

Monthly Town Board Meeting
August 5, 2010

The Town Board of the Town of Philipstown held their Monthly Meeting on the above date at 8:03 p.m., at the Town Hall, 238 Main Street, Cold Spring, New York.

PRESENT:

Richard Shea	Supervisor
Betty Budney	Councilwoman
John Van Tassel	Councilman
Nancy Montgomery	Councilwoman
Barbara Scuccimarra	Councilwoman
Edward W. Doyle	Town Attorney

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

REVIEW OF MINUTES

The Minutes of the Monthly Meeting of July 8, 2010, were reviewed.

Councilwoman Budney made a motion, seconded by Councilman Van Tassel and unanimously carried that the Minutes of July 8, 2010, are hereby approved as presented.

The Minutes of the Weekly Town Board Meeting of July 21, 2010, were reviewed.

Councilwoman Scuccimarra made a motion, seconded by Councilwoman Montgomery and unanimously carried that the Minutes of July 21, 2010, are hereby approved as presented.

The Minutes of the Special Town Board Meeting of July 27, 2010, were reviewed.

Councilwoman Budney made a motion, seconded by Councilwoman Scuccimarra and unanimously carried that the Minutes of July 27, 2010, are hereby approved as presented.

COMMITTEE REPORTS

CAC – Councilwoman Scuccimarra did not attend the CAC monthly meeting this month due to other obligations with Zoning.

The next CAC meeting is scheduled for August 10th.

RECREATION – Councilwoman Montgomery reported on the Recreation Commission meeting of last week

- They are very busy right now with fall registration.
- Also they are moving forward in establishing a 501C3 for Friends of Philipstown recreation, thanks to Claudio Marzollo and Bob Bickford. They hope to put a board together and hope that people will express an interest in raising private funds for recreation rather than raising the budget. They will be seeking private funds with fundraisers and corporate sponsorships. She invited everyone to come down and check it out.

RECYCLING – Councilwoman Budney had nothing new to report this month, but did announce that the Recycling Center will be closed on Saturday, August 14.

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PLANNING BOARD - Councilwoman Montgomery reported that the Planning Board met on July 29th with three (3) Public Hearings on the agenda:

- Nathan & Ernest Lyons – Amended soil mine reclamation and site plan for Route 9D, Cold Spring. Public Hearing was closed and the SEQRA review documents will be prepared for the September meeting.
- Robert Rhodes – Revised Subdivision Plat showing lot line adjustment for property on Route 9D, Garrison. Putnam Counting Planning approved the project already. Site plan was approved contingent upon one correction on area calculations.
- Garrison Golf Course - Application for site plan approval for phase II for temporary seasonal structure to be replaced with a slightly larger year round permanent addition to the facility. An EAF and EIS had been conducted. The Planning Board will review the original SEQR findings to ensure phase II is consistent with these findings. The engineer was authorized to draw up a resolution for the September meeting.

One new submission

- New submission for Villetto/Vaughan/Hammond – to convert buildings on a 4.5-acre lot into a restaurant/retail use. A site visit is planned for September 15 @9:30am.

Revision

- Polhemus Enterprise LLC – revised plans/resubmission. The resubmission included a noise study and a plan to mitigate potential impacts. Review of the submitted material will continue.

Next Planning Board meeting scheduled for September 16th.

ZONING – Councilman Van Tassel attended both the July 12th and 27th meetings. Three public hearings were conducted at the July 12th meeting:

- 20 Nazareth Way – to convert existing building into office space for non-profits. The Public Hearing was continued due to SEQRA request.
- Rodman Newman – variance to add a second story to an existing garage that was issued a COO in error. The variance was approved.
- Ann Marie Reeve – for a variance. Hearing continued to July 27th.

One Resolution read for Jack Russell Bowdon for a variance for a recently constructed carport to remain closer to the street line than is permitted. The resolution was approved.

July 27th meeting

- Ann Marie Reeve variance continued. Restore existing building on property and seek permission to clear area to provide a suitable septic system.

One resolution read for Rodney Newman's appeal to add second story to existing garage, and approved.

Next Zoning Board of Appeals meeting scheduled for the September 13, 2010.

HIGHWAY – Councilwoman Budney read the monthly report prepared by Highway Superintendent Chirico. A complete copy of this report is on file in the Town Clerk's Office. Councilwoman Budney noted that Philipse Brook Road would be closed until further notice due to the installation of a culvert.

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BUILDING & LAND ACQUISITION – Supervisor Shea had nothing to report. He deferred to the County Legislator.

GARRISON VOLUNTEER FIRE DEPARTMENT – Jamie Copeland read the activity report of the Garrison Volunteer Fire Department. They have been asked by their mutual aid partners in Peekskill to participate in the Dragon Boat races on Saturday at the waterfront and will provide ATV back up services for them. He also noted that their company barbeque would be held on August 14, 2010.

TOWN OF PHILIPSTOWN
MONTHLY REPORT OF TOWN SUPERVISOR
MONIES RECEIVED AS OF August 5, 2010

GENERAL & PART-TOWN FUNDS

Justice Fees – 6/10	\$10,568.93
Justice Fees – 6/10	6,670.98
Town Clerk Fees	1,548.22
Putnam County VFW Rental	25.00
PERMA Audit Credit	748.00
Recreation Fees –6/10	71,885.19
Bank Interest	360.93

HIGHWAY FUND

Putnam County OFA - Gas	\$ 606.17
CV Fire Gas	128.38
General Fund Gas	288.63
PERMA Workers Comp	1,680.00

CONTINENTAL VILLAGE WATER DISTRICT

Bank Interest	\$ 455.99
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CONTINENTAL VILLAGE PARK DISTRICT

Bank Interest	\$ 50.86
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AGENDA

1. County Legislator Tamagna to address the Town Board with regard to the purchase of the former Butterfield Hospital Site.

County Legislator Tamagna thanked the Town Board for putting him on the agenda. He wanted to let the Town know that the Under Secretary of the Interior will be visiting the Hudson Valley tomorrow. Also, that there is a new listening tour, hosted up at Marist College, on an initiative on open outdoors and recreation. He will report back when he gets updated on this

Legislator Tamagna thanked the Town Board for their great cooperation and willingness to work together on the Butterfield Hospital project, which he thinks is really taking route. The site is in its final stages and something should go through the Legislature by September. This is all predicated on the willingness of the Town and Villages working together. It is a new initiative/plan to help make government more efficient. The good news is that when the debt service of what it would cost us to buy the Butterfield Hospital site is looked at, the debt service could be covered with revenues that would be coming in. So by the time the project is finished, it is estimated that without construction cost, the bond (\$250,000 a year) can cover the costs if everyone worked together. There is currently an AT&T lease for an antenna on the roof and with getting the Post Office there paying rent, and the income from the Lahey Pavilion it would be very close to covering the debt service. This is good news in trying to convince not only the County government, but also those at home asking how the money is being spent. Little money is really being spent. We will need to spend money on the renovation, but we are going to save that money through the consolidation and the leveraging of our resources and all working together on every level of government. Legislator Tamagna complimented and thanked the Supervisor, Town Board, and the Villages for their consideration for all working together. The County Executive is very supportive and complimented the entire Town of Philipstown because we are the only Municipality that has the leaders that are stepping up to the plate to reinvent government, to restructure government to make things more affordable for the taxpayers.

The second item he would like to bring before the Town Board is a request to remove a deed restriction in Philipstown. He noted that this is really just a housecleaning issue. When the County donated the land in Continental Village to the Town they did not realize that there was a driveway that crossed the property, therefore, the agreement stated that the donated property could only be used for recreational and municipal purposes. The County Legislature has unanimously passed a resolution, which he will forward to the Town, basically saying "please allow the people to have access to their property." This is something that has been long standing and has been there. The County has no problem and will not enforce anything in regard to the Town allowing it.

The last item is the Greenway compact – he has looked at this in the past and he believes that the Putnam pathways to be a good county-wide document. It gives some great suggestions to implement some good best management planning practices. There is nothing in there that is a heavy hand of the county, any enforcement issues or, for that matter, that will take any property or property rights away from any of the property owners. He will look at it again since he has not reviewed for a while, but one of the good things that came out of it was putting in sidewalks at Philipstown Square. This is the kind of good planning we hope to come out of this. Not all of the Towns have passed this, but some have and some have adopted a lot of the things in the document. He said that he would not be afraid of this. Whatever he can do to help in this process and if there were any questions, he would be more than happy to research them. He does not want to see this document be looked at in a negative light.

2. Steve Loria to address the Town Board with regard to a Wetlands Permit.

Steve Loria thanked the Board for giving him the time to discuss his concerns with the wetland crossing that is proposed by Mr. & Mrs. Jordon. It happens to be the largest wetland crossing that would ever be permitted by the CAC. OL2 is 69.3 acres. This crossing would literally divide the wetlands in half. Mr. Loria presented photos of the wetland to the Supervisor. He said that this driveway would divide the wetlands almost in half. Mr. Loria said that he had been to the DEC to ask why they would permit this. The permitting authority seemed shocked that he asked more questions about their approval of this. As concerned citizens, he and his neighbors have hired an independent non-advocacy group to do a study of the wetlands. They said that this driveway or any other crossing of this significance would likely cause siltation of the wetland, flashier stream flows, reduced ground water recharge and pollution of the stream and wetland with road and lawn chemicals' cumulative effects of this and other such properties. This could accelerate the decomposition of the deposits and render the whole wetlands basically useless. Instead of something to absorb carbon, the major contributor of global warming, this would instead be an actual source of that. That is the effect of something of this magnitude. In his letter to the DEC is said that the Fishkill Creek watershed feeds into this creek and is the largest tributary into the NYS designated trout sporting stream. Mr. Loria noted that Philipstown had an aquifer study done back in 2007. That study came back saying that Cold Creek is very valuable and has the greatest potential to provide the largest amount of drinking water that could support future development. According to Dr. Rostenberg, Cold Creek is very important because it is Fishkill Creeks' highest quality tributary. This aquifer provides 8-11 billion gallons of pure water according to the USGS. Also in his letter to the DEC and the Town, he highlighted other factors like an adequate mitigation plan, cumulative impacts, the fact that this land is subject to the Clean Water Act because it feeds into the Hudson River. He has written letters to the CAC and they do not respond. When he foiled for the mitigation plan he found that it does not exist in the files at Town Hall. The materials being used for this project could seriously impede the wetlands ability to function properly and could eventually cause the wetlands to cease functioning altogether. There have been alternatives offered and they should definitely be considered. He would appreciate that his questions be answered and that the Town do the right thing.

Supervisor Shea agreed that the wetlands need to be preserved and this is a serious concern. He said the Towns dilemma is whether or not the person was fully aware of what they were getting into when they purchased the property. Supervisor Shea said this is a complicated situation and there are grave concerns on the part of the CAC. Mr. Loria, again, stated that the CAC has never read his letters. Councilwoman Scuccimarra interceded and said that she would look into this issue. Supervisor Shea noted that regarding the mitigation plan it should be on file and he is sure that it is. He said it should be easily rectified and should be a matter of public record. Going forward Supervisor Shea said that perhaps they could come up with a novel solution. He thinks that there are still some viable options and this is something we all want.

3. Resolution authorizing Town Clerk Merando to advertise for bidders for bulk fuel delivery at the Claudio Marzollo Community Center.

RESOLUTION #131-10

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

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RESOLVED, that the Town Board hereby authorizes Town Clerk Merando to advertise for bidders for the bulk fuel delivery at the Claudio Marzollo Community Center.

4. Resolution hiring Annette Flaherty as a part-time Clerk to the Justice Court.

Supervisor Shea asked that the starting day be September 1 instead of the proposed August 16 because of the audit. Town Attorney Doyle asked about the salary and Supervisor Shea said that he did not know what the rate of pay had been set as. He then decided to table this item until this was clarified.

5. Resolution authorizing Supervisor Shea to draft a letter of support for the Philipstown Senior Citizens who are in favor of a Community Center that could be located at the former Butterfield Hospital site.

RESOLUTION #132-2010

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

RESOLVED, that the Town Board authorizes Supervisor Shea to draft a letter of support for the Philipstown Senior Citizens who are in favor of a Senior Center that could be located at the former Butterfield Hospital site.

6. Resolution retaining Robert Cinque to defend the Town in all Certiorari and Small Claims at the rate of \$125.00 per hour, plus out of pocket expenses.

RESOLUTION #133-2010

The following Resolution was presented by Councilwoman Budney, seconded by Councilwoman Montgomery and unanimously carried:

WHEREAS, the Town wishes to retain Robert Cinque, Esq., as counsel to the Office of Town Attorney in defending Tax Certiorari matters brought against the Town instituted in 2010;

NOW, THEREFORE, BE IT RESOLVED, that Robert Cinque, Esq., is hereby retained to defend the Town in Tax Certiorari cases at a rate of \$125.00 per hour plus out-of-pocket expenses; and be it further

RESOLVED, that Robert Cinque is further retained to defend the Board of Assessors in Small Claims Assessment Review Cases at the rate of \$125.00 per hour plus out-of-pocket expenses.

7. Resolution authorizing Supervisor Shea to sign the Contract Amendment for a grant entitled Philipstown Community Tree Project.

Town Clerk Merando said this will bring two schools – Haldane and Garrison, grades 4, 5 & 6 together to learn about trees by planting a tree. They are asking for an extension.

RESOLUTION #134-10

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

RESOLVED, that the Town Board authorizes Supervisor Shea to sign the Contract Amendment for a grant titled Philipstown Community Tree Project.

8. Code Enforcement Monthly Report.

Town Clerk Merando read the monthly report. Supervisor Shea thanked Bob Emerick again for all his work. He said the Town has now received the County list and all of the resumes. They will review the resumes and make a decision.

9. Resolution authorizing the Recreation Department to hire John Conti to prepare the bid proposal for the new gym ceiling installation at a cost not to exceed \$2,250.00

Councilwoman Montgomery noted that his has been a long drawn out process and thanked the Recreation Commission for all their hard work. She also thanked Amber for her hard work. They finally got a recommendation for an Energy Saver system to replace the tiles the community got together and removed. It is a good solution because it is impact-resistant and less expensive. It is not her favorite solution, but it will do.

RESOLUTION #135-10

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

RESOLVED, that the Town Board of the Town of Philipstown hereby approves the hiring of John Conti to prepare the bid proposal for the new gym ceiling installation at the Claudio Marzollo Community Center at a cost not to exceed \$2,250.00.

10. Discussion with regard to Putnam County Pathway, a proposed local law addressing land use policies and principles.

Michael McKee addressed the Town Board. He is the Chair of the Philipstown Greenway Committee. Philipstown has been a Greenway community since 2001. Michael Gibbons was Chair from 2001 – 2005 when Mr. McKee took over. The Hudson River Valley Way Greenway reflects 1991 legislation. The Greenway Act which created an opportunity, in a sense, for Hudson River Valley counties and towns to benefit from the advise and funding of the state for local projects and planning that reflected the principals of the greenway mission. Those principals being: natural and cultural resource protection, regional planning, economic development, public access, heritage and environmental education. In his opinion, this is an enduring and significant legislative achievement, in his opinion. Presently there are numerous counties along the river who are part of either Greenway Compact Counties or have Greenway Communities. In Dutchess and Westchester Counties, every town is a Greenway Compact town. The Greenway Act urges local communities to think regionally while planning locally. The assumption here is that change is inevitable, so you shape and prepare for the change through thoughtful planning. The state Greenway provides consultation and advice and also responds to applications for grant monies. If Philipstown becomes a Greenway Compact Community the Town would be eligible for Greenway grants, which are larger than the cap of \$10,000 now. The Town would have streamlined SEQRA review for the project of those grants and would also get a 5% bonus for grants from other state entities such as parks. Most importantly, it facilitates regional planning which would help with controversial issues. As part of all Greenway projects, they are involved in trail development. Although for the past 4 years, they have put on a triathlon annually to promote the use of trails. In 2005, they published a map, which is on the Towns' website. They are trying to promote interest for the Rte 9D scenic bike trail on the side of the road, which would enhance safety. The issue here is funding. The Greenway has asked private individuals and institutions to give easements for trails across their property. These

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people, through the Greenway, are protected as private landowners if someone should trip and fall and sue. So, in the same way, this Compact, if it becomes part of the zoning code, provides insurance. Mr. McKee urges the Town to pass the law. The Putnam Pathways document, which is 20 pages, includes pictures, and 10 of those pages direct people to supplementary material, which are examples of Greenway funded projects and other projects which reflect the principals outlined in Putnam Pathway.

Supervisor Shea interjected here that it also includes the Towns Comprehensive Plan and a template that other municipalities can perhaps use in producing their documents. Councilwoman Scuccimarra stated that it is a guide. Mr. McKee said yes, that it is just a guide. Supervisor Shea stated that it was grossly unfair for the PCNR to publish on the front of the paper that the Town Board is silently slipping in 300 additional pages into the zoning. That could not be farther from the truth. He knows that they are motivated for some reason to cause controversy, otherwise they would not have done that. When he spoke to the reporter yesterday and asked that he perhaps come to the meeting and go through the document to familiarize themselves with it so that they did not portray it as if the Town Board was slipping this in silently when the zoning has not even been adopted. The zoning still has to go through Public Hearings/public processes. Supervisor Shea asked Mr. McKee for clarity sake, "these are recommendations." Mr. McKee's response was "yes." Supervisor Shea asked, "These are not carrying the force of law." Mr. McKee's response, "this is a statement of land use policies and principals and guides endorsed by the community. It is not chapter and verse on how to build a community. It is a strong recommendation for how things might go and resources/checklist to educate you" Again, Supervisor Shea stated that the quote in the paper was unfair. He said knowledge is power and our boards need knowledge and need to be able to refer to documents. He has stacks of documents that he refers to all the time. If the newspapers' position is that in having more information is a bad thing or negative, then he disagrees with that strongly. The Town is entertaining becoming a Greenway Compact community and it could help us in numerous ways as Mr. McKee just laid out, as well as with our relationship with other communities and getting grant monies. There are a whole host of things. Again, part of these 300 pages that the Town was surreptitiously going to jam into the zoning document, according to the Putnam County News, is the Town's own Comprehensive Plan. Anyone can access this document. Copies are available at Town Hall and he urged people to get familiar with it. Also, within the 300 pages there are examples of templates of other municipalities. As far as this becoming a force of law within the zoning document - these are two entirely different things. The zoning will be the law - there is no doubt about that. The zoning will support the Comprehensive Plan. This is a set of guidelines that the boards can go to and look at and come up with ideas. Supervisor Shea asked, "Does anyone really think that the Town Board would do something like that? They would never do that and it is unfortunate that the paper took that route." Supervisor Shea wants to dispel any of the misinformation out there.

Councilwoman Montgomery said that it would be a good thing to read the document rather than count the pages.

Mike Gibbons addressed the Town Board with regard to something that hadn't been pointed out before. That being, the Greenway believes in one rule. When the Board first entered the Greenway 10 years ago, the biggest item was that Philipstown maintain its own set rules and that is what the Greenway was set up as. It was a great arm that can reach out to Philipstown, Cold Spring, a lot of the communities within Putnam County to provide seed money for Comprehensive Plans to start. The Greenway advisors allowed things like the Newburgh waterfront be developed without all the expenses being given to the citizens of Newburgh. This was a major task taken on by the advisors of the Greenway, and Newburgh has benefited from

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that waterfront. They have offered their services to Cold Spring and Philipstown to do that kind of legwork and guidance on how you want to develop your community. The other aspect is that as a contact you would go from a \$10,000 grant to a \$75,000 grant. The Little Stony Point project is a perfect example where a lot of grant money was given to Philipstown for consultants, reports, etc. The Greenway promotes tourism and business, but does not tell you how to do things. It is good step in the right direction.

11. Resolution setting Budget, Accepting Completed Assessment Roll for Filing with Town Clerk for Valley Land and a portion of Brookside Drive Road Improvement, and setting the Public Hearing pursuant to Town Law 231(2) and 202(a). Roll Call Vote (suggested date September 2, 2010 @ 7:45pm.)

RESOLUTION #136-2010

RESOLUTION SETTING BUDGET, ACCEPTING COMPLETED ASSESSMENT ROLL FOR FILING WITH TOWN CLERK, AND SETTING PUBLIC HEARING PURSUANT TO TOWN LAW 231(2) AND 202(A).

Resolution Offered by Council Member.

WHEREAS, the Town has established the Valley Lane and portion of Brookside Drive Road Improvements pursuant to Town Law Section 231(2) and 202(A), and has reviewed a proposed budget and assessment roll for said improvement for the 2011 year, and

NOW, THEREFORE; be it resolved that the Town Board, pursuant to Town Law 231(2) and 202(A), accepts as complete the 2011 tentative budget and tentative assessment roll attached hereto, and directs that they be filed immediately with the Town Clerk.

Resolution Seconded by Council Member.

The votes were as follows:

Council Member Barbara Scuccimarra	AYE
Council Member Nancy Montgomery	AYE
Council Member Betty Budney	AYE
Council Member John Van Tassel	AYE
Council Member Richard Shea	AYE

Whereupon, the Resolution was declared adopted by the Town Board of the Town of Philipstown

12. Schedule Workshops/Meetings.

Public Hearing – September 2, 2010 at 7:45pm

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

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Town Clerk Merando noted that there were a couple of other items that needed to be addressed:

Supervisor Shea said the first item is a resolution retaining Drake, Loeb, Heller, Kennedy, Gogerty, Gaba & Rodd, PLLC, to file an appeal for the Town in a case and file a motion to re-argue.

RESOLUTION #137-2010

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

RESOLVED, that the Town Board hereby retains Adam Rodd of Drake, Loeb, Heller, Kennedy, Gogerty, Gaba & Rodd, PLLC, 555 Hudson Valley Avenue, Suite 100, New Windsor, New York 12553 to represent the Town of Philipstown in the matter of Garrison Contracting v. the Town of Philipstown at the rate of \$175.00 per hour, plus out-of-pocket expenses.

Town Clerk Merando said the second item is authorizing Supervisor Shea to draft a letter of support for a grant for Manitoga. This is something the Town has done before.

RESOLUTION #138-2010

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

WHEREAS, Manitoga/The Russel Wright Design Center will assemble, research and produce pod casts, create a link on their website and market the launch of new self-guided tours; and

WHEREAS, the script of the proposed series of pod casts will include a general introduction to Russel Wright and his design of Manitoga; the natural, industrial and human history of the site; and guided walks on selected trails.

WHEREAS, the project will advance the Greenway Conservancy's goals through sustainable improvement to the site and provide education regarding a significant cultural resource.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Philipstown supports the grant proposal for a 2010 Greenway Conservancy for the Hudson Valley's Small Grant Program.

Councilwoman Scuccimarra read the Butterfield Library report. Friends of Butterfield Library have purchased a convenient drive-up book drop for returning of library materials. The book drop is located in the parking lot of the library. The library has completed 3 weeks of free camp for the residents. This program was filled to the max. They also held several computer classes for adults in July and will have more advanced computer classes in August. The library facilities committee is currently working on a project to repair the broken walkways. Project will go out to public bid later this month. Usage continues to rise.

Councilman Van Tassel announced that the Emergency Services task force formed last month would be holding their first meeting on August 11. Town of Philipstown Safety Committee hosted a two-hour safety update at the North Highland Firehouse on July 28. The entire Highway crew and the maintenance crew from the Recreation Dept attended this meeting. Councilman Van Tassel thanked Dottie Turner, the Town's Safety Coordinator and Dick Randaza from PERMA for assisting in giving this course. He also thanked the North Highland Fire Dept. for allowing them to use the Firehouse.

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Supervisor Shea thanked both Councilman Van Tassel and Councilwoman Montgomery for work they did on this. This is a state requirement and it is important that all of our employees are safe.

AUDIENCE

An audience member thanked Supervisor Shea and the entire board with regard to the zoning and said he totally supports what they are doing. His next comment will be brief and he hopes it will ease the Jordan wetlands issue. He would like to make this an official statement for the records. He went on to say that at the time Mr. Jordan approached the Wetland Committee he (the audience member) was an active member of the committee and Mr. Jordan's first comment when he came to the committee was that he was considering buying this property. As we continued forward Mr. Jordan wanted to know what the process would be in completing this project and building a road across. We put in a lot of time and effort and talked about mitigation, piping, erosion retainment, etc. Somewhere along in the process he purchased the property assuming he would be able to go forward with the project. Initially he took the approach that he was "considering" buying this property and I think this is a very important point. The audience member said I know we're in the balance between the owner's property rights and his financial impact and the impact of the wetlands and I hope the right decision will be made.

Another audience member talked about the Route 9 issue at Fishkill Road and wanted to bring to the attention of the board that the brush is so overgrown that you cannot see at that intersection. He also noted that the guardrail is too close and should be moved back. Councilman Van Tassel said this is a County issue and then brought up the traffic light issue and said he will contact the county again since he has not heard anything for some time.

Mike Leonard of Valley Lane thanked the Town for its efforts on the road itself and had heard a lot of positive comments from other residents. The other thing he wanted to mention is that he is on the CAC, only a junior member, and he would just like to assure those that spoke, and those that are interested in the Jordan case, that he has made three trips there (over 5 hours to the property) and has so far to-date read all of the parties information, at least 10 hours of his own time. It is a deep read; looking, researching and so forth. He is keeping an open mind and he thinks the people on the Board are all very open-minded. They are very conscious in what they do and he thinks that in the end they will do the best they can in coming to a decision. He just hopes this assures everyone. All the information and comments submitted are being accepted and being evaluated.

Russ Cusik asked about the Conservation Advisory Council and the fact that it was going to become a Board. He remembers Mr. Chmar being told that this would happen in September 2009. His concern is that after all these years the residents of Philipstown have no true voice in decisions made by the CAC since it is a council not a board. He went on to say that Philipstown has the highest rate of cancer and this is a huge problem that is not going away. The water in Cold Spring is a big problem and we have to get real about this. Supervisor Shea said that the CAC will become a board and knows how important that is. This will be done once the new zoning is adopted because it is more cost effective.

Stan Freilich stated that in a recent edition of the PCNR, there were maps of the new zoning. He saw that a ridgeline was removed above his property and would like to know why this was done. Supervisor Shea said that this was done because the Saunders Farm had so many portions of zoning affecting that property that they felt if they could give him some relief they

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were willing to do so. Mr. Freilich said he is stunned and shocked that the Town is not concerned about his property. Supervisor Shea told Mr. Freilich that if he wished to petition the Board he should do so. Mr. Freilich said he would follow through on this.

VACANCIES

CAC (1)
CV Park District Advisory Committee (3)
CV Water District Advisory Committee (2)

APPROVAL OF VOUCHERS

Councilwoman Montgomery made a motion, seconded by Councilwoman Scuccimarra and unanimously carried that the General Vouchers in the amount of \$197,167.63 are hereby approved as set forth in Abstracts 7A & 8.

Councilwoman Budney made a motion, seconded by Councilwoman Scuccimarra and unanimously carried that the Highway Vouchers in the amount of \$32,121.18 are hereby approved as set forth in Abstracts 7A & 8.

Councilman Van Tassel made a motion, seconded by Councilwoman Montgomery and unanimously carried that the CV Park District Vouchers in the amount of \$2,323.23 are hereby approved as set forth in Abstracts 7A & 8.

Councilwoman Budney make a motion, seconded by Councilwoman Scuccimarra and unanimously carried that the CV Water District Vouchers in the amount of \$3,772.67 is hereby approved as presented in Abstract 7A & 8.

There being no further business to discuss, Councilwoman Montgomery made a motion, seconded by Councilwoman Budney to close the Town Board Monthly Meeting at 9:45 p.m.

Respectfully submitted by,

Theresa Crawley
Deputy Town Clerk