

April 17, 2018

Town Board Meeting

A **Regular Meeting** of the Town Board of the Town of Cortlandt was conducted on April 17, 2018 in the Vincent F. Nyberg Meeting Room of the Cortlandt Town Hall located at One Heady Street, Cortlandt Manor, NY (10567) with the following elected official and appointed staff in attendance:

LINDA D. PUGLISI	Supervisor
FRANCIS X. FARRELL	Councilmember
DEBRA COSTELLO	Councilmember
RICHARD BECKER	Councilmember
JAMES CREIGHTON	Councilmember

Also present:

LAROUÉ ROSE SHATZKIN	Town Clerk
TINA TOBACK	Office Assistant
TOM WOOD	Town Attorney
PATRICIA ROBCKE	Comptroller
JEFFREY COLEMAN	Director, DES
MICHAEL PREZIOSI	Director, DOTS
CLAUDIA VAHEY	Human Resources Coordinator

MEETING CALLED TO ORDER

Supervisor Puglisi called the meeting to order at 7:00 p.m.

PLEDGE TO THE FLAG

Supervisor Puglisi led all in attendance in a Pledge to the Flag

SUPERVISOR’S PROCLAMATIONS AND REPORTS

Supervisor Puglisi commented that there have been many storms and that the Town of Cortlandt crews have done a terrific job. They have been filling the potholes and residents can call the “pothole hotline”. There will be a staff paving meeting and that process will begin as it does every year.

The **Supervisor** attended the grand opening of the 2 Little Leagues in the Town and the opening day of girl’s softball.

April 22nd will be Earth Day, the 48th celebration which started in 1970. The Town will hold the “Green Team Hike” to discover the beauty of Cortlandt on April 21st at McAndrew’s Estate.

The new Trails and outdoor Fitness Center is under construction and will open within the next 2 months. It is next to the Town pool and consists of over 20 features.

SUPERVISOR’S REPORTS, (cont.)

Regarding the closing of Indian Point, the Task Force has been lobbying New York State to put money into a cessation fund to offset some of the lost revenue. The **Supervisor** thanked Governor Cuomo for approving it in the budget, State Senator Terrance Murphy and Sandy Galif.

Online registration began in April for registering for Town programs. **Supervisor Puglisi** asked residents to contact the recreation department to register online. She also stated that they will be hiring 2 park rangers to help at our

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ROLL CALL

On a roll call attendance taken by Town Clerk Shatzkin all Town Board members indicated their presence.

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TOWN BOARD REPORTS

Councilmember Farrell: Commented that he missed the opening day of Little League because he was with the Cortlandt Community Rowing Association for an indoor rowing race for the youth team. Councilmember Farrell stated he was very proud of the kids as out of 24 medals, they came home with 5. They are very well prepared for their first race.

On tonight’s agenda is an item to authorize DOTS to design a booster pump station to provide increased water pressure to Dickerson and Hilltop Road. Councilmember Farrell thanked DOTS for their work on this project.

There also is an item to authorize the FBI to use the Verplanck Quarry as a training center for their dive team. Councilmember Farrell commented that this is a perfect place to do this and he is hopeful that this will lead other emergency services, etc to use the Quarry for that purpose.

Councilmember Creighton: Attended the opening of the little leagues and was a lot of fun. Councilmember Creighton thanked the parents and all the coaches with their support. Earlier he had attended a breakfast at the Hudson Valley Gateway Chamber of Commerce with the County Executive and he also attended the opening of a new Peekskill Brewery. Councilmember Creighton reminded everyone of the scheduled McAndrews hike for Earth Day and reminded the residents to Shop and Dine locally.

On the agenda tonight are items regarding solar and the Governor has set a very high standard for New York State to reach its goal of 50% of electricity power to come from sustainable renewable energy by 2020. Councilmember Creighton

TOWN BOARD REPORTS, (cont.)

stated that this was an excellent program but that means that everyone in New York State will have to be looking at solar and other renewables. This will start working its way into Westchester County and he is very excited as a community to join into another round of the Solarized Program and offer our residents the same opportunity to check into solar. Councilmember Creighton continued to explain the Solarized program and its features, for both residential and commercial.

Councilmember Creighton stated he was excited about the use of the Quarry property and the long term plans for the land along the Hudson River.

Councilmember Becker: Stated that there is a lot going on in the Town and he is a bit more optimistic than he was last month regarding Indian Point. They are pleased to hear that 24 million dollars will be added to the cessation fund allocated to Towns affected by the closing of the plant, though a drop in the bucket for what the towns will be losing each year. Councilmember Becker commented that the fight will continue and that there is good support for the Towns. There is radioactive nuclear material that has to be guarded and protected and Entergy has a large responsibility to continue supporting this Town as long as that material is still there.

Another issue will be with Spectra Energy who wants to build on Croton Avenue to tap into the pipeline. The Town is going to challenge this project.

There will be a new sign law considered tonight which will eliminate some of the steps that are required for new businesses. There also will be a dumpster enclosure law passed tonight due to complaints from residents about businesses.

Councilmember Costello: Spoke about Solarized Croton and urged residents to look into it. Councilmember Costello commented on the savings she has had due to the installation of solar at her home.

Councilmember Costello commented about the “Me,Too” movement and that it doesn’t just happen to grown women, that children also are abused. On Wednesday, April 25th at Hendrick Hudson Library there will be a forum with various speakers to speak prevention and other relevant topics regarding children and abuse. Councilmember Costello stated that we need to be able to talk about it and talk about it with the children.

Supervisor Puglisi introduced Superior Court Judge David Gold. She thanked him for attending to be here for the passing of a resolution allowing the Justice to be able to officiate a wedding in Cortlandt. Judge Gold thanked the Supervisor and explained that he was asked to perform the wedding for a good friend’s son. He initially believed he’d be authorized but then when checking the statutes realized he would not be legally allowed. After numerous calls, they were able to allow him to be the officiant and he complimented Supervisor Puglisi on her “can do” attitude.

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APPROVAL OF THE MINUTES

Councilmember Costello moved that the regular minutes of March 13, 2018 be approved as presented by Town Clerk Shatzkin. Councilmember Becker seconded the motion.

All voted **AYE**

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PUBLIC HEARINGS

1. Public Hearing to consider amending the Sign Law

(A complete transcript of these Public Hearings is on file in the Office of the Town Clerk.)

The Town Clerk read the Notices of Hearing and presented its Affidavit of Publication from the official Town newspaper.

Supervisor Puglisi called the hearing to order at 7:15 p.m.

Tom Wood explained that this local law will amend our current sign laws by making certain modifications. This is a process that hopefully is coordinated better so that property owners will be have one stop shopping. It also addresses certain issues having been placing with large scale centers having to seek variances with the sign law because larger shopping centers sometimes some different signage is needed. Also one provision will encourage property owners to consolidate road signs. Because this is a work in progress the Board will adjourn this public hearing one more month to allow some additional modifications be made and to incorporate some ideas from some of the work sessions.

A motion to Adjourn the Public Hearing til the next Town Board meeting at 7:18 p.m. was made by Councilmember Becker and seconded by Councilmember Creighton.

All voted **AYE**

2. Public Hearing to consider the Dumpster Enclosure Law.

Supervisor Puglisi called the hearing to order at 7:18 p.m.

Tom Wood explained that this Local Law addresses Dumpsters. When a proposal is before the Board to either build a new facility or to modify an existing facility the replacement of those receptacles is considered by the Planning Board. The consideration of where the dumpster was to be placed was not part of the planning process in the past. We encourage structures or screening to be made to locate the dumpsters so they are not in the front of the facilities and to work with the property owners. If the Board chooses to adopt this Local Law, notice will be given to all commercial properties in the Town and meetings will be held with property

PUBLIC HEARING, (cont.)

owners by staff to assist them in bringing their properties more in line with more with some of the modern standards with respect to the screening and placement of garbage dumpsters.

A motion to adjourn the Public Hearing til the next Town Board meeting at 7:22 p.m. was made by Councilmember Becker and seconded by Councilmember Creighton.

All voted **AYE**

3. Public Hearing to consider amending Chapter 156 of the Town Code.

Supervisor Puglisi called the hearing to order at 7:22 p.m.

Tom Wood explained that this public hearing is amending our sustainable energy financing Local Law. State legislature has created a method by which communities can join together to help finance solar energy facilities both in residential and commercial properties. The Town of Cortlandt had two such commercial sites developed in the last 2 years utilizing the financing under this form and this new law will simply reflect some of the changes by the state legislature.

Councilmember Creighton added that one of the things that this State Legislature did in amending their Article 5L which our Town Law Chapter 156 will track and that the Town can offer the same thing the state has made available. He stated that it encourages net metering of community solar projects and so it allows the Cortlandt program to use those monies from the state or the state authority. It also makes the loan program more flexible to commercial properties and it was a bit more restrictive earlier on and the state took it upon itself to try to make those funds more available to qualified property owners to help with the installation of renewable energy systems and energy efficient measures, going beyond just solar includes heat pumps and other things. Councilmember Creighton added that this is a great program and the Town has had 2 property owners take advantage of it.

The **Supervisor** thanked Councilmember Creighton for his work on this.

A motion to Close the Public Hearing at 7:28 p.m., Adopt a Negative Declaration and Adopt a Resolution regarding a Local Law was made by Councilmember Becker and seconded by Councilmember Creighton.

All voted **AYE**

RESOLUTION NO.111-18 RE: Adopt a Negative Resolution with respect to amending Chapter 156 of the Town Code.

RESOLUTION NO.112-18 RE: Resolution regarding adopting a Local Law

Local Law #2-18: Amend Chapter 156 of the Town Code

HEARING OF CITIZENS, (AGENDA ITEMS ONLY)

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Councilmember Farrell moved that the following reports be received and ordered filed. Councilmember Freach seconded the motion.

BID REPORTS

REPORTS

2017 Annual Town of Cortlandt Recreation Youth Attendance Report

2018 First Quarter Summary from the Department of Technical Services

For the month of March from the Purchasing Department, Office of the Aging, Receiver of Taxes and the Town Clerk.

OLD BUSINESS

Receive and File the Following:

- 1. Memorandum from Director of DES regarding request from Gary Cerrone and cautionary signage on Furnace Dock Road.

NEW BUSINESS

Receive and File the Following:

- 1. Email from MaryEllen Keefe-Fennell regarding parking on Broadway in Verplanck; and refer to DES.

All voted **AYE**

RESOLUTIONS

(All resolutions adopted at this meeting are to be found attached to the end of the original document.)

Councilmember Farrell moved that the following resolutions be adopted, seconded by Councilmember Costello

RESOLUTION NO.113-18 RE: Award Service Contract for Camp Bus Transportation.

RESOLUTION NO.114-18 RE: Re-appoint David Rothman to the Board of Assessment Review.

RESOLUTION NO.115-18 RE: Appoint Lisa Walsh to DOTS for the position of Senior Office Assistant/Office Manager.

RESOLUTIONS, (cont.)

RESOLUTION NO.116-18 RE: Appoint Emilio Salvatore to the position of substitute part-time driver and Stacey Dwick to the position of substitute kitchen worker at the Community Center.

RESOLUTION NO.117-18 RE: Authorize a leave of absence for Katherine Sclafani in the Recreation Department.

RESOLUTION NO.118-18 RE: Authorize employment agreements for two employees in Nor West.

RESOLUTION NO.119-18 RE: Appoint seasonal employees in the Recreation Division for Summer 2018.

RESOLUTION NO.120-18 RE: Appoint Councilman Jim Creighton as the liaison from the Town of Cortlandt to the Hudson Valley Chamber of Commerce.

RESOLUTION NO.121-18 RE: Resolution by Town Board to declare lead agency for MOD.

RESOLUTION NO.122-18 RE: Resolution to purchase a DES material screener.

RESOLUTION NO.123-18 RE: Authorize an additional payment to Westchester County Police for Park Ranger services not to exceed \$27,660 for season May-September 2018.

RESOLUTION NO.124-18 RE: Modify the Service Awards Program for Continental Village Fire Department concurrently with the Town of Philipstown.

RESOLUTION NO.125-18 RE: Authorize settlement of A.C. Ventures v. Town of Cortlandt Tax Certiorari

Discussion: Jeff Coleman explained the cost and the savings for the purchase of the material screener. The Supervisor added that it is more cost effective to purchase rather than to lease.

Tom Wood stated that the tax certiorari if for a commercial building in the amount of approximately \$10,000.

Supervisor Puglisi commented that they will have 2 park rangers this summer not to exceed \$27,000 for the 2 rangers.

All voted **AYE**

RESOLUTIONS, (cont.)

Supervisor Puglisi introduced Lisa Walsh, new hire in the Engineering Department.

Councilmember Costello moved that the following resolutions be adopted, seconded by Councilmember Costello

Agenda items for **DOTS**:

RESOLUTION NO.126-18 RE: Execute agreements with Solar Liberty to extend Solarize Croton Campaign to Town of Cortlandt residents.

RESOLUTION NO.127-18 RE: Authorize Departments of Environmental and Technical Services to design miscellaneous water improvements including booster pump station to service Dickerson Road and Hilltop Drive and solicit consultant services for the same.

RESOLUTION NO.128-18 RE: Authorize the Department of Technical Services to solicit bids for Parkway Drive water main replacement.

Agenda items for **DES**:

RESOLUTION NO.129-18 RE: Accept 5 streetlights along Cortlandt Boulevard from Acadia Realty Trust.

RESOLUTION NO.130-18 RE: Authorize snow and ice agreements with NYSCOT (\$19,776).

RESOLUTION NO.131-18 RE: Authorize 2018 RFP for landscaping services for planted landscape areas, town-wide.

RESOLUTION NO.132-18 RE: Appoint summer seasonal laborers for DES.

RESOLUTION NO.133-18 RE: Authorize the purchase/lease of fleet replacement vehicles, including a Garbage packer, service body truck for central garage, and plow/salt truck.

RESOLUTION NO.134-18 RE: Authorize bidding of a project to repair Washington Street Bridge.

RESOLUTION NO.135-18 RE: Authorize bidding of a project to repair Town drainage at 2005 Albany Post Road

Discussion: **Supervisor Puglisi** stated they were happy to be able to hire Cortlandt youths for the summer programs and other projects. There are 28-29 new seasonals, some designated to pick up litter.

RESOLUTIONS, (cont.)

Patty Robke, Town Comptroller, stated that she and Jeff Coleman have been working together to come up with a Fleet replacement plan. They are looking to purchase about 10 vehicles this year using lease financing, owned but financed over 7 years.

All voted **AYE**

Councilmember Costello moved that the following resolutions be adopted, seconded by Councilmember Costello

RESOLUTION NO.136-18 RE: Resolution granting authorization for CT Superior Court Justice Hon. David Gold to perform a wedding on May 12, 2018 in the Town of Cortlandt at Monteverde at Oldstone as a Marriage Officer.

RESOLUTION NO.137-18 RE: Authorization to allow FBI dive team to practice in the quarry owned by the Town of Cortlandt in hamlet of Verplanck.

RESOLUTION NO.138-18 RE: Resolution supporting Assemblywoman Galef's bill #A8746 to include nuclear reactors spent fuel rods to be allowed to be assessed as real property.

RESOLUTION NO.139-18 RE: Resolution requesting from New York State the Risk Assessment evaluating the AIM pipeline and its close proximity to Indian Point.

RESOLUTION NO.140-18 RE: Resolution to Enbridge, a division of Algonquin Gas Transmissions, LLC stating our concerns and issues regarding constructing a much larger transmission station off Croton Avenue.

RESOLUTION NO.141-18 RE: Set Public Hearing for May 15, 2018 to consider a 9 month moratorium on commercial solar farms within the Town and direct staff to draft an ordinance regulating all ground-mounted solar installations and solar farms.

RESOLUTION NO.142-18 RE: Set Public Hearing for May 15, 2018 to consider amending Chapter 188 of the Town Code- Historic and Scenic Roads.

Discussion: Supervisor Puglisi commented that they are opposing the unwanted and unwarranted meter station.

The moratorium on solar farms does not include those putting solar panels on their homes.

All voted **AYE**

ADDITIONS TO THE AGENDA

Councilmember Farrell moved that the following resolutions are adopted.
Councilmember Costello seconded the motion.

RESOLUTION NO.143-18 RE: Amend the Vehicle & Traffic Code to provide for “No Parking” signs along Riverview Avenue.

RESOLUTION NO.144-18 RE: Authorize a \$500 (five hundred) payment in support of the William F. Boyle VJW Post for Veteran’s Support.

RESOLUTION NO.145-18 RE: Appoint Jennifer L. Corrado to the PRC Advisory Board.

Discussion: Supervisor Puglisi said they were asked if the Town could authorize a payment to a Veteran’s organization that allows one Veteran to go to Washington, D.C. to see the WWII monument.

Councilmember Farrell added that he spoke with Commander Sean Murray and that he is very happy to support this.

The **Supervisor** thanked Jennifer Corrado for becoming a member of the PRC Advisory Board.

All voted **AYE**

BUDGET TRANSFERS
NONE

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REPORTS FROM VARIOUS DEPARTMENTS

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REPORTS FROM STANDING & SPECIAL COMMITTEES

SECOND HEARING OF CITIZENS

Dean McBeth
Re:Solar Liberty

Discussed the solar outreach and they are now on the agenda with Croton. There will be a public outreach meeting at the Hendrick Hudson Library.

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April 17, 2018

Town Board Meeting

ADJOURNMENT

Adjourned at 8:10 p.m. in memory of **Joe Deutsch**, photographer, known also for his work for the Hudson Valley Weather Calendar on a motion by Councilmember Costello and seconded by Councilmember Becker.

All voted **AYE**

Respectfully submitted,

Laroue Rose Shatzkin
Town Clerk