

A **Regular Meeting** of the Town Board of the Town of Cortlandt was conducted on December 9, 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

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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.

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SUPERVISOR’S PROCLAMATIONS AND REPORTS

Supervisor Puglisi commented that this has been a very important month for our community and they have attended many events. The Pearl Harbor Day Ceremony was held this weekend in Buchanan and the Town of Cortlandt takes turns with Peekskill, Buchanan, and Croton-on-Hudson. They also attended the 47th District Veteran’s Hall of Fame honoring Rudy Grexa, a Veteran of the Korean War.

The Van Cortlandtville Historical Society Annual Luncheon was held on November 21st. All the members are dedicated to the preservation and education of our history in Cortlandt. Also the Cortlandt Wellness Fair sponsored by the Cortlandt Coalition, Chamber of Commerce, and the Hudson Valley Hospital Center was held at the Cortlandt Town Center on November 15th. There were posters by students displayed with the topic of “substance abuse prevention”.

Supervisor Puglisi stated that the Master Plan Committee has been working developing plans and ideas to shape the next step for the Town of Cortlandt. She asked that residents go on to the Town’s website to complete the survey so they can see comments and suggestions from the community. This should be completed by early spring of 2016.

There were several youth sports award events this month for soccer and youth football The **Supervisor** enjoyed handing out trophies and congratulating all the young athletes for their participation, teamwork and excellent sportsmanship. She thanked the coaches also for their volunteerism and the sponsors for their help commenting that it is a community effort to help our youth.

The **Supervisor** attended the Senior Citizen Hall of Fame this month sponsored by Westchester County on December 5th at the Marriot in Tarrytown. Every community in the County nominates their own senior citizens for the event.

There was a public hearing on the 2015 Budget and the **Supervisor** was pleased to announce that again there was a .6% Town tax increase and no Town tax increase in the villages.

SUPERVISOR’S REPORTS, (cont.)

Santa Clause will be at the Town’s Youth and Recreation Center on Sunday, December 14th and 21st. **Supervisor Puglisi** urged residents to stop in with their children to see Santa! She wished everyone a Happy Holiday commenting that we have very much to be thankful for.

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ROLL CALL

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

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TOWN BOARD REPORTS

Councilmember Farrell: Spoke of an item on tonight’s agenda authorizing DOTS to commence the permitting for the installation of the rowing dock at Cortlandt Waterfront Park. Councilmember Farrell asked that it be amended to include design work performed by DOTS. There was a rowing dock installed on Lake Meahaugh last spring and it got a great deal of use over the summer. There were also many other members of the community using it, such as the Boy Scouts, Girl Scouts and Brownies with their canoes and kayaks as well as residents of the Town just to enjoy the lake. Last year they installed a boat launch and this dock will be for the smaller vehicles. They obtained a grant for \$15,000 to put towards the cost of installing the dock. This grant was awarded by the Hudson River Improvement Fund which supports projects that promote the enhancement of public use and enjoyment of the natural scenic and cultural resources of the Hudson River and its shores. Future grants will be applied for and Councilmember Farrell thanked the Hudson River Improvement Fund for its generosity.

On tonight’s agenda also is an item to approve bonding for the purchase of the Con Ed property. Councilmember Farrell wanted to note that whenever the Town Board wants to pursue to buy, build or support/promote a project, it is a lot of work for the Town staff. He commented that they are fortunate to be served by a group that enjoys and is good at their work. This involved the legal department for all the legalities, the Comptroller’s office for financing and timing of the financing, DOTS for surveys, and other departments for their input. Councilmember Farrell thanked everyone for rising to the occasion and helping to fulfill a very good project.

He wished everyone a Happy Holiday Season and New Year.

Councilmember Freach: Stated that they are about halfway through the Town’s Comprehensive Master Plan and that it is a really great group of dedicated people that are on the committee that are putting in a lot of hard work and good thought for the shape and vision of what the Town will be. It is a collaborative process which greatly benefits from resident participation as well.

There are two ways the residents can help the Master Plan effort. One is to complete the survey with their suggestions. Councilmember Becker stressed how much importance and effect the answers will have in the process. Then there will be information sessions where the residents can learn more about the Master Plan process. He also wished everyone a Happy Holiday to everyone.

Councilmember Becker: Reflected on when he took a trip to Hawaii and how emotionally affected he was by visiting Pearl Harbor. Councilmember Becker commented that when you go to this Memorial that is so beautiful because of its simplicity design of the bridge going out to the deck of the USS Arizona, which is just below the surface. The museum has many artifacts and the one that Councilmember Becker was most affected by was the original of Franklin Roosevelt’s positive speech given the day after.

Councilmember Becker also spoke of the Abbey Rose development which is before the Planning Board and spoke a little about its background. He stated that this is a plan that has been in the works for well over 15 years originally for 47 homes on 120+ acres of land. This was rejected by the Town and now the applicant is coming back with a new plan and the Town Board has negotiated a deal (due to the developer owing back taxes) that he would give to the Town 106

TOWN BOARD REPORTS, (cont.)

acres for open space and build just 5 homes. Councilmember Becker stated that this is a very sound plan because you cannot outwardly deny anyone the right to build on this amount of land. It is now in front of the Planning Board.

Councilmember Costello: There were also various Christmas tree lightings in the community that Councilmember Costello attended, one of which was the Montrose Firehouse Christmas Tree Lighting. A speech by Bruce Fulgum accompanied this lighting.

Councilmember Costello spoke of fire safety during the holiday season. She reminded residents to unplug the tree lights and water the tree to avoid a fire.

On December 21st the Hendrick Hudson Lions Club will be having a pasta dinner with Santa at the Little Red School House. Councilmember Costello wished everyone a happy holiday and New Year and asked that we keep in mind all the service men and women this time of year.

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APPROVAL OF THE MINUTES

Councilmember Costello moved that the minutes of November 10, 2014 be approved as presented by Town Clerk Dyckman. Councilmember Becker seconded the motion.

All voted **AYE**

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PUBLIC HEARINGS

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

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

Public Hearing to consider amending Local Laws No. 8-01 and No. 3-02 with respect to the use of PILOTS for Nuclear Power Plants (Entergy).

Supervisor Puglisi called the hearing to order at 7:24 p.m.

Tom Wood, Town Attorney, explained that the local law that the Town Board has before it would extend its provisions of 2 local laws that were adopted by the Town Board back in 2001. In 2001 the State legislature gave communities that are the host communities of nuclear generating facilities the right to utilize a pilot agreement as a method of taxation as opposed to assessments because the assessment value of a nuclear plant is very difficult to ascertain and extremely expensive to do so.

He stated that the original law from 2001 expired in 2014. The State Legislature enacted an extension of that law. The Governor signed it into law in September and the local law before the Town Board tonight, if it is adopted, would extend the life of that tool available to the Town to continue the use of pilots with respect to the nuclear plant. In addition, the resolution before the Board would also authorize a one year extension of the existing pilot if we do not reach an agreement when we come before the Town Board in January with a different proposal. That extension would increase the revenue the nuclear plant is paying by 1.5% which is geared to the maximum under the tax cap law.

A motion to close the Public Hearing at 7:28 p.m., adopt a Negative Declaration and Adopt Resolutions was made by Councilmember Becker and seconded by Councilmember Freach

All voted **AYE**

PUBLIC HEARING, (cont.)

RESOLUTION NO. 310-14 RE: Adopt a Negative Resolution regarding amending Local Laws #8-01 and 3-02 with respect to Pilots for Nuclear Power Plants.

LOCAL LAW # 4-14 RE: Extension of Taxation Provisions for Nuclear-Powered Electric Generating Facilities.

RESOLUTION NO. 311-14 RE: Authorizing the Adoption of Local Law 4 of 2014 and a one year extension of Pilot Agreement with Entergy Nuclear Corp.

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PUBLIC PRESENTATION

1. Presentation with respect to the Route 9A, Kings Ferry Road to Roundtree Lane sidewalk project.

A presentation was given by **Michael Preziosi**, Deputy Director of DOTs where he explained the sidewalk plan where the Town has jurisdiction over the construction but it is maintained and supervised by the New York State Department of DOT. The location was discussed and he presented an illustrated rendering of the location. He went on to explain the construction of the sidewalks and the crosswalk planned. In total the project will be 1500 linear feet of sidewalk and concrete curb with various crosswalks. Once there is review approval, they will go forward with the highway work permit to start construction and then put it out for a formal bid sometime this summer.

There were no questions and **Supervisor Puglisi** thanked him for his work on this project. She asked when this would begin to which he replied it would go out for bid in early June, to start construction sometime in July. The work would be completed somewhere between 3-6 months.

The **Supervisor** stated that residents have been discussing these sidewalks for many years and the Town is delighted to be a part of it and to contribute their 20% of the \$307,000. She asked him to be sure that this presentation will be on the website.

Councilmember Freach asked how long will the residents see construction occurring to which Michael answered about 120 days. **Supervisor Puglisi** added that the school districts, the emergency services and the VA hospital will be notified. Michael noted that one of the primary goals is to make the sidewalk accessible and pedestrian friendly.

Councilmember Farrell commented that he was concerned about the 120 day window of construction. It will take you into September and the kids down that way have to walk to school because they are close enough to the school and buses aren't provided. He added he would like to have that completed by September. Michael replied that it might be a lot sooner and that there will always be pedestrian access.

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HEARING OF CITIZENS, (AGENDA ITEMS ONLY)

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

BID REPORTS
NONE

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REPORTS

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

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OLD BUSINESS

NONE

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NEW BUSINESS

Receive and File the Following:

1. Annual Justice Court Audit; and accept same.
2. Petitions from residents along Rt. 9 requesting NYS DOT install a sound barrier and authorize a Resolution in support of same.

RESOLUTION NO. 311A-14 RE: Receive and File the Annual Town Justice Audit and accept same.

RESOLUTION NO. 312-14 RE: Resolution in support of a Petition received requesting the NYS DOT install a sound barrier along Rt. 9 thru Croton-on-Hudson and the Town of Cortlandt.

All voted **AYE**

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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. 313-14 RE: Authorize the Cortlandt Solar Committee to proceed with plans and recommendations for Town Board consideration in 2015.

RESOLUTION NO. 314-14 RE: Authorize DES to seek proposals for roof repairs to the Arlo Lane salt dome.

RESOLUTION NO. 315-14 RE: Authorize the installation of updated signage and crosswalk on Trolley Road at the Frank G. Lindsey School and Harper Avenue.

RESOLUTION NO. 316-14 RE: Authorize a five year contract with Westchester County with respect to police services.

RESOLUTION NO. 317-14 RE: Adopt the 2014-2019 Capital Improvement Plan (CIP).

RESOLUTION NO. 318-14 RE: Award a contract for survey services for a water main from the Jacobs Hill water tank to Gabriel Drive.

RESOLUTION NO. 319-14 RE: Authorize DES to solicit proposals for survey services with respect to a proposed water tank at Croton Park Colony.

RESOLUTION NO. 320-14 RE: Authorize DES to solicit proposals for a topographic survey for the Con Edison property being purchased by the Town.

RESOLUTIONS, (cont.)

RESOLUTION NO. 321-14 RE: Schedule a Public Hearing for January 13, 2015 to consider Agreements with various fire departments with respect to fire protection services (Continental Village Fire Department, Montrose Fire Department and the Village of Croton)

RESOLUTION NO. 322-14 RE: Authorize Budget Transfers for year end by the Comptroller.

Discussion: Supervisor Puglisi thanked Councilmember Freach for the Cortlandt Solar Committee and all the members of his committee for coming up with a tremendous amount of suggestions in a short period.

She stated that they are delighted to be voting on the next 5 year contract with the Westchester County Police who do an excellent job of protecting our community and work closely with the NYS Police.

The CIP is a 5 year plan for any large project over \$50,000 that is approved.

Glen Cestaro explained that these transfers of the fiscal year that ends December 31st and his office will balance out each account and if necessary will amend the budget and close out any capital projects. It is done at every end of the year.

All Voted **AYE**

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ADDITIONS TO THE AGENDA

Councilmember Costello moved that the following resolution be adopted. Councilmember Becker seconded the motion.

RESOLUTIONS:

RESOLUTION NO. 323-14 RE: Reappoint Peter Daly as a member of the Planning Board.

RESOLUTION NO. 324-14 RE: Authorize Bonding for the previously authorized purchase of the Con Ed property in Verplanck.

The following resolution was removed:

Amend the V&T Code with respect to "No Parking" 25 feet from the intersection of Westchester Avenue and Fifth Street along both roads, both sides.

RESOLUTION NO. 325-14 RE: Schedule a Legislative Public Hearing for January 13, 2015 to be held concurrent with the previously set SEQR Public Hearing for the application entitled "Cortlandt Crossing" on Rt. 6.

RESOLUTION NO. 326-14 RE: Authorize DOTS to commence the Permitting process for the installation of a Rowing Dock at the Cortlandt Waterfront Park and to also authorize design plans by DOTS.

Discussion: Councilmember Farrell suggested that the Board tabling the resolution to amend the V&T code. Though he appreciates the idea to restrict the parking so close to the intersections, but he is concerned about the impact on the residents there who may park there.

Jeff Coleman responded that this was a result of a resident complaint of residents parking too close to the intersection so 25 feet was suggested. **Supervisor Puglisi** asked if letters to the residents would be good to do and Councilmember Farrell agreed that some input was necessary.

All voted **AYE**

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BUDGET TRANSFERS

NONE

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REPORTS FROM VARIOUS DEPARTMENTS

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REPORTS FROM STANDING & SPECIAL COMMITTEES

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SECOND HEARING OF CITIZENS

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Supervisor Puglisi commented that her father was a young marine at the time of Pearl Harbor in WWII. He wasn't at the attack but was stationed there for a year after the attack. He would comment that they worried about another attack often.

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ADJOURNMENT

The meeting was adjourned at 7:43 p.m. on a motion by Councilmember Freach, seconded by Councilmember Farrell.

All voted **AYE**

Respectfully submitted,

JO-ANN DYCKMAN
Town Clerk