

May 27, 2015  
May 29, 2015

## Monthly Town Board Meeting

June 4, 2015

7:30 p.m.

Town Hall

Salute to the Flag

### REVIEW OF MINUTES

- Monthly Town Board Meeting of May 7, 2015

### COMMITTEE REPORTS

1) CB          2) Recreation          3) Recycling          4) Planning Board  
5) Zoning      6) Highway              7) Building & Land Acquisition  
8) Butterfield Library   9) Putnam County Legislator

### 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.
2. Supervisor Shea's appointment of Robert Flaherty as liaison to the following:
  - Planning Board
  - Village of Cold Spring
  - Land & Building
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)
4. Schedule workshops/meetings.
  - Reschedule the Monthly Town Board Meeting from July 2, 2015 to July 9, 2015
5. Code Enforcement Monthly Report.
6. Any other business that may come before the Town Board.

### AUDIENCE

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## **VACANCIES**

Recreation Commission (0)  
Board of Assessment Review (1)  
CV Park District Advisory Committee (3)  
CV Water District Advisory Committee (3)

## **APPROVAL OF VOUCHERS**

General      Highway      CVPD      CVWD

## **ADJOURNMENT**

Town of Philipstown  
June 2015 Monthly Board  
Meeting  
Butterfield Library Report

- 
- Big Truck Day will take place on Sunday, June 7<sup>th</sup> from 11 am – 2 pm. Many local businesses donate to make this a fun family day. Admission is a donation.
- Summer Reading programs will begin in June. Visit the library's website for more details.
- Haldane and Garrison required summer lists are posted on the library's website. The library has purchased multiple copies of most required books.
- Museum passes are available to library patrons in Philipstown. These are in high-demand during the summer months, but we will do our best to accommodate our users.
- The library offers home delivery to any Philipstown resident that is homebound. If you know of a Philipstown resident that cannot get to the library, please have them contact the library.
- Tuition-free camps are all filled. These camps are paid for from private grants and donations.

For more information regarding anything about the library, visit us online at [butterfieldlibrary.org](http://butterfieldlibrary.org).

Monthly Town Board Meeting  
May 7, 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.

<b>PRESENT:</b>	Richard Shea	Supervisor
	Nancy Montgomery	Councilwoman
	John Van Tassel	Councilman
	Michael Leonard	Councilman

Councilman vacancy.

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

**State of the Town Address**

Town of Philipstown, NY  
2015 State of the Town  
Richard R. Shea, Supervisor

An informed citizenry is vital to the health of any community. To that end I feel it is important to reach out to residents and let them learn what the Town Board of Philipstown is doing to maintain and preserve our Town and its unique environment and quality of life.

Philipstown is just under ten thousand residents covering a geographic area of roughly fifty square miles. Although it has the lowest population in Putnam County, it is the largest in landmass, and the only town to border the Hudson River. Centered in the Hudson Highlands, our town is rich in the history of our nation. Its residents are committed to maintain and protect our natural resources and beauty. Doing so presents both challenges and incredible opportunity.

**2020 Comprehensive Plan:**

The challenge of maintaining our rural character while recognizing that we live in a modern world was at the core of our 2020 Comprehensive Plan. It is a living document that we continue to use today. The planning process offered residents the opportunity to speak out and address their hopes and priorities as well make suggestions on ways to maintain Philipstown's scenic beauty and our unique quality of life. As a result, the Comprehensive Plan called for a complete overhaul of our zoning code that was a huge job we undertook. I am pleased that we on the Town Board welcomed the support and great ideas of our residents. In fact this led to a team effort of local residents and our planning consultant, Joel Russell, to formulate a plan that assures the things we value most; clean water, incredible scenic beauty, an unparalleled quality of life and a small business friendly environment that will be preserved for our children and future generations. Further, the plan was created with minor fiscal impact because the work was largely done by a number of

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dedicated residents and Town Board members. I am proud of all the people that worked on the plan and their contribution to keeping Philipstown's taxes the lowest in Putnam County. To date I would say that for such a large scale change the new zoning is serving us well with very few issues.

**Town Roads, Natural Disasters:**

Philipstown has an extensive network of roads – roughly fifty-miles (50) of rural roads, half of which are dirt and in many cases narrow for modern times. Dirt roads, although they are close to our hearts do present a special set of challenges. No one would want to see large scale paving of historic roads like Indian Brook and the Old Albany Post Road. These roads are a tangible part of our history and the rural character of our town. That being said some of the dirt road have attracted growth in new housing, resulting in increased traffic from passenger cars, delivery vans, and service trucks. This pressure often overwhelms the roads and makes for both an unpleasant and hazardous travel experience. My office and the Town Board are working with our Highway Superintendent and such prestigious institutions as Penn State University to come up with lasting and economical solutions to perennial problems of maintaining dirt roads. While in rare instances this has meant paving small sections of road we will continue to listen to all sides on maintaining these roads while balancing whatever is necessary to safeguard our residents especially our children who ride buses on these roads to school each day. In 2015, road improvement projects at Avery Road, Indian Brook Road and East Mountain Road will continue this year with the addition of a large project to alleviate a long standing issue at Manitou Station Road.

**Climate Change and Natural Disasters:**

Hurricanes Irene and Sandy had a major negative impact on our Town's infrastructure in many forms. I am pleased that my efforts to bring our needs to the attention of Senator Charles Schumer resulted in his bringing the Regional Director of FEMA to Philipstown to directly view the damage first hand. This was the beginning of a process that continues and I am pleased to announce that to date we have recovered over one million dollars to rebuild damaged roads and bridges.

My office worked diligently to assist residents who had damage to their homes. Within days of Sandy I coordinated efforts to bring federal disaster recovery agents to Philipstown to help homeowners and businesses apply for assistance. With help from Senator Schumer, a number of homes that were virtually destroyed during the storms were rebuilt to more resilient standards. In an effort to do our share to combat climate change the Town Board purchases 100% of our electricity from renewable resources in wind power.

**Government, Taxes and Fiscal Management:**

The year that I was elected Supervisor, our nation entered in long economic downturn of a magnitude not seen since the great depression. By the time I was sworn into office there were deficits in both the General A and B funds which represent Town wide expenses and Town outside of the village. These are the

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largest portions of our budget. As Chief Budget Officer, it was my fiduciary responsibility to take quick and decisive action. The great recession meant that new approaches to our Town's financial management would have to be instituted. It was no longer business as usual. I immediately froze all hiring, eliminated three positions, increased employee health care contributions and froze wages for all employees including elected officials imposing a salary cap on some positions. Through these and the institution of operational efficiencies, I am proud to report that we now have a positive fund balance in both the A and B funds in the 2015 general town budget. As a result, we are fiscally sound and well below the cap for borrowing. This enables Philipstown to borrow at low rates when necessary. Sound fiscal management, lowering costs and at the same time improving services have been the hallmark of this Town Board.

The Tax Freeze Efficiency Plan put in place by Governor Cuomo has added to the stress on local budgets. This plan calls for successive 2% savings for 2017, 18 and 19. In order for our residents to receive their NYS tax rebate checks we must meet this mandate. I am happy to report that through actions that this Board has taken our residents can rest assured that they will receive their rebate checks and Philipstown will meet the 2% savings mandate.

We are investing in our aging infrastructure and have completed major capital projects: a roof for the recreation, new energy efficient boilers for both Town Hall and our Recreation facility, and ongoing road improvements. The new boilers have resulted in a reduction in fuel oil consumption and subsequent savings for the taxpayer. Both of these projects were done through grants. I was also able to enter into an agreement through a company in Dutchess County to purchase fuel oil on State bid which resulted in savings of thousands of dollars this past winter. Our great Assemblywoman Sandy Galef sponsored both of these projects.

Town Hall is in need of updating and remodeling. To that end the Town Board and I have authorized the sale of the VFW building after lengthy discussions with our local veterans. The veterans saw the need to consolidate their facilities and have agreed to operate under one roof at the American Legion building on Cedar Street. With the revenue generated from the sale of the VFW we can address the issue of handicap accessibility at Town Hall by hiring a consultant to develop a plan for the installation of an elevator. The elevator project is planned as a budget neutral action, which means there will be no impact to taxes. In addition we are also looking forward to remodeling the building to the rear of Town Hall to add much needed space for required record retention.

**Town Services for all ages:**

Philipstown's recreational resources are the envy of neighboring Towns. With three parks and a thirty thousand square foot Recreation Center, we are able to offer a wide variety of services for residents from age one to ninety nine. We serve thousands of residents each year with dozens of different programs: summer camp, adult basketball and volleyball, photography, ceramics, yoga, palates, exercise for all

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ages. We are especially proud of the services that we offer our seniors including cultural and entertainment trips, a weekly shopping bus for those who don't drive, exercise classes and our wonderful senior lunches. While Putnam County has cut their budget for seniors the Philipstown Board stepped up to increase ours. Learn more about recreation programs at <http://www.philipstownrecreation.com/>

### **Our Hudson Highlands:**

We all value the natural scenic beauty that is Philipstown. In my mind our Town is a singular and unique place that needs to be protected. To that end we have enacted strict laws that protect the environment while allowing for appropriate development. We have seen the results of uncontrolled building booms and realize that once the damage is done it is very difficult if not impossible to reverse. That is why our Town Board instituted a common sense system of protection for our most valued resources, our local environment. The Town's Natural Resources Review Officer is diligent in the application of wetlands regulations; going beyond State and Federal government regulations to protect our drinking water. Our Conservation Board oversees the impact of any activity that comes within one hundred feet of any watercourse, pond, and lake or wetland right down to one quarter of an acre. Our Planning and Zoning Boards provide comprehensive review of all proposed subdivisions, land development and variance requests for compliance with all laws. I am confident that our stewardship of our Town will continue because of the wealth of talents and abilities of our volunteer residents who give of their time and energies to protect Philipstown's natural resources for generations to come.

Another exciting project is the proposed Hudson River Fjord Trail. The vision is for a 9-mile multi-use trail to connect Cold Spring to Beacon allowing people the opportunity to walk on a level path along the Hudson River. The positive results of this project will be numerous; including addressing safety concerns in the Route 9D corridor, opening up the possibility for new businesses that serve hikers and other outdoor enthusiasts and making the beauty of the Hudson Valley more accessible to those with disabilities. This is a transformative project and is currently underway. The current plan for complete sidewalk on Fair Street using multi-modal funds, again sponsored by Sandy Galef, will take place this summer. We are working jointly with the Village of Cold Spring on this project. We are also working closely with Congressman Sean Patrick Maloney on funding opportunities. For more information visit: <http://www.hudsonfjordtrail.org>

In closing it is fitting to acknowledge the passing of former Councilwoman Betty Budney. She loved our Town and gave years to serving its residents. I learned many lessons from Betty; her greatest gift was her love for Philipstown and the care that she gave to our community. I feel it is important to construct a fitting memorial to Philipstown's most beloved citizen. To that end I would ask the Town Board to join me in approving the use of funds from a recent legal settlement to construct just such a memorial that recognizes her life of service to our Town.

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It is an honor to serve Philipstown and I thank you for the opportunity to share some of the thoughts and experiences that we had.

**Philipstown Depot Theatre Development Corporation Special Meeting**  
(Minutes attached)

**REVIEW OF MINUTES**

The Minutes of the Weekly Town Board Meeting of March 25, 2015, were reviewed.

Councilman Van Tassel made a motion, seconded by Councilwoman Montgomery, and unanimously carried, that the Minutes of the Weekly Town Board Meeting of March 25, 2015, are hereby approved as presented.

The Minutes of the Special Meeting (Friends of Philipstown) of April 9, 2015, were reviewed.

Councilman Leonard made a motion, seconded by Councilman Van Tassel, and unanimously carried, that the Minutes of the Special Meeting (Friends of Philipstown) of April 9, 2015, are hereby approved as presented.

The Minutes of the Monthly Town Board Meeting of April 9, 2015, were reviewed.

Councilman Van Tassel made a motion, seconded by Councilman Leonard, and unanimously carried, that the Minutes of the Monthly Town Board Meeting of April 9, 2015, are hereby approved as presented.

The Minutes of the Special Town Board Meeting of May 1, 2015, were reviewed.

Councilman Van Tassel made a motion, seconded by Councilwoman Montgomery, and unanimously carried, that the Minutes of the Special Town Board Meeting of May 1, 2015, are hereby approved as presented.

**COMMITTEE REPORTS**

At this point, Supervisor Shea requested that Committee Reports be addressed after Agenda Item #1.

**AGENDA**

- 1. Resolution appointing a new member of the Town Board to replace the vacancy left by David Merandy.**

Supervisor Shea stated that he couldn't be more pleased doing this and announced Robert Flaherty as the appointed Councilman to replace David Merandy.

**RESOLUTION #-2015**

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

**RESOLVED**, that the Town Board hereby appoints Robert Flaherty as Councilman to fill the vacancy left by David Merandy.

Justice Alan Steiner proceeded to swear-in Robert Flaherty, who then took his place on the dais.

**COMMITTEE REPORTS**

**CB** – Councilman Leonard reported that the meeting took place on April 14, 2015. The following applications were on the agenda: Banker, 43 Kings Dock Road for demolition and reconstruction of dwelling #1 and installation of underground utility lines; demolition and construction of dwelling #2, installation of underground utility lines and relocating and replacement of existing retaining wall. Discussion followed on a conservation easement that was referred to the Planning Board re: Hudson Highlands Preserve (Route 9 between Horton Road and East Mountain Road No). Councilman Leonard reported further that the CB discussed the Barrett Pond Study conducted in 2008 on turtles. He added that on May 1<sup>st</sup>, the Wetlands Inspector, Councilwoman Montgomery and himself met at the Continental Village Clubhouse for an on-going discussion on stormwater management. The next meeting of the Conservation Board is scheduled for May 12<sup>th</sup>.

**RECREATION** – Councilman Van Tassel turned over the reporting to Claudio Marzollo of the Recreation Commission. Mr. Marzollo reported that the Commission formed a commission to examine recreation facilities in the town, the goal being to gather what additional things the community might be interested in seeing here in Philipstown. He further reported that summer camp numbers were turning upward; the Depot Theatre board met with Recreation Supervisor Stickle to discuss various financial needs, which appears to be on budget, and as part of the “looking good campaign,” significant funds will be needed to spruce up the Depot Theatre. Mr. Marzollo added that the Recreation Commission was one (1) member short, but hoped to have a recommendation for a new member shortly.

Councilwoman Montgomery stated that Bonnie Raitt's singer/songwriter from California would be coming in June.

**RECYCLING** – Councilwoman Montgomery discussed a complaint received regarding the landfill not being open. Councilwoman Montgomery stated that the town is looking for an alternate to cover when the present attendant cannot be there, which she believes has already been resolved. Councilwoman Montgomery added that there are major issues with the e-waste company not picking up e-waste in a

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timely manner; that the County does not have a contract with the e-waste company anymore. People can still continue to bring their e-waste to the recycling center. Councilwoman Montgomery and Supervisor Shea extended their apologies to residents for any inconvenience they may have endured.

**PLANNING BOARD** - Councilman Leonard reported that the Planning Board met on April 16<sup>th</sup>. The following applications were discussed: Gex – Hummingbird Lane, Garrison, for an extension, which was granted; OWPP LLC (Grasso), 410 Old West Point Road, Garrison – application for 2-lot subdivision and special use permit; Griffin Landscaping, 3032 Route 9, Cold Spring – application for amendment of site plan, and Hudson Highlands Reserve – Horton Road and East Mountain Road No., Cold Spring – conservation subdivision application. Next meeting scheduled for May 21<sup>st</sup>.

**ZONING** – Councilman Van Tassel reported that the Zoning Board did not meet in April.

**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 stated that this committee report will be addressed later on in the meeting with the sale of the VFW.

**PUTNAM COUNTY LEGISLATOR** – Legislator Scuccimarra reported that the Putnam County Legislature was very busy the last few months. A resolution was passed re: crude oil transportation, which calls for much needed safety regulations. She stated that Senator Schumer & Congressman Maloney have demanded some action, so something will be accomplished. She added that a resolution was passed calling on the Governor and State Legislators to plan for the next generation 911 in New York State, to create a NYS 911 department in Putnam County and update 911 and support public safety and enhance emergency dispatch services. Legislator Scuccimarra stated that the Legislature is calling on NYS to set up a committee to help fund, consult and provide legal expertise in 911-related matters.

Another resolution was passed requesting federal and state representatives to oppose and repeal the Federal Energy Regulatory Energy Commission Capacity Zone Plan. Legislator Scuccimarra remarked that electric costs have been raised 6% for homeowners and 10% for businesses. She stated that she had read that Congressman Maloney was on it to repeal it. Hopefully, other counties are going to join in on this. Councilwoman Montgomery asked if this resolution has been passed could she please have a copy. Legislator Scuccimarra responded, “yes,” and informed Councilwoman Montgomery that she would get a copy of it to her.

Legislator Scuccimarra reported that the resolution was passed for the Butterfield Letter of Intent, exclaiming, “halleluiah.” She added that they have been working on the lease and now the Legislators have the green light to continue that forward. She

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stated that they are looking at the plans for the space; county is going to lease 6,000 square feet on the 2<sup>nd</sup> floor of building #2. Legislator Scuccimarra stated that she was very excited about that and told the Town Board members if they would like to see the plans or to get in on any of the infrastructure, she would love to have any one of them aboard.

Next item she reported was the approving of local law to amend the Putnam County code by revising the definition of “smoking” set forth in section 203-3 to include use of e-cigarettes. She stated that the e-cigarette is very popular now and the Legislature wants them to have the same rules as “smoking.” She added that e-cigarettes remain completely unregulated by the Federal Government. Nothing has been passed – it is still under discussion, but the Legislature is considering raising age of smoking from 18 to 21. Legislator Scuccimarra stated that it is disheartening to see kids on the street at a high school smoking cigarettes; that every day more than 4,000 kids try their first cigarette and each day more than 2,000 under 18 years of age become new regular smokers. She added that one (1) out of every three (3) regular smokers will develop smoking-related illnesses and added that nicotine is a drug! Adolescence is a critical time for brain development and nicotine exposure at a young age can cause lasting harm to brain development and promote addiction, which we all know is a problem all over this country. Legislator Scuccimarra remarked, “I am hoping this will pass.” She added that New York State passed it and Westchester County was considering it.

On a lighter side, Legislator Scuccimarra discussed an organization called “The Great Healthy Yard Project” that the Putnam County Golf Course sent the link to her. The organization is a group that tries to educate people about the use of chemicals in their yards that wash into the drinking water and how these chemicals will harm people and a small amount can cause a number of diseases. Legislator Scuccimarra stated that there is a resolution on the organization’s website that has a volunteer pledge that people can sign pledging they will not use pesticides.

Legislator Scuccimarra then spoke about litter on Philipstown roads and offered to coordinate volunteers to clean up. She asked that anyone who knows of or has a spot that needs to be cleaned up, to contact her or call the Town Hall.

**TOWN OF PHILIPSTOWN  
MONTHLY REPORT OF TOWN SUPERVISOR**

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**MONIES RECEIVED AS OF MAY 7, 2015**

**GENERAL & PART-TOWN FUNDS**

T.C. Fees – 2/15  
T.C. Dog Fees – 2/15  
Justice Fees – 2/15  
Justice Fees – 2/15  
Clear Channel Billboard  
Bldg. Fees 3/15  
Rec. Fees 3/15  
Justice Fees 3/15  
Putnam Co. DFY

**HIGHWAY FUND**

Gen. Ck. Gas  
Put. Co. Gas  
Village of Nelsonville Salt  
Haldane School Salt  
Put. Co. Sheriffs Gas

**CONTINENTAL VILLAGE WATER DISTRICT**

**CONTINENTAL VILLAGE PARK DISTRICT**

Clubhouse Fees

**2. Resolution authorizing Supervisor Shea to sign the agreement between Judith Mayle for legal services for 2015.**

**RESOLUTION #-2015**

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

**RESOLVED**, that the Town Board hereby authorizes Supervisor Shea to sign the agreement between Judith Mayle for legal services for 2015.

**3. Resolution to protect volunteer firefighters and ambulance workers who render assistance out-of-district.**

**RESOLUTION #-2015**

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

**WHEREAS**, it is the intent of this Resolution to make available the coverage provided by General Municipal Law Section 209-il-b (Volunteer Ambulance Workers' Benefit Law Section 5-1); and

**WHEREAS**, whenever a volunteer firefighter or ambulance worker of the Town of Philipstown Fire Companies or Ambulance Corps provides services under General Municipal Law Section 209-1, when there is no jurisdictional officer in command present, such volunteer firefighter or ambulance worker shall be entitled to coverage under the VFBL coverage provided by the Philipstown Fire Companies or Ambulance Corps for the provision of such services;

**NOW, THEREFORE, BE IT RESOLVED**, that upon the arrival of a jurisdictional officer in command, such volunteer firefighter or ambulance worker shall report to such officer and offer his/her services to assist such fire or ambulance company or fire department. If such offer of assistance is not accepted, then the volunteer firefighter or ambulance worker of the Philipstown Fire Companies or Ambulance Corps must immediately cease providing any additional service at the scene of the emergency.

**4. Resolution authorizing Supervisor Shea to sign the parade permit for David Marzollo's event scheduled for May 22 through May 24, 2015 and waive the fees associated with said permit.**

**RESOLUTION #-2015**

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

**RESOLVED**, that the Town Board hereby authorizes Supervisor Shea to sign the parade permit for David Marzollo's event scheduled for May 22 through May 24, 2015 and waive the fees associated with the said permit.

**5. Resolution authorizing Supervisor Shea to sign the parade permit for the Walter Hoving Home for an event scheduled for July 11, 2015 and waive the fees associated with said permit.**

Town Clerk Merando stated that she received a call from Beth Greco of the Walter Hoving Home requesting that the date be changed to July 18, 2015. Supervisor Shea then asked for a resolution authorizing him to sign the parade permit for the Walter Hoving Home for an event with the scheduled date changed from July 11, 2015 to July 18, 2015, and waive the fees associated with said permit.

**RESOLUTION #-2015**

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

**RESOLVED**, that the Town Board hereby authorizes Supervisor Shea to sign the parade permit for the Walter Hoving Home for an event with the scheduled date changed from July 11, 2015 to July 18, 2015, and waive the fees associated with said permit.

**6. Resolution authorizing Supervisor Shea to sign the 2014 Sponsor Authorization for the LOSAP for Garrison Volunteer Ambulance Corps.**

**RESOLUTION #-2015**

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

**RESOLVED**, that the Town Board hereby authorizes Supervisor Shea to sign the 2014 Sponsor Authorization for the LOSAP for Garrison Volunteer Ambulance Corps.

**7. Resolution authorizing Supervisor Shea to sign the Surrender and Release agreement between the Town of Philipstown and the Veterans of Foreign Wars, James Harvey Hustis Post No. 2362. (Roll Call Vote)**

**RESOLUTION #-2015**

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

**WHEREAS**, the Town of Philipstown owns certain real property located at 34 Kemble Avenue, Cold Spring, New York; and

**WHEREAS**, the said property is subject to a fifty (50) year lease agreement signed on October 11, 1989, held by the Veterans of Foreign Wars, James Harvey Hustis Post No. 2362; and

**WHEREAS**, the Town wishes to sell the property free and clear of the lease interest and, by resolution dated the 25<sup>th</sup> day of March 2015, the Veterans of Foreign Wars, James

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Harvey Hustis Post No. 2362 agreed to release and extinguish its lease in return for Ninety Thousand and 00/100 Dollars (\$90,000); and

**WHEREAS**, the Town Board has before it a Surrender and Release Agreement in regard to the lease, a copy of which is attached hereto.

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

1. That the Town Board hereby agrees to pay the Veterans of Foreign Wars, James Harvey Hustis Post No. 2362, Ninety Thousand and 00/100 Dollars (\$90,00) in return for release and extinguishment of its lease contingent upon closing of the pending sale of the property; and
2. That the Town Board authorizes Supervisor Shea to sign the Surrender and Release Agreement and any documents necessary to record it and effectuate its terms and provisions, effective upon closing of the pending sale of the property.

The vote on the foregoing resolution was as follows:

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

**8. Resolution authorizing Supervisor Shea to sign the Contract of Sale between the Town of Philipstown and Kim Conner for the VFW Building located at 34 Kemble Avenue, Cold Spring, New York. (Roll Call Vote)**

**RESOLUTION #-2015**

Councilwoman Montgomery presented the foregoing resolution, which was seconded by Councilman Leonard and unanimously carried;

**RESOLUTION #-2015**

**WHEREAS**, the Town of Philipstown is the owner of property located at 34 Kemble Avenue, Cold Spring, New York, known as Tax Map No. 48.12-2-58, and the Town has determined that said property is not needed for Town use, and should therefore be sold; and

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**WHEREAS**, a notice requesting bids was duly published in the official newspaper of the Town, and duly posted on the Town Clerk's bulletin board; and

**WHEREAS**, the Town received and considered bids on said property, and accepted Kimberly Conner's bid to purchase the said property, in the amount of \$285,000.00; and

**WHEREAS**, the Town has negotiated an agreement with the VFW to extinguish the VFW lease on the said property in return for a payment of \$90,000, contingent upon completion of the said sale; and

**WHEREAS**, the Attorney for the Town was authorized to prepare a contract for the sale of property subject to approval by the Town Board; and

**WHEREAS**, following review by the Attorney for the Town and negotiations with the Attorney for the Purchaser, the Attorney for the Town has recommended that the Town accept the attached contract in accordance with the terms and conditions therein;

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

1. The Town Board hereby approves the annexed contract with Kimberly Conner for the sale of 34 Kemble Avenue and authorizes the Supervisor to execute the same; and
2. The Town Board hereby authorizes the Supervisor to execute any and all further documents necessary to effectuate the sale.

The vote on the foregoing resolution was as follows:

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

**9. Resolution increasing the amount charged for copies from .25¢ to .50¢ per copy.**

Supervisor Shea explained that this stems from a recent request for hundreds of copies, which kept an employee busy for several hours, so the Town is upping the cost to cover paper and loss of employee productivity.

**RESOLUTION #-2015**

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

**RESOLVED**, that the Town Board hereby authorizes the increase of the amount charged for copies from .25¢ to .50¢ per copy.

**10. Resolution of support endorsing the Master Plan of the Hudson Highlands Fjord Trail in the Town of Philipstown.**

Supervisor Shea stated that it was an exciting milestone for the Fjord Trail to have the Master Plan out. He added that he had reviewed the document and it is terrific, and involved a lot of work by a lot of agencies. He then asked Andy Chmar to comment. Mr. Chmar first thanked Supervisor Shea for his personal involvement in the project and then stated that the trail would run 9 miles from the Cold Spring train station to the Beacon train station. He stated that a lot of work has gone into the project and a lot of funding to bring the project to fruition over a period of years. Mr. Chmar added that the Master Plan is the critical first step, with the work actually going to begin over the coming months on both the Cold Spring section and the Breakneck Tunnel. Mr. Chmar remarked that there is a lot of work, a lot of effort and a lot of resources that are going to be needed to bring the project to fruition and he whole-heartedly endorsed the Town Board's adopting the resolution to endorse this Master Plan.

Supervisor Shea stated that the Town Board is working with the Village of Cold Spring and their recreation department and Village Board on their sidewalk project that's going to run down Fair Street; the Washburn lot across from Little Stony Point is going to be improved this summer, which is a sizeable project. Supervisor Shea added that the group that he has been privileged to work with is extraordinary – they show up month after month for meetings; there is progress every month; there is funding and the projects are going to happen. Supervisor Shea said it has been a pleasure just serving with everyone – the DOT, Metro North, Hudson Highlands Land Trust, Scenic Hudson and New York State Parks.

Councilwoman Montgomery remarked that she knows first hand the time that Supervisor Shea has dedicated to the Fjord Trail project and appreciated all the time and effort that he has put into it.

Supervisor Shea remarked that if a person is able-bodied, they could go up the mountain and if you are young or somewhat disabled or older and just don't want to hike to the top of the mountain, you should still be able to access the beauty of the Hudson. He added that this is going to avail everyone that opportunity and just hoped that it keeps moving along and if someone has the opportunity – just go to the Fjord Trail website.

**RESOLUTION #-2015**

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

**WHEREAS**, officials of the Town of Philipstown consider bicycle and pedestrian transportation and safety to be of utmost importance to the region by providing the region with recreation and transportation opportunities, as well as the possibilities of economic and community development; and

**WHEREAS**, hiking opportunities in the Hudson Highlands attract thousands of visitors each year to the Route 9D corridor south of the City of Beacon in the Town of Fishkill; and

**WHEREAS**, the Towns of Philipstown and Fishkill, the City of Beacon and the Village of Cold Spring, Dutchess and Putnam counties, Scenic Hudson, Hudson Highlands Land Trust, Open Space Institute, Greenway Council have worked collaboratively with state Department of Transportation, state Office of Parks, Recreation and Historic Preservation and Metro-North Railroad to develop the concept and build support for the Hudson Highlands Fjord Trailway as a means of improving visitor safety, visitor access and economic development to the surrounding area; and

**WHEREAS**, many agencies have pledged funding for the Hudson Highlands Fjord Trail, including the Hudson Highlands Land Trust, NYS Hudson River Valley Greenway, Hudson River Foundation, and Open Space Institute. Additional support from Scenic Hudson, Town of Philipstown, Town of Fishkill, Village of Cold Spring, City of Beacon, Friends of Fahnestock & Hudson Highlands State Park, NY-NJ Trail Conference, Little Stony Point Citizens Association, NYS Office of Parks, Recreation and Historic Preservation, NYS Department of Transportation, and Metro-North Railroad; and

**WHEREAS**, Town of Philipstown has reviewed the Hudson Highlands Fjord Trail Master Plan; and

**WHEREAS**, officials of the Town of Philipstown feel that it is in the best interest of the citizens of the Town to endorse said plan;

**NOW, THEREFORE BE IT RESOLVED**, that the Town of Philipstown hereby endorses and Hudson Highlands Fjord Trail Master Plan and its goals and pledges to work with the lead agency to conduct the required environmental review.

**11. Resolution authorizing Town Clerk Merando to advertise for bidders for the purchase of a New Pickup 4 Wheel Drive, Single Rear Wheel.**

Supervisor Shea stated that this is something that is in the highway budget. He added that the Town should also look at acquiring another water truck for dust control on dirt roads. This is something that needs to be discussed with the Highway Superintendent. Supervisor Shea then stated that the Town Board was going to be talking about a vehicle for the Building Department and a vehicle for Recreation.

**RESOLUTION #-2015**

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

**RESOLVED**, that the Town Board hereby authorizes Town Clerk Merando to advertise for bidders for the purchase of a New Pickup 4 Wheel Drive, Single Rear Wheel.

**12. Code Enforcement Monthly Report.**

Town Clerk Merando read the monthly report.

**13. Schedule Workshops/ Meetings.**

- Reschedule workshop for Cable Franchise Public Hearings to May 27<sup>th</sup> – immediately following Public Hearings.

Supervisor Shea stated that Cold Spring Farm (Horse Arena) off Old Albany Post Road requested a meeting. He added that the Town Board was not entertaining any action as they would not compromise anything that the Planning Board is doing.

- Cold Spring Farm (Horse Arena) – following Cable Franchise Meeting

Councilman Van Tassel stated that the new trustee-elect, Danielle Park McCarthy requested a meeting with the Town Board to discuss shared services.

- Meeting w/Nelsonville Trustee on shared services – June 3, 2015 – 7:30 a.m.  
Pre-Board Meeting – following Nelsonville Trustee meeting  
(*Councilman Van Tassel to coordinate*)

- Discuss referrals re: Local Law on wood furnaces – May 27<sup>th</sup> – 7:30 p.m.

Supervisor Shea added that he was also invited, along with the Old Road Society to a resident's home on Old Albany Post Road on Wednesday, May 13<sup>th</sup>, to discuss the road problems.

**RESOLUTION #-2015**

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

**RESOLVED**, that the Town Board hereby reschedules the Public Hearing for the Cable Franchise, North and South, to Wednesday, May 27, 2015, at 7:30 & 7:45 p.m.

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

Councilman Van Tassel thanked Mario DiGregorio for repairing and basically rebuilding the monument mile marker 58 at the north end of Old Albany Post Road. He then

Monthly Town Board Meeting  
May 7, 2015

introduced Terry Zaleski of Garrison, who thanked Mr. DiGregorio stating that he did a beautiful job rebuilding the mile marker, which was damaged during storms over the years. Mr. Zaleski thanked Councilman Van Tassel and the Town Board for assisting with materials and encouraging the project. Supervisor Shea also thanked Mr. DiGregorio adding that he does excellent work.

Councilman Leonard reported that he and Legislator Scuccimarra met with Continental Village residents and their attorney to discuss Lakeland School Taxes. He stated that he felt some headway was made and that the attorney was looking at disparities. Councilman Leonard added that six (6) towns were involved and one of the things that was raised was, "why is it not as simple – 6 towns get the exact same service – why is, for example, a town like Cortlandt which may have it's full assessment value at \$200,000 per house, why are they paying so much less – 1% or no percent versus Continental Village, which this year paid 7% for the same \$200,000 assessed value?" Councilman Leonard stated that the attorney was going to try to look into it.

Councilwoman Montgomery reported that she attended the Heroin Epidemic Forum, sponsored by Walter Hoving Home, held at Graymoor. She also would be attending NARCAN training for 25 Philipstown persons, which includes first responders, Cold Spring Village police and some Putnam County sheriffs who have not been trained.

Councilwoman Montgomery further reported that she had met with some Putnam County officials regarding the IRS scam; that the Congressman's office was aware of it and was working on some kind of legislature to address this scam. Lastly, regarding Positive Train Control, Councilwoman Montgomery reported that the governor just announced a loan opportunity to fast-track and implement train control.

## **AUDIENCE**

Craig Waters of Garrison, reported that the American Cancer Society's Relay for Life would be held honoring Councilwoman Betty Budney, on May 29<sup>th</sup> @ 6:00 p.m. at Dutchess Stadium. A Proclamation will be presented to Betty's family by County Executive, Mary Ellen O'Dell. Ms. O'Dell will be speaking about Betty's contributions. Mr. Waters stated that it would be nice if some of the town council participated. He also announced the Riverkeeper's "River Sweep," which is being held on Saturday, May 9<sup>th</sup> @ 8:45 a.m. at the Cold Spring Metro-North parking lot.

Cold Spring resident, Claudio Marzollo, stated that he would like to make one correction from last month's Town Board Meeting at which there was a discussion on paving dirt roads. Mr. Marzollo stated the he got into trouble with some of his friends on Old Albany Post Road because he was incorrectly quoted by one of the local papers as saying he was asking for opinion on Albany Post Road. Mr. Marzollo remarked, "I think you all remember that I actually asked about paving on Lane Gate Road." Mr. Marzollo then expressed his apologies to the people on Old Albany Post Road adding, "and get out of trouble with my friends on Albany Post Road."

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Liz Armstrong, reporter for The Paper (Philipstown.info), asked if Supervisor Shea or board members could give her a little background on Councilman Flaherty. Councilman Flaherty then provided Ms. Armstrong with some particulars and offered to meet with her one-on-one for further background information.

### **VACANCIES**

Recreation Commission (1)  
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 Councilwoman Montgomery and unanimously carried that the General Vouchers in the amount of \$ are hereby approved as set forth in Abstract 4A & 5.

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

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

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

There being no further business to discuss, Councilwoman Montgomery made a motion, seconded by Councilman Leonard to close the Town Board Monthly Meeting at 9:00 pm.

Respectfully submitted by,

Joan B. Clauss  
Deputy Town Clerk

# Philipstown Recreation Department

## Memorandum

To: Richard Shea, Town Supervisor

CC: John VanTassel, Town Councilman

From: Amber Stickle, Director of Recreation and Parks

Date: May 15, 2015

Re: Commission Vacancy

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Supervisor Shea,

The commission would like to recommend Jane Ponton to fill the board vacancy with the term expiration date of September 1, 2015. I have attached her resume for you to review.

Please let me know if you need any additional information.

Thank you,  
Amber Stickle  
Director of Recreation and Parks

RECEIVED  
5/19/15

# JANE RAPA PONTON

pontonjane@gmail.com  
www.linkedin.com/in/janerapa/

917.359.9506

## PROFILE

Successful Television Producer with varied experience in production and post-production seeking a challenging position in media/television industry.

## PROFESSIONAL EXPERIENCE

- A+E Networks - Format Producer**, Stamford, CT **2014 - present**  
Format various programs for Lifetime, LMN & History.  
Supervise non-linear/on-line editing for broadcast.  
Screen and evaluate all programs on a file based system.
- Viacom Media Networks - Format Producer**, New York, NY **2003 - 2013**  
Formatted programming for all networks including Comedy Central, Nickelodeon, & TV Land.  
Supervised team of editors to ensure quality content specific product.  
Identify and communicate standards and practices issues to ensure standards are met.
- Comedy Central - Format Producer**, New York, NY **1999- 2003**  
Sole producer formatting all network acquired programming.  
Coordinated & communicated with distributors for delivery of all programming.  
Acquired closed captioning, textless elements and replacement video.  
Managed freelance format producers.
- Fox News Channel - Associate Producer - "The Full Nelson"**, New York, NY **1999**  
Contacted publicists in order to book experts on weekly topic.  
Researched topics, pre-interview and prep guests.
- A&E Television Network - Format Producer**, New York, NY **1998**  
Formatted "Biography," "Murder She Wrote" and other popular series.  
Edited programming to comply with network time and content standards.  
Produced on-air program elements, including bumpers and open/close wraps.
- FX Networks - Associate Producer - "Backchat"**, New York, NY **1997**  
Produced and edited premieres and studio interviews for entertainment news show.  
Edited show open, teases and bumpers.
- Universal Television Associate Producer**, "The Pat Bullard Show" **1996 - 1997**  
**New World Entertainment Producer**, "The Mark Walberg Show" **1995 - 1996**  
**Columbia Tri-Star Television Assoc. Producer** "The Ricki Lake Show" **1993 - 1995**  
Produced national talk show on a weekly basis.  
Booked and interviewed celebrity and non-celebrity guests.  
Interacted with publicists, agents and managers to suit clients' needs.  
Cleared clips, photos and music through proper legal channels.

## EDUCATION

B.A. Mass Communications, Minor: Photography SUNY Plattsburgh, Dean's List

**RESOLUTION**

The following Resolution was presented by \_\_\_\_\_, seconded by \_\_\_\_\_ 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.

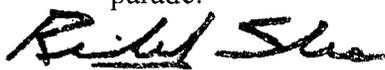
3

**PARADE PERMIT**  
**TOWN OF PHILIPSTOWN**

1. This Parade Permit is issued to:
  - a. Applicant: Philipstown LaCrosse Association for Youth
  - b. Person other than applicant proposing to hold Parade:  
Timothy Donovan
  
2. Date and starting: June 7, 2015 – 12:00 Noon
  
3. Minimum Speed: Walking
  
4. Maximum Speed: Walking
  
5. Maximum Interval of space to be maintained between the units of the Parade:  
All Afternoon- Constant
  
6. The portions of the streets to be traversed that may be occupied by the Parade:  
Upper Station Road
  
7. The maximum length of the parade in miles or fractions thereof:  
Approximately 1/2 mile
  
8. Ending time: 5:00 P.M.
  
9. The provisions to be made for any sanitary facilities and for collection and disposal of any garbage, refuse or waste from the parade route or area at the conclusion of the Parade.  
Porto-John . Trash will be disposed of by assigned team.
  
10. Such other information as the Supervisor shall find necessary to the enforcement of the parade Law of the Town of Philipstown

**NOTICE:**

- A. A Permittee hereunder shall comply with all permit directions and conditions and with all applicable law and ordinances
  
- B. Possession of permit. The parade chair or other person heading or leading such activity shall carry the parade permit upon his person during the conduct of the parade.

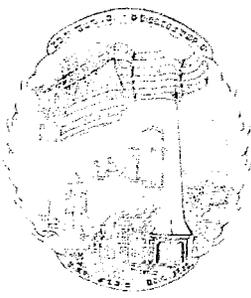
  
\_\_\_\_\_  
SUPERVISOR, TOWN OF PHILIPSTOWN

May 21, 2015  
DATE

**RESOLUTION**

The following Resolution was presented by \_\_\_\_\_, seconded by \_\_\_\_\_ 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. (Nunc Pro Tunc)



# Town of Philipstown

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

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

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## MONTHLY REPORT for May 2015

1. Fees Collected	<u>14,066<sup>-</sup></u>
2. Total Number of Permits Issued	<u>27</u>
3. New One- or Two-family dwellings:	<u>1</u>
4. New Commercial/Industrial buildings:	<u>0</u>
5. New Hazardous (H) occupancies:	<u>0</u>
6. New Multi family occupancies:	<u>0</u>
7. Additions, alterations or repairs residential buildings	<u>7</u>
8. Additions, alterations or repairs commercial buildings:	<u>0</u>
9. All other permits (pools, sheds, decks, plumbing, HVAC, etc.)	<u>19</u>
10. Number of Certificates of Occupancy :	<u>24</u>
11. Number of Stop Work Orders issued:	<u>0</u>
12. Operating permits issued	<u>0</u>
13. Operating permits issued hazardous materials	<u>0</u>
14. Operating permits Hazardous processes and activities	<u>0</u>
15. Permits issued for the Use of pyrotechnic devices:	<u>0</u>
16. Inspection of public assembly :	<u>0</u>
17. Inspection of commercial occupancies	<u>1</u>
18. Inspection of buildings with 3 or more dwelling units:	<u>0</u>

Projects of Significance: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_