

Monthly Town Board Meeting
March 5, 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.

PRESENT:	Richard Shea	Supervisor
	John Van Tassel	Councilman
	Michael Leonard	Councilman
	Dave Merandy	Councilman
ABSENT:	Nancy Montgomery	Councilwoman

Supervisor Shea opened the meeting with the Salute to the Flag by Boy Scout Troop #437.

Supervisor Shea then started the meeting saying, "tonight we all meet with a heavy heart with the passing of Betty Budney". He said that we join with her family in grieving her passing. She was just an extraordinary person. It is a profound sense of loss and he asked everyone for a moment of silence.

REVIEW OF MINUTES

The Minutes of the Philipstown Depot Theatre Development Annual Meeting of January 8, 2015, were reviewed.

Councilwoman Montgomery made a motion, seconded by Councilman Merandy and unanimously carried, that the Minutes of the Philipstown Depot Theatre Development Annual Meeting of January 8, 2015, are hereby approved as presented.

The Minutes of the Re-Organizational Meeting of January 8, 2015 were reviewed.

Councilman Leonard made a motion, seconded by Councilman Merandy and unanimously carried, that the Minutes of the Re-Organizational Meeting of January 8, 2015, are hereby approved as presented.

The Minutes of the Monthly Town Board Meeting of January 8, 2015, were reviewed.

Councilwoman Montgomery made a motion, seconded by Councilman Merandy and unanimously carried, that the Minutes of the Monthly Town Board Meeting of January 8, 2015, are hereby approved as presented.

The Minutes of the Bid Opening – Bulk Fuel of January 21, 2015, were reviewed.

Councilman Van Tassel made a motion, seconded by Councilman Leonard and unanimously carried, that the Minutes of the Bid Opening – Bulk Fuel of January 21, 2015, are hereby approved as presented.

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The Minutes of the Public Hearing – Wind Turbine of January 28, 2015, were reviewed.

Councilwoman Montgomery made a motion, seconded by Councilman Van Tassel and unanimously carried, that the Minutes of the Public Hearing – Wind Turbine of January 28, 2015, are hereby approved as presented.

The Minutes of the Weekly Town Board Meeting of January 28, 2015, were reviewed.

Councilman Leonard made a motion, seconded by Councilman Van Tassel and unanimously carried, that the Minutes of the Weekly Town Board Meeting of January 28, 2015, are hereby approved as presented.

The Minutes of the Monthly Town Board Meeting of February 5, 2015, were reviewed.

Councilman Leonard made a motion, seconded by Councilwoman Montgomery and unanimously carried, that the Minutes of the Monthly Town Board Meeting of February 5, 2015, are hereby approved as presented.

Special Meeting – Friends of Philipstown Recreation

COMMITTEE REPORTS

CB – Councilman Leonard reported that there was one item on the agenda; Banker application. He reported that Eric Lind is stepping down as Chairman and that Mark Galezo will step up to take the position. He said that Mr. Galezo has great credentials, especially in the construction area. He would like the Board to consider appointing Mr. Galezo as Chairman. They also discussed Stormwater Management. The Wetland Inspector is providing some guidance to the Fish Library regarding water runoff issues. He also discussed the removal of the billboard on Route 9 and how it effects Stormwater management. In addition he is in discussions with Continental Village on Stormwater and the next meeting will be May 1, 2015 @ 8:00pm at the clubhouse. This is a Townwide meeting and anyone who is interested can attend. The next CB meeting will be March 10, 2015.

RECREATION – Councilman Van Tassel reported that he attended the March 2, 2015 meeting at which time the minutes and financial report was given. The winter carnival was a success and the ice skating rink was now open. The summer book will be out next week. Camp registration will begin March 16, 2015. The annual Pasta & Bingo event will take place on March 13, 2015 and the park opens for the season on April 18, 2015. The next meeting will be March 31, 2015.

RECYCLING – Councilwoman Montgomery reported that there was nothing to report this month.

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PLANNING BOARD - Councilman Merandy reported that the meeting took place on February 19, 2015. There were two items on the agenda: Gecks and Hudson Highlands Reserve application. There will be no meeting this month due to the lack of agenda items.

ZONING – Councilman Van Tassel reported that the meeting took place on February 23, 2015 and there was one item on the agenda: Stellmacher. There will be no meeting in March. The next meeting will be April 13, 2015.

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

BUILDING & LAND ACQUISITION – Supervisor Shea reported that the sale of the VFW is moving ahead.

PUTNAM COUNTY LEGISLATOR – Legislator Scuccimarra said that the Health Department has taken over the NARCAN Training. Councilwoman Montgomery said that it is her understanding that not all the Sheriffs have been trained. Legislator Scuccimarra answered that they were all trained, that only the Cold Spring Police have not been trained. She then went on to say that training will be available to the general public. Councilman Van Tassel asked if NARCAN was available in the schools. Legislator Scuccimarra did not believe that it was. On March 11, 2015 at 6:00pm at the Butterfield Library the Coalition will be reviewing the Prevention Need Assessment Survey Results. Also on May 1, 2015 the Mid-Hudson Substance Abuse Prevention Conference will be held at the Fishkill Ramada. Anyone interested can contact the Coalition for more info.

The full March Legislative Meeting passed a resolution calling for more extensive and thorough removal of PCB's in the Hudson River.

Legislator Scuccimarra was happy to report that her polystyrene ban was passed by the Legislature, unanimously. As of June they will no longer be using polystyrene at the County level.

She and Bill Gouldman of Putnam Valley met with Ken Ross, Chief of the Putnam County ASPCA to discuss an animal abuse registry.

Supervisor Shea asked Legislator Scuccimarra for her help in securing space for Ed Cleary and the WICK program since they are selling the VFW

BUTTERFIELD LIBRARY REPORT – Councilwoman Montgomery reported that the NYS report has just been submitted and will be on the library website. The library will be offering two free camps this summer thanks to a private grant. Need computer help? Just come in or call to schedule an appointment. The library will be offering 3D printer programs for all ages. Make an appointment by calling Gillian

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Thorpe at 265-3040. Did you know that the library offers meeting space, tables, and projection equipment? If interested please contact the library. Councilwoman Montgomery talked about an event she planned at the library that has been postponed again until April 16, 2015 - "I Remember Philipstown 1955". Please share your stories.

**TOWN OF PHILIPSTOWN
MONTHLY REPORT OF TOWN SUPERVISOR
MONIES RECEIVED AS OF MARCH 5, 2015**

GENERAL & PART-TOWN FUNDS

T.C. Fees – 1/15	137.76
T.C. Dog Fees – 1/15	520.00
Rec. Community	79.65
Justice Fees – 1/15	4,398.00
Justice Fees – 1/15	3,68.00
Tax Coll. CV Fire	259,607.56
Tax Coll. TW Pro Rata	175.75
Tax Coll. T.O.V. Pro Rata	1,366.55
Tax Coll. Surplus	.14
Rec. Fee Additional 12/14	1,884.46
Rec. Fee 1/15	32,921.90
NYS Ck Justice Grant	12,104.10
CTV Fee 2014	13,019.00
CTV Fee 2014	19,950.00
Bldg. Fee 2/15	7,366.00
Bank Interest	30.18

HIGHWAY FUND

Put Co. Gas	243.81
Put. Co. Gas	972.23
Put. Co. Gas	501.60
Bank Interest	45.80

CONTINENTAL VILLAGE WATER DISTRICT

Bank Interest	2.91
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CONTINENTAL VILLAGE PARK DISTRICT

Clubhouse Fees	175.00
Bank Interest	6.64

AGENDA

- 1. Resolution expressing concerns about transporting crude oil by rail, barge and ship, and calling upon Federal/State Agencies to enact stringent rules and regulations for such transport as well as alternative means for transportation and distribution of crude oil.**

RESOLUTION #62-2015

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

WHEREAS, crude oil is increasingly being transported along railroads from production fields in the west (particularly from the Bakken shale oil formation of North Dakota and heavy tar sands oil fields of Alberta, Canada) and along the CSX River Subdivision tracks along the west side of the Hudson River through the Hudson Highlands and beyond. Oil is also transported to ports including Albany, New York for transfer to barges and ships traveling on the Hudson River through the Hudson Highlands to East Coast refineries; and

WHEREAS, approximately two crude oil unit trains per day currently travel the Hudson Highlands immediately across from Philipstown in Putnam County; and

WHEREAS, approximately one articulated barge per day carrying 4 million gallons and one tanker per week carrying 7 million gallons currently pass through the Hudson Highlands on the Hudson River; and

WHEREAS, crude oil from the Bakken shale deposits have been proven to be far more explosive and more corrosive than typical crude oils, and heavy sinking oils from tar sands formations have been found to be more viscous than typical crude oils, making the protection of public safety and environmental health from these particular types of oils, as well as spill response and remediation, more difficult and more dangerous; and

WHEREAS, tourism supported by the pristine and natural environmental and unique landscapes of the Hudson Highlands is a key part of Philipstown's economy; and

WHEREAS, several habitats in the Hudson River in the vicinity of Philipstown have been designated by the State as Significant Coastal Fish and Wildlife Habitats including Constitution Marsh and the US EPA spent 10 years on remediation of Cadmium deposits in the Marsh adjacent to the West Point Foundry Preserve; and

WHEREAS, the tidal nature of the Hudson River could cause oil from a spill to be quickly transported both up and down the river harming fish and wildlife permanently damaging Constitution Marsh; and

WHEREAS, crude oil is mainly transported in class DOT-111 rail tank cars designed for general purpose liquid transport, not for hazardous cargos, despite the fact that these railcars lack even the basic safety measures (such as shields, pressure vents, or double

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hulls) despite repeated recommendations from the National Transportation Safety Board over the past thirty years (most recently in March 2012 and January 2014) that they not be used for crude oil transport; and

WHEREAS, class DOT-111 railcars are unacceptably dangerous, particularly in light of railroad enforcement, inspection, oversight and safety, highlighted by the testimony of the Chair of the Surface Transportation Board who testified in April, 2014 that “no community is prepared for the worst case scenario” for crude oil-by-rail disasters; and

WHEREAS, there have been a series of crude oil derailments in the United States and Canada that have led to loss of life, loss of property and significant economic and environmental damage, including the loss of 47 lives in Lac-Megantic, Quebec in July 2013; and

WHEREAS, there has been at least five oil train derailments with railroad cars carrying Bakken oil in New York State since December 2013, including those in West Nyack, Town of Ulster, Selkirk, Cheektowaga and Albany; and

WHEREAS, joint state-federal “inspection blitzes” have identified dozens of train and rail car safety defects requiring corrective action in rail yards in Albany and Buffalo, highlighting the risks facing our communities and environment, but no such inspections have been performed on tracks through the Hudson Highlands; and

WHEREAS, recent barge accidents resulting in petroleum spills in the Mississippi River and Galveston Bay have shown that even double-hulled vessels are not protective in all accidents; and

WHEREAS, on January 28, 2014 New York State Governor Andrew Cuomo signed an Executive Order recognizing that crude oil transportation by rail car and river vessels present an ongoing major risk to New York Communities and the environment, shortly after two safety recommendations by the National Transportation Safety Board reached the same conclusion and called for major system-wide reforms;

NOW THEREFORE, BE IT RESOLVED, that the Philipstown Town Board recognizes that the transport of crude oil, especially Bakken and heavy crudes, by rail and marine vessel through our community presents an immediate significant risk for people, our economy and the environment of our region; and be it further

RESOLVED, that the Philipstown Town Board calls upon the United States Department of Transportation, the United States Environmental Protection Agency, the New York State Department of Transportation (DOT) and Department of Environmental Conservation (DEC) to: immediately order a full environmental impact study of the potential impacts of increased crude oil transport by train, barge, or ship through the Hudson Highlands, and to enact stringent rules and regulations for the transportation of crude oil; and be it further

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RESOLVED, that the Philipstown Town Board urges and encourages federal and state agencies to explore and develop alternative means for the distribution and transportation of crude oil; and be it further

RESOLVED, the Town Clerk of the Town of Philipstown is hereby authorized to and directed to send copies of this resolution to the United States Department of Transportation, the United States Environmental Protection Agency; U. S. Senator Charles E. Schumer, U. S. Senator Kristen E. Gillibrand, U. S. Congressmen Sean Patrick Maloney; New York State Governor Andrew Cuomo; New York State Department of Environmental Conservation (DEC) Commissioner Joe Martens, New York State Senator Sue Serino; and New York State Assembly member Sandra Galef.

Supervisor Shea invited Mr. Paul Gallay, River Keeper, to the microphone to discuss this issue since he is an expert in this field.

2. Resolution adopting the 2015 Fee Schedule as presented by Kevin Donohue, Code Enforcement Officer

Supervisor Shea clarified that these are only small minor changes.

RESOLUTION #63-2015

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

RESOLVED, that the Town Board hereby adopts the 2015 Fee Schedule as presented by Kevin Donohue, Code Enforcement Officer effective March 18, 2015.

3. Resolution authorizing Supervisor Shea to sign a letter of support for Barbara Scuccimarra's proposed ban on the use of polystyrene products within food services at County facilities.

RESOLUTION #64-2015

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

RESOLVED, that the Town Board hereby authorizes Supervisor Shea to sign a letter of support for Barbara Scuccimarra's proposed ban on the use of polystyrene products within food services at County facilities.

4. Code Enforcement Monthly Report

Town Clerk Merando read the monthly report.

5. Schedule Workshops/Meetings.

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Wednesday, March 11, 2015 Workshop - discussion on job descriptions of
Building Department

- 6. Resolution revising the agreement with Drake Loeb PLLC and the Town for representation of the Zoning Board of Appeals from the current arrangement of a fixed retainer of \$1200 per month to an hourly billing rate.**

RESOLUTION #65-2015

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

RESOLVED, that the Town Board hereby authorizes the revision of the agreement with Drake Loeb PLLC and the Town for representation of the Zoning Board of Appeals from the current arrangement of a fixed retainer of \$1,200 per month to an hourly billing rate at the standard municipal hourly rate of \$175.00 per hour plus disbursements with all time after the first hour of meeting time billed in tenth of an hour increments at the said standard municipal hourly rate to be effective February 1, 2015.

7. Any other business that may come before the Board.

Supervisor Shea was invited to Congressman Maloney's office in Newburgh. He said it was a great opportunity and came away with a lot of information on grants/funding. The Town will be applying for CFA applications when the time comes about. He said that there is a possibility that we can apply for a TIGER grant also. These are grants for consolidation, which is something we need to look into for the Town, Cold Spring and Nelsonville. He thanked Congressman Maloney for hosting the meeting. Councilwoman Montgomery said that if the public is interested in seeing what other towns are doing in the state you could go to "seethroughny.net". There will be a phone conference with Congressman Maloney's D.C. office and Scenic Hudson regarding Tiger grants applications. Legislator Scuccimarra said that she has information, that she had previously gathered, about court consolidation and would be happy to help work on that.

Councilman Van Tassel noted that as he previously mentioned the Town of Philipstown would be hosting a one-hour seminar on March 14, 2015 provided by the American Red Cross and sponsored by the governor's initiative to prepare New Yorkers for an emergency. The seminar will provide information on how to prepare and respond to emergencies in our area. It will provide information on local and regional resources available as well as what you should have ready in your own home. The seminar will take place at the Recreation Center at 1:00 pm.

Supervisor Shea said that they would be wrapping up the negotiations with Cablevision next week. They have donated \$10,000 for computer equipment at Chestnut Ridge for the seniors who do not have access to computers. They are also willing to support us with our video feed.

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He went on to say that the master plan for the Hudson River Fjord Trail has been put into a draft form. He will make an announcement as soon as a meeting is scheduled. The sidewalk project on Fair Street will begin this summer. Supervisor Shea thanked Andy Chmar for all his input.

Councilman Leonard announced that Assemblywoman Galef will have a Town Meeting at the Desmond Fish Library March 7, 2015 from 10:00 am to 12:00 noon. He will also be attending a meeting on March 16, 2015 on the Land Use Leadership Training program sponsored by Pace Law School

Councilman Merandy had a quick comment on the loss of Betty Budney. He said that "Everything about Betty was class and one of the things that defined her was her courage with the loss of her family members in quick succession at the end of her own life and how she dealt with that."

Councilwoman Montgomery said that she did attend the Philipstown Cares Coalition meeting. The main focus was how to address the drug crisis and come up with a mission statement by next months meeting. The discussion was on how to get younger members on the coalition. There will be a panel discussion sponsored by the Walter Hoving Home at Graymoor in April. The other thing she has been working on is attending the MTA Board meeting. She feels that she needs to bring safety issues to the forefront to this board that seems not to have it as part of their conversation. They only meet quarterly and she is encouraging them to have these meetings on a monthly basis. There is a bill before the Senate to extend the deadline for an implementation for positive train control. Her fight is to go there and make sure that this gets done as soon as possible. She asks everyone to write his or her Senators asking that we need this and not to extend it anymore.

Councilman Van Tassel had a quick comment on NARCAN. He said that it is a quick fix and does buy a person some time. It is a completely benign substance. He went on to say that the more people in the community who know how to administer it the more people we would be able to save. He is asking people to come out and get trained, noting that it is given as nasal spray not a needle.

Supervisor Shea explained, in response to an article in the PCNR, that the Town Board meets on Wednesdays all the time. The Town Clerk only needs to be at the workshops when a resolution needs to be passed. There are no hidden agendas. They follow the open meeting laws.

AUDIENCE

Stephanie Hawkins, in her capacity as the Cold Spring Village liaison with the Town Board, thanked the Town Board and the County Legislator for their leadership on behalf of everyone calling for meaningful changes to stop the "bomb" train. She thanked Paul Gallay for his work on informing the leaders on this issue. She went on to contribute to the discussion on NARCAN training. She said that the Cold Spring Police Department did not decline training but prefer that the Sheriff's department handle it. One officer is trained

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on NARCAN and they are working on protocols regarding training. There are some issues on liability and the chain of custody.

VACANCIES

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

Councilman Van Tassel said that there is an opening on the Recreation Commission. Town Clerk Merando noted that no resignation letter has been received.

RESOLUTION #66-2015

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

RESOLVED, that the Town Board authorized Town Clerk Merando to advertise for the opening on the Recreation Commission pending receipt of the resignation letter of Cecily Hall.

APPROVAL OF VOUCHERS

Councilman Leonard made a motion, seconded by Councilman Merandy and unanimously carried that the General Vouchers in the amount of \$502,158.68 are hereby approved as set forth in Abstract 2A & 3.

Councilwoman Montgomery made a motion, seconded by Councilman Leonard and unanimously carried that the Highway Vouchers in the amount of \$151,898.74 are hereby approved as set forth in Abstract 2A & 3.

Councilman Leonard made a motion, seconded by Councilman Van Tassel and unanimously carried that the CVPD Vouchers in the amount of \$1,966.57 are hereby approved as set forth in Abstract 3.

Councilman Leonard made a motion, seconded by Councilwoman Montgomery and unanimously carried that the CVWD Vouchers in the amount of \$8,462.67 are hereby approved as set forth in Abstract 3.

There being no further business to discuss, Councilman Van Tassel made a motion, seconded by Councilwoman Montgomery to close the Town Board Monthly Meeting at 8:40 pm.

Respectfully submitted by,

Theresa Crawley
Deputy Town Clerk

ANNUAL MEETING

Supervisor Shea called the meeting to order at 7:38 pm.

Presence of a quorum was established with at least 4 of the 7 members present.

RESOLUTION

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

RESOLVED, that this item is tabled due to the fact that there was not a nominee of the Recreation Commission, Claudio Marzollo and a nominee of the FPR Board present.

There being no further business to discuss, Councilman Merandy made a motion, seconded by Councilman Van Tassel to close the meeting at 7:40 p.m.

Respectfully submitted by,

Theresa Crawley
Deputy Town Clerk

Weekly Town Board Meeting
March 18, 2015

The Town Board held their Weekly Meeting on the above date at 7:40 p.m. at the Town Hall, 238 Main Street, Cold Spring, New York.

PRESENT

Richard Shea	Supervisor
Nancy Montgomery	Councilwoman
John Van Tassel	Councilman
Michael Leonard	Councilman

ABSENT

David Merandy	Councilman
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AGENDA

1. Resolution changing the Monthly Town Board Meeting from April 2, 2015 to April 9, 2015.

Supervisor Shea stated that April 2, 2015 is Holy Thursday, therefore, the meeting will be changed to April 9, 2015

RESOLUTION #67-2015

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

RESOLVED, that the Town Board re-schedules the Monthly Town Board Meeting of April 2, 2015 to be held on April 9, 2015.

2. Resolution appointing Peter Lewis as a member of the Philipstown Planning Board whose term will expire March 31, 2016.

Supervisor Shea noted that Mr. Lewis has been interviewed, and he and the board feel that he is well suited for any one of the boards.

RESOLUTION #68-2015

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

RESOLVED, that the Town Board hereby appoints Peter Lewis as a member of the Philipstown Planning Board whose term will expire March 31, 2016 (during Pat Sexton's absence.)

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

Weekly Town Board Meeting
March 18, 2015

Supervisor Shea noted that he met with County Legislator Scuccimarra with regard to finding office space for Ed Cleary the Outreach Worker in the Village of Nelsonville. Councilwoman Montgomery interjected that she had spoken with Mayor Thomas Corless, and it seems that the County needs to resolve the issue with the firehouse (sheriff sub office) before any agreement can be made. Supervisor Shea stated that he believes that those two issues should be separate. Councilwoman Montgomery responded saying that the Mayor can't separate them. Following some discussion on this matter, Councilwoman Montgomery questioned why relocation of that office is the town's responsibility, when this is a county program. Councilwoman Montgomery said that ultimately, the county would have to rent a space in Philipstown, as many seniors utilize this service.

Supervisor Shea noted that he and Councilman Van Tassel met with Kevin Donohue today to discuss filing procedures. Supervisor Shea stated that he and Tina Merando reviewed the policy that is not set in place, and he believes that if the files were set up as critiqued, access would be much easier. There is also a card file that synopsis each property's applications before various boards. He went on to say, that over a year ago, a discussion took place regarding digitizing maps and the required number of maps submitted by applicants.

A meeting has been scheduled to discuss the Fire Marshal office. Councilman Van Tassel, Supervisor Shea and Kyle Irish (a former fire marshal), will all be in attendance.

Supervisor Shea stated that the town is in receipt of the final draft Cablevision agreement and ask that the members of the Town Board review it, as a Public Hearing will be scheduled in the near future.

Councilman Van Tassel distributed information regarding Homeland Security and Emergency Services, which address the Intrastate Mutual Aid Program that allows local governments to share resources during a declared local state of emergency. This is something that the town might be interested in. Everyone is signed up for this, but if the town so chooses, it can opt out.

Councilwoman Montgomery noted for the record that she wants the Office of the Aging to remain in Philipstown.

There being no further business to discuss, Councilwoman Montgomery, seconded by Councilman Leonard to close the Weekly Meeting at 8:07 p.m.

Respectfully submitted by,

Tina M. Merando, Town Clerk