer Switch Install (MC Electrical Systems) - \$10,442.56

3. Resolution authorizing the return of Escrow for the Ellis Timber Harvest.

RESOLUTION #-2020

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

RESOLVED, that the Town Board hereby approves the return of escrow for the Ellis Timber Harvest.

4. Resolution authorizing Supervisor Shea to sign the form TP-584 regarding Glenclyffe North. (Nunc Pro Tunc)

RESOLUTION #-2020

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

RESOLVED, that the Town Board hereby authorizes Supervisor Shea to sign the form TP-584 regarding Glenclyffe North.

5. Resolution approving the contract to hire Highlands Architecture for the preparation of plans for the new Philipstown Highway Garage.

RESOLUTION #-2020

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

RESOLVED, that the Town Board hereby approves the contract for the hire of Highlands Architecture for the preparation of plans for the new Philipstown Highway Garage.

6. Resolution reappointing the following to the Zoning Board of Appeals for a five (5) year term:

Vincent Cestone	ZBA	5-year term expiring March 31, 2025
Granite Frisenda	ZBA	5-year term expiring March 31, 2025

RESOLUTION #-2020

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

RESOLVED, that the Town Board hereby reappoints the following to the Zoning Board of Appeals for a five (5) year term:

Vincent Cestone ZBA 5-year term expiring March 31, 2025

RESOLUTION #-2020

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

RESOLVED, that the Town Board hereby reappoints the following to the Zoning Board of Appeals for a five (5) year term:

Granite Frisenda ZBA 5-year term expiring March 31, 2025

7. Resolution accepting the Stormwater MS4 Annual Report for the Town of Philipstown from March 10, 2019 – March 9, 2020.

RESOLUTION #-2020

The following Resolution was presented by Councilman Leonard, seconded by Councilwoman Farrell, 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 waterbodies; and

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

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

WHEREAS, that Annual Report must be submitted to the New York State Department of Environmental Conservation offices in Albany, New York by June 1, 2020 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 available via email upon request by contacting town.clerk@philipstown.com.

8. Resolution authorizing the Town Climate Smart Communities Coordinator to submit a Consolidated Funding Application for NYSDEC 2019 Municipal Zero-Emission Vehicle Infrastructure Grant.

RESOLUTION #-2020

The following Resolution was presented by Councilwoman Farrell, seconded by Councilman Van Tassel, and unanimously carried:

Whereas, the Town of Philipstown believes that climate change poses a real and increasing threat to our local and global environments and is primarily due to the burning of fossil fuels; and

Whereas, the effects of climate change will endanger our infrastructure, economy and livelihoods; harm our farms, orchards, and ecological communities, including native fish and wildlife populations; spread invasive species and exotic diseases; reduce our drinking water supplies and recreational opportunities; and pose health threats to our citizens; and

Whereas, the Town of Philipstown, in order to mitigate its contribution to and adapt to the effects of climate change, has become a registered Climate Smart Community (CSC) by adopting the New York State Climate Smart Community Pledge; and

Whereas, the installation of a public Level 2 Electric Vehicle Charging Station will help reduce greenhouse gas emissions from motor vehicles operated by both residents and visitors within Philipstown; and

Whereas, the installation of "Alternative Fuel Infrastructure," such as an Electric Vehicle Charging Station, is a priority certification action under the Climate Smart Communities program;

NOW, THEREFORE, BE IT RESOLVED as follows:

That the Town Board of the Town of Philipstown, in order to reduce its GHG emissions and adapt to a changing climate, and in pursuit of CSC Certification, authorizes its CSC Coordinator to submit a New York State Consolidated Funding Application (CFA) for the 2019 Municipal Zero-Emission Vehicle Infrastructure Grant, NYS Grants Gateway Application ID Number: DEC01-ZEVIN-2019.

9. Resolution approving the lease for property located at 345 Main Street, Nelsonville from Whoville LLC for temporary use by the Town Highway Department.

RESOLUTION APPROVING LEASE FOR HIGHWAY DEPARTMENT

WHEREAS, the Town of Philipstown has requested that Whoville LLC, lease to the Town certain real property located at 345 Main Street, Nelsonville, N.Y., 10516 for use by the Town Highway Department as temporary Highway Department garage space; and

WHEREAS, Whoville LLC has tendered to the Town a lease for the said property, a copy of which is attached hereto.

NOW, THEREFORE, BE IT RESOLVED as follows:

- 1. That the Town Board approves the attached lease; and
- 2. That the Town Board authorizes the Town Supervisor to execute the lease and such other and further documents as may be necessary to carry out the terms and conditions thereof; and
- 3. That the Town Board hereby authorizes the payment of monthly rental payments as required under the lease.

Councilman Van Tassel presented the foregoing resolution which was seconded by Councilwoman Farrell, and unanimously carried.

10. Discussion regarding support for the enactment of a Universal Health Coverage System as proposed in the New York Health Act.

Supervisor Shea stated universal healthcare is an idea that has been kicked around forever, a lot of countries have it and now it's being proposed in New York. The Supervisor stated he personally does not see an issue with supporting that effort. He suggested it is something he would like the board to take time to consider before going ahead and throwing our full-fledged support behind it. Councilwoman Farrell stated she was in support. Councilman Flaherty requested they have someone come in and talk a little about the system. Councilwoman Farrell noted that Sandy Galef is a cosponsor and suggested reaching out to see if she could attend a meeting and speak on it. Supervisor Shea stated that Sandy Galef is very accessible and suggested that anyone who has questions or would like more information reach out to her office directly.

11. Schedule Workshops/Meetings.

Monthly Town Board Meeting - June 4, 2020

Supervisor Shea reported he had seen a letter that was written on behalf of all Putnam County residents by the County Executive calling for a swift return to normalcy in New York State. The Supervisor stated less than 5% of Putnam County residents have been tested and 26% of those have come back positive. The trend in the county is flattening but we're still getting more cases every single day. Supervisor Shea suggested it is far from over here and that without planning, widespread testing, monitoring and tracking, without a plan in place, a letter doesn't mean anything. Supervisor Shea reported he is inclined to follow the advice of the governor and health care experts and disagrees with the premise of the County Executive's letter. The Board discussed the coming weeks and the metrics surrounding the reopening of the state.

Legislator Montgomery joined the meeting at this time. She stated she heard what the Supervisor was saying and apologized stating we are not ready to reopen. The

legislator stated there is core criteria for reopening and we do not meet that criteria. Some of that criteria includes contact tracing capacity and diagnostic testing.

Supervisor Shea thanked Legislator Montgomery for delivering PPE to the Town office and being such a great representative for us in the county.

12. Code Enforcement Monthly Reports.

Town Clerk Percacciolo read the reports submitted which are on file in the Town Clerks office.

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

Supervisor Shea stated that he had mentioned the initial donation the Town received of \$100,000 in order to assist those in need of food or medicine. He reported that the Town has received an additional \$130,000 last week from 3 separate donors which will enable the Town to continue to offer this assistance. The Supervisor noted that with these donations we have also been able to assist our neighboring municipalities and have thus far been able to donate to Putnam Valley, Beacon, Newburgh & Carmel. Supervisor Shea stated the program will continue as long as the funds are there.

Councilman Flaherty congratulated Ann & Ethan Gallagher on their first grandchild.

VACANCIES

Planning Board (2)

APPROVAL OF VOUCHERS

Councilman Van Tassel made a motion, seconded by Councilman Leonard and unanimously carried that the General Vouchers in the amount of \$229,609.07 are hereby approved as set forth in Abstract 4A & 5.

Councilman Van Tassel made a motion, seconded by Councilman Flaherty and unanimously carried that the Highway Vouchers in the amount of \$87,953.08 are hereby approved as set forth in Abstract 4A & 5

Councilman Leonard made a motion, seconded by Councilwoman Farrell and unanimously carried that the CVPD Vouchers in the amount of \$2,090.28 are hereby approved as set forth in Abstract 4A & 5

Councilman Leonard made a motion, seconded by Councilman Van Tassel and unanimously carried that the CVWD Vouchers in the amount of \$9,017.54 are hereby approved as set forth in Abstract 5.

AUDIENCE

Nat Prentice, member of the Comprehensive Plan Update Committee, wanted to inform the board that they are still meeting and are dedicated to getting something useful done by the end of this year. He also wanted to inform the board of an upcoming special meeting where Jonathan Rose will be meeting with them to discuss the subject of affordable housing. Mr. Prentice stated he would let the Town Board know when that meeting is scheduled. Supervisor Shea thanked Mr. Prentice for all his hard work.

Rick Gell, Philipstown resident, stated that in general it feels like the buck keeps getting passed down in terms of plans that are going to be required to keep our society safe from COVID. He questioned if Philipstown should be establishing its own plan. There are many parts to this and he suggested it's a conversation that should be happening. His main concern is an influx of people to the town as we start to reopen and the trails open back up.

Supervisor Shea responded that he hears what Mr. Gell is saying. He also noted that the Town and the Village ore obviously 2 separate entities. As far as what happens in the village, the Town government does not have a mandate in the Village and cannot tell the Village what to do. The Supervisor did say that he agrees that there should be some consideration to all the things that Mr. Gell mentioned, but the Town does not have a mandate in the village and cannot tell the Depot or the stores on Main Street what to do. The Town also doesn't control traffic flow in the Village. The Supervisor stated he would share these concerns with the Mayor.

There being no further business to discuss, Councilman Leonard made a motion, seconded by Councilwoman Farrell to close the Monthly Meeting at 8:53 pm.

Respectfully submitted by,

Theresa Crawley Deputy Town Clerk

MEMORANDUM

June 4, 2020

TO: Philipstown Town Board Members

FROM: Carl Frisenda

SUBJECT: Work performed by the Philipstown Highway Department for the month of May

- The Highway Department has called back all employees' full time! Now it is catch up time. We are asking all residents to have patience while we get all of our roads back into shape. We will then begin cutting brush and sweeping roads.
- A resolution was passed for the purchase of a new forklift, which is a garage necessity and we plan to auction off the old lift at a future date.
- We are still planning on paving certain roads in July / August and will begin prepping those roads so they will be ready
- Phone calls to the Highway Department continued to be light this month and we appreciate that.

 It shows everyone is in this together.
- Roughly \$8,554.00 was spent on vehicle maintenance and repairs for the month of May.

Above monthly account submitted by: Carl Frisenda, Highway Superintendent

RESOLUTION SUPPORTING THE "EMERGENCY FIRST RESPONDERS PRIVACY AND PROTECTION ACT"

WHEREAS, new discovery reform laws were passed in the 2019-2020 NYS Budget that overhauled the discovery process, requiring an expedited timeline to provide materials such as police reports, radio transmissions, body-worn and dash-cam video, along with other data related to prosecution; and

WHEREAS, the current law protects law enforcement personnel by allowing their personal identifying information to be excluded from discovery documents and records, but does not include protections for first responders, who in many instances provide services at crime scenes; and

WHEREAS, ambulance services personnel, advanced life support first response services, certified first responders, firefighters, emergency medical technicians or advanced emergency medical technicians, who are employed by or enrolled members of any such service should also have their personal identifying information protected from discovery, so they are not subject to retaliation or witness tampering;

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Philipstown hereby encourages all members of the New York State Senate and Assembly to support S.7280/A.09107, entitled the "Emergency First Responders Privacy and Protection Act"; and

BE IT FURTHER RESOLVED that certified copies of this Resolution be forwarded to Governor Cuomo, State Senator, Assembly Representative, County Executive and Supervisors of the five Towns surrounding the Town of Philipstown.

presented the fore	egoing resolution which was
seconded by	
The vote on the foregoing resolution was as follows	
Judith Farrell, Councilwoman, voting	
John VanTassel, Councilman, voting	
Robert Flaherty, Councilman, voting	
Michael Leonard, Councilman, voting	
Richard Shea Supervisor voting	

SJG/ef/857326 6082-70200 5/14/20

RESOLUTION NO. _____ OF 2020

RESOLUTION ADOPTING THE PHILIPSTOWN FLEET EFFICIENCY POLICY

WHEREAS the Town of Philipstown recognizes the costs associated with operating a municipal fleet, including maintenance, fuel consumption, as well as purchasing and insurance, and;

WHEREAS the Town seeks to manage costs associated with fleet management, and;

WHEREAS the Town recognizes its municipal fleet as a significant source of fossil fuel usage, accounting for 55% of all Greenhouse Gas (GHG) emissions of all municipal operations as outlined in the Town's 2016 Government Operations GHG Emissions Inventory, and;

WHEREAS the Town seeks to reduce its GHG emissions as per its Climate Smart Communities Pledge Resolution, passed on June 7th, 2017, and;

WHEREAS the Town identifies the improved maintenance and efficiency of its municipal fleet as a key way to achieve its goals of lowering costs and reducing emissions;

NOW, THEREFORE, BE IT RESOLVED, as follows:

- 1. That the Town of Philipstown adopts the Fleet Efficiency Policy attached hereto as Exhibit A, and made a part of this Resolution, and that said exhibit is hereby approved and adopted,
- 2. That the Town of Philipstown adopts the Fleet Inventory Procedures attached hereto as Exhibit B, and made a part of this Resolution, and that said exhibit is hereby approved and adopted,
- 3. That the Town of Philipstown adopts the Fleet Inventory Form attached hereto as Exhibit C, and made a part of this Resolution, and that said exhibit is hereby approved and adopted, and
- 4. That the Town of Philipstown adopts the Fleet Inventory Tool attached hereto as Exhibit D, and made a part of this Resolution, and that said exhibit is hereby approved and adopted.

Council	_ presented the foregoing	resolution w	hich was	seconded l	οу
Council,					

The vote on the foregoing resolution was as follows:

Judith Farrell, Councilwoman, voting
John VanTassel, Councilman, voting
Robert Flaherty, Councilman, voting
Michael Leonard, Councilman, voting
Richard Shea, Supervisor, voting

Attachments: Exhibit A

Exhibit B

Exhibit C

Exhibit D

EXHIBIT A:

This Fleet Efficiency Policy	was adopted by Resolution No.	by the Town of
Philipstown on		

PHILIPSTOWN FLEET EFFICIENCY POLICY

A. Conducting an Annual Fleet Inventory

1. Annual Data Collection

As outlined in Exhibit B: Philipstown Fleet Inventory Procedures, at the beginning of each calendar year, the Philipstown Highway Department will update the Town of Philipstown's Fleet Inventory for the previous year for vehicles operated by all departments, including but not limited to the Highway Department, Building Department and Recreation Department. Highway Department staff will request the necessary data for vehicles from other departments using Exhibit C: Philipstown Fleet Inventory Form and will compile such data in the annually updated version of Exhibit D: Philipstown Fleet Inventory Tool. Each individual department is responsible for maintaining accurate vehicle data, especially annual mileage and annual fuel consumption, both measured on the final working day of each calendar year. New vehicles will require all listed information in Exhibit D, and existing vehicles will only require completion of the items in **bold**.

2. Annual Presentation of Results

Upon completion of the annual Fleet Inventory, the Highway Department Supervisor will present the results to the Town Council at a public board meeting. The Town Clerk will make the results of the updated Fleet Inventory and all past Fleet Inventories available to the public via a link on the Town's website.

B. Vehicle Weight Class Definitions:

- Light-Duty Passenger Sedan / Hatchback / Wagon Gross Vehicle Weight Rating (GVWR) less than 8,500 pounds, 7 or fewer passenger-seating and only used for passenger transport.
- <u>Light-Duty Passenger Van</u> GVWR less than 8,500 pounds, minimum 8 passenger-seating and only used for passenger transport.
- Light-Duty Passenger Sport Utility / Crossover Vehicle GVWR less than 8,500 pounds, All Wheel Drive or 4 Wheel Drive and Minimum Ground Clearance of at least 7.0 inches.
- Light-Duty Truck GVWR less than 8,500 pounds, All Wheel Drive, 4 Wheel Drive or 2 Wheel Drive, Minimum Ground Clearance of at least 7.0 inches and separate cab and truck bed.

- Medium-Duty Passenger Vehicle GVWR between 8,500 10,000 pounds and only used for passenger transport.
- Heavy-Duty Passenger Vehicle GVWR greater than 10,000 pounds and only used for passenger transport.
- Heavy-Duty Truck GVWR greater than 8,500 pounds

C. Minimum Fuel Efficiency Standards:

- Light-Duty Passenger Sedan / Hatchback / Wagon 100 MPGe Any new fleet additions will be full electric vehicles with a minimum fuel efficiency of 100 Miles Per Gallon electric (MPGe). All existing vehicles will be replaced by a full electric vehicle that meets or exceeds the above fuel efficiency standard by 2030.
- Light-Duty Passenger Van 80 MPGe / 30 MPG Any new fleet additions will be either full electric vehicles with a minimum fuel efficiency of 80 MPGe or plug-in hybrid vehicles with a minimum fuel efficiency of 80 MPGe and 30 Miles Per Gallon gasoline / diesel (MPG). All existing vehicles will be replaced by either a full electric vehicle or plug-in hybrid vehicle that meets or exceeds the above fuel efficiency standard by 2030.
- Light-Duty Passenger Sport Utility / Crossover Vehicle 90 MPGe / 35 MPG Any new fleet additions will be either full electric vehicles with a minimum fuel efficiency of 90 MPGe or plug-in hybrid vehicles with a minimum fuel efficiency of 90 MPGe and 35 MPG. All existing vehicles will be replaced by either a full electric vehicle or plug-in hybrid vehicle that meets or exceeds the above fuel efficiency standard by 2030.
- <u>Light-Duty Truck</u> 25 MPG Any new fleet additions will have a minimum fuel efficiency of at least 25 MPG combined. All existing vehicles will be replaced by a vehicle that meets or exceeds the above fuel efficiency standard by 2030.
- Medium-Duty Passenger Vehicle Currently Exempt Due to a lack of market options this
 vehicle type is currently exempt, but will be adjusted annually according to updates in
 market availability of more fuel efficient models.
- Heavy-Duty Passenger Vehicle Currently Exempt Due to a lack of market options this
 vehicle type is currently exempt, but will be adjusted annually according to updates in
 market availability of more fuel efficient models.
- Heavy-Duty Truck Currently Exempt Due to a lack of market options this vehicle type is currently exempt, but will be adjusted annually according to updates in market availability of more fuel efficient models.

D. Minimum Fleet Efficiency Standard

The Minimum Fleet Efficiency Standard for the entire fleet, excluding exemptions, is **25 MPG**. This standard will be reviewed annually and updated accordingly.

E. Annual Fleet Efficiency Policy Review:

The Town Highway Department will revisit this policy annually while updating the Town's Fleet Inventory, and will make any updates to the above fuel efficiency standards, *including currently exempt vehicles*, as becomes evident through review of the following resources:

- 1. The Environmental Protection Agency's FuelEconomy.gov Database, which offers up-to-date information on the most fuel efficient available models for Light-Duty vehicles.
- The NYS Vehicle Marketplace, Office of General Services, which offers up-to-date information on the most fuel efficient vehicles available for purchase from state-approved dealerships, including Light-Duty, Medium-Duty and Heavy-Duty vehicles

F. Vehicle Replacement Plan:

- 1. Effective immediately, _____(Date of policy adoption), all new vehicle purchases will meet the above Minimum Fuel Efficiency Standards, excluding exemptions.
- 2. By 2030, 100% of existing vehicles in the fleet will be replaced with vehicles that meet the above Minimum Fuel Efficiency Standards, excluding exemptions.
- 3. The Town Highway Department will annually review the above replacement schedule to adjust for new, more efficient, vehicle availability as well as to account for any accelerated need for existing vehicle replacement, potentially changing to an earlier year the deadline for 100% fuel-efficient vehicles, excluding exemptions.
- 4. By 2025, the Town will have a plan in place to reduce emissions from vehicles that are currently exempt from the above fuel efficiency standards, by, for example, implementing a non-idling policy and measures to ensure compliance with such a policy; purchasing more fuel efficient models that have yet to enter the market; and / or converting existing vehicles to biodiesel fuel, wherever possible.
- 5. Finally, once the Town sets its Greenhouse Gas Emissions Reduction Targets and establishes a Government Operations Climate Action Plan, the Highway Department will update the above Minimum Fuel Efficiency Standards and Vehicle Replacement Plan timelines as required by the Climate Action Plan.

EXHIBIT B:

These Fleet Inventory Procedur	res were adopted by Resolution No	by the Town of
Philipstown on		<u> </u>

PHILIPSTOWN FLEET INVENTORY PROCEDURES

A. Annual Data Collection:

At the beginning of each year, the Philipstown Highway Department will update the Town of Philipstown's Fleet Inventory for the previous year for vehicles operated by all departments, including but not limited to the Highway Department, Building Department and Recreation Department. Highway Department staff will request the necessary data for vehicles from other departments and will compile such data in the attached Philipstown Fleet Inventory Tool. Until the Highway Department updates its fueling system to allow digital data tracking for all vehicles, each individual department is responsible for tracking the following for each vehicle: annual mileage, annual fuel consumption and annual fuel expenses, the total for each of which is calculated on the final working day of the calendar year. Each annual update must include the following information for each vehicle regardless of weight class or function (vehicles accounted for in a previous year should only need to complete the items in bold):

- 1. Department (e.g. Recreation Department)
- 2. Vehicle Weight Class (e.g. Light-Duty Truck)*
- 3. Gross Vehicle Weight Rating or GVWR (e.g. 7050 pounds)
- 4. Drivetrain (e.g. 4WD, AWD, 2WD)
- 5. Minimum Ground Clearance (e.g. 7.5 inches)
- 6. Manufacturer Combined MPG Rating (e.g. 18 mpg)
- 7. Function (e.g. Buildings and Grounds Maintenance)
- 8. Department Vehicle # (e.g. #1)
- 9. Key # (if still using existing key-based fueling system) (e.g #4) Highway Department Determines This
- 10. Model Year (e.g. 2020)
- 11. Year Purchased (e.g. 2020)
- 12. Make (e.g. Ford)
- 13. Model (e.g. F-150)
- 14. Engine Type (e.g. 5.0 L V-8)
- 15. Vehicle Trim (e.g. XLT Supercab 8' Box)
- 16. Fuel Type (e.g. Gasoline, Diesel, Biodiesel)
- 17. Total Year-End Mileage (e.g. 37,363 miles)
- 18. Annual Mileage (e.g. 15,696 miles)
- 19. Annual Fuel Usage (e.g 840 gallons)
- 20. Actual MPG (18.7 mpg)
- 21, Average Fuel Cost (e.g. \$2.16 per gallon) Highway Department Determines This
- 22. Annual Fuel Cost (e.g. \$1,814.40)

23. Fuel Cost per Mile (e.g. \$0.17)

*Vehicle Weight Class Chart:

Light-Duty Passenger Sedan / Hatchback / Wagon	Gross Vehicle Weight Rating (GVWR) less than 8,500 pounds, 7 or fewer passenger-seating and only used for passenger transport.
Light-Duty Passenger Van	GVWR less than 8,500 pounds, minimum 8 passenger-seating and only used for passenger transport.
Light-Duty Passenger Sport Utility / Crossover Vehicle	GVWR less than 8,500 pounds, All Wheel Drive or 4 Wheel Drive and Minimum Ground Clearance of at least 7.0 inches.
Light-Duty Truck	GVWR less than 8,500 pounds, All Wheel Drive, 4 Wheel Drive or 2 Wheel Drive, Minimum Ground Clearance of at least 7.0 inches and separate cab and truck bed.
Medium-Duty Passenger Vehicle	GVWR between 8,500 - 10,000 pounds and only used for passenger transport.
Heavy Duty Passenger Vehicle	GVWR greater than 10,000 pounds and only used for passenger transport.
Heavy-Duty Truck	GVWR greater than 8,500 pounds

B. Annual Presentation of Results:

Upon completion of the annual Fleet Inventory, the Highway Department Supervisor will present the results to the Town Council at a public board meeting. The Town Clerk will make the results of the updated Fleet Inventory and all past Fleet Inventories since 2019 available to the public via the Town's website.

EXHIBIT C:

This Fleet Inventory Form	was adopted by Resolution No	by the Town of
Philipstown on		

PHILIPSTOWN FLEET INVENTORY FORM:

DIRECTIONS: Please complete this form for each vehicle operated by your department and submit a copy to the Highway Department. Each individual department is responsible for tracking the following for each vehicle: annual mileage, annual fuel consumption and annual fuel expenses, the total for each of which is calculated on the final working day of the calendar year. If a vehicle was accounted for in a previous year's Fleet Inventory, please only complete the items in bold.

Department (e.g. Recreation Department)	
Vehicle Weight Class (e.g. Light-Duty Truck)* - see chart below	
Gross Vehicle Weight Rating or GVWR (e.g. 7050 pounds)	
4. Drivetrain (e.g. 4WD, AWD, 2WD)	
5. Minimum Ground Clearance (e.g. 7.5 inches)	
Manufacturer Combined MPG Rating (e.g. 18 mpg)	
7. Function (e.g. Buildings and Grounds Maintenance)	
8. Department Vehicle # (e.g. #1)	
9. Key # (if still using existing key-based fueling system) (e.g #4)	Highway Department Determines This
10. Model Year (e.g. 2020)	
11. Year Purchased (e.g. 2020)	
12. Make (e.g. Ford)	
13. Model (e.g. F-150)	

14. Engine Type (e.g. 5.0 L V-8)	
15. Vehicle Trim (e.g. XLT Supercab 8' Box)	
16. Fuel Type (e.g. Gasoline, Diesel, Biodiesel)	
17. Total Year-End Mileage (e.g. 37,363 miles)	
18. Annual Mileage (e.g. 15,696 miles)	
19. Annual Fuel Usage (e.g 840 gallons)	
20. Actual MPG (e.g. 18.7 mpg)	
21. Average Fuel Cost (e.g. \$2.16 per gallon)	Highway Department Determines This
22. Annual Fuel Cost (e.g. \$1,814.40)	
23. Fuel Cost per Mile (e.g. \$0.17 / mile)	

*Vehicle Weight Class Chart:

Light-Duty Passenger Sedan / Hatchback / Wagon	Gross Vehicle Weight Rating (GVWR) less than 8,500 pounds, 7 or fewer passenger-seating and only used for passenger transport.
Light-Duty Passenger Van	GVWR less than 8,500 pounds, minimum 8 passenger-seating and only used for passenger transport.
Light-Duty Passenger Sport Utility / Crossover Vehicle	GVWR less than 8,500 pounds, All Wheel Drive or 4 Wheel Drive and Minimum Ground Clearance of at least 7.0 inches.
Light-Duty Truck	GVWR less than 8,500 pounds, All Wheel Drive, 4 Wheel Drive or 2 Wheel Drive, Minimum Ground Clearance of at least 7.0 inches and separate cab and truck bed.
Medium-Duty Passenger Vehicle	GVWR between 8,500 - 10,000 pounds and only used for passenger transport.
Heavy Duty Passenger Vehicle	GVWR greater than 10,000 pounds and only used for passenger transport.
Heavy-Duty Truck	GVWR greater than 8,500 pounds

Exhibit D: Fleet Inventory Tool

This Fleet Inventory Tool was adopted by Resolution No. _ by the Town of Philipstown on

																										Highway		Recruellar	Bullding	1. Départment
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nóa.	n/a		r		T		T	ľ	-	2	nia	r	T	H	t	n/a		t		t	t		H	76	t		18	50 18 18	50.17	23. Vehicle Fuel Cost per 60%

TRUCKS 22 & \$4 SHARE HEYED, DIESEL CONSUMETION DATA DIVIDED BY 2

"TRUCKS 22 & \$4 KH, SHARE HEYED, DIESEL CONSUMETION DATA DIVIDED BY 2

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*TRUCKS 34 & \$4 KH, SHARE HEYES, DIESEL CONSUMETION DATA DIVIDED BY 2

Heavy-Duty Truck	Heavy Duty Passenger Vahicle	Medium-Buly Passenger Yehicle	Light-Duty Truck	Light-Duty Passenger Sport Hillity / Crossover Vehicle	Light-Buty Passenger Van	Light-Daty Passenger Sedan / Hatchback / Wagon
GVWR greater than 6,500 pounds	GVWR greater than 10,000 pounds and only used for passenger transport.	GVWR between 8,550 - 15,000 pounds and only used for passanger transport.	GVAPR losa than 6,590 pounds, All Whest Drive, 4 Whost Brive or 2 Wheel Drive, Misimum Ground Charanne of at least 7.0 inches and separate cub and truck bad.	GVWR less than 6,500 pounds, All Wheel Drive or 4 Whool Drive and Minimum Ground Cleanence of at lease 7.0 inches.	SVMR less than 8,500 pounds, minimum 8 passenger- sealing and only used for passenger transport.	Gross Vehele Weight Roling (GVWR) less than 8,500 pounds, ? or fewer-passanger-sauting and only used for passenger transport.



WHEREAS, the Town Board of the Town of Philipstown has a local law before it entitled: "The Town of Philipstown Temporary Moratorium on New Land Use Development on Properties Located on Upland Drive and Ridge Road", and

WHEREAS, in order to enact the said local law it is necessary to introduce it and hold a public hearing upon it,

NOW, THEREFORE, BE IT RESOLVED as follows:

		1.	That the movant of this resolution does hereby introduce the above									
propos	ed local	law, a	nd									
		2.	That a public hearing on the proposed local law be set for June, 2020									
at	o'clocl	k p.m. a	and that due notice of the same is directed to be given by publication and									
posting	Ę,											
			presented the foregoing resolution which was									
second	econded by,											
		The vo	te on the foregoing resolution was as follows:									
The vo	te on th	e foreg	oing resolution was as follows									
	Judith !	Farrell,	Councilwoman, voting									
	John V	anTass	el, Councilman, voting									
	Robert Flaherty, Councilman, voting											
	Michae	el Leon	ard, Councilman, voting									
	Richard	d Shea,	Supervisor, voting									

TOWN OF PHILIPSTOWN LOCAL LAW NO. 4 OF THE YEAR 2020

A Local Law establishing a six (6) month moratorium on the submission and processing of applications for Land Use Approvals for new land use development on properties located on Upland Drive and Ridge Road within the Town of Philipstown.

BE IT ENACTED for a period of six (6) months by the Town of Philipstown as follows:

Section 1. Intent and Authority

This Local Law is adopted pursuant to the provisions of the Municipal Home Rule Law of the State of New York and Article 16 of the Town Law of the State of New York, with the procedural provisions of the Municipal Home Rule Law controlling.

Section 2. Short Title

This Local Law shall be known as: "The Town of Philipstown Temporary Moratorium on New Land Use Development on Properties Located on Upland Drive and Ridge Road."

Section 3. Definitions

"Code" means the Town of Philipstown Code.

"Land Use Development" means all uses the land requiring a clearing and grading permit, a building permit, subdivision approval, site plan approval, a special use permit or a variance.

"Town" means the Town of Philipstown.

"Town Board" means the Town Board of the Town of Philipstown.

"Town Clerk" means the Town Clerk of the Town of Philipstown.

"Land Use Approvals" means a clearing and grading permit, a building permit, subdivision approval, site plan approval, a special use permit or a variance.

Section 4. Legislative Purpose

A. Upland Drive and Ridge Road are substandard roadways in the Town of Philipstown. Development of property located along those roadways has been limited due, in part, to the fact that the County owned substantial acreage along them. However, the County has recently undertaken to sell portions of its lands along Upland Drive and Ridge Road, which may spur new development on those lands. The potential new additional development along Upland Drive and Ridge Road poses a potential danger to the public safety because it of increased traffic on the said substandard roads.

- B. Further, new development on Upland Drive and Ridge Road could adversely affect orderly development of the local neighborhoods and presents potential adverse impacts to the environment. The Town Board wishes to consider whether the existing zoning applicable to properties on and along Upland Drive and Ridge Road should be changed to promote orderly development, preserve neighborhood character, and avoid adverse environmental impacts.
- C. The Town Board hereby finds that a moratorium of six (6) months' duration, coupled with a hardship waiver procedure for persons seeking Land Use Approvals for real property on or accessed directly off of Upland Drive or Ridge Road, will achieve the balancing of interests between the public need to safeguard the resources and character of the Town, the health, safety and general welfare of its residents, and the rights of individual property owners.

Section 5. Imposition of Moratorium

A. For a period of six (6) months from and after the effective date of this Local Law, except as provided in Sections "6" and "7" below: (i) no new applications for Land Use Approvals shall be accepted or processed by the Town for any real property on or accessed directly off of Upland Drive or Ridge Road; and (ii) no previously submitted applications for Land Use Approvals for real property on or accessed directly off of Upland Drive and Ridge Road will be further processed by the Town.

Section 6. Exemptions

- A. This Local Law shall not apply to the following:
- 1. Any real property on or accessed directly off of Upland Drive or Ridge Road which, upon the date of adoption of this Local Law, is improved by a residential dwelling;
- 2. Applications before the Town Planning Board for which there has been issued a final or conditional final Land Use Approval before the date of adoption of this Local Law.

Section 7. Alleviation of Extraordinary Hardship

- A. The Town Board may authorize exceptions to the moratorium imposed by this Local Law when it finds, based upon evidence presented to it, that deferral of action on an application for a Land Use Approval during the term of this moratorium would impose an extraordinary hardship on a landowner or applicant.
- B. An application for an exception based upon extraordinary hardship shall be filed with the Town Clerk, including a fee of Five Hundred and 00/100 Dollars (\$500.00) for each tax map parcel claimed to be subject to extraordinary hardship, by the landowner or the applicant, upon the consent of the landowner. The application shall provide a recitation of the specific facts that are alleged to support the claim of extraordinary hardship and shall contain such other information and/or documentation as the Town Board shall prescribe as necessary for the Town Board to be fully informed with respect to the application.

- C. A public hearing on any application for an exception to this Local Law based upon extraordinary hardship shall be held by the Town Board at a meeting of the Town Board no later than thirty (30) days after the complete application for an extraordinary hardship exception has been filed with the Town Clerk. The Town Board shall determine, by motion duly adopted, when an application based upon extraordinary hardship is complete.
- D. In reviewing an application for an exception based upon a claim of extraordinary hardship, the Town Board shall consider the following criteria:
- 1. The extent to which the proposed development activity would generate additional traffic, or cause environmental degradation, or otherwise adversely impact nearby properties and the neighborhood.
- 2. Whether the moratorium will expose a property owner or applicant to substantial monetary liability to a third person or would leave the property owner or applicant completely unable, after a thorough review of alternative solutions, to have a reasonable alternative use of the property.
- 3. The extent to which actions of the applicant were undertaken in good faith belief that the proposed development would not generate additional traffic, or environmental degradation, or otherwise adversely impact nearby properties or the neighborhood.
- E. Mere delay or concern that new land use regulations may be adopted is insufficient to constitute an extraordinary hardship under this section.
- F. At the conclusion of the public hearing and after reviewing the evidence and testimony placed before it, the Town Board shall, in its sole discretion, act upon the application for an exception based upon extraordinary hardship. The Town Board may approve, deny or approve in part and deny in part the application being acted upon.

Section 8. Default Approvals Abolished.

Notwithstanding any law, rule, or regulation to the contrary, no development approval shall be granted, deemed granted, or dispensed with as a result of the passage of time during the effective period of this moratorium. Any and all development approvals granted during the period of the moratorium shall require the affirmative vote of the reviewing board(s) with jurisdiction and endorsement of the plat or plan as otherwise required by law.

Section 9. Extension or Termination of Moratorium.

- A. This moratorium may be extended by two (2) additional periods of up to six (6) months each by resolution of the Town Board upon a finding of need for such extension(s).
- B. This moratorium, and any extensions thereof, may be terminated at any time by resolution of the Town Board.

Section 10. Penalties

A violation of this Local Law is hereby declared to be an offense punishable by a fine not to exceed \$250.00 or imprisonment for a period not to exceed fifteen (15) days, or both such fine and imprisonment, together with any other civil remedies available at law.

Section 11. Superseding and Repealer Provisions

This Local Law shall supersede the applicable sections of Article 16 of the Town Law, including, but not necessarily limited to Sections, 130, 261, 262, 263, 264, 265, 267, 268, 269 and 274-a, and Executive Law Section 381 to the extent inconsistent with the same and to the extent permitted by the New York State Constitution, the Municipal Home Rule Law or any other statute determined to be in conflict with the provisions hereof.

Section 12. Validity

In the event that any section, sentence, clause or phrase of this Local Law is held to be invalid or unconstitutional by any court of competent jurisdiction, said holding shall in no way affect the validity of the remaining portions of this Local Law.

Section 13. Effective Date

This Local Law shall become effective upon filing with the Secretary of State of the State of New York subsequent to having been duly adopted by the Town Board.

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The following Resolution was presented by ______, seconded by _____ and unanimously carried;

RESOLVED, that the Town Board hereby approves of the New Leaf proposal for a community garden.

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The following Resolution was presented by ______ seconded by _____ and unanimously carried;

RESOLVED, that the Town Board hereby authorizes the return of escrow for James & Kristan Connolly.



Town of Philipstown

Planning Board 238 Main Street, PO Box 155 Cold Spring, NY 10516

Office (845) 265-5202 Fax (845) 265-2687

MEMORANDUM

May 21, 2020

ATTN: RICHARD SHEA
Town Board of Town of Philipstown
238 Main Street
P. O. Box 155
Cold Spring, New York 10516

Re: Release of funds for James & Kristan Connolly, 51 Route 403 Garrison (TM#82.7-1-2

Dear Supervisor Shea:

At the May 21, 2020 Town Planning Board meeting a motion was made by Peter Lewis to okay the return of the escrow to James & Kristan Connolly and Dennis Gagnon seconded the motion. The motion carried unanimously.

I am requesting that any remaining escrow funds for processing and consultants' fees being held by the Town should be released back to the applicant at this time.

Very truly yours.

Kelly MacIntrye Zoning/Planning Secretary

Lucy MacIntyre

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

RESOLVED, that the Town Board hereby authorizes Supervisor Shea to sign the letter of intent to participate in the Putnam County Jurisdictional All-Hazard Mitigation Plan (HMP) update project.



TOWN OF PHILIPSTOWN

238 Main St. P.O. Box 155 Cold Spring, NY 10516

RICHARD SHEA, SUPERVISOR

(845) 265-3329

JOHN VAN TASSEL, COUNCILMAN MICHAEL LEONARD, COUNCILMAN ROBERT FLAHERTY, COUNCILMAN JUDITH FARRELL, COUNCILWOMAN

June 1, 2020

Robert Lipton, Deputy Commissioner Putnam County Bureau of Emergency Services 112 Old Route 6 Carmel, NY 10512

Subject:

Putnam County Multi-Jurisdictional All-Hazard Mitigation Plan Update

Authorization and Letter of Intent to Participate

Town of Philipstown

Dear Mr. Lipton:

This is to confirm that the Town of Philipstown is committed to participating in the Putnam County Multi-Jurisdictional All-Hazard Mitigation Plan (HMP) update project. By way of this letter, the Town of Philipstown:

- 1. Authorizes the Putnam County Bureau of Emergency Services Office of Emergency Management and the Putnam County Hazard Mitigation Steering Committee ("Steering Committee"), to guide and direct this planning process, perform certain parts of the planning process, and prepare certain parts of the plan documents on our behalf.
- 2. Agrees to meet the minimum requirements of municipal participation (a.k.a. the Planning Partner Expectations), specifically:
 - Execute and return this "Authorization and Acknowledgement" letter to the Putnam County Bureau of Emergency Services – Office of Emergency Management, attention: Robert Lipton.
 - Identify municipal representatives to serve as the planning point of contacts (POC), below.
 These people will be responsible for representing their community and assuring that these participation expectations are met by their community.
 - Support the Steering Committee selected to oversee the development of this plan.
 - Provide representation at municipal Planning Committee meetings (~ 3 meetings over 6-8 months, including a Kick-Off Meeting and a Mitigation Strategy Workshop).
 - Provide data and information about your community as requested by the Steering Committee or the contract consultant, including:
 - Structure and facility inventory data
 - o Identification of new development and anticipated development
 - o Identification of natural hazard risk areas

- Identification of natural hazard events and losses that have impacted your community in the last five years
- Identification of plans, studies, reports and ordinances addressing natural hazard risk
- o Identify mitigation activity in your community in the last five years, including progress on previously identified mitigation actions.
- Support public outreach efforts in your community which may include:
 - Providing notices of the planning project on your municipal website with links to a County project website
 - Providing notice of the planning project, the availability of Plan documents, and notice of public meetings via available local media (e.g. newsletters, flyers, email blasts, social media, etc.)
 - o Advertising and supporting public meetings in your area
 - Supporting outreach to National Flood Insurance Program (NFIP) Repetitive Loss and Severe Repetitive Loss property owners in your community.
- Assist with the identification of stakeholders within your community that should be informed and potentially involved with the planning process.
- Completing data and information collection survey forms in a timely manner.
- Identify specific mitigation actions to address each of the natural hazards posing significant [or high or medium] risk to your community.
- Involve your local NFIP Floodplain Administrator in the planning process.
- Review draft Plan sections when requested and provide comment and input as appropriate.
- Adopt the Plan by resolution of their governing body after FEMA conditional approval.
- Periodically provide the Steering Committee with reports of municipal staff and volunteer labor spent on the planning process.
- 3. Assigns the following persons to be the Points of Contact for our jurisdiction. We understand that these POCs are responsible for assuring municipal representation at municipal Planning Committee meetings, and assuring that the other minimum requirements of jurisdictional participation, as detailed in the Planning Partner Expectations above, are met.

Primary POC: Greg Wunner	Position/Department: Code Enforcement Officer & NFIP Floodplain Administrator
Address: 238 Main Street, PO Box 155 Cold Spring, NY 10516	Email Address: gwunner@philipstown.com
Phone Number:	
845-265-5202	

Address: 238 Main Street, PO Box 155
Cold Spring, NY 10516
Phone Number: 845-265-5200

Position/Department: Supervisor
Email Address:supervisor@philipstown.com

Email Address:supervisor@philipstown.com

4. Our designated local Floodplain Administrator (FPA) under the NFIP is:

Name of NFIP FPA: Greg Wunner	Position/Department: Code Enforcement Officer & NFIP Floodplain Administrator	
Address: 238 Main Street, PO Box 155 Cold Spring, NY 10516	Email Address: gwunner@philipstown.com	

Phone Number: 845-265-5202

5. Recognizes that failure to meet the minimum participation expectations and deadlines, as determined by the Steering Committee will result in our municipality being excluded from the planning process.

Sincerely,

Richard Shea Supervisor, Town of Philipstown

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RESOLUTION #-2020

The following Resolution was presented by _______, seconded by ______ and unanimously carried;

RESOLVED, that the Town Board hereby authorizes the cancellation of in-person summer camp programs at the Philipstown Recreation Department for the 2020 summer season.



Town of Philipstown Code Enforcement Office

Code Inforcement Office 238 Main Street, PO Box 155 Cold Spring, NY 10516

Office (845) 265- 5202 Fex (845) 265-2687

MONTHLY REPORT for May 2020

1.	Fees Collected	37,496,44
2.	Total Number of Permits Issued	39
3.	New One- or Two-family dwellings:	2
4.	New Commercial/Industrial buildings:	- Cognition of the cogn
5.	New Hazardous (H) occupancies:	Syste Annumental department of the Annum - op *
6.	New Multi family occupancies:	учунайся «Фентическая падагана»,
7.	Additions, alterations or repairs residential buildings	6
8.	Additions, alterations or repairs commercial buildings	protestidate in a special protesti
9.	All other permits (pools, sheds, decks, plumbing, HVAC, etc.)	31
10.	Number of Certificates of Occupancy:	17
11.	Number of Stop Work Orders issued:	4
12.	Operating permits issued	contractively rate pathering
13.	Operating permits issued hazardous materials	-th Minimatory (California) path.
14.	Operating permits Hazardous processes and activities	AND Report Report to Indian
15. 1	Permits issued for the Use of pyrotechnic devices:	and the second s
16. 1	nspection of public assembly:	Ser to be before the second and the
17. 1	nspection of commercial occupancies	
18. 1	nspection of buildings with 3 or more dwelling units.	#Majoralingsative Alexandra Algorithmas
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	SAFETY FEATURES	ADE