

OCTOBER 22, 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 October 22, 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
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
PATRICIA ROBCKE	Comptroller
MICHAEL PREZIOSI	Director DOTS
STEPHEN FERREIRA	Director DES
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, and Cub Scout Troop 173 led all in attendance in a Pledge to the Flag

SUPERVISOR'S PROCLAMATIONS & REPORTS

Supervisor Puglisi welcomed Troop 173 led by Carol Hankin. She explained Troop 173 was working on their citizenship in the community merit badge.

The Town of Cortlandt Veteran's day ceremony will be 11/11/19, 12:30 p.m. Cortlandt Community Center. Beforehand there will be a ceremony at 10:00 a.m. City of Peekskill, and 11:00 a.m. Village of Croton. It is very important to recognize, and honor our veterans especially on this day.

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The Town of Cortlandt has received AA1 Moody's bond rating, which is an upgrade from AA2. She thanked Patty Robcke, Comptroller, and her staff, and all Town of Cortlandt Board Members, department heads, and employees who work so hard.

The grand re-opening of McDonalds in the Cortlandt Town Center was celebrated this week.

The Board will be voting this evening for a bath house renovation at the Charles Cook Pool. The existing one is over 40 years old, and desperately needs to be updated and brought up to speed for ADA and Board of Health compliance. This will be an expensive undertaking, but an important investment.

The Town events for Halloween begin Saturday, 10/26/19 with a Hobgoblin Parade at the Cortlandt Town Center, a dog parade at the Town dog park. There is also the 5K race at the Cortlandt Waterfront Park in the morning.

There were several events this past month ie...Peekskill Rotary Horse Show, Croton Rotary Car Show, Cortlandt Community Swap Event, and the Hudson River Irish Festival.

The India Point hearings by the NRC were attended by the Local Indian Pt. Tasc Force this past month. The Town will continue to set aside \$100,000 per year to offset the tax loss.

The Furnace Dock Rd. house has been demolished.

The 1st Winter Wonderland will be held on Saturday, 12/14/19 at the Cortlandt Youth Center.

The application for a Special Permit by Matrix Solar Energy on the agenda will NOT be approved this evening.

ROLL CALL

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

TOWN BOARD REPORTS

Councilmember Farrell gave his report **OF NOTE:**

There was an unfortunate incident at the Cortlandt Waterfront Park in Verplanck, where a person took their life by driving off of the boat launch. Much thanks, and appreciation for all of our volunteer firefighters, emergency service providers who helped out in this very sad incident.

The traffic issues on Kings Ferry Road by FGL are going to be addressed.

The Cortlandt Community Rowing Association will hold their final regatta in Philadelphia this weekend.

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Councilmember Creighton gave his report
OF NOTE:

September was Suicide Prevention Month., coupled with the tragedy that occurred at the waterfront in Verplanck. It is very important for people to know that they should be aware of peoples' feelings, and allow them the ability to talk if they need to.

The scouts that were in the audience were recognized. He attended a dinner with scouts all around the north country. The scouting Citizen of the Year Award was given to Ernie Whiting, who is a Cortlandt resident.

He agreed with Supervisor Puglisi about the Board's opposition to the solar farm on Furnace Dock Rd.

He attended a conference on October 10th that brought together experts and community task force members from other areas around the country who have had nuclear power plants closed in their communities. It was very informative, and the information will be shared in the future with our local task force.

Councilmember Becker gave his report
OF NOTE:

He gave an update on Lake Meahagh. Michael Preziosi, Dir. DOTS and Councilman Creighton gave their insights as to how best to proceed. This will be corrected, but unfortunately it will not occur until next spring. The DEC is involved, there will be a drone flying over the lake to identify different sources of temperature. The issue is complex, but it is being handled.

He spoke about the Solar Farm policy, and agreed with Supervisor Puglisi about the Furnace Dock Rd. sight being totally inappropriate for a solar farm. It does not meet any of the criteria that were set forth in the policy.

The Public Hearing on the agenda tonight is to consider rock crushing in our community. There are certain commercial areas that this may be done in a very restricted way. The Town Board would be creating a policy to monitor this.

The DEIS for the MOD was accepted at the last Town Board meeting and the first Public Hearing will be scheduled for next month. This will be a very involved process. The plans are very tentative at this time, and the matter will go before this Board, and the Planning Board.

There will be members appointed to the Zoning Board and Alternate for both Zoning and Planning Board this evening.

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Councilmember Costello gave her report

OF NOTE:

She echoed comments regarding gratitude for EMS personnel, volunteer fireman, and what a difficult job this is.

Congratulated and welcomed three wonderful candidates to join the Zoning and Planning Board.

The Charles Cook Pool Bath House renovation has been a tough decision for her not to be in favor of. The original renovation was supposed to be 1.7 million dollars, not to exceed 2 million dollars. The original bids came in at 4 million. It was redesigned, promised to not exceed 1.7 million dollars, and came in at 2.9 million dollars. She is not willing to approve at this time for various reasons, ie. Indian Pt. closing, paving, infrastructure, snow plowing.

APPROVAL OF THE MINUTES

Councilmember Costello made a motion to approve the Minutes for the Special Meeting on September 9, 2019, and October 7, 2019, and the Regular Meeting held on September 17, 2019 seconded by Councilmember Becker will all voting **AYE**.

PUBLIC HEARINGS

1. Public Hearing to amend Zoning Ordinance to allow rock crushing on certain properties in the M-1A Zone.
 - a. Close Public Hearing
 - b. Adopt Negative Declaration
 - c. Adopt Resolution

The Public Hearing was opened at 7:52 p.m.

Tom Wood, Town Attorney stated that is to amend the Zoning Ordinance by creating a Local Law. It would create an additional permitted use by Special Permit in M1A zone, which is the heaviest industrial zone in the Town. It is along Bear Mountain Rd. where other industrial facilities are located including the Town Sanitation garage. The Town Board has come up with a draft of the law that would allow this on a limited basis of up to 60 days per year under supervision by the Town, and obtaining a permit from DEC. So tonight the Public Hearing will open and the matter will be adjourned to the meeting next month. The Town Board can further define the definitions, and to mirror what the DEC allows.

Supervisor Puglisi added that this in the only M1A zone in the Town of Cortlandt so it would be contained to this area. The Special Permit would be for a 3 year period, and then the applicant would go back to the Planning Board to be re-evaluated to be granted an extension on the permit.

Councilmember Becker made a motion to adjourn the Public Hearing to November 19, 2019, seconded by Councilmember Creighton with all voting **AYE**.

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The Public Hearing was closed at 7:57 p.m.

HEARING OF CITIZENS – AGENDA ITEMS ONLY

Sal Altvilla, 63 Furnace Brook Dr. appeared before the Board. He stated he is the President of the Furnace Brook Homeowners Association. He wanted to thank the Town Board for their decision that they came to regarding the solar farm. He apologized for all of the extra work, phone calls, and emails regarding this subject.

Alex Harvey, 290 Furnace Dock Rd. appeared before the Board. He thanked the Board for their decision regarding the solar farm. He is humbled by the process of the Board, and how the local government, community work.

Tracey Lorio, 45 Furnace Brook Dr. appeared before the Board. She is impressed and grateful to the Town Board for their decision on the solar farm application by Matrix.

REPORTS

Receive and File the following:

For the month of September from the Office of the Aging, Receiver of Taxes, Recreation Department, and the Town Clerk.

DOTS Code Enforcement 3rd Quarter 2019 Report.

OLD BUSINESS:

Receive and File the following:

1. Updated Planning Board Application 2019-11 – Dimension Energy LLC, 200 Croton Avenue. (Adjourned to 11/19/19.)

NEW BUSINESS

Receive and File the following:

1. Letter from David B. Smith representing AJC LLC (formerly Furnace Dock, Inc.) regarding property development on Furnace Dock Rd.
2. Letter from resident requesting additional speed bump on Dimond Ave; refer to DES (AS AMENDED)
3. Planning Board Application 2019-18 – Matrix Solar Energy Systems, 300 Furnace Dock Road, and resident emails regarding same. (AS AMENDED)

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

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

RESOLUTIONS

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

RESOLUTION NO. 273-19 RE: Appoint Cristin Jacoby to the ZBA and Appoint Christopher Beloff as an Alternate to the ZBA.

RESOLUTION NO. 274-19 RE: Appoint Valerie Myers as an Alternate to the Planning Board.

RESOLUTION NO. 275-19 RE: Authorize a contract for professional assistance with expanding Social Media presence.

RESOLUTION NO. 276-19 RE: Authorize a contract with respect to the Affordable Care Act.

Supervisor Puglisi commented that there were 8 applicants for the ZBA and Planning Bd. alternates, and the Board is excited to have appointed them, and it will be a great asset to have alternates on both boards.

Social media will be expanding in the Town to include instagram, snapchat, twitter account and much more.

Patricia Robcke, Comptroller explained that back in 2014 the Affordable Care Act was passed, and there are very important filing requirements with that. CPIHR was hired to handle those requirements, and we would like to renew their contract so they can continue to do so.

1. Agenda items for DOTS:

Councilmember Farrell made a motion to adopt the following resolution seconded by Councilmember with all voting **AYE**.

RESOLUTION NO. 277-19 RE: Award Contract TE2019.03 “Charles J. Cook Pool Proposed Bath House Reconstruction”

The Board was polled as follows:

Councilmember Costello	NO
Councilmember Becker	YES
Supervisor Puglisi	YES
Councilmember Creighton	YES
Councilmember Farrell	YES

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The motion was passed with a 4-1 vote.

Supervisor Puglisi explained that the bath house bid was put out to bid twice. The first bid came in much higher, 18 percent higher. Michael Preziosi, Town Engineer worked with design consultants, and it was decreased as much as possible. There was only so much that could be decreased.

Michael Preziosi, Dir. DOTS explained that the main goal was to create a new bath house that is going to be used for the community for the next 50 plus years. The current bath house is undersized for the number of patrons using the pool, camps etc. It needs to be brought into compliance for the Dept. of Health, and sanitation, and ADA accessible. The new design does meet that goal. The cost is unfortunate, however, we were able to bring the cost down as much as possible.

Supervisor Puglisi explained that this is expensive, about 2.9 million, but an investment for the future of this site. It is a lot of money, but is expected to last for over 50 years.

Patricia Robcke, Comptroller affirmed how much it would cost the average assessed property owner, and for a 20 year bond it would be about \$1.50 a month per household.

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

RESOLUTION NO. 278-19 RE: Retain Woodward and Curran to perform aerial flyovers using a drone at the Quarry, Riverfront Park areas, Annsville Creek and other areas for economic growth purposes.

RESOLUTION NO. 279-19 RE: Authorize Director of DOTS to enter into a Consultant Agreement with Woodard and Curran to perform a water quality assessment of Lake Meahagh

RESOLUTION NO. 280-19 RE: Authorize Director of DOTS to extend Consultant Services with Badey and Watson Engineering for drafting services for the design of the Croton Avenue Water Main and Croton Park Road Water Main / Drainage Improvements.

RESOLUTION NO. 281-19 RE: Authorize DOTS to enter into an agreement with Badey and Watson Engineering and Surveying to update survey information for the design of the Furnace Woods Sewer District.

RESOLUTION NO. 282-19 RE: Extend contract for one year with Northwind Kennel LLC.

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

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Michael Preziosi, Dir. DOTS explained that they will be using drones to perform aerial footage, and it will be cut and posted on the Town website, and used to make pamphlets of materials to give to residents, business men and women in the community for economic development from out of Town.

Michael Preziosi, Dir. DOTS commented that they will be working on the water main, and drainage improvements to infrastructure. The consultant services will help with drafting of the design of this.

2. Agenda Items for DES:

RESOLUTION NO. 283-19 RE: Authorize Environmental Maintenance Contractors, Inc. to perform asbestos shingle removal at the Morabito Center Storage ~~Shed.~~ Building (AS AMENDED)

RESOLUTION NO. 284-19 RE: Authorize a Solar Radar Speed Sign for Mt. Airy Road.

RESOLUTION NO. 285-19 RE: Authorize Solar Flashing Lights and signage for East and Westbound lanes of Kings Ferry Road at the Harper Avenue/Hunt Avenue intersection.

RESOLUTION NO. 286-19 RE: Authorize additional Solar Radar Speed Sign for Kings Ferry Road.

RESOLUTION NO. 287-19 RE: Authorization to install additional bright green signage associated with school crossings and bus stops, and paint a new crosswalk on King Ferry Road.

RESOLUTION NO. 288-19 RE: Authorize the purchase and installation of new playground equipment for Cook Pool.

RESOLUTION NO. 289-19 RE: Authorize a leave of absence for three employees in DES.

RESOLUTION NO. 290-19 RE: Schedule a Public Hearing for November 19, 2019 regarding Floating Billboards in the Hudson River.

Stephen Ferreira, Dir. DES explained most of these items are to address the traffic issues on Kings Ferry Rd. There will now be traffic calming devices, and attention grabbing signage, and a crosswalk in that area. He also added that the playground equipment at Charles Cook Pool was originally moved from another park about 10 to 15 years ago.

ADDITIONS TO THE AGENDA

NEW BUSINESS:

Receive and File the Following:

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1. Letter from Zarin & Steinmetz on behalf of VS Construction regarding Evergreen Manor and the Medical Oriented Zoning District.

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

RESOLUTIONS

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

RESOLUTION NO. 291-19 RE: Amend Resolution 261-19 regarding the appointment of employee Sebastian Velez.

RESOLUTION NO. 292-19 RE: Accept the donation of Parcel SBL 45.5-2-31 located on Maple Avenue.

RESOLUTION NO. 293-19 RE: Terminate further consideration of Planning Board Application 2019-18 – Matrix Solar Energy Systems, 300 Furnace Dock Road

RESOLUTION NO. 294-19 RE: Authorize the use of property within the Town of Cortlandt by Forest Productions for the purpose of filming.

RESOLUTION NO. 295-19 RE: Authorize a one-time stipend to the Deputy Town Clerk.

RESOLUTION NO. 296-19 RE: Set Public Hearing for November 19, 2019 regarding SEQR DGEIS/DEIS and proposed Local Law.

Supervisor Puglisi asked Laroue Shatzkin, Town Clerk to explain the resolution regarding filming in the Town.

Laroue Shatzkin, Town Clerk explained that the Town Board passed legislation regarding filming in the Town of Cortlandt, when it was pointed out that there were currently no regulations involving filming. The State of NY, and Westchester County are working to bring filming into the area. This will bring in revenue, as the Town will charge per day for both public and private property. This is the third or fourth company this year that has expressed interest in using the Town for its' project.

BUDGET TRANSFERS

REPORTS FROM VARIOUS DEPARTMENTS

REPORTS FROM STANDING & SPECIAL COMMITTEES

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SECOND HEARING OF CITIZENS

ADJOURNMENT

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

The meeting was adjourned at 8:35 p.m.

NEXT TOWN BOARD MEETING

November 19, 2019 at 7:00 pm
Town Hall Web Site address: www.townofcortlandt.com

Respectfully submitted,

Christine B. Cothren
Deputy Town Clerk

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