

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
John Van Tassel	Councilman
Robert Flaherty	Councilman
Nancy Montgomery	Councilwoman
Michael Leonard	Councilman

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

**REVIEW OF MINUTES**

Minutes of the Monthly Town Board Meeting of July 6, 2017 were reviewed.

Councilman Leonard made a motion, seconded by Councilman Flaherty that the Minutes of the Monthly Town Board Meeting of July 6, 2017, are hereby approved as presented. Councilwoman Montgomery abstained.

Minutes of a Public Hearing of July 6, 2017 were reviewed.

Councilman Van Tassel made a motion, seconded by Councilman Flaherty that the Minutes of the Public Hearing of July 6, 2017, are hereby approved as presented.

Minutes of the Special Town Board Meeting of July 17, 2017 were reviewed.

Councilman Flaherty made a motion, seconded by Councilman Van Tassel that the Minutes of the Special Town Board Meeting of July 17, 2017, are hereby approved as presented.

**COMMITTEE REPORTS**

**CONSERVATION BOARD** – Councilman Leonard reported that the Board met both in July and August. He gave an overview of the items addressed at both meetings. 17 Ox Yoke Road and Homeland Towers applications were on the agenda for both meetings.

Councilman Leonard then stated that they are asking the Town to purchase new training tapes with regard to Stormwater management. The costs of these tapes would be approximately \$660.00 including the license. These informational tapes could be posted to the town's website, fulfilling the public awareness portion of the program.

Another item discussed was Hudson Highland Reserve. This proposed project review by the Conservation Board is due to the fact that Clove Creek is on the property, and involves steep slopes and ponds. He also reported that there could be up to forty homes at that site. He also touched on the work being done on the Open Space Index.

**RECREATION** – Councilman Van Tassel reported that the Recreation Department would like to meet to discuss "coach background" checks. Amber Stickle will advertise the open Commission position vacated by Jane Ponton.

**COMMUNITY CARE COALITION** - Councilwoman Montgomery stated that the coalition was formed to address the opioid addiction, and played a large role in the medication take back boxes. She announced that on August 31, 2017, a candlelight vigil has been planned to honor those of who were lost to this addiction.

**PLANNING BOARD** – Councilman Flaherty reviewed the items addressed at the last meeting. There were two public hearings; Index Industrial Design, 1602 Route 9, Garrison, seeking approval for a proposed 2 story steel building addition with a full basement, storage and garage for adjacent existing building. There were no public comments.

Rockman-Berquist, 67 Old West Point Road, Garrison revised drawings for proposed Site Plan of a new Residential Estate which includes a main house, detached garage, guest house pool house and outdoor pool. There were some comments / concerns with regard to the driveway. This public hearing was closed. Hudson Highland Reserve and Manitou Properties were also on the agenda under Old Business.

New business was 1657 Route 9D, Christopher Buck seeking approval of a proposed renovation and addition to the existing residence, and construction of a new accessory structure for use as a home office, new pool and pool house. Also, a new driveway to access the home office and redefine the main entrance to the residence.

**ZONING BOARD** – Councilman Van Tassel stated that the Zoning Board did not meet, their next scheduled meeting will be September 11, 2017.

**HIGHWAY** – Councilman Van Tassel read the report submitted by Highway Department which is on file in the Town Clerks office. There was some discussion with regard to the much needed permits to begin the work on Manitou Station Road from the DEC. To date there is no start date for this project.

**BUILDING & LAND ACQUISITION** – Supervisor Shea reported that work on the Town Annex is moving along nicely. Occupation is anticipated by Thanksgiving. Supervisor Shea briefly spoke of plans for the elevator and other work in the Town Hall.

**BUTTERFIELD LIBRARY** – Councilwoman Montgomery read the report submitted by Butterfield Library and is on file in the Town Clerk's Office.

**CEMETERY COMMITTEE** – Councilman Leonard reported that Mountain Avenue Cemetery now has improved signage. He also asked for donations, as they would welcome private funding for much needed improvement projects. He then reviewed some of the initiatives that the committee would be taking on.

**TOWN OF PHILIPSTOWN  
MONTHLY REPORT OF TOWN SUPERVISOR  
MONIES RECEIVED AS OF AUGUST 10, 2017**

**GENERAL & PART-TOWN FUNDS**

TC Fees 4/17	\$448.32
TC Fees Dogs 4/17	312.50
Town Justice 4/17	6,621.00
Re Community Paper Recycle	90.30
Justice Fees 4/17	9,959.00
AW Scrap Metal	479.00

**HIGHWAY FUND**

Fen. Fund. Gas	\$353.46
Put. Co. Gas	1,378.17
Village of Nelsonville salt	3,477.00
Haldane salt	1,095.21

**CONTINENTAL VILLAGE WATER DISTRICT**

**CONTINENTAL VILLAGE PARK DISTRICT**

Town of Cortlandt Taxes	\$46,130.00
Clubhouse Fees	175.00

**AGENDA**

1. **Resolution re-appointing Kathyrine Tomann as a member of the Board of Assessment Review, whose term will expire September 30, 2022.**

**RESOLUTION #119-2017**

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

**RESOLVED**, that the Town Board hereby re-appoints Kathyrine Tomann as a member of the Board of Assessment Review, whose term will expire September 30, 2022.

2. **Resolution appointing Linda Valentino as Clerk to the Code Enforcement Office.**

**RESOLUTION #120-2017**

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

**RESOLVED**, that the Town Board hereby appoints Linda Valentino as Clerk to the Code Enforcement Office at a salary not to exceed that set forth in the 2017 budget.

3. **Resolution appointing Tara Percacciolo as secretary to the Planning, Zoning and Conservation Boards.**

**RESOLUTION #121-2017**

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

**RESOLVED**, that the Town Board hereby appoints Tara Percacciolo as Secretary to the Planning, Zoning and Conservation Boards at a salary not to exceed that set forth in the 2017 budget.

4. **Discussion with regard to establishing a Comprehensive Plan Update Committee.**

Supervisor Shea explained that the present Comprehensive Plan needs to be updated by 2020. He went on to say that the Town has accomplished many of the goals within that document. Some of those goals were zoning, natural resources, open space index, and passing legislation changing the Conservation Committee into a Board. In order to set the agenda for the future, the Town must set forth what the next twenty years will look like in our town. He added that the success of any enterprise does rely on getting new members to serve.

Councilwoman Montgomery noted that it is the board's obligation to keep the Comprehensive Plan a living document. She supports that its citizen driven, and having someone from the public bring up the needed attention to this matter.

**RESOLUTION #122-2017**

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

**RESOLVED**, that the Town Board hereby authorizes Town Clerk Merando to advertise for positions available for the Comprehensive Plan Committee.

**5. Resolution authorizing Supervisor Shea to sign Lead Agency declaration for the Town of Highlands and Village of Highland Falls for a proposed site plan.**

Supervisor Shea stated that he has reviewed the document, noting that it is a large project and will have an effect on our view shed. He cited Section E3, item I asking if the project site is located within a designated river corridor under the Wild, Scenic and Recreational Rivers, to which, they answered NO.

Michelle Smith interjected that they plan on conducting some research on this project. She noted that the project is a new 4-story hotel, restaurant, associated parking areas, utilities, and Stormwater management. She went on to say that once they are declared Lead Agency, it hard to get them to conduct a view shed analysis from this side of the river. Supervisor Shea stated that there is not a lot that the town can do about them being lead agency.

Councilwoman Montgomery didn't see lighting addressed in the EAF, which is a concern from our side of the river. She compared this issue to that of West Point, which was resolved, as the lighting was pointing in the wrong direction all along impacting Philipstown. Supervisor Shea interjected that the Full EAF is short on narrative for such a large project. He added that they are going to be Lead Agency no matter what, however, he believes that a letter of our concerns be drafted and forwarded to them.

**RESOLUTION #123-2017**

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

**RESOLVED**, that the Town Board hereby authorizes Supervisor Shea to sign the Lead Agency declaration for the Town of Highlands and Village of Highlands Falls for a proposed site plan.

Councilwoman Montgomery voted NAY, Resolution duly adopted by majority vote.

**6. Code Enforcement Monthly Report.**

Town Clerk read the Monthly Report which is on file in the Town Clerk's Office.

**7. Resolution authorizing a Change Order No. 1 for the Avery Road Bridge Deck Reconstruction Project.**

**RESOLUTION #124-2017**

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

**RESOLVED**, that the Town Board hereby authorizes the Change Order No. 1 with the net increase of \$13,800.00 for the Avery Road Bridge Deck Reconstruction Project.

Councilman Flaherty suggested that the town take another look at the bridge replacement project done last year on Indian Brook Road by the DiSilva's residence.

Supervisor Shea commented on the illegal dumping that occurred. This was not people dumping out of cars, this was an industrial size operation. This dumping was done with a carting company, and an excavator who were duping homeowners. It was in no way clean fill, but rather trash to the tune of 1000 of yards of fill. He stated that the town is in possession of photos, which looks as though someone tore a house down or tore up a road and just dump it, rolled over it with a machine and brought in a thin layer of topping. The town knows who did it and have all players involved in this, including the DEC and we are going to see this though. He stated that if someone dumps in this town, we are prepared to come down hard and heavy.

#### **8. Schedule Workshops/Meetings.**

August 23, 2017 @ 7:30 p.m. – Climate Smart Community Workshop

September 6, 2017 @ 7:30 p.m. – Pre-Board and workshop with Recreation Department re: Coaches background checks.

Councilman Flaherty reminded everyone that vouchers are still available for Royal Carting cleanup.

Councilman Leonard reported that he attended a meeting at the County which addressed the herbicide usage on Fishkill Road. He noted that this is a critical area, as it is the drinking water supply for both the villages of Nelsonville and Cold Spring. He gave a brief overview of solutions to the problem. The consensus of the board is that the use of herbicides along a water supply is unacceptable and will not be tolerated. Supervisor Shea stated that he will draft a letter to the County from the town and both villages expressing prohibiting the use of pesticides.

#### **AUDIENCE**

Michelle Smith, Executive Director of the Hudson Highlands Land Trust addressed the Town Board pointed out that with regard to spraying on Fishkill Road, the town code has the resource overlay protection district for the Cold Spring water supply. She would like to see a legal interpretation, as it limits chemical use in the protection district. She questions whether or not, the code addresses this use. She then turned to the Comprehensive Plan, noting that the Hudson Highlands Land Trust is interested in assisting any way possible. She reference the Ground Water Resource document, which is a decade old, suggesting that this also is updated. She brought up the Hudson Highlands Reserve application which is along Clove Creek.

Councilwoman Montgomery announced that the MTA has rejected sleep apnea consideration for train engineers. She realizes that we're a year out from positive train control which needs to be implemented. She stated that safety is moving backwards instead of forward with regulations that set forth by the Federal Government in 2008. It's now 2017 and those risk reductions, safety programs have not been implemented. She went on to say that this issue will become her work now, to see safety measures become a reality.

Liz Armstrong questioned the County's application for funding for Manitou Station Road. Councilwoman Montgomery cleared the record saying that this is only an application for funding, and the county has not received any monies for this project.

Councilman Van Tassel added that the first phase of the project is the least expensive. The second phase, replacing the bridge is costly and it would be nice if available funding is secured prior to that.

Councilwoman Montgomery stated that if we don't get the grant, she would hope that the County would offer some financial relief.

**VACANCES (0)**

**APPROVAL OF VOUCHERS**

Councilman Van Tassel made a motion, seconded by Councilman Flaherty and unanimously carried that the General Vouchers in the amount of \$244,892.05 are hereby approved as set forth in Abstract 7A & 8.

Councilman Flaherty made a motion, seconded by Councilwoman Montgomery and unanimously carried that the Highway Vouchers in the amount of \$194,859.24 are hereby approved as set forth in Abstract 7A & 8.

Councilwoman Montgomery made a motion, seconded by Councilman Leonard and unanimously carried that the CVPD Vouchers in the amount of \$5,994.46 are hereby approved as set forth in Abstract 7A & 8.

Councilman Leonard made a motion, seconded by Councilman Flaherty and unanimously carried that the CVWD Vouchers in the amount of \$18,185.83 are hereby approved as set forth in Abstract 8.

There being no further business to discuss, Councilwoman Montgomery made a motion, seconded by Councilman Leonard to close the Monthly Meeting at 8:55 p.m.

Respectfully submitted by,

Tina M. Merando, Town Clerk