

The Town Board held their Monthly Meeting on the above date at 7:30 p.m., the Town Hall, 238 Main Street, Cold Spring, New York 10516.

PRESENT:

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

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

REVIEW OF MINUTES

Minutes of the Weekly Town Board Meeting of January 17, 2018 were reviewed.

Councilman Van Tassel made a motion, seconded by Councilman Flaherty that the Minutes of the Monthly Town Board Meeting of January 17, 2018, are hereby approved as presented.

Minutes of the Philipstown Depot Theatre Annual Meeting of January 17, 2018 were reviewed.

Councilwoman Montgomery made a motion, seconded by Councilman Leonard that the Minutes of the Philipstown Depot Theatre Annual Meeting of January 17, 2018, are hereby approved as presented.

Minutes of the Monthly Town Board Meeting of February 1, 2018 were reviewed.

Councilwoman Montgomery made a motion, seconded by Councilman Van Tassel that the Minutes of the Monthly Town Board Meeting of February 1, 2018, are hereby approved as presented.

Minutes of the Public Hearing of February 21, 2018 were reviewed.

Councilman Van Tassel made a motion, seconded by Councilman Flaherty that the Minutes of the Public Hearing February 21, 2018, are hereby approved as presented.

Minutes of the Public Hearing of February 21, 2018 were reviewed.

Councilman Flaherty made a motion, seconded by Councilman Van Tassel that the Minutes of the Public Hearing February 21, 2018, with the inclusion of the comments of Kimberly Conner are hereby accepted.

Councilwoman Montgomery wanted to add something to those – the last speaker did not make the minutes and she would like them to be included.

Minutes of the Weekly Meeting of February 21, 2018 were reviewed.

Councilman Flaherty made a motion, seconded by Councilman Van Tassel that the Minutes of the Weekly Meeting of February 21, 2018, are hereby approved as presented.

Minutes of the Monthly Town Board Meeting of March 1, 2018 were reviewed.

Councilman Flaherty made a motion, seconded by Councilman Leonard that the Minutes of the Monthly Town Board Meeting of March 1, 2018, are hereby approved as presented.

COMMITTEE REPORTS

CONSERVATION BOARD – Councilman Leonard said that they did not meet in March due to weather conditions. He did report that he attended a Climate Smart Expo on April 3, 2018 at which, he gave an overview on how the town is starting to actually enact its climate smart program under coordinator Roberta Muller. He was also asked to speak a little bit on flooding as he has personal experiences with this subject. Obviously our town has certain dangers since over half the town is steep slopes that can cause some storm water issues. Councilman Leonard went on to mention that Karen Erdal has been instrumental in helping the town with its climate smart program getting off the ground and that students from Garrison have come forward with different ideas, too. He noted that he also attended the seniors meeting today which covered obvious issues including flooding. They were given advice on what to do in bad weather situations: stay in place and not travel in bad weather/storms, be prepared with food, clothing, batteries, medication, etc. They also talked about checking on neighbors should anyone need help. Lastly he mention that they are working on finding grants and talked about the annual Stormwater Management report. The next meeting will be on April 10, 2018.

RECREATION – Councilman Van Tassel reported that they met on April 3rd at which time the minutes and financial report were read and approved. Amber reported that the new bus is scheduled for delivery next week. The summer camp registration opened on March 12 and most age groups are pretty much filled. There is still some room in the Sports programs. The Town Park will open on April 20, 2018, weather permitting. The next meeting is scheduled for April 24, 2018.

PUTNAM COALITION THAT CARES - Councilwoman Montgomery reported that the March meeting was cancelled due to the weather. They will meet on April 25, 2018 at 7:00 pm at the North Highlands Fire House. Putnam County Judge Reitz will attend to give an overview of the Drug Court. The new drug coordinator Danielle Pack-McCarthy submitted a report as of two weeks ago on her progress. She is going to be set up in the Building Department and will have office hours occasionally. Councilwoman Montgomery

attended the Haldane Wellness Committee meeting to introduce herself. She will working with Town Judge Linson to initiate a possible drug court program on misdemeanor drug charges here.

PLANNING BOARD – Councilman Flaherty reported that they met on March 15, 2018. There was a workshop on Hudson Highland Reserve and a Public Hearing. Items on the agenda were: return of escrow to Magazzino, a Public Hearing for Lake Surprise Camp, and Robert Miller withdrawing his application. Old business: SEJ Realty, and James Copeland. The next meeting will be on April 19, 2018

ZONING BOARD – Councilman Van Tassel reported they met on March 13, 2018. There was a Public Hearing on the WHUD tower. Old business discussed was Essex Green. New business discussed was 22 Hudson River Lane and Denise Grillo – 28 Lane Gate. Next meeting will be held on April 23, 2018.

HIGHWAY – Councilman Van Tassel read the report submitted by the Highway Department, which is on file in the Town Clerks office.

BUILDING & LAND ACQUISITION – Supervisor Shea reported that they will meet next week with Highland Architecture to finalize the plans for the Town Hall. They will then get ready to go out to bid for that work and rebid the window installation for the building.

CEMETERY COMMITTEE – Councilman Leonard reported that due to the storms the Cedar Street cemetery had quite a number limbs and branches down which they have been working on to clean up. There have been some comments about people standing on top of the Gen. Morris crypt. Councilman Leonard said that they have not been able to do a railing as it has to be custom made and very expensive. He does not believe that it is intentional, but that people do not realize that the crypt is there. They will consider a sign/plaque to make people aware of the fact that it is.

PUTNAM COUNTY LEGISLATOR – Legislator Scuccimarra did not attend as she is on vacation.

**TOWN OF PHILIPSTOWN
MONTHLY REPORT OF TOWN SUPERVISOR
MONIES RECEIVED AS OF APRIL 5, 2018**

GENERAL & PART-TOWN FUNDS

Tax Coll.-Gen A Pro Rata	328.75
Tax Coll.-Gen A –Final pay	1,542,803.99
AW Scrap Metal	404.00
Rec. Fees 1/18	55,639.48
Justice Fees 2/18	5,820.00
Justice Fees 2/18	5,538.50
TC Fees 2/18	157.88
TC Fees 2/18-Dogs	169.50
Justice Misc-old fine	560.00
NYS CAP Justice Grant	8,099.00
Tax Collection – Bank Int.	2.03
AW Scrap Metal	282.00
Rec. Fees 2/18	28,281.65
Bank Int. 1/18 – 3/18	546.94

HIGHWAY FUND

Put Co. Gas	1,398.60
Put Co. Gas	309.29
Put Co. Gas	1,688.15
Claims Services Rd. Damage	2,115.28
Gen. Gas	479.72
Gen. Gas	100.74
Gen. Gas	437.43
PC Gas	366.24
PC Gas	1,551.04
American Forest Oil Spill	4,800.00
NYS CHIPS	56,919.13
Gen. Gas	340.00
NYS CHIPS	208,250.46
PC Gas	1,448.20
Tax Coll.-Final Pay Hwy DB	2,242,985.00
Bank Int. 1/18 – 3/18	1,949.26

**TOWN OF PHILIPSTOWN
MONTHLY REPORT OF TOWN SUPERVISOR
MONIES RECEIVED AS OF APRIL 5, 2018**

CONTINENTAL VILLAGE WATER DISTRICT

Bank Int. 1/18 – 3/18	78.84
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CONTINENTAL VILLAGE PARK DISTRICT

Taxes Putnam Valley	14,182.00
Bank Int. 1/18 – 3/18	140.18

AGENDA

1. Resolution adopting Local Law No.1 of 2018 entitled “Safe Storage of Firearms.” NO PUBLIC COMMENTS.

Supervisor Shea said that there was a lengthy Public Hearing on this where everyone was given the opportunity to speak. The only change made to the law that was introduced at the Public Hearing was the word “**may**” be punished by a fine, instead of “**will**” be punished by a fine. He then asked the Board members if they had any comments on this issue.

Councilman Flaherty said that he was against this law in the beginning, but after the Public Hearing and listening to all the comments for and against he has changed his views on it. He does not believe that it is taking any rights away...it is just common sense.

Councilman Van Tassel also agreed that this was just common sense. He feels this has been educational for everyone and thinks it is logical. It does not take anyone’s right to protect themselves.

Councilman Leonard said that we received at least 400 responses and he read all of them and wrote down points from each side. He wanted to make sure there weren’t any conflicts with federal, state and county laws. He does not feel that there would be any impact on your ability to defend yourself in your house.

Councilwoman Montgomery said that everyone knows how she feels. It is about guns, injury and death. She is personally scared and would like to see a stronger law, but is grateful to the Board for coming together on this. She had one final awaking today with an email received from a sportsman rifle association in which they stated that it is a burden for the town to require a gun owner to purchase a gun lock. After she read that she went to Walmart and purchased locks that are available at town hall for free. She thanked the community for their support.

Supervisor Shea said that there has been comments that we are opening ourselves to lawsuits but that the town is on firm legal ground. With that he entertains a resolution to adopt Local Law #1 of 2018 – Safe Storage of Firearms.

RESOLUTION #69-2018 RESOLUTION ADOPTING LOCAL LAW No. 1 OF 2018

WHEREAS, heretofore the Town Board has considered the adoption of Local Law No. 1 of the year 2018; and

WHEREAS, following due notice the Town Board held a Public Hearing on the proposed Local Law,

NOW, THEREFORE, BE IT RESOLVED as follows:

1. That the Town Board does hereby adopt Local Law No. 1 of the year 2018, which said Local Law shall be effective upon publication, posting and filing in the Office of the Secretary of State in Albany; and

2. That the Town Board determines that the adoption of this Local Law is a Type II Action under SEQRA.

Councilwoman Montgomery presented the foregoing resolution which was seconded by Councilman Van Tassel,

The vote on the foregoing resolution was as follows:

ROLL CALL VOTE

Supervisor Shea	Aye
Councilwoman Montgomery	Aye
Councilman Van Tassel	Aye
Councilman Leonard	Aye
Councilman Flaherty	Aye

The resolution was thereupon declared duly adopted.

2. Resolution accepting the resignation of Annette P. Flaherty as Court Clerk effective April 6, 2018

RESOLUTION #70-2018

The following Resolution was presented by Councilman Van Tassel, seconded by Councilwoman Montgomery, with Councilman Flaherty abstaining;

RESOLVED, that the Town Board hereby accepts the resignation of Annette P. Flaherty as Court Clerk for the Town of Philipstown effective April 6, 2018.

3. Resolution authorizing Town Clerk Merando to advertise for a full-time Court Clerk position.

RESOLUTION #71-2018

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

RESOLVED, that the Town Board hereby authorizes Town Clerk Merando to advertise for a full-time Court Clerk position.

- 4. Resolution approving the 2017 Conservation Board Annual Report and authorize Town Clerk Merando to forward said report to the NYS DEC.**

RESOLUTION #72-2018

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

RESOLVED, that the Town Board hereby approves the 2017 Annual Conservation Board's Annual Report and authorizes Town Clerk Merando to forward said report to the Commissioner of the New York Department of Conservation.

- 5. Resolution authorizing a donation in the amount of \$300.00 to the Nelsonville Fish & Fur for this years "Kids Fishing Day" scheduled for May 6, 2018.**

RESOLUTION #73-2018

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

RESOLVED, that the Town Board hereby authorizes a donation in the amount of \$300.00 to the Nelsonville Fish & Fur for this years "Kids Fishing Day" scheduled for May 6, 2018.

- 6. Resolution authorizing Supervisor Shea to sign the extension of the Memorandum of Understanding between the Town and the Hudson River Valley Greenway Communities Council for a grant named Philipstown Depot Theatre's Looking Swell. (Nunc Pro Tunc)**

RESOLUTION #74-2018

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

RESOLVED, that the Town Board hereby authorizes Supervisor Shea to sign the extension of the Memorandum of Understanding between the Town and the Hudson River Valley Greenway Communities Council for a grant named Philipstown Depot Theatre's Looking Swell. (Nunc Pro Tunc)

- 7. Resolution establishing the standard work day and reporting Resolution for Elected Officials; Richard Shea, Tina M. Merando and Stephen Tomann.**

RESOLUTION #75-2018

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

RESOLVED, that the Town of Philipstown hereby establishes the following as standard work days for the below listed elected officials and will report the following days worked to the New York State and Local Employees' Retirement System based upon time and attendance records or on the record of activities maintained and submitted by these officials to the Clerk of this body as attached hereto:

NAME	REG. #	ROA RESULTS	
Richard Shea	4055882-7	11.89	
Tina M. Merando	3731727-8	22.47	
Stephen Tomann	3848569-4	5.59	

ROLL CALL VOTE

Supervisor Shea	Aye
Councilwoman Montgomery	Aye
Councilman Van Tassel	Aye
Councilman Leonard	Aye
Councilman Flaherty	Aye

8. Resolution directing Ron Gainer, Town Engineer and Stephen Gaba, Town Attorney to research and draft a Local Law changing the zoning for the Magazzino, 2700 Route 9, Cold Spring, New York.

RESOLUTION #76-2018

RESOLUTION FOR PREPARATION OF PROPOSED ZONING AMENDMENT

WHEREAS, certain real property in the Town of Philipstown located at 2700 Route 9, Cold Spring, New York 10516 is located within a "Office/Commercial/Industry Mixed Use" District ("OC"); and

WHEREAS, the said property has been developed with a structure called "Magazzino" which houses an art collection that the owners make available to the public for viewing and enjoyment by appointment; and

WHEREAS, the use of "museum" is not recognized by the Use Tables in the Town Code; and

WHEREAS, the Town Board wishes to investigate and consider the possibility of adding the use of "museum" to the Use & Bulk Tables in the Town Code;

NOW, THEREFORE, BE IT RESOLVED as follows:

1. That the Town Board hereby authorizes and directs the Town Attorney and the Town's Engineering Consultant to prepare a report and recommendation on a proposed amendment to the Town Code to add the use of "museum" to the Use Tables for the RR District and such other zoning districts as may be appropriate and consistent with the Town's Comprehensive Plan, and to establish appropriate Bulk Requirements for such use; and

2. That the Town Board hereby authorizes and directs the Town Attorney to prepare a draft local law amending the Town Code to implement such an amendment to the Town Code.

Councilwoman Montgomery presented the foregoing resolution which was seconded by Councilman Flaherty, the vote on the foregoing resolution was as follows:

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

The resolution was thereupon declared duly adopted.

9. Resolution authorizing Supervisor Shea to draft a letter supporting the preservation of Hill-Agor Farm property located next to the Putnam County Golf Course.

Supervisor Shea said that he thinks that it is very important to make sure we preserve historical locations. This is a historic farm. Councilman Leonard noted that this goes back to the French Indian war. This was the first farm in Putnam County and has a lot of history.

RESOLUTION #77-2018

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

RESOLVED, that the Town Board hereby authorizes to draft a letter supporting the preservation of Hill-Agor Farm property located next to the Putnam County Golf Course.

10. Town Clerk Merando to rescind the appointment of Allison Shea as Deputy Town Clerk and Deputy Tax Collector.

Town Clerk Merando hereby rescinds the appointment of Allison Shea as Deputy Town Clerk and Deputy Tax Collector effective immediately.

11. Resolution authorizing the release of Escrow Funds to Olspan, 2700 Route 9, Cold Spring, NY.

RESOLUTION #78-2018

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

RESOLVED, that the Town Board hereby authorizes the release of Escrow Funds to Olspan, 2700 Route 9, Cold Spring, NY as recommended by the Philipstown Planning Board.

12. Sandy Bohl to address the Town Board with regard to snow emergencies.

Ms. Bohl, a Garrison Fire District Commissioner, was asked by the Commission to address the Town Board because they feel there's a lack of communication between the Town Board and the district commission board. She wanted to explain that their area got hit harder than this side of the Town did. They ended up with 18 calls over that span and there were so many calls going into 9-1-1 that the County stopped the communication with 9-1-1 so they started communicating strictly with battalion #19. It went back and forth and they did open up a shelter because they were requested by the EOC at the County. It was explained to the EOC that the town had a shelter at the recreation center. Supervisor Shea said that it was a waste of resources and that he should have been contacted directly. Councilwoman Montgomery said that she did not have to explain herself that this is a big problem with Putnam County. She expressed what a great job the Fire District did. The problem is with the County and lack of communications from them.

13. Resolution appointing the following to the Comprehensive Plan Update Committee:

Sean Conway
Robert Rhodes
Lithgow Osborne
Teri Waivada
Joe Regele
Joyce Blum

Catherine Kopf
Tara Carroll
Betsy Calhoun
Marianne Sullivan
Richard Butenski

Mr. Nat Prentice thanked the Town Board for giving them the support to get this comprehensive plan review to work. He said that by appointing these people it gives them a sense of status and a feeling to get the job done. The plan has worked well for the last 10-12 years. Their early assessment is that it does not need a wholesale rewrite. Clearly there are some things that do need to be addressed; communications, social issues. The committee will be reaching out to some of the Boards to discuss. Mr. Prentice

thanked the Board. He announced that they meet twice a month on the 2nd and 4th Thursdays.

RESOLUTION #79-2018

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

RESOLVED, that the Town Board hereby appoints the following to the Comprehensive Plan Update Committee:

Sean Conway
Robert Rhodes
Lithgow Osborne
Teri Waivada
Joe Regele
Joyce Blum

Catherine Kopf
Tara Carroll
Betsy Calhoun
Marianne Sullivan
Richard Butenski

14. Resolution authorizing a \$500.00 donation to the Village of Cold Spring for the 2018 Fourth of July Celebration.

RESOLUTION #80-2018

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

RESOLVED, that the Town Board hereby authorizes a donation in the amount of \$500.00 to the Village of Cold Spring for the 2018 Fourth of July Celebration.

15. Code Enforcement Monthly Report.

Town Clerk Merando read the reports submitted for Cold Spring and Philipstown which are on file in the Town Clerks office.

16. Schedule Workshops/Meetings

April 11	Executive Session-Pending Litigation	6:30 pm
	Public Hearing-Cold War Veterans LL	7:00 pm

An audience member asked to speak. They said they understand that Mr. Rice has been appointed to handle the law suite for Homeland Towers. Supervisor Shea said yes that is the case. They asked if there has been a response to the litigation. Supervisor Shea said that they have 30 days. It was asked, "What happens next." Supervisor Shea responded that since it is in litigation he cannot discuss publicly. They asked "Is it possible that Mr. Rice would accept co-counsel if it is paid for privately?" Would the insurance company accept Mr. Campanelli's participation? She asked if Mr. Rice had any

background in fighting cell tower companies. Supervisor Shea said that this would be discussed at the executive session.

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

Town Clerk Merando announced that she had another item to add to the agenda.

Resolution approving the agreement between the Town and Modjeski & Masters to complete the BridgeNY application for the Horton Road Bridge over Clove Creek in an amount not to exceed \$6,400.

Supervisor Shea explained the situation and said that the Highway Department has this money in their budget.

RESOLUTION #81-2018

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

RESOLVED, that the Town Board hereby approves the Town of Philipstown enters an agreement between the Town and Modjeski & Masters to complete the BridgeNY application for the Horton Road Bridge over Clove Creek in an amount not to exceed \$6,400.00

Councilman Flaherty announced that the cost for recycling cardboard has gone from us getting paid \$15.00 a ton and now the town will be charged \$54.00 a ton. This price can also fluctuate. Councilman Van Tassel said that we have to figure out how to avoid getting the cardboard wet.

AUDIENCE

Claudio Marzollo thanked the Town Board for listening to the locals/residents with regard to the safe storage gun law.

VACANCIES

CV Water District (AWTPO) (1)
Recreation Commission (1)

APPROVAL OF VOUCHERS

Councilwoman Montgomery made a motion, seconded by Councilman Van Tassel and unanimously carried that the General Vouchers in the amount of \$194,647.25 are hereby approved as set forth in Abstract 3A & 4.

Councilwoman Montgomery made a motion, seconded by Councilman Leonard and unanimously carried that the Highway Vouchers in the amount of \$ 143,557.02 are hereby approved as set forth in Abstract 3A & 4.

Monthly Town Board Meeting
April 5, 2018

Councilman Leonard made a motion, seconded by Councilman Van Tassel and unanimously carried that the CVPD Vouchers in the amount of \$1,504.35 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 \$22,055.95 are hereby approved as set forth in Abstract 4.

There being no further business to discuss, Councilwoman Montgomery made a motion, seconded by Councilman Van Tassel to close the Monthly Meeting at 8:45 p.m.

Respectfully submitted by,

Theresa Crawley
Deputy Town Clerk