

Weekly Town Board Meeting
June 20, 2018

The Town Board held their Weekly Meeting on the above date at 7:33 p.m. at the Town Hall, 238 Main Street, Cold Spring, New York.

PRESENT

Richard Shea	Supervisor
Nancy Montgomery	Councilwoman
Michael Leonard	Councilman
Robert Flaherty	Councilman

ABSENT

John Van Tassel	Councilman
-----------------	------------

AGENDA

- 1. Resolution adopting Local Law #3-2018 establishing a six (6) month moratorium on the submission and processing of applications for Land Use approvals for “Vape Shops” within the Town of Philipstown.**

RESOLUTION #101-2018

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

WHEREAS, heretofore the Town Board has considered the adoption of Local Law No. 3 of the year 2018 entitled: A Local Law establishing a six (6) month moratorium on the submission and processing of applications for Land Use Approvals for “Vape Shops” Within the Town of Philipstown; and

WHEREAS, following due notice the Town Board held a public hearing on the proposed local law on June 20, 2018;

NOW, THEREFORE, BE IT RESOLVED as follows: That the Town Board does hereby adopt Local Law No. 3 of the year 2018 entitled: A Local Law establishing a six (6) month moratorium on the submission and processing of applications for Land Use Approvals for “Vape Shops” Within the Town of Philipstown; which said local law shall be effective upon publication, posting and filing in the office of the Secretary of State in Albany.

The vote on the foregoing resolution was as follows:

ROLL CALL VOTE

Supervisor Shea	AYE
Councilwoman Montgomery	AYE
Councilman Van Tassel	ABSENT
Councilman Leonard	AYE
Councilman Flaherty	AYE

The resolution was thereupon declared duly adopted.

2. Resolution authorizing the release of Escrow Funds for Martin McHugh, 200 Lake Surprise Road.

RESOLUTION #102-2018

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

RESOLVED, that the town Board hereby authorizes the release of Escrow funds for Martin McHugh of 200 Lake Surprise Road, Cold Spring as recommended by the Philipstown Planning Board.

3. Resolution authorizing Supervisor Shea to sign a letter of support for the Town of Patterson's Basic Life Support Response Agency for Emergency Medical Services.

RESOLUTION #103-2018

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 a letter of support for the town of Patterson's EMS's to apply for a permanent New York State Department of Health Basic Life Support First Response operating certificate.

4. Resolution appointing Bill Rimm as Assistant Superintendent for the Continental Village Water District at a salary not to exceed that set forth in the 2018 budget.

RESOLUTION #104-2018

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

RESOLVED, that the Town Board hereby appoints Bill Rimm as Assistant Superintendent for the Continental Village Water District at a salary not to exceed that set forth in the 2018 budget.

5. Resolution authorizing Town Clerk Merando to advertise for bidders for the Window Replacement for the Town Hall.

RESOLUTION #105-2018

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 bidders for the Window Replacement for the Town Hall.

6. Resolution amending Section 6 of Chapter 36 of the Town Code entitled "Vacation."

Supervisor Shea noted for the record that this change starts on the date of hire.

RESOLUTION #106-2018

WHEREAS, by Resolution No. 30-84, the Town of Philipstown Town Board enacted Chapter 36 of the Town Code entitled "Personnel Policies"; and

WHEREAS, the Town Board now wishes to amend Section 6 of Chapter 36 which is entitled "Vacation", in order to simplify and clarify its provisions;

NOW, THEREFORE, BE IT RESOLVED that the Town of Philipstown Town Board hereby repeals and re-enacts Town Code § 36-6, entitled "Vacation" to read as follows:
"§ 36-6 Vacation.

- A. Vacation with pay shall be granted to full-time employees in payroll status on the following accrual basis:
 - (1) One to five years: 2.5 hours per pay period, plus five hours last pay period, equals 70 hours or 10 days.
 - (2) Five to 10 years: four hours per pay period, plus one hour last pay period, equals 105 hours or 15 days.
 - (3) Ten to 20 years: 5.25 hours per pay period, plus 3.5 hours last pay period, equals 140 hours or 20 days.
 - (4) Vacation time may be accrued to a maximum of 30 days.
- B. Part-time workers will accrue vacation credits per the following schedule:
 - (1) First year: 1.25 hours per pay period after six months, plus 1.25 hours last pay period, equals 2.5 days.
 - (2) Two to five years: 1.25 hours per pay period, plus 2.5 hours last pay period, equals five days.
 - (3) After five years of service: 2.5 hours per pay period, plus five hours last pay period, equals 70 hours or 10 days.
- C. Vacation scheduling shall be subject to the approval of the department head.

Weekly Town Board Meeting
June 20, 2018

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

The vote on the foregoing resolution was as follows

Robert Flaherty, Councilman,	voting	AYE
Michael Leonard, Councilman,	voting	AYE
John VanTassel, Councilman,	voting	ABSENT
Nancy Montgomery, Councilwoman,	voting	AYE
Richard Shea, Supervisor,	voting	AYE

John Cronin spoke at length regarding the new Local Law addressing "Vape Shops." He asked that the town look at this matter comprehensively. Some alarming issues have been discovered, in that there are some gaping holes in tobacco laws in New York State, and they are permissive with regard to children. By way of example, a ten year old can stand on the corner and smoke a cigar, which is not against the law. It's not against the law to buy it, own it or use it. Unlike drugs, alcohol or cars. New York State is among four states in the country that allows underage youth to buy, use and possess tobacco products. It's a little confusing as it is against the law to sell, but not to buy. Following his comments, the Town Board thanked Mr. Cronin for his input.

There being no further business to discuss Councilwoman Montgomery made a motion, seconded by Councilman Leonard to close the Weekly Meeting at 7:55 p.m.

Respectfully submitted by,

Tina M. Merando
Town Clerk