



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 September 22, 2020, 7:01 p.m. **via Zoom**. The following elected officials and appointed staff were 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	Town Attorney
LAROUÉ ROSE SHATZKIN	Town Clerk
CHRISTINE B. COTHREN	Deputy Town Clerk - ABSENT
PATRICIA ROBCKE	Comptroller
MICHAEL PREZIOSI	Director, DOTS
CLAUDIA VAHEY	Human Resources Coordinator
STEPHEN FERREIRA	Director, DES
TINA TOBACK	Senior Office Assistant

MEETING CALLED TO ORDER

The meeting was called to order at 7:01 p.m.

PLEDGE TO THE FLAG

Supervisor Puglisi led all in attendance with a Pledge to the Flag.

SUPERVISOR'S PROCLAMATIONS & REPORTS

Supervisor Puglisi commented on the 9/11 ceremony and tribute to those who lost their lives 19 years ago. There was a virtual ceremony hosted by Buchanan this year, and a large ceremony will be planned to mark the 20th year next year. There was also a wonderful virtual suffragette event to celebrate the 100th anniversary of the ratifying of the 19th amendment, giving women the right to vote. It was a very special event and is available on the website.

The census deadline is the end of September. The Town has close to an 80% response rate and everyone should be counted.

The Supervisor mentioned that she participated in a Nuclear Regulatory Commission (NRC) conference call with Mayor Knickerbocker this afternoon and asked tough questions regarding Indian Point. Many people protested the FERC approved gas pipeline due to its proximity to Indian Point and the NRC is now finally raising questions. The Power Point presentation from the NRC will be made available on the Town of Cortlandt website tomorrow. Holtec is currently the only decommissioning company being considered by the NRC.

ROLL CALL

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

TOWN BOARD REPORTS

Councilmember Carter gave her report

OF NOTE:

Councilwoman Debra Carter discussed that the Town had lost several individuals to heroin overdose in recent weeks and that she has organized with the Cortlandt Community Coalition for Narcan Training on October 29th via Zoom. This training can save a life.

Councilwoman Carter stated that Port Cortlandt will be discussed this evening and that the public has been heard and all their letters have been read. The resolution this evening is to make the Town Board Lead Agency.

Councilwoman Carter indicated that she wants to decide based on all of the facts, and requested additional time and technical advice from town staff. AKRF should put money into an escrow account to help pay for this analysis. The State Environmental Quality Review Act (SEQRA) Process is a mechanism to have resident questions documented and answered and is not an approval of any project. It is a mechanism to capture questions and concerns and have them answered. The process is the same for all large projects to be considered. Social Media is spreading false information that the project is being voted on, but the Town Board is simply voting on being Lead Agent as part of the process.

Councilwoman Costello indicated that she lives very close to the project and still wants to make decision based on complete and accurate information.

Councilmember Creighton gave his report

NOTE:

Councilman James Creighton stated that the anniversary of 9/11 can be a struggle, especially for the first responders who suffer respiratory issues and COVID is especially dangerous for them.

The country was so united at that time and we can get back to that, even though it feels as though we are far away from it. Wearing masks shows respect and protects immunocompromised people among us, including those 9/11 survivors who still struggle with the after effects.

Thank you to Councilwoman Carter for reminding the community how important Narcan is. Three young people in our community succumbed to opioid use this month. Narcan can save a life but will not harm someone if it's not needed. Thank you to Councilman Becker for the CHOP program. Signed up more than 10 years ago for \$5.00 and still getting the best price available. Thank you to Town Clerk Laroue Rose Shatzkin for doing a great job. The Town Clerk helps make things run smoothly behind the scenes.

Westchester County rolled out the Business First Program to help small businesses who have been working hard to weather the Pandemic and its economic consequences. The Town and George Oros have been working hard to spread information about available programs.

Councilman Creighton discussed that he sees the benefits of the Port Cortlandt project but is aware of the various issues that need to be studied and mitigated. The opinion of consultants on some of the technical details would be helpful. Many questions of the public have not been addressed and need to be answered. Every one of the letters that have come in from the public have been read and the Councilman indicated he respects all the opinions and understands the concerns. The SEQURA Lead Agency Designation helps the Town Board to move through the process correctly.

The next Workession Agenda contains an item to discuss Police Accountability. Councilman Creighton mentioned he has been working closely with Legislator Colin Smith and a number of community members on this issue, and hopes that the local statement and process will line up with the Governor's thoughts on what communities with a police force should be doing.

Councilmember Becker gave his report

OF NOTE:

Councilman Richard Becker stated that many of his thoughts have been expressed by his colleagues. Thanks to Councilwoman Carter especially for her words, the Town Board received all the correspondence from residents and agrees with the letters. It is important to hear both sides of an argument. Developers often hear these comments and concerns from residents and come back with more acceptable revisions.

Councilman Becker stated that if he had to vote tonight he would vote "No", but feels that would be a mistake without gathering all the information. The Town Board and the public deserve to hear the full explanation.

Councilman Becker commented on the COVID crisis, it is difficult to comprehend that two hundred thousand Americans have died of this disease. That is equivalent of If Vietnam and 9/11

happened 4 times over. Councilman Becker shared that he had been meeting with families of the critically ill on behalf of the local hospital. Many had risk factors, but were otherwise active

healthy people and the impact on the families is very tragic. NY is doing a good job with masks and social distancing the numbers are down. We all have to continue being smart.

Councilmember Farrell gave his report

OF NOTE:

Councilman Frank Farrell indicated that he has thoughts on Port Cortlandt but will wait until that item comes up for a vote on the agenda.

Councilman Farrell mentioned that the Cortlandt Waterfront Park is coming along nicely. DES has made a great attractive lawn where the trailer park used to be and has installed picnic benches and parking areas. It is a really beautiful, passive park. DES has also demolished the hangar building on the site very quickly and the site is prepared for the erection of the new building. There was a sign on the building that was taken down that said Peekskill Sea Plane Base, that was a nod to the history of the park. The public should be reassured that the sign has been preserved and will be re-hung on the new building.

The Recreation Department has been conducting yoga classes, and family bean bag tournaments, all being done outdoors and socially distant at the Cortlandt Waterfront. 8-10 residents have been coming down to swim at the natural sandy beach. Councilman Farrell expressed his happiness to see the park being used and appreciated and asserted there are no plans for any major construction or buildings. The Town wants to see in the coming years what people want and will make sure it's a useful place for all to enjoy.

Councilman Farrell shared that he is working on a project to map and open up the great swathe of open space that runs from Maple Ave over to Mt. Airy Road. It is overseen by the Westchester Land Trust and includes the Abbey Rose Parcels, and Jesse Norman parcel to the west. In total it is over 800 acres. The Town is going to make a parking area at Cook Pool so that people can access and explore this space that was used over 200 years ago for farming and has beautiful old stone walls. The Councilman is working with local Girl Scout groups and the Technology Committee to map out this area.

9/11 struck people especially hard this year without the opportunity to mark and commemorate it like we normally would. It is important to recognize and acknowledge the loss we all suffered and reiterate that we will never forget.

Councilman Creighton interjected that there is an ongoing survey out called the LWRP – available on Town Website, so community can tell us what they want on our waterfront areas.

APPROVAL OF THE MINUTES

Approve the minutes for the July 21, 2020 Regular Meeting, and for the August 11, 2020 Regular Meeting.

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

PUBLIC HEARINGS

1. Public Hearing to consider Cortlandt Boulevard Residential Zoning Text Amendments.
 - a. Close Public Hearing
 - b. Adopt a Negative Declaration
 - c. Adopt Resolution

The Public Hearing was opened at 7:46 PM.

Town Attorney Thomas Wood explained that this amendment to the Town Zoning Ordinance will allow some commercially modified single family homes on Cortlandt Blvd to convert back to fully residential units. The buildings would remain the same in appearance.

Councilman Becker emphasized the importance of this change due to increasingly vacant commercial space, and the need for safe affordable housing. This vote accomplishes both.

Councilman Farrell commented that this action particularly makes sense on Cortlandt Blvd as it has sidewalks and a bus route.

Councilman Becker made a motion to close the Public Hearing, adopt a Negative Declaration, adopt a Resolution, seconded by Councilman Creighton with all voting AYE.

The Public Hearing was closed at 7:50 PM

RESOLUTION NO. 215-20 RE: Adopt a Negative Declaration

RESOLUTION NO. 216-20 RE: Adopt Resolution

HEARING OF CITIZENS – AGENDA ITEMS ONLY

Warren A. Smith of 203 9th Street in Verplanck
President of Verplanck Resident's Association
Opposed to Port Cortlandt.

Debra and Dominick Santucci of 15 Travis Lane, Montrose.
Thanked the Town Board for updating the Cortlandt Blvd Zoning.

Adam and Genelle MacNeil of 5 Tommy Thurber Lane, Montrose
Opposed to Port Cortlandt.

Tara Johnson of 37 Wayne Avenue, Verplanck.
Opposed to Port Cortlandt.

Jim and Arlene Bell of 269 9th Street, Verplanck
Opposed to Port Cortlandt.

Jeffrey Boudin of 5 Lafayette Place, Verplanck
Opposed to Port Cortlandt

Jim Dolan of 261 9th Street, Verplanck
Opposed to Port Cortlandt

Brad Kennedy of 1 Cleveland Drive, Croton-on-Hudson
Opposed to Port Cortlandt

Wayne A. Smith of 203 9th Street, Verplanck
Opposed to Port Cortlandt

Bernard Vaughey of 215 Broadway, Verplanck
Opposed to Port Cortlandt

Maria Morabito of 27 8th Street, Verplanck
Opposed to Port Cortlandt

Thomas Hill of 125 16th Street, Verplanck
Opposed to Port Cortlandt

Brad Kennedy of 1 Cleveland Drive, Croton-on-Hudson
Opposed to Port Cortlandt

Bill Oricchio of 225 8th Street, Verplanck
Opposed to Port Cortlandt

Shannon Savva of 184 3rd Street, Verplanck
Opposed to Port Cortlandt

Marge Smith of 203 9th Street, Verplanck
Opposed to Port Cortlandt

Arlene Bell of 269 9th Street, Verplanck
Opposed to Port Cortlandt

Bernard Vaughey of 215 Broadway, Verplanck
Opposed to Port Cortlandt

Town Attorney Tom Wood explained about the SEQRA Process being an environmental review process, and following its own timeline, independent of any timeline being followed or requested by the developer. SEQRA leads to other actions needing to be taken, with many steps before the Town could consider selling or re-zoning the property. The applicant does not own the property – a very unusual situation – and as a result has no vested rights. SEQRA would essentially be a consideration of future actions by the Town Board.

Supervisor Puglisi thanked the public for participating in the Hearing of Citizens.

REPORTS

Receive and File the following:

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

OLD BUSINESS:

Receive and File the following:

1. Memorandum from Director of DES regarding Well Water update at 167 Roa Hook Road Facility.
2. Memorandum from the Planning Board supporting proposed modifications of Cortlandt Boulevard Special Permit and providing draft ordinance.
3. Correspondence regarding request from Resident regarding lot 24.5-5-9; Refer to Legal.
4. Letter from PSC on behalf of Governor Cuomo responding to joint Cortlandt-Croton Letter voicing issues with Con Edison.

NEW BUSINESS

Receive and File the following:

1. Memorandum from Director of DES recommending handicap parking space on 6th Street in Verplanck.
2. Correspondence from Residents regarding the proposed Port Cortlandt project.
3. Letter from Resident regarding parking restrictions along Van Cortlandt Place; Refer to DES, DOTS, Code and Legal.

4. Letter from Resident regarding leaf blowers and power tool noise; Refer to DES, DOTs, and Legal.
5. Letter from Resident of Riverview Avenue requesting speed bump by the Cortlandt Waterfront Park; Refer to DES and Legal.

Councilman Creighton moved to receive and file the above, seconded by Councilman Farrell. All voted AYE.

Supervisor Puglisi mentioned the letter she co-signed with Croton Mayor Brian Pugh regarding all the power outages over the summer – there were residents without power for almost 8 days. This was a clear reflection of poor management decisions from Con Edison. Every municipality in the area had similar problems.

RESOLUTIONS

RESOLUTION NO. 217-20 RE: Authorize staff to circulate the Town Board’s Notice of Intent to serve as lead agency pursuant to the State Environmental Quality Review Act for the Port Project proposed by AKRF, Inc.

Supervisor Puglisi stated that she does not need more time to consider this project and has enough information after attending information meetings with AKRF and asking many questions at Worksessions. The property was purchased over 5 years ago to “Stop the Buzz” and another larger industry does not make sense. The Supervisor wants to do something beneficial with this property and would like input from the people of Verplanck. Does not want to sell the property. Going further delays the inevitable. Residents of the Verplanck have been through so much on these 99 acres. This is not a town project and the town has been solicited. Ready to vote “No”.

The property is just shy of 100 acres which includes the quarry. Purchased 5 years ago for 2.9 Million dollars after a permissive referendum was made available to the community. Was a great investment to “stop the buzz”. Kept an open mind but is ready to render a decision.

Size of the proposal is over 200k sq ft. Kohls department store on Rt. 6 is 100k sq. ft. It will be 40-50 ft high, the same height as the hospital. It is a manufacturing project. Summary of key points. Voting no tonight.

Councilman Richard Becker agreed with Supervisor Puglisi that the project is too big and the price is too high for any potential benefits, but cautioned that that is not the question before the Town Board. The question is whether Town Board or someone else will be Lead Agent, and has the right to accept or reject the project. The public is opposed to the project and wants an answer quickly, without this hanging over their heads.

Councilman Becker suggested voting “Yes” this evening to make the Town Board Lead Agent, and put the project on the agenda next month to approve or kill it. This provides AKRF a month to provide something substantially different. This way the Town Board is doing their due diligence.

Councilman James Creighton agreed that the question this evening is about SEQRA and whether the Cortlandt Town Board is Lead Agent or someone else. The Cortlandt Town Board is the only proper Lead Agent, and SEQRA is the only way to get the residents the answers they deserve. Information is important and this transformational project could be good or damaging. The Town Boards needs and deserves to provide to the residents what the potential benefits could be. National Resources, the potential owner, has just come on board, and it is important to hear from them. The Board and residents need to know the real story and know exactly what the jobs and economic impacts are. It is important for the community to have the facts. Councilman Creighton stated that he has no interest in delaying the inevitable. AKRF and National Resources will have a lot of work to get us the information we need. Councilman Creighton indicated that he is very interested in making sure we follow the process and that when he votes “Yes” on SEQRA, it’s because it’s the right thing to do, and the way to follow the process. Councilman Creighton stated he is a “Yes” to look at the facts.

Councilman Frank Farrell disagreed with the suggestion that this resolution needs to be passed to show who is in charge, since the Town Board is, in fact. Has been trying to learn as much as possible, and has been searching ports throughout the world involved in manufacturing wind turbine components. In every instance, what he saw was something very much akin to Newark, and Port of Albany, and saw nothing to suggest a small operation of limited scope could be placed on the parcel in question. Councilman Farrell stated he is very willing to take AKRF on their word that they will seek to incorporate more parcels to develop a sprawling port. Anyone investing millions of dollars will want to expand because it’s good business. Councilman Farrell said that tonight he would like tell AKRF not to waste more money or resources pursuing this project since it is not the right thing for our waterfront. Other Hudson River Communities are reclaiming their waterfronts from the industries that have polluted them, and transforming themselves into livable, walkable communities. There is no sense to consider going in the opposite direction. St. Patricks’ Church is one of the oldest Catholic Parishes in the Hudson Valley and deserves to be respected. There is nothing that can be done to mitigate this. The Town Board should say “No” and let AKRF seek out another location.

Councilwoman Debra Carter mentioned that she started off this evening feeling it was necessary to hear everyone’s point of view and that she has certainly heard a lot tonight. AKRF is here attending and is hearing what the Town Board and the residents are saying. A resident mentioned the anguish of not knowing what was going to happen and Councilwoman Carter stated that she understood that. The likelihood that this will be a long drawn out process is nil and AKRF has heard this evening that the community does not want this. Councilwoman Carter indicated that she liked Councilman Becker’s suggestion that the Town Board vote to be lead agent, and put it up for a vote in 30 days. A “Yes” or “No” vote on the actual project is not on the table this evening.

Councilwoman Carter said the Town Board will listen to the residents and process it next month.

Councilman Farrell made a motion to amend the resolution and do an up or down vote on the project, seconded by Supervisor Puglisi. Supervisor Puglisi asked if there was a third vote to carry the motion but there was not and the item was dropped.

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

Councilwoman Carter	AYE
Councilman Creighton	AYE
Councilman Farrell	NAY
Councilman Becker	AYE
Supervisor Puglisi	NAY

The motion passed by a vote of 3 AYES.

RESOLUTION NO. 218-20 RE: Authorize the abandonment of a portion of Cortland Street.

RESOLUTION NO. 219-20 RE: Authorize a contract extension with respect to Snow Plowing and Ice Control for the 2020-2021 Season.

RESOLUTION NO. 220-20 RE: Authorize a contract with respect to the Affordable Care Act.

RESOLUTION NO. 221-20 RE: Authorize the renewal and extension of the Cortlandt Heating Oil Program. (CHOP)

RESOLUTION NO. 222-20 RE: Adopt Retention and Disposition Schedule for New York Local Government Records (LGS-1)

RESOLUTION NO. 223-20 RE: ~~Adopt Remote Working Policy for limited, qualifying staff and~~ Adopt Remote Work Request Form for COVID-19 related leave, AS AMENDED.

RESOLUTION NO. 224-20 RE: Authorize an agreement with the Town of Yorktown to provide Nutrition Meals to Senior Citizens under Title 3C of the Older Americans Act.

RESOLUTION NO. 225-20 RE: Authorize contribution to the Cedar Hill Cemetery/The Reformed Church of Cortlandtown in Montrose for restoration work.

RESOLUTION NO. 226-20 RE: Authorize an Agreement with Resident of 176 Westchester Avenue to share the cost for tree removal on undeveloped portion of 9th Street.

Councilman Farrell made a motion to adopt the above resolutions, seconded by Councilwoman Carter. All voted AYE.

Supervisor Puglisi mentioned that the Town is delighted to help the church with their cemetery, and also thanked the Town of Yorktown for assisting Cortlandt with the Nutrition Meals for Senior Citizens. It costs \$4.50 per meal.

1. Agenda Items for DOTS:

RESOLUTION NO. 227-20 RE: Award Contract TE2020.06R Charles J Cook Pool Tennis Court Resurfacing.

RESOLUTION NO. 228-20 RE: Authorize DOTS to obtain proposals for treatment of Wallace Pond/Westchester Lake Invasive Species Management.

RESOLUTION NO. 229-20 RE: Authorize change orders for TE2019.03 Charles J. Cook Pool Bathhouse construction for Atlantic Electric in an amount not to exceed \$20,000.

RESOLUTION NO. 230-20 RE: Authorize clean-up of various Zombie Properties at a cost not to exceed \$10,000.

2. Agenda Items for DES:

RESOLUTION NO. 231-20 RE: Authorize purchase of ~~four~~ five vehicles, a utility trailer, and winter sidewalk maintenance equipment, AS AMENDED.

RESOLUTION NO. 232-20 RE: Appoint Dan Bizzoco to fill a vacancy in the Town Assessor's office.

RESOLUTION NO. 233-20 RE: Authorize a leave of absence for two DES employees under FMLA.

RESOLUTION NO. 234-20 RE: Authorize a leave of absence for a DES employee under Families First COVID-19.

RESOLUTION NO. 235-20 RE: Appoint a Seasonal Worker in DES.

RESOLUTION NO. 236-20 RE: Schedule a Public Hearing for October 20, 2020 regarding Zoning Text Amendments.

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

Director of DOTS Micheal Preziosi mentioned htat by next spring, the Tennis Courts will be resurfaced.

Director of DES Stephen Ferreira discussed how this is the annual vehicle request.

ADDITIONS TO THE AGENDA

OLD BUSINESS

Receive and File the following:

1. Petition from Jonas Bastys, Inc requesting to increase Sewer Rates in Joint Sewer District Number 4; Refer to Legal and DOTS
2. Letter from Gordon B. Fine Law Offices regarding future projects of client; Refer to Legal.

RESOLUTIONS:

RESOLUTION NO. 237-20 RE: Award Contract for HVAC Services - Purchasing Bid Number 20-11

RESOLUTION NO. 238-20 RE: Authorize the Settlement of a Tax Certiorari with 2008 Crompond Road Realty Corp.

RESOLUTION NO. 239-20 RE: Approve additional Bonding for Cook Pool Bathhouse Reconstruction and increase borrowing term to 25 years.

RESOLUTION NO. 240-20 RE: Authorize the Supervisor to sign an IMA with Westchester County for Solid Waste and Recyclables Disposal.

RESOLUTION NO. 241-20 RE: Authorize a handicap space on 6th Street in Verplanck.

RESOLUTION NO. 242-20 RE: Authorize a socially distanced “Trunk or Treat” event on Town property.

RESOLUTION NO. 243-20 RE: Schedule a Public Hearing for October 20, 2020 to consider an Increase of Improvements for the Dickerson Pond Sewer District.

Councilman Becker moved to adopt the above, seconded by Councilman Creighton. All voted AYE.

Councilman Creighton asked Legal Council whether voting on the Bond Resolution for the Pool House would allow us to bond up to a certain amount but not require that we bond the full amount.

Town Attorney Tom Wood confirmed the Bond Anticipation notice works like a line of credit and the Town is not required to use the whole amount.

BUDGET TRANSFERS - NONE

REPORTS FROM VARIOUS DEPARTMENTS

REPORTS FROM STANDING & SPECIAL COMMITTEES

SECOND HEARING OF CITIZENS

Srivinasan Ramaswamy of 5 Lakeview Road, Cortlandt Manor

Will town take a position on the Danskammer Natural Gas Plant in Newburgh since most river towns have already voted on it?

Community Policing – what is happening on that?

Supervisor responded that there will be a Worksession on Community Policing where the public can listen in and submit comments via email.

Councilman Creighton further clarified that public engagement such as committees and hearings are required if Cortlandt will produce a report.

ADJOURNMENT

The meeting adjourned in memory of Charlie Travis, a former member of the Highway Division. He was a nice and kind gentleman. Also, Mary Gillick our Bingo Inspector passed away. She lived a long life and had 9 children. Our sympathy goes out to her family.

Councilman Creighton made a motion to adjourn the meeting seconded by Councilman Farrell with all voting **AYE**.

The meeting adjourned at 10:36 PM

NEXT TOWN BOARD MEETING

October 20, 2020 at 7:00 pm
www.townofcortlandt.com

Respectfully submitted,

Laroue Rose Shatzkin
Town Clerk