Monthly Town Board Meeting
March 6, 2008

The Town Board of the Town of Philipstown held their Monthly Meeting on the above date at 8:00 p.m. at the Town Hall, 238 Main Street, Cold Spring, New York.

PRESENT

	William Mazzuca	Supervisor
	Betty Budney	Councilwoman
	Richard Shea	Councilman
	Nancy Montgomery	Councilwoman
	Barbara Scuccimarra	Councilwoman
ABSENT:	Edward W. Doyle	Town Attorney

Supervisor Mazzuca opened the Meeting with a salute to the Flag.

COMMITTEE REPORTS

HIGHWAY – Councilwoman Budney reported that 3 storm drains or 2 cross-overs were replaced on East Mountain Road South and a cross-over on the western end of South Mountain Pass. South Mountain Pass will have to be raised in the spring approximately 400'. 200 tons of Item 4 was placed on dirt roads; lots of plowing and sanding; five (5) trees were cut down due to high winds and waterways opened to keep water off the roads. Highway Superintendent was still waiting to hear from FEMA regarding the okay to repair Old Albany Post Road due to April 2007 weather. The application originally approved by the Historic Review Board is now being held up for a second review due to citizens concerns. She further reported that a report will probably be forthcoming next month regarding maintenance costs per mile on every individual town road that was paved and dirt. This report will not include maintenance for the use of machinery. One major repair was done on a grader.

PLANNING – Councilwoman Montgomery reviewed the items addressed at the Planning Board Meeting of January 17, 2008. Next Planning Board Meeting is schedule for March 27, 2008.

RECREATION – Councilwoman Montgomery announced the upcoming programs offered by the Recreation Department. She further reported that the Commission met with Stantec regarding the road improvements at Glenclyffe.

CAC – Councilman Shea reported that the CAC did not meet in February due to inclement weather. However, he did meet with Andy Merante, Planning Board Chairman, David Klotzle, Wetlands Inspector, and Eric Lind, CAC Chairman to make sure that all the boards were on the same page – trying to keep commitment of communication between the groups and make sure that referrals were handled in a timely manner.

RECYCLING – Councilwoman Budney reported that she would be attending another recycling meeting with the County in March. She further reported that the Spring 2008 Town-wide Cleanup was scheduled for April 12, 2008 at the North Highlands Firehouse.

BUILDING & LAND ACQUISITION – Councilman Shea reported that the boiler installation should be completed by the end of the week (3/7/08) and that a new roof had been installed. He stated further that future improvements were planned and that the grant monies slated for the improvements would not be received until the entire project is completed.

ZONING – Councilwoman Scuccimarra reviewed the items addressed at the Zoning Board meetings of February 11th and 25th, 2008. Next Zoning Board Meeting is scheduled for March 10, 2008.

TOWN OF PHILIPSTOWN

MONTHLY REPORT OF TOWN SUPERVISOR

MONIES RECEIVED AS OF MARCH 6, 2008

GENERAL & PART-TOWN FUNDS

Town Clerk Fees 1/08	$ 372.55
Office Max Credit	44.10
Office Max Credit	36.99
Hudson Baylon Recycling	174.00
Bank Interest	256.43
Bldg. Fees 2/08	7,599.00
P.C. VFW Rental	25.00
Rec Fees 2/08	36,381.15
CTV Fees	13,992.00

HIGHWAY FUND

P.C. Sheriff's – Gas	915.79
P.C. Sheriff's – Gas	477.96
Bank Interest	1,172.82

CONTINTENTAL VILLAGE WATER DISTRICT

Bank Interest	62.35

CONTINENTAL VILLAGE PARK DISTRICT

Clubhouse Fees	100.00
Bank Interest	869.13

AGENDA

1. Resolution to adopt Local Law entitled Veterans Cold War Exemption:
- SEQRA
- Adopt Local Law

Supervisor Mazzuca recused himself from the discussion and voting.

RESOLUTION #87-08
The following Resolution was presented by Councilwoman Budney, seconded by Councilwoman Montgomery and unanimously carried;

WHEREAS, the Town Board of the Town of Philipstown has given due consideration to amend the Code of the Town of Philipstown, Chapter 156 thereof entitled Taxation, to add a new Article VII entitled "Veteran's Cold War Exemption."

WHEREAS, this action is a routine of continuing agency administration and management action that does not include new programs or major re-ordering of priorities;

NOW, THEREFORE, BE IT RESOLVED, that this action is a Type II Action, as defined under NYCRR Part 617.13d, which is an action or class of actions which have been classified by the State of New York to not have a significant effect on the environment and thus do not require environmental impact statements or other determination or procedures under Part 617 of the Environmental Conservation Law.

RESOLUTION #88-08
The following Resolution was presented by Councilwoman Montgomery, seconded by Councilwoman Budney (*roll call vote);*

RESOLVED, that Chapter 156 of the Code of the Town of Philipstown is hereby amended by adding a new Article VIII entitled "Veteran's Cold War Exemption." (See Attachment A)

ROLL CALL VOTE:

Councilwoman Scuccimarra	Aye
Councilwoman Budney	Aye
Councilwoman Montgomery	Aye
Councilman Shea	Aye

Resolution passed by unanimous vote.

2. Resolution approving the 2007 points listing for the Garrison Volunteer Ambulance Corps., for their LOSAP program as presented.

RESOLUTION #89-08
The following Resolution was presented by Councilwoman Budney, seconded by Councilwoman Scuccimarra (*roll call vote*):

RESOLVED, that the Town Board of the Town of Philipstown hereby approves the 2007 points listing for the Garrison Volunteer Ambulance Corps. for their LOSAP program as presented.

Roll Call Vote

Councilwoman Scuccimarra	Aye
Councilwoman Budney	Aye
Councilman Shea	Aye
Councilwoman Montgomery	Aye
Supervisor Mazzuca	Aye

Resolution passed by unanimous vote.

3. Resolution Authorizing Supervisor Mazzuca to sign the contract with Donoghue, Thomas, Auslander & Drohan to provide general labor counsel services.

RESOLUTION #90-08
The following Resolution was presented by Councilwoman Scuccimarra, seconded by Councilman Shea and unanimously carried;

RESOLVED, that the Town Board of the Town of Philipstown hereby authorizes Supervisor Mazzuca to sign the contract with Donoghue, Thomas, Auslander & Drohan to provide general labor counsel services.

4. Resolution authorizing the Town Clerk to advertise for bidders for the Spring Town-wide Cleanup.

RESOLUTION #91-08
The following Resolution was presented by Councilwoman Budney, seconded by Councilman Shea and unanimously carried;

RESOLVED, that the Town Clerk is hereby authorized to advertise for bidders for the Spring Town-wide Cleanup.

5. Resolution authorizing the Town Clerk to advertise for bidders for Road Improvements at Glenclyffe. (Nunc Pro Tunc)

RESOLUTION #92-08
The following Resolution was presented by Councilwoman Montgomery, seconded by Councilwoman Budney and unanimously carried;

RESOLVED, that the Town Clerk is hereby authorized to advertise for bidders for Road Improvements at Glynclyffe (Nunc Pro Tunc).

6. Resolution establishing a Natural Resources and Open Space Protection Plan (hereinafter "NRP")

RESOLUTION #93-08
The following Resolution was presented by Councilman Shea, seconded by Councilwoman Budney *(roll call vote)*;

WHEREAS, the Town Board of the Town of Philipstown has been considering adopting a proposed Natural Resources and Open Space Protection Plan (hereinafter "NRP") as an amendment to the Comprehensive Plan for the Town of Philipstown;

WHEREAS, the Philipstown Comprehensive Plan was adopted by the Town Board on March 9, 2006 and called for the preparation and adoption of the NRP. The Comprehensive Plan contained as Appendix F a preliminary analysis of the Town's natural resources, including maps, which were intended as the first step toward a NRP;

WHEREAS, a proposed NRP was prepared for the Town Board by the Comprehensive Plan Implementation Subcommittee on Natural Resources, which recommended to the Town Board the adoption of the NRP as an amendment to the Comprehensive Plan;

WHEREAS, the Town Board proposes to take the next step recommended in the Comprehensive Plan and adopt the NRP as an amendment to the Comprehensive Plan;

WHEREAS, the Town Board held a duly noticed public hearing on the NRP on October 17, 2007 to consider adopting the NRP as an amendment to the Comprehensive Plan;

WHEREAS, subsequent to the public hearing on the NRP on October 17, 2007, minor technical amendments were made to the NRP and a slightly revised version, dated November 1, 2007, was submitted to the Town Board for consideration as an amendment to the Comprehensive Plan;

WHEREAS, the Town of Philipstown Town Board has sole responsibility for approving an amendment to a Comprehensive Plan under Section 272-a of the Town Law;

WHEREAS, the Town Board has determined that adoption of this amendment to the Comprehensive Plan is an unlisted action under the State Environmental Quality Review Act (SEQR) and will not involve any other agencies for purposes of compliance with the provisions of SEQR;

WHEREAS, the Town Board has reviewed the environmental assessment form prepared for the proposed amendment to the Comprehensive Plan;

WHEREAS, the Town Board is ready to move forward with the process of formal adoption of this amendment of the Comprehensive Plan;

WHEREAS, Section 239-m of the General Municipal Law requires that the proposed amendment of the Comprehensive Plan be formally referred to the Putnam County Division of Planning for review and comment prior to taking action to adopt the amendment to the Plan;

NOW, THEREFORE, BE IT RESOLVED, as follows:

1. The Town Board of the Town of Philipstown hereby establishes itself as Lead Agency for purposes of SEQR review of the proposed amendment to the Comprehensive Plan.

2. The Town Board hereby refers to the Putnam County Division of Planning for review and comment the NRP as a proposed amendment to the Comprehensive Plan, together with the Environmental Assessment Form prepared to assess the environmental impacts of this proposed amendment to the Comprehensive Plan.

3. Copies of the proposed Natural Resource and Open Space Protection Plan (NRP) amendment to the Comprehensive Plan will be made available at the Town Hall and on the Town's website;

The question of the adoption of the foregoing Resolution was duly put to a vote on roll call, which resulted as follows:

William Mazzuca	Voting AYE
Betty Budney	Voting AYE
Nancy Montgomery	Voting AYE
Barbara Scuccimarra	Voting AYE
Richard Shea	Voting AYE

The Resolution was thereupon adopted.

7. Code Enforcement Monthly Report

Town Clerk Merando read the Code Enforcement Monthly Report. Supervisor Mazzuca stated that he would like to see more detailed information on building permit submissions.

8. Resolution referring Local Law on Soil Mining to the Philipstown Planning Board and Putnam County Planning Board for review and comment.

Councilman Shea reported that a public hearing would soon be set up to discuss creating a soil mining overlay district. The proposed district would limit soil mining to one area long Route 9.

RESOLUTION #94-08
The following Resolution was presented by Councilwoman Budney, seconded by Councilman Shea (*roll call vote);*

RESOLVED, that the Local Law on Soil Mining is hereby referred to the Philipstown Planning Board and Putnam County Planning Board for review and comment.

Roll Call Vote

Councilman Shea	Aye
Councilwoman Montgomery	Aye
Councilwoman Scuccimarra	Aye
Councilwoman Budney	Aye
Supervisor Mazzuca	Aye

Resolution passed by unanimous vote.

Supervisor Mazzuca commented that a Public Hearing on soil mining would be scheduled at a later date. Robert Flaherty of Cold Spring, asked where the area was that had soil mining and was told it was in the area of Pemm Corp., Route 9, Cold Spring.

Supervisor Mazzuca further commented that, for the record, Edward W. Doyle, Town Council, was recused from this matter and that the firm of Drake Loeb will be representing the Town.

9. Schedule Workshops/meetings.

Wednesday, March 12, 2008	Presentation on Affordable Housing
Wednesday, March 19, 2008	Stormwater Management

Supervisor Mazzuca reported that a meeting will be arranged with the Putnam County Health Department, the County Executive, and Amber Stickle of Recreation, to do a walk-through of the Recreation site to ascertain if the site could be an ultimate care site for emergency situations.

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

A presentation from the Putnam County Bureau of Emergency Services Hazard Mitigation Planning was viewed. The presentation outlined details aimed at reducing or eliminating risk to life and property caused by natural hazard events. Councilwoman Montgomery stated that she would like to be the representative of the Town.

RESOLUTION #95-08
The following Resolution was presented by Councilman Shea, seconded by Councilwoman Budney and unanimously carried;

RESOLVED, that Councilwoman Nancy Montgomery, is hereby appointed to represent the Town of Philipstown on the Putnam County Bureau of Emergency Services' Hazard Mitigation Planning Project.

Councilman Shea reported that he was meeting with the Burt Houndsworth of the IDA. The Board is hoping to attract appropriate businesses in Philipstown, indicating the Cybercon property as one of the available locations that was being focused on.

Nat Prentice informed the Board that the Chamber of Commerce would be holding its annual awards dinner on March 20th at Dutchess Manor, and that Claudio Marzollo would be the recipient of the award. He also reported that the Philipstown Greenway Committee would be holding their 3rd Hudson Highlands Triathlon on Sunday September 28th.

Councilman Shea stated that he and Mike McKee would be meeting with Senator Leibell and Sandy Galef to try to further the plan for a greenway corridor in Philipstown.

Mike Finnegan of Garrison, thanked the Board for taking action against the owners of the used car lot located on Route 9.

Joseph Regele of Garrison, asked when the 2007 auditor's report on the Garrison Volunteer Fire Department would be available. He also asked about a comment made by Councilman Shea at the Public Hearing regarding the return of surplus monies. Councilman Shea stated that he had suggested that if there were surplus funds that those funds be returned and rolled over into the fire company's next year's budget – that Kurt Hynes stated that they would consider it but could not speak for the fire company.

Kevin Jones, an owner of the used car lot business, informed the Board that the charges of the zoning being 80% residential were incorrect and that the entire site was zoned commercial. Supervisor Mazzuca responded that the Town had not yet received any correspondence from the court regarding this.

A member of the audience asked about the sheriff's coverage in Philipstown. Supervisor Mazzuca reported that final revisions were being made to the contract. Once completed, a deputy will be assigned to patrol Philipstown Roads.

VACANCIES:

Councilman Shea reported that Robert Repetto, a resident of Continental Village, would be an added asset to the CAC and recommended that he be appointed.

RESOLUTION #96-08
The following Resolution was presented by Councilman Shea, seconded by Councilwoman Budney and unanimously carried;

RESOLVED, that Robert Repetto is hereby appointed to serve on the Conservation Advisory Committee, effective March 6, 2008, for a term of 2 years, term to expire March 3, 2010.

APPROVAL OF VOUCHERS

Councilman Shea made a motion, seconded by Councilwoman Montgomery and unanimously carried that the General Vouchers in the amount of $1,506,484.93 are hereby approved as set forth in Abstracts 2A & 3.

Councilwoman Montgomery made a motion, seconded by Councilwoman Budney and unanimously carried that the Highway Vouchers in the amount of $161,668.94 are hereby approved as set forth in Abstract 2A & 3.

Councilman Shea made a motion, seconded by Councilwoman Budney and unanimously carried that the CV Park District Vouchers in the amount of $1,983.67 are hereby approved as set forth in Abstracts 2A & 3.

Councilwoman Budney make a motion, seconded by Councilwoman Scuccimarra and unanimously carried that the CV Water District Vouchers in the amount of $7,836.57 are hereby approved as presented in Abstracts 2A & 3.

There being no further business to discuss, Councilman Shea made a motion, seconded by Councilwoman Budney to close the Town Board Monthly Meeting at 9:00 p.m.

Respectfully submitted by,

Tina M. Merando
Town Clerk