

HEALTH, SOCIAL, EDUCATIONAL & ENVIRONMENTAL COMMITTEE MEETING
Held In The
PUTNAM COUNTY OFFICE BUILDING
ROOM 318
CARMEL, NEW YORK 10512
Members: Chairman Oliverio, Legislators LoBue and Scuccimarra

Wednesday

November 12, 2014

The meeting was called to order at 6:30 P.M. by Chairman Oliverio who requested Legislator Scuccimarra lead in the Pledge of Allegiance. Upon roll call, Legislators LoBue, Scuccimarra, and Chairman Oliverio were present.

Item #3 – Approval of Minutes – September 10, 2014 and October 12, 2014

Chairman Oliverio made a motion to approve the minutes as submitted; Seconded by Legislator Scuccimarra. All in favor.

Item #4 – Discussion/Town of Putnam Valley/Rose Hill Cemetery/Larksburg Cemetery/First Deputy County Attorney Andrew Negro

Chairman Oliverio stated the Committee does not have an issue with writing an agreement however there are some stipulations.

First Deputy County Attorney Andrew Negro stated he also received the same letter the Legislature recieved from the Town of Putnam Valley’s (“Town”) Supervisor who expressed their concerns that the Town would go through the process of approving the two (2) Cemetery Projects and the County ended up rejecting it. He stated the County has approval over the matter under Section 451 of the Real Property Law. He stated the letter sent from the Town Supervisor stated it would be appropriate for the Legislature to make the approval of the two (2) Cemetery Projects first and then the Town would complete the required approval process. He stated his recommendation is to give the Town an indication that as the two (2) Cemetery Projects have been presented the Legislature has no issues at this point and therefore, the Town can go through their approval process.

Chairman Oliverio questioned if this matter will come back to the Legislature once the Town finishes the approval process of the two (2) Cemetery Projects.

First Deputy County Attorney Negro stated yes, the matter will be discussed with the Legislature for a final approval on the matter once the Town finishes their approval process. At that point the Legislature would know what the exact details are for the proposed Cemetery Projects.

Chairman Oliverio questioned what Legislative Counsel Clem Van Ross' opinion is on the matter.

Counsel Van Ross stated he is okay with how the Legislature is proceeding on this matter.

First Deputy County Attorney Negro stated there are two (2) statutory sections, Section 451 of the Real Property Law and Section 1506 of the Non-For- Profit Corporation Law, require Legislative approval.

Legislator Scuccimarra stated she has environmental concerns. She questioned if during the approval process the two (2) proposed Cemetery projects go through an environmental impact evaluation.

Chairman Oliverio stated yes, the Town is required to do so.

Legislator LoBue questioned where the SEQRA is.

First Deputy County Attorney Negro stated the Town is the lead agency. He stated the Law Department initially recommended for the Town to go through their approval process and then the Legislature would go through their approval process.

Chairman Oliverio questioned if First Deputy County Attorney Negro could work with Legislative Counsel Van Ross to draft a letter stating upon preliminary analysis the County has no problem with the two (2) proposed Cemetery Projects and permits the Town to go through their approval process.

Legislator Scuccimarra questioned if it should be stated in the letter that she has environmental concerns.

Chairman Oliverio stated that can be mentioned when the matter returns to the Legislature.

Legislator LoBue stated she does not want the County to circumvent the will of the Town. She stated she has concerns that the decision made by the Committee tonight would be misinterpreted.

Chairman Oliverio stated the Legislature would be stating for the Town to go through their approval process and the Committee does not have a problem with the proposed projects as stated.

First Deputy County Attorney Negro stated two (2) months ago the Legislature wrote to the Town stating it is appropriate for the Town to weigh in on this matter first, which includes the Town going through the zoning analysis, land use process, and a SEQRA review. After this process then the Legislature would make its approval under Section 451 of the Real Property Law. He stated the Town Supervisor responded to the first letter sent to the Town stating the Town has concerns that they will go through the entire approval process and the Legislature would not approve of the two (2) proposed Cemetery Projects.

Legislator Albano stated he agrees with Chairman Oliverio. He stated the Legislature should write a letter stating there is no objection to the proposed Cemetery Projects upon preliminary review. He stated the Town will go through their approval process and then come back to the Legislature for final approval.

Chairman Oliverio stated he would like to ensure that the Legislature would not give a “blanket okay”. He stated as long as the Town goes through their process and does not object to the Cemetery Projects the Legislature will approve of the project.

Legislator Albano stated even with a “blanket okay” the Town would need to review the two (2) proposed Cemetery Projects.

First Deputy County Attorney Negro stated the letter that will be sent to the Town can include a “conceptual approval” based upon on the Town going through their approval process.

Legislator Albano stated the place to vet out all the issues would be the Town Planning Board meeting.

Legislator Wright questioned why this matter is being addressed at this Committee meeting and not a Physical Services Committee meeting.

Chairman Oliverio stated this matter is before this Committee due to the environmental impact.

Counsel Van Ross stated under SEQRA Law, a SEQRA Process must take place before an approval is granted.

Legislator Albano stated the Legislature is not approving the proposed two (2) Cemetery Projects; the Legislature is just not rejecting the Cemetery Projects.

First Deputy County Attorney Negro stated originally it was agreed upon that this matter would be vetted out on a Town level and the Town would conduct the requisite SEQRA review, where

the matter would return back for Legislative Review under Section 451 of the Real Property Law.

Legislator LoBue stated a letter should be sent to the Town with Legislative Counsel Van Ross's proposed stipulation in stating upon SEQRA Review the Legislature will approve of the two (2) proposed Cemetery Projects. She questioned the Town need Legislative approval to do a SEQRA review.

Chairman Oliverio stated the Town needs the Legislature's permission to finalize the project.

Legislator Wright questioned the statutory purpose behind Section 451 of the Real Property Law. He stated he is confused in how this matter impacts the County.

First Deputy County Attorney Negro stated Section 451 of the Real Property Law only applies to certain counties in New York.

Chairman Oliverio restated a letter should be sent to the Town stating the Legislature does not have an issue with the Town pursuing the proposed Cemetery Projects and a final approval will be given if there are no issues on a Town level.

Chairman Oliverio stated Legislator Scuccimarra did a lot of research regarding the dangers of cemeteries.

Legislator Scuccimarra read from information she researched that explains embalming fluid is used so much eight (8) Olympic swimming pools could be filled.

Item #5 – Approval/Memorialization/Rensselaer County Legislature/Funding to Fight Drug Problem in New York State

Chairman Oliverio stated he believes this is a good initiative from Rensselaer County.

Legislator Scuccimarra stated she supports the memorialization and any financial assistance would be a great help.

Chairman Oliverio made a motion to approve a Memorialization to assist in the Funding to Fight Drug Problem in New York State; Seconded Legislator LoBue. All in Favor.

Item #6 – Fund Transfer Request (14T269)/Health Department/Temporary/FYI- Duly Noted

Item #7 – ProAct/Putnam County Discount Card/FYI- Duly Noted

Item #8 – Other Business

a. FYI/4th Annual Public Health Summit/Verbal Update/Legislator Scuccimarra

Legislator Scuccimarra stated she attended the 4th Annual Public Health Summit and the information provided illustrates the County is taking on numerous initiatives to make the County healthier.

Item #9 – Adjournment

There being no further business, at 6:48 p.m. Legislator LoBue made a motion to adjourn; Seconded by Chairman Oliverio. All in favor.

Respectfully submitted by Administrative Assistant, Lisa Sommers.