

The Town Board held their Monthly Meeting on the above date at 7:30 p.m., at Haldane Central School, 15 Craigsides Drive, Cold Spring, New York 10516.

Present:

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

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

1. Honorary Resolution for Alessandra LaRocco recipient of the 2017 Youth Award.

RESOLUTION #2017

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

WHEREAS, all across the county youth volunteers are serving as a catalyst for our community; and

WHEREAS, our youth volunteer force is a great treasure; and

WHEREAS, they dedicate time and resources to their community and find opportunities to make a difference in the lives around them; and

WHEREAS, Alessandra LaRocco has graciously donated her time and talent volunteering as a Science Program Instructor at Nora Cronin School, volunteered at the Therapeutic Equestrian Center, Math and Science tutor at the San Miquel School in Newburgh and participated in the Hudson Valley Shakespeare Festival Teen Revelers Program;

NOW, THEREFORE, BE IT RESOLVED, that the Town of Philipstown urges our citizens to recognize the endeavors made by our youth volunteers to enhance the quality of life in our community.

BE IT FURTHER RESOLVED that we, the undersigned members of the Town Board and Town Officers of the Town of Philipstown, do hereby inscribe upon the minutes of the Town Records, our sincere congratulations to Alessandra LaRocco upon her giving of herself for our community

2. Honorary Resolution for Ruby McEwen recipient of the 2017 Youth Award.

RESOLUTION #2017

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

WHEREAS, all across the county youth volunteers are serving as a catalyst for our community; and

WHEREAS, our youth volunteer force is a great treasure; and

Monthly Town Board Meeting
April 6, 2017

WHEREAS, they dedicate time and resources to their community and find opportunities to make a difference in the lives around them; and

WHEREAS, Ruby McEwen has graciously donated her time and talent volunteering and co-organizer of the Outrun Autism 5K run/walk at Haldane School, volunteered at the Shenandoah Nation Park in Virginia to remove invasive growth to preserve native trees, co-founded Women Empowered Group cause for human rights, and President and organizer for Reaching Out for Animal Rights Club (ROAR);

NOW, THEREFORE, BE IT RESOLVED, that the Town of Philipstown urges our citizens to recognize the endeavors made by our youth volunteers to enhance the quality of life in our community.

BE IT FURTHER RESOLVED that we, the undersigned members of the Town Board and Town Officers of the Town of Philipstown, do hereby inscribe upon the minutes of the Town Records, our sincere congratulations to Ruby McEwen upon her giving of herself for our community

3. Honorary Resolution for Brent Grafer receiving the Eagle Scout Award.

RESOLUTION #2017

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

WHEREAS, throughout its long and distinguished history, Boy Scouts of America has inspired millions of boys with the highest ideals of character, conduct, and patriotism; and

WHEREAS, through Boy Scouting, every boy, everywhere, grows strong, gains self-confidences and skills for success; and

WHEREAS, Brent Grafer is a member of Troop 45 and has not only proven himself to be an outstanding member of the Boy Scouts of America, he has attained the highest honor bestowed on a Scout – the Eagle Scout Award; and

WHEREAS, the Boy Scout program not only reflects the enduring values and standards that have been part of the organization, but also lends itself to the special and unique situation of our young people in the new millennium; and

WHEREAS, Brent completed a complete re-build of a Community Garden at the Hamilton Fish Library in Garrison and conducted a fund-raiser for monies needed for the materials needed to rebuild the garden.;

NOW, THEREFORE, the Town of Philipstown urges our citizens to recognize the accomplishments of Brent Grafer in helping make our community one that is thriving and vibrant;

NOW, THEREFORE BE IT RESOLVED, that we, the Town Board of the Town of Philipstown and Officers of the Town, do hereby inscribe upon the minutes of our official acts, congratulations to Brent for his accomplishment.

4. Resolution honoring Rev. John and Elsie Benton, Founders of the Walter Hoving Home.

RESOLUTION #2017

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

WHEREAS, in 1967, Reverend John Benton and his wife Elsie founded the Walter Hoving Home in Garrison, New York and under their leadership the Walter Hoving Home expanded to California in 1984 and a third Home in Las Vegas in 2006; and

WHEREAS, the philosophy of the Walter Hoving Home has been that they believe in the potential of each individual, as the Lord said we are the light of the world and the salt of the earth; and

WHEREAS, with the belief of the potential of each person we believe in the giftedness of each person, whereby making it the responsibility of the Walter Hoving Home to help the person find their giftedness; and

WHEREAS, the Walter Hoving Home's objective is to help the ladies develop independent thinking and feel secure in the manner that they were treated;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board hereby recognizes the Benton's who have given a genuine love and concern for the addicted and bound by drugs and alcohol to the young women who are in such desperate need of the compassion and discipline provided by the Walter Hoving Home;

BE IT FURTHER RESOLVED, that the Town Board and its residents congratulate Reverend John Benton and his wife Elsie on the extraordinary efforts that have saved women in crisis on this 50th Anniversary of the Walter Hoving Home.

5. Resolution declaring April 2017 as Teen Driver Safety Awareness Month in the Town of Philipstown.

RESOLUTION #76-2017

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

WHEREAS, statistics and experience demonstrate that the greatest danger to our youth in Putnam County, and throughout our country, are the dangers posed from traffic crashes; and

WHEREAS, highway crash statistics inform us that although teen drivers make up only 7% of the driving populations, they comprise 18% of the injury related automobile crashes; and

WHEREAS, the leading cause of accidental deaths to our youthful population throughout the United States are automobile accidents; and

WHEREAS, analysis shows us that the reasons for teen overrepresentation in injury related automobile crashes include: driver inexperience, excessive speed, unnecessary risk taking, inattentive driving and use of alcohol and drugs; and

WHEREAS, in Putnam County, we have too often experienced a tragedy with the death of a teen driver at the wheel. Many of these deaths have occurred during the spring and summer months with a high incidence rate during the period leading up to prom season; and

WHEREAS, all accidents are preventable and crash rates can be lowered through the use of education and awareness programs through the use of our school systems, law enforcement programs and youth services organizations such as Boy Scouts, Girl Scouts, Junior ROTC programs and the Civil Air Patrol, just to name a few; and

WHEREAS, these programs work best when there is a period set aside for local government at every level, our school districts and churches, synagogues and youth service organizations coming together to provide these education programs;

NOW, THEREFORE, BE IT RESOLVED, that we, the Town Board of the Town of Philipstown, declare April 2017 as Teen Driver Safety Awareness Month in Putnam County; and

BE IT FURTHER RESOLVED, that we encourage all levels of government, our school districts, law enforcement, our churches and synagogues, our youth service organizations and all the citizens of Philipstown, support programs that promote teen driver safety awareness in Philipstown, thereby protecting one of our most precious resources, our children and grandchildren.

REVIEW OF MINUTES

Minutes of the Monthly Town Board Meeting of March 2, 2017 were reviewed.

Councilwoman Montgomery made a motion, seconded by Councilman Leonard that the Minutes of the Monthly Town Board Meeting of March 2, 2017, are hereby approved as presented.

Minutes of the Bid Opening of March 15, 2017 – Dahlia House (Town Annex) were reviewed.

Councilman Van Tassel made a motion, seconded by Councilman Leonard that the Minutes of the Bid Opening of March 15, 2017 – Dahlia House (Town Annex), are hereby approved as presented.

Minutes of the Bid Opening of March 22, 2017 – Roller were reviewed.

Councilman Flaherty made a motion, seconded by Councilwoman Montgomery that the Minutes of the Bid Opening of March 22, 2017 – Roller, are hereby approved as presented.

Minutes of the Special Meeting of March 28, 2017 were reviewed.

Councilman Leonard made a motion, seconded by Councilman Flaherty that the Minutes of the Special Meeting of March 28, 2017, are hereby approved as presented.

COMMITTEE REPORTS

CONSERVATION BOARD - Councilman Leonard reported that he attended the March 28th meeting where there was one application: Spano. Councilman Leonard asked that there be a Public Hearing set for May for the MS4 Stormwater Report. Supervisor Shea requested Town Clerk Merando to advertise for a Public Hearing.

RECREATION - Councilman Van Tassel reported that the Recreation Commission has not met since our last meeting. Councilwoman Montgomery reported that Director Amber Stickle was appointed to the Putnam County Emergency Preparedness Committee at this week's legislature meeting and added that the Director of Emergency Services, Tony Sutton, was very excited to have her on board. Amber will be at the May meeting to discuss her new role.

RECYCLING – Councilman Flaherty informed the board that he has obtained vouchers from Royal Carting. Each voucher is good for up to 500 pounds of debris for free drop off. These vouchers are available to all Philipstown residents and can be obtained at the Town Hall.

PLANNING BOARD – Councilman Flaherty attended the March 16th meeting where 3 Public Hearings took place: Kristin Sorenson, Griffin Landscaping and David & Johanna Brenner. Also on the agenda were: Stonecrop Gardens, The Hudson Highland Reserve, Grasso Industrial 1602 Route 9 Garrison, Sabatini, Sampson and Rockland & Burnett(??) . The next meeting will be held April 20th.

ZONING BOARD – Councilman Van Tassel attended the Zoning Board meeting held on March 13th. There were 4 items on the agenda: a review for application for Essex Green, a continuation of a Public Hearing for Garcia, a Public Hearing for Olspan, and a review for application for Stonecrop Gardens. The next meeting will be held on April 24th.

HIGHWAY – Councilman Van Tassel read the Highway report submitted by Carl Frisenda, Highway Superintendent which is on file in the Town Clerk's office.

BUILDING & LAND ACQUISITION – Supervisor Shea reported that the Town Board would be awarding the bid for renovations on the Dahlia House (Town Annex) this evening.

Philipstown Coalition That Cares – Councilwoman Montgomery stated that the Coalition had a very successful meeting in the week. She said that she had attended the meeting held at the Garrison School and that there would be another special speaker, Chief of Police from Burlington, Vermont, at the Garrison Library tomorrow morning, April 7th from 9- 10 am. She also reported there will be a Narcan Training at the North Highlands Fire Department on April 29th.

PUTNAM COUNTY LEGISLATOR – Barbara Scuccimarra discussed the proposed plans to allow the Coast Guard to park barges along the Hudson River. Putnam County has joined the Hudson River Watershed Alliance. There are over 30 other Towns & Villages up and down the Hudson River who have joined and the Legislator asked that the Board consider joining as well. The Legislator also spoke about Bill 5197A which has been presented to help safeguard the Hudson River. She reported that the County is also in support of Bills S1411& A71-11 Volunteer Firefighter's Benefit Law to give volunteer firefighters the same benefits as paid firefighters.

CEMETERY COMMITTEE – Councilman Leonard reported that the committee met on March 28th. The committee discussed beginning improvements on the Cedar Street Cemetery. They are also looking into a new sign for the Mountain Ave cemetery. Councilman Leonard added that private funding is always welcome. He also reported that he had reached out to the school in regards to the damaged fence at the Mountain Avenue Cemetery.

AGENDA

6. Karen Ertl to address the Town Board regarding Climate Smart Pledge.

Karen Ertl, Conservation Chairperson for the Philipstown Garden Club gave a brief report on finding ways for the Town to better support the environment. She stated that the Town has been supportive of climate change initiatives and thanked the Board for their efforts. Ms. Ertl requested that the Board pass a Resolution adopting the New York State Climate Smart Communities Pledge. Supervisor Shea suggested that a workshop be scheduled to further discuss an action plan in order to accomplish what the resolution suggests. The item was tabled and a workshop was scheduled later that evening.

Supervisor Shea thanked Dr. Bowers and the Haldane School for making the auditorium available. The Supervisor also thanked Celia for filming the meeting and taking the change in stride. Supervisor Shea then stated that Agenda #16 would be next due to the popularity and turnout for the item.

16. Resolution declaring the Town of Philipstown a Sanctuary Town.

Supervisor Shea stated that this is an idea that has been presented to the board but has also been discussed in the past. We live in a great town and are fortunate to live here. The values that are put forth in this Equal Protection Resolution are values that community members here already adhere to and practice. The Supervisor stated his belief that it is also important to reinforce those values as a community as well as lead by example. It is not intended to obstruct law enforcement or the courts. It is a call of action to our federal officials to address the issue of immigration. It is not a license to go out and commit a crime, documented or not. The Supervisor invited people to speak. The list is attached and can also be found on file in the Town Clerk's Office.

First to speak was Julia Famularo. She claimed to have come prepared after researching into Sanctuary City designations. Ms. Famularo cited Eric Schneiderman's Guide on how Sanctuary documents should be written. She was in full support of the Resolution.

Supervisor Shea interjected briefly to read the Resolution being discussed.

Kathleen Zebzda made a brief statement saying that tolerance and inclusion are not in the Constitution, the values of the Constitution are actually liberty and limited government. She was not in support of the Resolution.

Cindy Trimble said she believed the Town Board did a good job with the resolution and thought it smart not to call it a "Sanctuary City" in order to avoid losing funding. Ms. Trimble suggested ending paragraph 6 after the word values and removing the remainder of that paragraph.

Keith Anderson began by reminding the Board that upon entering office they each took an oath to uphold the constitution and proceeded to read a copy of one of the oaths. It is his belief that this Resolution violates the oath that each member signed at the beginning of his or her term. Mr. Anderson then proposed that there be term limits for the board members as well as the Supervisor. He continued that this Resolution is "abuse of authority" on the Town Board's part. Councilwoman Montgomery interjected to remind Mr. Anderson that this resolution was presented to the Board by a member of the public. It is his belief that this is a Federal issue to be handled by Congress, not at a local level.

Monthly Town Board Meeting
April 6, 2017

Ken Sapeta read an excerpt from an article by David Horowitz in reference to “Sanctuary Cities” and the Constitution. Mr. Sapeta strongly opposed the Resolution.

Eric Stark thanked the Board for allowing the discussion about this Resolution to occur. Mr. Stark asked all in the room that were in support of this resolution to stand to which other members of the audience suggested he was out of order. Supervisor Shea asked that Mr. Stark refrain from addressing the audience and address the Board only. Mr. Stark added that to discuss the financial implications undermines the whole meaning of the Resolution itself, in his opinion. Eric Stark is in full support of the Resolution.

William P. O’Neill, the newly elected Mayor of Nelsonville, spoke in objection of the Equal Protection Resolution. He began by expressing his desire to work with the board in the future in his new position.. Mr. O’Neill addressed comments made by Eric Stark. Supervisor Shea requested that anyone making comment direct their comments to the board alone and not address other audience members. Mayor O’Neill read from his recently signed Code of Ethics, noting that it states he is bound to uphold the Constitution of the United States of America as well as the State of New York. He challenged the board that this Resolution is an attempt to undermine respect for the laws of this country. He described the Resolution as absurd and “an insult to this community”.

Supervisor Shea reminded the audience, out of the respect for the process and everyone in attendance, to please keep their comments on topic and to only address the issue at hand.

A member of the Sullivan-Hoch Family thanked the board for taking on this Resolution and expressed his full support. He added that Local Law Enforcement exists to enforce local law; there are a slew of federal laws, which are not the job of the local police to enforce. He added that it is not their duty to act as federal agents.

Barbara Scuccimarra read a letter on behalf of Putnam County Sheriff Don Smith who was unable to attend.

Many other members of the public spoke for and against the adoption of the Equal Protection Resolution. A complete list of everyone who spoke at the meeting is attached to these minutes.

As the public comments came to a close, Supervisor Shea requested each Board Member offer their opinion on the issue at hand before voting. Councilman Flaherty expressed that he is not in support of the Resolution as it is written. Councilman Leonard explained that he has read and discussed the resolution over the past weeks with members of the community. Councilman Leonard also attempted to clarify that it is not the intention of this resolution to “circumvent any laws”, which is stated very clearly in the last paragraph of the Equal Protection Resolution. It is his belief that the Federal Government has failed the people greatly when it comes to the issue of immigration. He added that immigration is a national issue and a conversation needs to be had and it starts at the local level. Councilman Leonard supports the Resolution. Councilwoman Montgomery stated how pleased she was to see such a large turnout to discuss such an important issue. Councilwoman Montgomery believes this resolution is a necessity to protect everyone in our Town. She also noted that numerous citizens of Philipstown had contacted her asking how to protect their undocumented friends and neighbors. Councilwoman Montgomery noted her concern with the behavior and rhetoric of the newly elected Mayor Bill O’Neill. Councilwoman Montgomery is in full support of the Resolution. Councilman Van Tassel stated that when he was asked 8 years ago, by the Supervisor to join the board he never imagined he would be sitting in a room of about 200 people discussing immigration! It is Councilman Van Tassel’s belief that in a town of less than 10,000 people, that does not have control or set protocol or policy for any policing agency, the town is getting involved where it shouldn’t. Councilman Van Tassel also contacted the Town Clerk to question if

Monthly Town Board Meeting
April 6, 2017

information regarding immigration status is ever collected to which she answered it is not. Councilman Van Tassel added that the Town does run the risk of losing federal funding; Federal funding helped rebuild this Town after Hurricane Irene and if it weren't for that funding the town would still be fixing roads from that storm. Homeland Security also offers grants to local police as well as local emergency services, which could be jeopardized. For these reasons, Councilman Van Tassel does not support the resolution. Town Clerk Merando reiterated that her office does not retain immigration status. Town Clerk Merando questioned the Supervisor as to what the repercussions are for an employee of her office if they were to violate this Equal Protection Resolution. The Supervisor thanked the Town Clerk for her comments.

Supervisor Shea ended the discussion stating that at the end of the day the board will come together and move on to other issues. Everyone has their difference of opinion and that is healthy but once the discussion is over, they move on and discuss other issues. The Supervisor agreed with the recommendation of Cindy Trimble and altered paragraph 6 of the document to end after the word "values".

RESOLUTION #77-2017

Whereas it is incumbent upon us as citizens to keep safe those in our community that are the most vulnerable and to ensure that they are given equal protection under the law and

Whereas the Town of Philipstown seeks to make clear our commitment to the rights of all members of our community regardless of their race, religion, gender, ethnicity, sexual orientation or immigration status and

Whereas the Town of Philipstown recognizes the importance of diversity as a component of the American experience and that we as a nation collectively benefit from two core values enshrined in our constitution; tolerance and inclusion and

Whereas the Town of Philipstown upholds the value of equal protection under the law for all its residents regardless of race, religion, gender, ethnicity, sexual orientation, or immigration status and

Whereas public health, public safety, education and economic development in the Town of Philipstown require cooperation between community residents and local law enforcement and

Whereas it is the expressed goal of the Town Board and the residents of Philipstown that the policing practices of local law enforcement are consistent with these values and

Whereas the Town of Philipstown commits to fostering an atmosphere of tolerance and acceptance that truly make America great.

Therefore be it resolved that no Town of Philipstown department, officer, employee or agent acting in their official capacity shall request or maintain information about or otherwise investigate or assist in the investigation of the citizenship or immigration status of any person unless such investigation or inquiry is required by state or federal law or by court order. Furthermore, that they shall not assist or cooperate with any investigation, detention or arrest by any agency enforcing federal immigration law unless such investigation or inquiry is required by state or federal law or by court order; or except as

Monthly Town Board Meeting
April 6, 2017

otherwise required under state or federal law or by court order, disclose information regarding the citizenship or immigration status of any person.

Councilwoman Montgomery presented the foregoing resolution, which was seconded by Councilman Leonard.

The vote on the foregoing resolution was as follows:

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

Supervisor Shea expressed his appreciation to everyone who came out to discuss the issue and express his or her opinion.

7. Resolution authorizing a donation in the amount of \$300.00 to the Nelsonville Fish & Fur for this years “Kids Fishing Day” scheduled for May 7, 2017.

RESOLUTION #78-2017

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 7, 2017.

8. Resolution authorizing Supervisor Shea to sign the contract between the County of Putnam and the Town for Real Property Tax Services.

RESOLUTION #79-2017

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 contract between Putnam County Real Property and the Town of Philipstown to prepare the necessary documents for property taxes.

9. Resolution accepting the resignation of Anne Nichter as a member of the Board of Assessment Review effective April 6, 2017.

Supervisor Shea expressed his deep regret in accepting Anne’s resignation. She was a fine member of the BAR with years of service to the community. The Supervisor and other members of the Board thanked her for her years of service.

RESOLUTION #80-2017

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

RESOLVED, that effective April 6, 2017 the Town Board hereby accepts the resignation of Anne Nichter as a member of the Philipstown Board of Assessment Review.

10. Resolution authorizing Supervisor Shea to sign the Memorandum of Understanding between the Town and the Philipstown Depot Theatre.

Supervisor Shea noted that the agreement has been reviewed by the Town Attorney.

RESOLUTION #81-2017

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

RESOLVED, that the Town Board hereby authorizes Supervisor Shea to sign the Memorandum of Understanding between the Town and the Philipstown Depot Theatre, Inc. to provide for the production of performances and media arts events and ongoing educational programming in the historic Garrison Train Depot for the benefit and enjoyment of the community.

11. Resolution authorizing Supervisor Shea to sign the Commercial Lease Agreement between the Town of Philipstown and the Garrison Landing Association, Inc. beginning January 1, 2018 and ending December 31, 2022.

RESOLUTION #82-2017

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

RESOLVED, that the Town Board hereby authorizes Supervisor Shea to sign the Commercial Net Lease Agreement between the Town of Philipstown and Garrison Landing Association, Inc. for use of the Depot Theatre located at the former train station for the hamlet of Garrison, New York beginning January 1, 2018 and ending December 31, 2022.

12. Resolution authorizing Carl Frisenda, Highway Superintendent to purchase a 2017 Jeep Cherokee from Robert Green Auto & Truck Inc. as lowest bidder under the State Vehicle Market Place in the amount not to exceed \$26,426.62.

RESOLUTION #83-2017

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

RESOLVED, the Town Board hereby authorizes Carl Frisenda, Highway Superintendent to purchase under New York State Vehicle Market Place a 2017 Jeep Cherokee Latitude in the amount not to exceed \$26,426.62 from Robert Green Auto & Truck, Inc. as lowest bidder.

13. Resolution authorizing Supervisor Shea to sign the 2017 Shared Equipment Agreement between the Town of Philipstown and the Villages of Buchanan, Croton and the City of Peekskill.

RESOLUTION #84-2017

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

WHEREAS, the various operating departments of the Village of Croton, Village of Buchanan, and the Town of Philipstown, and the City of Peekskill and the Town of Cortlandt, have, on an informal basis over the years, borrowed each other's equipment, including but not limited to trucks, buses, and other vehicles and equipment; and

WHEREAS, it is the desire of the Municipalities to formalize the process by which this sharing of equipment and vehicles is carried out; and

WHEREAS, it is the desire of the Town Board to provide for indemnification for liability purposes;

NOW, THEREFORE, BE IT RESOVLED, that once the referenced Inter-Municipal Agreement is executed, the Town's operating department heads and manager are hereby authorized to allow the use of Town equipment and vehicles by the Villages of Croton, and Buchanan, the Town of Philipstown, and the City of Peekskill in accordance with said Agreement covering the period from the date of the executed Agreement to December 31, 2017.

14. Resolution awarding the bid for the Renovations to the Town Annex to Monteleone Construction.

RESOLUTION #85-2017

WHEREAS, the Town of Philipstown is the owner of certain real property improved by a building known as "the Dahlia House"; and

WHEREAS, the Town has undertaken a project to make certain improvements to the Dahlia House; and

WHEREAS, heretofore the Town put out for public bid the contract for the said improvements to the Dahlia House; and

WHEREAS, the Town has opened and reviewed all bids submitted on the said project and has received the Building Department's report regarding the same;

NOW, THEREFORE, BE IT RESOLVED, as follows:

1. That the Town has received three bids on the project: (i) Monteleone Contracting; (ii) Advanced Construction Systems and (iii) Oakside Construction Company, Ltd.;

2. That the bid submitted by Advanced Construction Systems failed to include amounts for required bid items, including blacktop, rail (front) and specialties, and the failure to include amounts for these items renders Advanced's bid defective;

3. That of the remaining two bids, the lowest responsible bidder was Monteleone Contracting;

4. That insofar as the notice for bids listed certain items, including stucco, appliances and plumbing, that are not needed at this time for the Dahlia House project, and in light of the fact that the Town is unwilling to pay a 15% mark up on work done by subcontractors, the Town Board hereby authorizes the Town Supervisor, with the assistance of the Town Building Department and the Town Attorney, to negotiate a contract with the lowest responsible bidder for the necessary work on Dahila House (excepting the said unnecessary items and markup on subcontractor work) at a price below the listed bid and in no event exceeding \$284,370; and

5. That in the event that Monteleone Contracting is unwilling to accept the contract terms proposed by the Town, its bid will be deemed rejected and no contract will be awarded on the bids submitted.

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

The vote on the foregoing resolution was as follows:

Councilwoman Nancy Montgomery AYE

Councilman John Van Tassel AYE

Councilman Michael Leonard AYE

Councilman Robert Flaherty AYE

Supervisor Richard Shea AYE

15. Resolution approving the 2016 Conservation Board Annual Report and authorize Town Clerk Merando to forward said report to the NYSDEC.

RESOLUTION # 86-2017

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

RESOLVED, that the Town Board hereby approves the 2016 Annual Conservation Board Report and authorizes Town Clerk Merando to forward said report to the Commissioner of the New York State Department of Conservation.

17. Discussion with regard to Plumbing System for the Town Annex Renovation Project.

Supervisor Shea reported that Wolverine Plumbing was the sole bidder on the project and he doesn't believe it is worth going back out for re-bid; we want to move ahead.

RESOLUTION #87-2017

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

RESOLVED, that the Town Board hereby awards the proposal for material and labor to replace all of the plumbing systems for the Town Annex, including the installation of new sinks, toilets and faucets and install one new 40 gallon water heater to Wolverine Plumbing of 535 Route 376, Hopewell Junction, New York in an amount not to exceed \$9,300.00.

18. Discussion with regard to the HVAC for the Town Hall – second floor.

Supervisor Shea reported that there were 2 estimates obtained for the HVAC work needed on the Second Floor in the Town Hall. He suggested accepting the proposal from Comfort Master.

RESOLUTION #88-2017

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

RESOLVED, that the Town Board hereby awards the proposal for the Heating / Air Conditioner Replacement for the Town Hall, 2nd floor to Comfort Master of 3191 Route 9, Cold Spring, New York replacing the existing Carrier unit with a new Carrier Split-system, including a new hot water heating coil installed in supply duct and thermostat in an amount not to exceed \$17,289.00.

19. Resolution approving the 2016 point listing for the Philipstown Volunteer Ambulance Corps. LOSAP Program.

RESOLUTION #89-2017

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

RESOLVED, that the Town Board of the Town of Philipstown hereby approves the 2016 points listing for the Philipstown Ambulance Corp for their LOSAP program as presented.

20. Resolution appointing Irene McGrath as a member of the Board of Assessment Review, whose term will expire September 30, 2019 filling the vacancy of Anne Nichter.

RESOLUTION #90-2016

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

RESOLVED, that the Town Board hereby appoints Irene McGrath as a member of the Board of Assessment Review filling the vacancy left by Anne Nichter, whose term will expire September 30, 2019.

21. Code Enforcement Monthly Report.

Town Clerk Merando read the report which is on file in the Town Clerks office.

22. Schedule Workshops/Meetings

- **Workshop – April 12, 2017 – 7:30 PM – Karen Ertl- Garden Club Initiative**
- **MS4 Public Hearing – May 4th, 2017**

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

Councilman Van Tassel reported that he met with Carl Frisenda, Highway Superintendent, the Cold Spring Fire Department and residents of Indian Brook Road to discuss possibly putting rocks up as barriers to prevent parking. It was decided this would just create more of an issue. It was suggested to put up temporary signs at both ends of the road and large orange barriers that say “No Parking the Length of The Road”. The Councilman will be discussing it further with the Highway Superintendent. Councilman Flaherty reported he spoke to Barbara Scuccimarra about having the Trolley stop at Indian Brook Falls to try and help alleviate some of the parking issues.

Councilman Van Tassel stated he looked into the traffic issues at Craigside Drive and 9D where the crossing guard was nearly hit by a vehicle. He explained that he reached out to the Putnam County Sheriffs as well as the New York State Police who explained that the responsibility is on the local police.

AUDIENCE

VACANCIES

Planning Board (1)
Conservation Board (1)

APPROVAL OF VOUCHERS

Councilman Van Tassel made a motion, seconded by Councilman Leonard and unanimously carried that the General Vouchers in the amount of \$94,906.30 are hereby approved as set forth in Abstract 3A & 4.

Councilman Flaherty made a motion, seconded by Councilwoman Montgomery and unanimously carried that the Highway Vouchers in the amount of \$138,455.82 are hereby approved as set forth in Abstract 3A & 4.

Councilman Leonard made a motion, seconded by Councilman Van Tassel and unanimously carried that the CVPD Vouchers in the amount of \$1,847.66 are hereby approved as set forth in Abstract 3A & 4.

Monthly Town Board Meeting

April 6, 2017

Councilman Van Tassel made a motion, seconded by Councilman Van Leonard and unanimously carried that the CVWD Vouchers in the amount of \$7,651.10 are hereby approved as set forth in Abstract 3A & 4.

There being no further business to discuss, Councilman Leonard made a motion, seconded by Councilman Van Tassel to close the Monthly Meeting at 10:30 p.m.

Respectfully submitted by,

Tara K. Percacciolo
Deputy Town Clerk

**TOWN OF PHILIPSTOWN
MONTHLY REPORT OF TOWN SUPERVISOR
MONIES RECEIVED AS OF APRIL 6, 2017**

GENERAL & PART-TOWN FUNDS

ReCommunity Recycle	87.00
CTV Fees	13,343.00
TC Fees 2/17	739.89
TC Fees Dogs 2/17	286.50
Justice Fees 2/17	11,967.00
Rec Fees 2/17	29,814.98
Justice Fees	9,104.50
TC Fees 3/17	810.54
TC Fees Dogs 3/17	193.50
Bldg Fees 3/17	35,654.05

HIGHWAY FUND

Esurance Ins.	114.46
Gen. Gas	483.61
PC Gas	1,454.30
PC Gas	49.59

CONTINENTAL VILLAGE WATER DISTRICT

CONTINENTAL VILLAGE PARK DISTRICT

Clubhouse Fees	350.00
----------------	--------