

MAY 12, 2020
TOWN BOARD MEETING VIA ZOOM

Pursuant to NYS Executive Order 202/2020 issued by the Governor, the Town Board of the Town of Cortlandt is holding meetings virtually via a platform known as Zoom. The public can observe the meetings in real time and they are recorded as usual and posted on the Town Website.

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 May 12, 2020 **via Zoom**. 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:

| | |
|-----------------------------|------------------------------------|
| TOM WOOD | Town Attorney |
| MICHAEL CUNNINGHAM | Deputy Town Attorney |
| LAROUÉ ROSE SHATZKIN | Town Clerk |
| CHRISTINE B. COTHREN | Deputy Town Clerk |
| PATRICIA ROBCKE | Comptroller |
| MICHAEL PREZIOSI | Director, DOTS |
| CLAUDIA VAHEY | Human Resources Coordinator |
| STEPHEN FERREIRA | Director, DES |

MEETING CALLED TO ORDER

The meeting was called 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 & REPORTS

Supervisor Puglisi stated that the Coronavirus pandemic is ongoing, but seems to be on the decline. She urged that all Cortlandt residents remain vigilant, and continue doing what they are asked, ie. social distancing, wearing masks, etc..

Supervisor Puglisi stated that Indian Point II is now closed as of April 30, 2020. Holtec the company that was hired by Entergy for decommissioning the plant is currently under NRC review. There is a Tasc Force in place with the Town, the Hendrick Hudson School Dist., and Village of Buchanan to oversee the closure of Indian Point III which will be April 30, 2021.

Supervisor Puglisi stated that George Oros has been working hard on ways to explore economic development in the Town.

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Supervisor Puglisi stated that Memorial Day is 5/25/20. She expressed great disappointment that they will not be able to have their regular, large ceremony at the Community Center this year, but that we should all be mindful of all of our veterans, who have made great sacrifices for our country. The Town will be airing the 2019 Memorial Day ceremony on the Town website. There are banners that were put up today in Montrose on Albany Post Rd. starting from the VA hospital on the right hand side heading south. There are individuals who have served our country. It is a wonderful tribute to our veterans, and they will remain in place for 6 months, and then another set will be put up. Anyone interested in purchasing a banner can contact the Supervisor's office.

Supervisor Puglisi stated that they will also be placing banners on Rte. 6 and Albany Post Rd. honoring those seniors from our high schools who have graduated, and those students from 8th grade middle schools who will be moving up to high school.

Supervisor Puglisi stated that they will be placing banners throughout the Town to honor first responders, fire, ambulance, and All the hospital workers in our area including the VA Hospital and the NYP Hudson Valley Hospital Center.

Supervisor Puglisi stated that they will be adopting the 2020 Paving list, which is about \$1.3 million dollars.

Supervisor Puglisi stated that the Medical Oriented District, MOD public hearing will be continued next month via Zoom on 6/16/2020, 7:00 p.m. It was supposed to be in April, but was further adjourned due to COVID 19 pandemic.

Supervisor Puglisi reminded everyone to complete the 2020 Census forms either online or in the mailing that all should have received. It is very important for municipalities and local government to be able to apply for grants, and get population numbers.

ROLL CALL

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

TOWN BOARD REPORTS

Councilman Farrell stated that over the next few weeks the Town will be making very important decisions in regard to reopening of parks, playgrounds, pools, and summer camps. This will all be decided with the mindset that health and safety of our citizens will be first and foremost. There will be a lot of input from NYS , Westchester County, and various department heads in the Town.

Councilman Farrell wanted to also thank the Dr's, emergency service workers, grocery store workers, sanitation workers, and all of the Town employees who are working from home, and on modified schedules with all different circumstances of home life. The Town is maintaining their

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services at a very high level, and without these people we would not be able to continue our lives as normally as possible.

Councilman Farrell wanted to mention the report from AKRF, which he wanted to explain. AKRF is an environmental engineering firm that employs about 350 engineers, developers, and other professionals working for them. What they are proposing is trying to pull together different ways of creating green energy by identifying where energy can be generated. They are focusing on wind power particularly off of Long Island sound, and are currently looking into what would be required to possibly have Cortlandt as a site to utilize wind turbines by utilizing the Hudson River to bring in materials to fabricate these turbines and ship them on the river to Long Island Sound to create energy. He just wanted the public to be aware that this is not something the Town of Cortlandt is advocating, promoting, or endorsing. AKRF is only identifying what they think may be opportunities for their plan for future energy sources. We are receiving information tonight from AKRF that will be available for the public to review. It will be on our Town website. There are many factors involved, and this is just giving the company to explore the options here in Cortlandt. The impact on the community will be enormous, and may not be something that is desirable in our Town. He encouraged the public to read about it, and make themselves aware of what they will be exploring.

Councilman Creighton stated that he wants the public to know that business in the Town has not been on Pause. They are working very hard on making some very important decisions for the future of the Town. He commended by hard work of all the Town employees, and how impressed he is in regard to all of the services that are still being provided to the community. He mentioned an APP services that is on the agenda tonight regarding shared services regarding recycling, and will allow the Town to easily notify of sanitation schedule changes, road closures, and many other important announcements.

Councilman Creighton wanted to give a special thanks to all of the teachers, and the hard work that they are doing maintaining and continuing our children's education. He also wanted to again thank all of the EMT workers, nurses, doctors, fire departments, grocery stores, delis, restaurants, and all of those that have given us continued services and protection during this very difficult time.

Councilman Creighton stated the the Building Department will be ready to make decisions, and proceed quickly, and as easy as possible with building permits, and any other permits needed for restaurants, stores etc. to modify their facilities in order to open for business once our area reaches that reopening point.

Councilman Creighton stated that this can be a very difficult time for people struggling financially, and he personally has volunteered with Feeding Westchester, and urged people to donate to local food pantries when able. He thanked the Hudson Valley Gateway Chamber for all of their hard work with this, and wanted to thank Chappy Manzer for his efforts in feeding people in the community, our DES and hospital workers. It is amazing to see how people are helping one another.

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Councilman Creighton stated that he wanted to acknowledge the passing of George Kummer who was very active with our veteran's group, and the VanCortlandtville Historical Society. He also mentioned the passing of Gary Cahill's wife, and the passing of Brother Ted from Graymoor. He wanted to express condolences on behalf of him and the Town Board.

Councilman Creighton also mentioned AKRF and wanted the public to know the Town is not endorsing the project at this time. They are only giving this company the green light to explore the options and report back to the Town Board with their findings. Port Cortlandt has nothing to do with the Town of Cortlandt at this time.

Councilwoman Costello thanked all the first responders, doctors, and people who are risking their lives to save ours. She thanked the community for really trying to adapt and practice social distancing. She stated that even though this has been a very sad time that it has also brought families together, and change can be good. She also wanted to mention to the car parades for Hendrick Hudson High School seniors on Saturday, 6/6/2020, and to check the website for more information. She wanted to reiterate that we should all smile, and make the best of the change.

Councilwoman Costello also mentioned that at the June meeting they will resume the MOD Public Hearing, and there will be further instructions to the public as to how to submit comments and questions beforehand for those that may not be comfortable with ZOOM.

Councilman Becker wanted to comment and expand a little bit about how this Coronavirus pandemic has affected all of us, and a lot of us are suffering with anxiety, stress, sleep disruption, and all people have different coping mechanisms. He urged those who feel overwhelmed to contact their physicians, clergy, or other professionals if they need help with coping mechanisms.

Councilman Becker stated that the letter received from NRC regarding the pipeline, (which he read) and really could not believe how poor, and not in depth the analysis was. The Town Board will be asking for a much better assessment.

Councilman Becker encouraged everyone in the community and beyond to try to stay positive, and that we will get through this together, and the Town is working on many projects to move forward with in the very near future.

APPROVAL OF THE MINUTES

Approve the Minutes from the April 14, 2020 Regular Meeting.

Councilwoman Costello made a motion to approve the above minutes, seconded by Councilman Becker with all voting **AYE**.

PUBLIC HEARINGS

HEARING OF CITIZENS – AGENDA ITEMS ONLY

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REPORTS

Receive and File the following:

For the month of March from the Purchasing Department.

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

DOTS 1st Quarter 2020 Report – Division of Code Enforcement

MS4 Annual Report (April 2019 – March 2020).

Councilman Becker made a motion to receive and file the above reports, seconded by Councilman Creighton with all voting **AYE**.

OLD BUSINESS:

Receive and File the following:

NEW BUSINESS

Receive and File the following:

1. Memorandum from the Director of DOTS regarding Climate Smart Community Bronze Certification for the Town Of Cortlandt.
2. Letter from the United States Nuclear Regulatory Commission to Entergy Nuclear Operations regarding pipeline safety evaluation.
3. Letter from residents regarding 2064 Main Street and request to transition from commercial to residential rental space; Refer to Legal, DOTS.
4. Letter from Chairman of Teatown Lake Reservation Board regarding no parking on Teatown Road; refer to DES.

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

RESOLUTIONS

RESOLUTION NO. 119-20 RE: Support Westchester County Tax Plan and Penalty Reduction schedule. (Section 283.221)

RESOLUTION NO. 120-20 RE: Authorize amendment to Entergy PILOT.

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RESOLUTION NO. 121-20 RE: Authorize settlement of tax certiorari with Chabrowe.

RESOLUTION NO. 122-20 RE: Authorize settlement of tax certiorari with Cortlandt Town Center.

RESOLUTION NO. 123-20 RE: Support request for communities to receive Indian Point Settlement with Riverkeeper.

RESOLUTION NO. 124-20 RE: Support NYS Bills S7846, S8075 and S8154 regarding Indian Point Nuclear Power Plant.

1. Agenda Items for DOTS:

RESOLUTION NO. 125-20 RE: Authorize extension of Contract Administration and Special Inspection Services for Charles J. Cook Pool Bath House and Snack Bar Reconstruction.

2. Agenda Items for DES:

RESOLUTION NO. 126-20 RE: Authorize upgrade of RTA Fleet Management Software to include scanning and label printing for auto parts inventory and diesel fuel module.

RESOLUTION NO. 127-20 RE: Authorize purchase of HVAC equipment for the Court Clerk offices at Town Hall.

RESOLUTION NO. 128-20 RE: Authorize SBA Network Services to repair the Lightning Protection Cable at the Jacob's Hill Water Tank.

Supervisor Puglisi asked Thomas Wood, Town Attorney to give a brief overview of above Resolutions #120-20, #121-20, and #122-20.

Thomas Wood, Town Attorney explained Res. #120-20 is regarding the existing PILOT with Indian Point. What this does is lessens the amount of initial reductions from 30 percent to 25 percent, and shortens the term of the PILOT to 3 years, which will allow the Town to sit down with Holtec, the future owner of the plant, and negotiate a tax settlement .This has been discussed with the Village of Buchanan, and the Hendrick Hudson School District, and both are supporting the amendment. Overall this is an improvement.

Thomas Wood, Town Attorney explained Res. #121-20 is a tax certiorari for a homeowner in the Village of Croton, and is refund of less than \$1000.

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Thomas Wood, Town Attorney explained Res. #122-20 is a major tax certiorari for the Cortlandt Town Center, after discussions and appraisals, the property will now be assessed at 82 million dollars here forward, and results in a refund of \$20,000.

Councilman Creighton asked Thomas Wood to also explain Res. #119-20 regarding the Westchester County Tax Plan and Penalty reduction schedule.

Thomas Wood, Town Attorney stated that all taxes, Town, County, and Special District taxes were due 4/30/2020. Normally if they are not paid they are subject to a 5 percent penalty in the month of May, another 5 percent in June, and 7 percent in July. Because of the pandemic there have been two modifications of the schedule made. One, was by the County Legislator, which reduced those penalties to .5 percent in May, 2 percent in June, and a modest reduction in July. The third was done by Executive Order from the Governor, and what that provided was anyone who could show financial hardship they would be entitled to have an extension of their tax due date until 7/15/2020.

Councilwoman Costello made a motion to adopt the above resolutions, seconded by Councilman Farrell with all voting **AYE**.

Supervisor Puglisi commented on Res. #123-20, and Res. #124-20, stating that a few years ago there was a settlement between Entergy, and a not for profit Riverkeeper. This resolution is supporting the Hendrick Hudson School District and the Village of Buchanan in asking the state to give them the 15 million dollars from the settlement to help offset costs once Indian Point III closes.

Supervisor Puglisi stated regarding Res. #124-20 she wanted to thank State Senator Peter Harckam, and Assemblywoman Sandy Galef for submitting bills in helping us with various aspects of Indian Point closing including job losses, and assessment on spent fuel rods.

Michael Preziosi, Dir. DOTS explained Res. #125-20. He stated that this is in regards to the extension of the construction at the Charles J. Cook Pool Bathhouse. It is extending the contract with the architect and the special construction requirements due to the pandemic.

Councilman Creighton asked if there any additional costs that appear to be related to the NY PAUSE?

Michael Preziosi, Dir. DOTS answered not necessarily with these two contracts, but there is a potential for inspection costs which are billed hourly.

Councilman Creighton wanted to just make sure this was documented, as the Town will potentially try to recoup some of the losses due to COVID 19 through FEMA.

Michael Preziosi, Dir. DOTS confirmed that they are keeping a log and accurate records of the additional costs.

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Supervisor Puglisi stated that Patricia Robcke, Town Comptroller will be working in applying for various FEMA grants due to the pandemic.

Stephen Ferreira, Dir. DES explained Res. #126-20 stating that this is an upgrade to the Fleet Management System, and these new modules will track diesel fuel and auto parts inventory. The additional cost is about \$400 per year, and a one time \$1800 cost .

Stephen Ferreira, Dir. DES explained Res. #127-20 stating that this is to upgrade the HVAC equipment for the Court Clerk's Office. The estimates for repairing the system were excessive and he feels as though they can replace the system using in house staff which would be less than the repairs on the old system, and will not exceed \$10,000.

Stephen Ferreira, Dir. DES explained Res. #128-20 explaining that this is to repair a lightning protecting cable at Jacobs Hill Water Tank, which was damaged during a storm.

RESOLUTION NO. 129-20 RE: Support a Car Parade by Hendrick Hudson Students on June 6, 2020.

RESOLUTION NO. 130-20 RE: Appoint Lindsey Luposello to the title of Senior Youth Aide from the Civil Service List.

RESOLUTION NO. 131-20 RE: Appoint Elvia Sinchi to the title of Office Assistant (Automated Systems) from the Civil Service List.

RESOLUTION NO. 132-20 RE: Appoint Wayne Smith as an intern for the Summer Season to work in various Town Hall Departments.

Councilwoman Costello made a motion to adopt the above resolutions, seconded by Councilman Becker with all voting **AYE**.

Supervisor Puglisi mentioned that the car parade for Walter Panas High School and Lakeland High School will take place at the JV Mall on 6/6/2020, and the Hendrick Hudson High School will have theirs the following week.

Supervisor Puglisi congratulated the newly appointed and promoted employees.

Councilman Creighton wanted to also congratulate and thank the new appointed and returning employees.

RESOLUTION NO. 133-20 RE: Order calling a Public Hearing for July 21, 2020 to consider an increase of improvements for the Dickerson Pond Sewer District.

Councilwoman Costello made a motion to adopt the above resolution, seconded by Councilman Becker. The Board was polled as follows:

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| Councilwoman Costello | YES |
| Councilman Becker | YES |
| Supervisor Puglisi | RECUSED |
| Councilman Creighton | YES |
| Councilman Farrell | YES. |

The motion was passed 4-1.

ADDITIONS TO THE AGENDA

Receive and File the Following:

1. Memorandum from the Director of Code Enforcement regarding updating of the Town Code in relation to Sprinkler Systems; *forward to Fire Advisory Board and Fire Inspector, AS AMENDED.*
2. Letter from Resident on Batten Road; refer to County and State Police.
3. Report/proposal from AKRF regarding Port Cortlandt; refer to Legal and DOTS

Councilwoman Costello made a motion to receive and file the above seconded by Councilman Creighton with all voting **AYE**.

4. Letter from Resident regarding Twin Lakes lake management.

Councilwoman made a motion to receive and file the above seconded by Councilman Creighton. The Board was polled as follows:

| | |
|-----------------------|---------|
| Councilwoman Costello | YES |
| Councilman Becker | RECUSED |
| Supervisor Puglisi | YES |
| Councilman Creighton | YES |
| Councilman Farrell | YES |

The Receive and File was adopted 4-1 vote.

5. Letter from Enbridge – AIM Project regarding invasive species treatment.
6. Letter from Camp Smith regarding roadway expansion.

Councilwoman Costello made a motion to receive and file items 5 and 6 seconded by Councilman Creighton with all voting **AYE**.

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Michael Preziosi, Dir. DOTS stated that the road improvements for Camp Smith are all within the compound.

RESOLUTIONS:

RESOLUTION NO. 134-20 RE: Adopt 2020 Paving List and extend contract.

RESOLUTION NO. 135-20 RE: Retain Chazen Engineering to assist with various projects and applications.

RESOLUTION NO. 137-20 RE: Petition Federal Government to include direct funding for Local Governments in the next Federal Stimulus Package.

RESOLUTION NO. 138-20 RE: Schedule a Public Hearing for July 21, 2020 to consider removing redundancies in section 131-6 of the Town Code – Sprinkler Systems.

Councilwoman Costello made a motion to adopt the above resolutions seconded by Councilman Becker with all voting **AYE**.

Supervisor Puglisi stated that road paving will most likely begin in June, confirmed by Michael Preziosi, Dir. DOTS.

RESOLUTION NO. 136-20 RE: Authorize the purchase of Aerators for Lake Management for Twin Lakes.

Councilman Farrell made a motion to adopt the above resolution, seconded by Councilman Creighton. The Board was polled as follows:

| | |
|-----------------------|---------|
| Councilwoman Costello | YES |
| Councilman Becker | RECUSED |
| Supervisor Puglisi | YES |
| Councilman Creighton | YES |
| Councilman Farrell | YES |

The motion was passed 4-1.

RESOLUTION NO. 139-20 RE: Amend Resolution 99-20 and Authorize a Service Agreement with Sustainable Westchester regarding waste and recycling.

RESOLUTION NO. 140-20 RE: Amend Resolution 80-20 and Authorize an Agreement with Starfish Junction for a Cider Festival.

RESOLUTION NO. 141-20 RE: Authorize Emergency Temporary No Parking signage on Teatown Road and Batten Road.

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RESOLUTION NO. 142-20 RE: Authorize Furloughs for Part-Time and Seasonal Employees at the Youth Center, Community Center, and the C.U.E.

RESOLUTION NO. 143-20 RE: Appoint a Seasonal Worker in DES

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

BUDGET TRANSFERS

REPORTS FROM VARIOUS DEPARTMENTS

REPORTS FROM STANDING & SPECIAL COMMITTEES

SECOND HEARING OF CITIZENS

ADJOURNMENT

The meeting was adjourned at 8:40 p.m.

The meeting was adjourned with a moment of silence in memory of all those who lost their lives due to COVID 19 . Some of those individuals include but not limited to George Kummer, Brother Ted from Graymoor, Gary Cahill's wife, Vinny Golden who was a Vietnam veteran and many others who very sadly lost their lives due to the COVID 19 pandemic.

NEXT TOWN BOARD MEETING

June 16, 2020 at 7:00 pm
Town Hall Web Site address: www.townofcortlandt.com

Respectfully submitted,

Christine B. Cothren
Deputy Town Clerk

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