

AUGUST 13, 2019
TOWN BOARD MEETING

A full audio/video recording of this meeting is available at www.townofcortlandt.com

A **Regular Meeting** of the Town Board of the Town of Cortlandt was conducted on August 13, 2019 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 officials and appointed staff in attendance:

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

Also present:

THOMAS WOOD	Town Attorney
MICHAEL CUNNINGHAM	Assistant Town Attorney
LAROUÉ ROSE SHATZKIN	Town Clerk
CHRISTINE B. COTHREN	Deputy Town Clerk - ABSENT
PATRICIA ROBCKE	Comptroller
MICHAEL PREZIOSI	Director DOTS
STEPHEN FERREIRA	Director DES
CLAUDIA VAHEY	Human Resources Coordinator
TINA TOBACK	Clerk

MEETING CALLED TO ORDER

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

PLEDGE TO THE FLAG

Deputy Supervisor Farrell led all in attendance in a Pledge to the Flag

SUPERVISOR'S PROCLAMATIONS & REPORTS

Deputy Supervisor Farrell gave his report
OF NOTE:

Supervisor Puglisi on vacation.

Town Paving is underway. The Town will be paving about 8 to 8.5 miles of the Town's 106 miles of roadway; a little more than usual. The project is about 50 percent complete. The project is being performed by ELQ Industries under the supervision and direction of Michael Preziosi, Dir. DOTS. The project should be completed mid September.

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Congratulated Peekskill on the award of a 10 million dollar grant for economic development . Gov. Cuomo visited the City of Peekskill to award this grant. This will allow them to complete and elevate various projects. However, what is good for Peekskill is good for Cortlandt. The Town of Cortlandt entirely surrounds the City of Peekskill.

Economic Development report received by Tom Waitkins, Town Assessor. Some of the tax receipts that the Town of Cortlandt receives from Cortlandt Crossing, which is the development across from Cortlandt Town Center. The general Town receives over \$15,000 a year in taxes from that project. The Highway Dept. receives over \$90,000 from this project. A well received commercial project that showcases the importance of economic development.

The Town Board agenda tonight includes a road and parking arrangement for the Friends of Old Croton Aqueduct. They will be doing some volunteer work on the aqueduct trail, 9/28/19. Please feel free to join them in maintaining the trail by cleaning away invasive plants, and planting native species.

The Cortlandt Community Rowing Association is pleased to announce that Sam Kemp was our first rowing coach, and really helped the club get on its' feet. His sister Rosa Kemp made the USA National Rowing Team, and has a great chance to go to the Olympics.

Town Clerk, Laroue Rose Shatzkin is expecting her first baby, and the Town Board would like to congratulate her, and will miss her presence while she is on maternity leave.

ROLL CALL

On a roll call attendance taken by Town Clerk Shatzkin, all Town Board members indicated their presence except for Supervisor Puglisi who was absent.

Councilmember James Creighton gave his report
OF NOTE:

Congratulated City of Peekskill on the award of the 10 million dollar grant from Governor Cuomo, and hoping the Town of Cortlandt will be next in line to receive a grant. Governor Cuomo has been in Peekskill several times within the last year, and has yet to come to Cortlandt since the announcement of the closing of Indian Point, which he finds a bit irritating. We are hoping he will come through on some long term economic development initiatives for the Town of Cortlandt real soon.

Councilmember Debbie Costello gave her report
OF NOTE:

A reminder to everybody that on Sunday, 9/8/19 the Croton Arboretum is celebrating their 25th Anniversary at the Black Cow in Croton from 5:30 p.m. to 7:30 p.m.

Congratulated Laroue Shatzkin on her pregnancy, and wished her a happy, healthy delivery.

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Councilmember Richard Becker gave his report

OF NOTE:

He reiterated and supported comments from Councilmember Creighton regarding Governor Cuomo's visit to the City of Peekskill, and how he seemingly ignores our community since he was the one to make the decision to close Indian Point.

Charles Cook Pool has been very enjoyable this summer. It is a very well run, clean facility. He is very impressed by the lifeguards. The new mini golf course is beautiful, and a lot of fun. The tennis courts, and the nature hiking trail are extremely nice features in our Town.

The CHOP program is entering its' 10th year in the Town, and is on the agenda tonight for reapproval. It is a one time fee of \$5 for any residents of the Town of Cortlandt, and offers a significant discount of oil.

Congratulated and wished well to Laroue Shatzkin, Town Clerk.

APPROVAL OF THE MINUTES

Councilmember Costello made a motion to approve the Minutes from the July 16, 2019 Regular Town Board Meeting seconded by Councilmember Creighton with all voting AYE.

PUBLIC HEARINGS

1. Public Hearing to consider the formation of the Cortlandt Blvd. East Sewer District.
 - a. Close Public Hearing
 - b. Adopt Negative Declaration
 - c. Adopt Resolution

The Public Hearing was opened at 7:20 p.m.

Michael Preziosi, Dir. DOTS stated that the Cortlandt Blvd. East Sewer District is the current development known as Pondview Commons, and will allow for the connection of approximately 56 apartment dwellings to be connected to the Town's distribution system. It is an extension, which will create a new district.

Tom Wood, Town Attorney added this is a trilogy, and the Town Board over the last two years has created the West Dist., Central Dist. And now the East Dist. So this solving some issues that existed in the Fawn Ridge Dist., which is Westbrook Drive area, and it now opens up greater capacity along the Rte. 6 corridor.

Councilmember Creighton made a motion to adjourn the public hearing, seconded by Councilmember Becker with all voting **AYE**.

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The public hearing was adjourned at 7:22 p.m.

2. Public Hearing to consider the formation of the Pondview Drainage District.
 - a. Close Public Hearing
 - b. Adopt Negative Declaration
 - c. Adopt Resolution

The Public Hearing was opened at 7:23 p.m.

Michael Preziosi, Dir. DOTS stated that this is a part of Pondview Commons as well. The drainage district will encompass the entire site, and will incorporate provisions in order to maintain these storm water retention basins and infrastructure being created on site. It will be maintained privately to begin, but allows the Town in the event that it is not maintained to have a taxable ability on that property.

Councilmember Becker made a motion to adjourn the public hearing, seconded by Councilmember Costello with all voting **AYE**.

The Public Hearing was adjourned at 7:25 p.m.

3. Public Hearing to consider the extension of the Westchester Mall Drainage District.
 - a. Close Public Hearing
 - b. Adopt Negative Declaration
 - c. Adopt Resolution

The Public Hearing was opened at 7:25 p.m.

Michael Preziosi, Dir. DOTS stated that this drainage district consists of the Cortlandt Town Center, and all the wetlands and retention basins behind this construction. The extension will incorporate the Cortlandt Crossing Development into this district.

Councilmember Costello made a motion to close the Public Hearing, Adopt the Negative Declaration, and Adopt Resolution seconded by Councilmember Creighton with all voting **AYE**.

The Public Hearing was closed at 7:26 p.m.

4. Public Hearing to consider the regulation of transient and Non-transient uses within the Town of Cortlandt.
 - a. Close Public Hearing
 - b. Adopt Negative Declaration
 - c. Adopt Resolution

The Public Hearing was opened at 7:27 p.m.

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Tom Wood, Town Attorney stated this proposed Local Law would require any motels operating within the Town of Cortlandt to obtain an operating permit. Based on the application and notification to the Town they would be required to maintain a higher level of maintenance to the property. It would open the building up to more frequent inspections by the Town. It would prohibit anything except for transient rentals, which are defined in this law. So there would no long term stays.

Councilmember James Creighton made a motion to close the Public Hearing, Adopt the Negative Declaration, and Adopt Resolution, seconded by Councilmember Becker with all voting **AYE**.

The public hearing was closed at 7:29 p.m.

HEARING OF CITIZENS – AGENDA ITEMS ONLY

REPORTS

Receive and File the following:

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

2nd Quarter Code Enforcement Report.

Councilmember Becker made a motion to receive and file the following, seconded by Councilmember Creighton with all voting **AYE**.

OLD BUSINESS:

Receive and File the following:

NEW BUSINESS

Receive and File the following:

1. Letter from Friends of the Old Croton Aqueduct requesting parking restrictions be lifted on September 28, 2019; Authorize Same.
2. Planning Board Application 2019-11 for Dimension Energy LLC as amended.
3. Planning Board Application 2019-15 for CVE North America as amended.
4. MOD DEIS; refer to Legal and DOTS. (To Be Tabled for Future Consideration)

Councilmember Costello made a motion to adopt the following resolutions, seconded by Councilmember Creighton with all voting **AYE**.

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RESOLUTIONS

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

RESOLUTION NO. 215-19 RE: Negative Declaration Re: Extension of Westchester Mall Drainage District.

RESOLUTION NO. 216-19 RE: Extension of Westchester Mall Drainage District.

RESOLUTION NO. 217-19 RE: Negative Declaration Re: Regulation of transient and Non-transient uses within the Town of Cortlandt.

RESOLUTION NO. 218-19 RE: Adopt Local Law 3-2019 regarding regulation of transient And non-transient uses with the Town of Cortlandt.

RESOLUTION NO. 197A-19 RE: Finalize Bond Resolution for Paving subject to Permissive Referendum.

RESOLUTION NO. 219-19 RE: Authorize to permit parking along West side of Quaker Bridge Rd. On 9/28/19.

RESOLUTION NO. 220-19 RE: Authorize a Fireworks Permit for Family Fun Day.

RESOLUTION NO. 221-19 RE: Authorize a License Agreement for use of Town owned property adjacent to 74 South Hill Rd.

RESOLUTION NO. 222-19 RE: Authorize a License Agreement for the owner of 286 9th St., Verplanck, NY.

RESOLUTION NO. 223-19 RE: Authorize the Receiver of Taxes to place liens on various Zombie properties.

RESOLUTION NO. 224-19 RE: Appoint Capital Market Advisors (CMA) for financial advisory services.

RESOLUTION NO. 225-19 RE: Authorize an RFP to solicit producers to film testimonials for branding and economic purposes in the Town of Cortlandt.

RESOLUTION NO. 226-19 RE: Authorize the purchase of cameras for mini golf area at Charles Cook Pool.

RESOLUTION NO. 227-19 RE: Authorize Legal Department and DES to create a new agreement for Pine Lake Park Co-op.

RESOLUTION NO. 228-19 RE: Authorize Town Justice Court to apply for a grant.

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Councilmember Farrell stated that regarding the resolution that is being tabled regarding the ban of anchorages along the Hudson River, that is a resolution of support. The public may recall this is something that came up a few years ago, and the Town Board still opposes these anchorages for various reasons, this resolution endorses a ban on those anchorages but only in connection with a funding process for the Coast Guard. However, it seems to lay the groundwork for establishing the formal establishment of anchorages, and that is something that concerns us so we would like to get some clarification before we vote on it.

Councilmember Creighton made a motion to adopt the following resolutions seconded by Councilmember Becker with all voting **AYE**.

Agenda items for DOTS:

RESOLUTION NO. 229-19 RE: Authorize Bond reductions for Cortlandt Crossing.

RESOLUTION NO. 230-19 RE: Award TE Contract 2019.01(R) Town Hall Fire Safety Improvements.

RESOLUTION NO. 231-19 RE: Authorize to modify DOTS Fee Schedule pertaining to tree removal, and in lieu planting fees.

RESOLUTION NO. 232-19 RE: Authorize a change order to the 2019 Repaving list.

RESOLUTION NO. 233-19 RE: Authorize the Director of DOTS to prepare an RFP for consultant services for Town Hall HVAC replacement.

RESOLUTION NO. 234-19 RE: Authorize the Directors of DOTS to evaluate existing conditions and prepare specifications for various improvements at the Charles J. Cook Pool complex.

RESOLUTION NO. 235-19 RE: Authorize the purchase/lease of a new 4-wheel drive vehicle for DOTS/Engineering.

Agenda items for DES:

RESOLUTION NO. 236-19 RE: Authorize the award of the Leak Detection Survey to the Cortlandt Consolidated Water District to NY Leak Detection, Inc.

RESOLUTION NO. 237-19 RE: Authorize the renewal and extension of the Cortlandt Heating Oil Program.

RESOLUTION NO. 238-19 RE: Authorize a leave of Absence for a DES Employee

RESOLUTION NO. 239-19 RE: Appoint Elvia Sinchi to the Title of Administrative Intern.

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RESOLUTION NO. 240-19 RE: Schedule a Public Hearing for September 17, 2019 to consider amending the Law regarding Zombie Properties.

Councilmember Farrell stated that regarding item 14g. the purchase/lease of a new 4-wheel drive vehicle is contingent on receiving a grant, and thanked Senator Peter Harckam for that funding.

Councilmember Costello made a motion to receive and file, and adopt the following resolutions seconded by Councilmember Becker with all voting **AYE**.

ADDITIONS TO THE AGENDA

NEW BUSINESS:

Receive and File the following:

1. Letter from Resident of Oak Place regarding traffic and safety on Mount Airy Road; refer to DES, State and County Police.

RESOLUTIONS:

RESOLUTION NO. 241-19 RE: Authorize a separation agreement with an employee.

BUDGET TRANSFERS

REPORTS FROM VARIOUS DEPARTMENTS

REPORTS FROM STANDING & SPECIAL COMMITTEES

SECOND HEARING OF CITIZENS

Mr. Srinivasan Ramaswamy, 5 Lakeview Rd. appeared before the Board. He wanted to speak about Item 14f. on the agenda regarding improvements to Charles Cook. He wanted to mention that the Town should look at the tennis courts.

Councilmember Creighton answered that item is on the list of repairs.

Mr. Ramaswamy continued that he wanted to go over the Repaving list for this year. He has not seen any activity in his neighborhood as of yet.

Michael Preziosi, Dir. DOTS stated that this is a process as has been explained in the past. They started paving in July. They will pave 8-8.5 miles of the Town. The contractor, ELQ Industries

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started in the South end of Town, and will be working their way North. They are currently in the Oregon Rd. area, and will continue to work North.

Councilmember Creighton stated that the entire neighborhood will receive a Code Red call indicating when the paving process will begin in the neighborhood, and once the works starts it is very impressive as to how quickly it will get done.

Mr. John DeBenedictis, 35 Westminster Dr. appeared before the Board. He thanked the Town for the paving of Sassi Dr. He also wanted to commend the people particularly lifeguards at the Charles Cook Pool, and thinks they do a really nice job. He further commented on Aviator Park, and how dogs do not belong on picnic tables, and asked that signs be put up. He then asked if Westminster Dr. could be paved.

ADJOURNMENT

Councilmember Creighton made a motion to adjourn the meeting, seconded by Councilmember Costello with all voting **AYE**.

The meeting was adjourned at 7:40 p.m.

NEXT TOWN BOARD MEETING

September 17, 2019 at 7:00 pm
Town Hall Web Site address: www.townofcortlandt.com

Respectfully submitted

Christine B. Cothren
Deputy Town Clerk