

April 22, 2014

Town Board Meeting

A **Regular Meeting** of the Town Board of the Town of Cortlandt was conducted on April 22, 2014 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
SETH FREACH	Councilmember

Also present:

JO-ANN DYCKMAN	Town Clerk
EDWARD VERGANO	DOTS, Director
GLENN CESTARO	Comptroller
CLAUDIA VAHEY	Human Resources Coordinator
CHRISTINE B. COTHREN	Deputy Town Clerk
ROSEMARY B. LASHER	DOTS/Asst. to Director
JEFFREY COLEMAN	Director, DES

MEETING CALLED TO ORDER

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

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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 today is Earth Day, the first one being in 1970. This is the theme of the meeting this evening. An Earth Day Poster Contest was held and the **Supervisor** called upon Becky Ferguson of the Recreation Department who described the theme of the contest and announced the names of all the winners of the contest. There were over 50 entries with 11 winners chosen by the Town's Green Team. **Supervisor Puglisi** stated that they are not just leaders in the future, they are leaders today.

Dani Glaser was called to join the **Supervisor** at the podium to discuss an award presented to the Town of Cortlandt as one of only six in the State recognized for being a Certified Climate Smart Community. The **Supervisor** noted that this will help the Town in the future to obtain grants for energy purposes for the facilities in the Town of Cortlandt.

Supervisor Puglisi stated they have been busy since the last Town Board meeting. They attended two St. Patrick's Day parades in Peekskill and Buchanan.

SUPERVISOR'S REPORTS, (cont.)

There was Opening Day for the Cortlandt National Little League and the Cortlandt American Little League and the Opening Day of the Girl's Softball League. The **Supervisor** thanked all the volunteers who help our children with all these important activities.

The Town's Annual Egg Hunt was held at the Youth Center and the **Supervisor** also attended the Dare Graduations for the 5th grade classes. The Town of Cortlandt sponsors and covers the expenses for the Dare program and is very proud to do that. **Supervisor** Puglisi gave a special thanks to Detective Cliff Gabrielson of the Croton-on-Hudson Police Department, the Dare Officer for the classes. The classes are a 10 week program where the children learn about prevention of substance abuse.

On April 26 at the McAndrews's property at Oscawanna Island (that the Town leases from Westchester County for \$1 a year) there will be a hike that begins at noon for about 2 hours. The **Supervisor** thanked the Green Team for working on this program for Earth Day.

Also on April 26, the Westchester County Police Department will hold a Drug Return Amnesty Day in Cortlandt to safely dispose of unwanted prescription drugs and expired medications. If missed, there will be a medical drop box located at the Town Hall campus.

There were two heroin and substance abuse forums, one with Hendrick Hudson School District and one with Lakeland School District. They were well attended and there was an excellent expert panel, with more to come to make the people aware of the crisis in society that has trickled down to our community as well. Videos of the forums are on the Town's website. The **Supervisor** thanked the two school districts for working with the Town.

Supervisor Puglisi also stated that they are working on stopping an unwanted massive energy plant which will have negative impacts by WestPoint Partners, LLC. She explained that where this company wants to build this plant that would affect 6000 homes in the vicinity. It would be about 60,000 sq. ft and will emit a buzzing noise all day, the **Supervisor** stating it will be a detriment to the community. The Town is fighting it and the **Supervisor** announced there will be a public hearing on April 30th at the Cortlandt Community Center. All information is on the Town website.

This May the Town will hold its Shop, Dine and Shop Cortlandt to help all the local businesses. The **Supervisor** encouraged residents to "shop local". Shopping bags will be distributed at Town Hall for this event.

ROLL CALL

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

TOWN BOARD REPORTS

Councilmember Costello: Congratulated Dani Glaser and the Green Team on the prestigious award and congratulated all the youths on their posters. Councilmember Costello commented that they did a great job and it's great to get them involved in learning about the earth and the environment.

Councilmember Becker: Thanked the Supervisor and the Board for their opposition to these two energy programs proposed for the community. One is an enlargement of a gas pipeline and the other is the construction in Verplanck for an energy center that converts DC to AC power causing the aforementioned hum that the Supervisor mentioned. The Town stands in opposition; they are not green and everything the Board has done has been to reduce greenhouse gases and promote green energy and a sustainable environment and neither of these do that. Verplanck would be hit too hard and there would be many impacts. None of these projects are necessary and will certainly not benefit our Town in any way. The Board stands united and will do everything to fight this issue.

Councilmember Freach: Thanked Councilmember Becker for summarizing their stand on the two projects proposed in Verplanck.

Councilmember Freach also thanked all the youth present tonight and commented that it is really important that we think about how this all fits together; the youth, earth day, and the projects they are against that are not green. It's important to think of the projects that are green in face of projects that aren't. He reported that the solar task force is moving forward and will be meeting again to discuss programs and will have more action from that group. Councilmember Freach stated that they very soon will have an electric car charging station installed at Town Hall paid for by a state grant. The award that the Town received is a testament to all the good work that has been going on here in Cortlandt and there is still a lot more to do.

Saturday is "National Drug Take Back" Day, a DEA sponsored program across the nation. It's important because we've learned that 80% of the youths that begin heroin use are coming to that drug from prescription pills. They are the gateway drugs to heroin use and leftover drugs need to be disposed of safely.. Councilmember Freach urged residents to do the responsible thing and securely get rid of the pills no longer needed.

The **Supervisor** stressed that the drop off of the drugs will be anonymous.

Councilmember Farrell: Spoke about how nice the Cortlandt Youth Softball Opening Day was at the recently improved field at Town Hall. It is a girl's league that broke away from the Town's recreation offerings to offer a more focused and comprehensive softball program for the young women.

TOWN BOARD REPORTS, (cont.)

The Cortlandt Community Rowing Association, a newly formed group, wanted to express their thanks and appreciation to the Town for allowing them to use the Riverfront Park in Verplanck as well as Lake Meahagh to establish a rowing program for the community. Councilmember Farrell commented that this is Olympic style racing and rowing, not kayaking or canoeing, hoping to eventually having competitive squads to compete. They are also interested in providing recreational rowing and many ages for rowing and it is a perfect place to learn. The Brownie Troop 1240 from Croton-on-Hudson was invited to do a clean up at Steamboat Dock and the park. They were joined by the Blue Mountain Middle School track team and they really cleaned up very well. There was an original dump site near Lake Meahagh and while there are plans for the park there, the monies that are going to fund it have been hung up in the HUD dispute with the County and the grant monies. For the time being, the rowing program will be working out of there. There is a beautiful rowing dock installed there by the Town. Councilmember Farrell commented that there will be a lot going on the day of May 10th. There will be an opening day for the Rowing Club and the Montrose Business Association is going to have a craft fair by the gazebo in Montrose. There will also be a road race that day. He encouraged residents to join them at Lake Meahagh.

Councilmember Farrell stated that the roads are being assessed for paving commenting that it was a horrendous winter and a lot of pothole repair has been going on. The Town is compiling a list of those roads with the most need for repair.

APPROVAL OF THE MINUTES

Councilmember Costello moved that the minutes of March 11, 2014 be approved as presented by Town Clerk Dyckman. Councilmember Becker seconded the motion.

All voted **AYE**

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PUBLIC HEARINGS

NONE

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HEARING OF CITIZENS, (AGENDA ITEMS ONLY)

Christopher Beloff
16 Lent Avenue, Montrose

Asked about the storm water drain petition in Montrose. **Supervisor Puglisi** stated that it was referred to Jeff Coleman. Jeff Coleman stated that it was received and filed last month. The system is currently being evaluated and looking to come up with a

HEARING OF CITIZENS, cont.

solution to be sure it doesn't flood anyone downstream. The **Supervisor** stated it was still under evaluation and will have a report in early May, and will be put on the Town Board agenda for action, commenting that it takes a few weeks.

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BID REPORTS

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REPORTS

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

For the month of March, 2014 from the Purchasing Department, the Office for the Aging, the Receiver of Taxes and the Town Clerk.

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OLD BUSINESS

Receive and File the Following:

1. Six (6) month Report from the Town Historian.
2. Phase II Environmental Assessment Report with respect to the Tall property.

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NEW BUSINESS

Receive and File the Following:

1. Report from DES with respect to Truck Route Restrictions on Croton Avenue, Maple Avenue, Washington Street and Watch Hill Road; and Authorize amending the V & T Code with respect to same.

RESOLUTION NO. 115-14 RE: Authorize amending the V & T Code with respect to Truck Route Restrictions.

2. Memo from the Planning Board requesting the Town Board grant cluster authorization allowing the Planning Board to consider various options with respect to the Hanover Estates Subdivision located on Croton Avenue; and refer to DOTS and the Legal Department.
3. Report from DES with respect to pedestrian crossing signs on Quaker Bridge Roads; and Authorize same.

NEW BUSINESS, (cont.)

RESOLUTION NO. 116-14 RE: Authorize Pedestrian Crossing Signs on Quaker Bridge Roads.

4. Letter from the Supervisor to elected officials requesting funding and assistance for various projects.

Discussion: None

All voted **AYE**

RESOLUTIONS

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

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

RESOLUTION NO. 117-14 RE: Appoint summer seasonals for DES.

RESOLUTION NO. 118-14 RE: Authorize DOTS to seek RFP's for Landscape Architect/Planning Services with respect to the Verplanck Waterfront Master Plan.

RESOLUTION NO. 119-14 RE: Authorize DOTS to be declared as Lead Agent for the Broadway Sidewalk Project pursuant to SEQRA Regulations.

RESOLUTION NO. 120-14 RE: Authorize repairs to the Sprout Brook Park Bridge.

RESOLUTION NO. 121-14 RE: Authorize repairs to the HVAC system at Town Hall.

RESOLUTION NO. 122-14 RE: Authorize replacement of fencing along the property line at the Community Center.

RESOLUTION NO. 123-14 RE: Authorize adjustments and refund with respect to overpayments and water bills.

RESOLUTION NO. 124-14 RE: Reschedule the In-Rem Sale to July 15, 2014.

RESOLUTION NO. 125-14 RE: Authorize an Agreement with Westchester County and funding with respect to a SRO pilot project at the Hendrick Hudson High School.

RESOLUTIONS, (cont.)

RESOLUTION NO. 126-14 RE: Authorize the Town’s share of legal fees with respect to the East of Hudson Watershed Coalition.

RESOLUTION NO. 127-14 RE: Authorize the purchase of a vehicle for Nor-West.

RESOLUTION NO. 128-14 RE: Authorize an annual increase of \$2,500 with respect to PVAC and ambulance calls within the Town of Cortlandt.

Discussion: Supervisor Puglisi stated that they are very pleased that the repairs at Spout Brook Park are authorized.

The SRO program is a student resource office program for the high school and is a pilot project by the Westchester County Police.

All Voted **AYE**

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ADDITIONS TO THE AGENDA

Councilmember Freach moved that the following be received and filed and the following resolutions be adopted. Councilmember Farrell seconded the motion.

Receive and File:

1. Letter from Holly Haight requesting to purchase or grant an easement with respect to a paper road in Verplanck; and refer to the Assessor, DOTS, ES and the Legal Department.

All voted **AYE**

2. Letter with respect to a petition requesting a sewer rate increase from the Valeria Sewerage Works Corp; and refer to the Legal Department.

Discussion: Councilmember Freach commented that this was just to receive and file the letter, no action to be taken.

A **motion to poll** the Board was made by Councilmember Farrell, seconded by Councilmember Freach

The Board was polled:

<u>Councilmember Costello:</u>	AYE
<u>Councilmember Becker:</u>	AYE
<u>Supervisor Puglisi:</u>	RECUSED
<u>Councilmember Freach:</u>	AYE
<u>Councilmember Farrell:</u>	AYE

The Motion **Passed**

ADDITIONS to the AGENDA, (cont.)

Discussion: Tom Wood stated that they are planning to schedule to have a meeting at the work session with the applicants and representatives from the Condominiums. At the current time he has requested a further extension to the June meeting, but if not granted, the Board will have to act on it at the May meeting, and he believes the extension will be granted.

RESOLUTIONS:

RESOLUTION NO. 129-14 RE: Appoint Peter Ruvolo as a member of the PRC Board to fill a vacancy.

RESOLUTION NO. 130-14 RE: Authorize the Supervisor to sign a title and transfer a used ALS Paramedic Vehicle to the City of Peekskill.

RESOLUTION NO. 131-14 RE: Award a bid with respect to emergency equipment rental.

RESOLUTION NO. 132-14 RE: Authorize the purchase of a vehicle with respect to the animal control officer.

RESOLUTION NO. 133-14 RE: Authorize DOTS to conduct a soil investigation with respect to the

RESOLUTION NO. 134-14 RE: Authorize a Service Contract and implementation of a new time clock system for DES

Discussion: Supervisor Puglisi commented that she would like the purchase of the vehicle to be an electric vehicle.

All voted **AYE**

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REPORTS FROM STANDING & SPECIAL COMMITTEES

None

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SECOND HEARING OF CITIZENS

Michelle McGovern
11 Sassinoro Blvd.

Spoke on behalf of residents of upper Croton Avenue regarding the request from the Planning Board to grant cluster authority with respect to the Hanover Estate

HEARING OF CITIZENS, cont.

subdivision. She asked if the Town Board will hold a public hearing regarding this and if so, when will that take place?

Supervisor Puglisi stated that this evening they will receive and follow that request from the Planning Board and the petitions from the residents. They will receive a response from the **Supervisor** in a few days. Tom Wood added that a public hearing is not required, but the normal process will be a summary of various options that the Town Board has and then come back to the agenda for their discussion and consideration. The public can come to those meetings.

Ms. McGovern read the definition of cluster development. She asked that they bear in mind that they believe that the sole purpose for clustering would be for the Town to build and maintain at taxpayer's expense being the field proposed for this area. If approved, they believe a new traffic study should be considered as the existing study is flawed.

Supervisor Puglisi stated that they are aware of various opinions and clustering authorization can only be granted by the Town Board. It then goes back to the Planning Board. It will be discussed in upcoming weeks, and whether they pass a resolution in May or not is yet to be determined.

Tom Wood commented that nothing can progress until SEQUA submits back their report. There is time to make a decision.

Supervisor Puglisi said cluster authorization has been done in Cortlandt.

James Tina
Stevenson Avenue

He had addressed the Board several years ago concerning a situation with a contractor's yard directly behind his house. It was decided that the resident behind him was to enclose his property with a fence. There were many items in the yard. Tom Wood answered that violations were issued; the resident appealed to the Zoning Board and the Zoning Board made a decision and order. There was a court order to get it remedied and the Town is also in litigation with another property owned by him on Sprout Brook Road. He expects by mid summer the Town should see the relief granted.

Mr. Tina said it's been going on for several years. Councilmember Becker commented that he remembers this case when he was on the Zoning Board. Mr. Tina discussed all the equipment stored there, machinery operated continually and fires are started. He stated that something has to be done. The fence he installed did not cover anything.

HEARING OF CITIZENS, cont.

Tom Wood stated that it is in the Courts and they could order him to comply. If he does not, he could be arrested until he does comply. Councilmember Becker stated that the Zoning Board is implying that he is in violation and it is unlikely that a judge would overturn a Zoning Board decision. They will mandate that he comply.

Supervisor Puglisi stated that she would certainly look into any new violations on the property with Code Enforcement.

John DeBenedictis
Westminster Drive

Asks if the Town accepts the proposal for the field, he has read that the Town would have to expend an additional \$750,000 to prepare that field.

Supervisor Puglisi commented that they don't have a definitive amount for the field but would be in that ballpark.

Mr. DeBenedictis asked where those funds would come from. The Supervisor answered that about \$150,000 would come from contributions in the land account from the development, about \$6000 per unit. The balance from other monies in the recreation fund or savings account for the new field. Tom Wood also added that it doesn't have to happen right away.

Mr. DeBenedictis stated that it shouldn't come out of general funds. The **Supervisor** added that there hasn't been a lot of development in the Town due to the recession so the recreation fund has been depleted because there have been many recreational facilities built town wide. All those monies were from a developer or the general funds.

Mr. DeBenedictis stated we should not take any money at this time for that project out of general funds. He said that it should be used for blacktop in the town. The **Supervisor** said that money comes from the highway fund and they cannot commingle funds. She stated that this project, the field idea, has been debated and people are entitled to their opinions about what they want in the Town. The other recreational facilities are open to the whole town. There is a fields committee that is actively looking for an area in the town for fields, but all is open for discussion.

Michelle McGovern
11 Sassinoro Blvd.

Just to clarify, she is under the impression that it is "land in lieu of funds". So in this instance, it wouldn't be that the Town is receiving \$6000 per home, but they are getting the land instead.

HEARING OF CITIZENS, cont.

The **Supervisor** said that she was correct but that they could ask for more. It doesn't mean that they can't ask the applicant to contribute more to a project. It can't be mandated but can be requested and sometimes developers will do that.

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ADJOURNMENT

The meeting was adjourned at 8:15 p.m. in memory of two Town employees, **Marie Eagens and Marilyn O'Conner** on a motion by Councilmember Becker, seconded by Councilmember Freach

All voted **AYE**

Respectfully submitted,

**JO-ANN DYCKMAN,
Town Clerk**