

March 15, 2016

Town Board Meeting

A **Regular Meeting** of the Town Board of the Town of Cortlandt was conducted on March 15, 2016 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
CHRISTINE B. COTHREN	Deputy Town Clerk
PATRICIA ROBCKE	Comptroller
ROSEMARY B. LASHER	DOTS/Asst. to Director
JEFFREY COLEMAN	Director, DES
MICHAEL PREZIOSI	Director, DOTS
EDWARD VERGANO	Senior Civil Engineer

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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 asked Councilmember Farrell to join her at the podium to present proclamations to the following Eagle Scouts: Robert Bieder, Vincent Ribeiro, Nadav Bendavid (all from Troop 45) and Michael Cudahy (Troop 36). She stated that they are very proud of these scouts and as a former Girl Scout and Girl Scout leader; she just can't believe all those patches and all the work involved in getting them. The **Supervisor** explained that to become an Eagle Scout they have to do a very special project. She thanked all the Scout leaders for their dedication and their gift to these young people and also to all the parents.

Councilmember Farrell stated it has been his privilege to attend Eagle Scout awards Courts of Honor and how inspirational they are. The work involved for their projects shows a sense of their accomplishment and the parents realize that their boy has become a man. Councilmember Farrell read the proclamation for Robert Bieder and Vincent Ribeiro stating the project they completed and **Supervisor Puglisi** read for Nadav Bendavid and Michael Cudahy, also stating their projects.

Michael Cudahy: Thanked his troop and parents for driving him to receive this award. He spoke about how glad he was that he joined in the sixth grade and that he continued with it and received this award.

Vincent Ribeiro: Thanked everyone who helped him and that it is a tough journey but definitely beneficial with all the support one gets and the award is a great thing to receive.

Nadav Bendavid: Said that throughout the years, Boy Scouts has provided him with many experiences that shape and define you. He thanked his troop and family.

Robert Bieder: Also thanked his troop and family and said it really is a big deal.

Supervisor Puglisi said it really is cool to become an Eagle Scout, many presidents were Eagle Scouts, and the scouts are wonderful role models and leaders today.

SUPERVISOR’S REPORTS, (cont.)

The **Supervisor** asked Councilmember Freach to join her at the podium as he has been a member of the new Master Plan Committee. She stated this Master Plan has been a wonderful endeavor and each month they will be honoring different boards, committees, and councils. This month will be the Master Plan Committee. **Supervisor Puglisi** announced that she received a call from the New York State Planning Federation telling her that the Town of Cortlandt has won their prestigious award for the new Master Plan. Out of 900 towns in the state, the Town of Cortlandt is one of the few receiving this award in Saratoga Springs.

Councilmember Freach read the proclamation and then called up the members: Adrian Hunte, Anthony Russo, Barbara Helecky, and Dani Glaser

Supervisor Puglisi called on David Douglas, Jim Creighton, Maria Slipen, Michael Fleming Councilmember Freach: Michael Huvane, Theresa Knickerbocker, Rosemary Boyle-Lasher, Michael Preziosi

Supervisor Puglisi: Chris Kehoe, Ed Vergano, Michele Robbins

Supervisor Puglisi attended this month’s events:

There were 2 St. Patrick’s Day parades, one in Peekskill and one in Buchanan. **The Supervisor** stated that what is so great about them is there are all the scouts, dance classes, all the firefighters, etc and it is a wonderful experience.

Councilmember Costello and the **Supervisor** attended the ribbon cutting for the new AT&T phone store near Starbucks. They had invited a former NY Yankee relief pitcher, Jeff Nelson who autographed pictures and indicated he had won 4 World Series games.

Supervisor Puglisi read a book to the Van Cortlandtville Elementary School 3rd graders.

She also attended the Blue and Gold Cub Scout Pack 45 dinner and she congratulated all the scouts.

The Supervisor announced the transfer of the Hudson Highway Gateway Park of 352 acres solely to the Town of Cortlandt.

Supervisor Puglisi asked residents to go to the Town’s website to get information regarding the tritium leak a month ago from Indian Point. She attends all of Entergy’s meetings and conference calls and they had told the public it was a very small amount, 1/10th of 1% with no health risk. She urged residents to read the reports.

There are also reports on Spectra and FERC on the website. FERC approved it on March 3rd, 2015 which was a disappointment to the Town but they supersede the Town. This is all on the Town’s website.

On the website are the Town’s goals for 2016 including keeping the Town’s taxes very low as has been done for the last 25 years, an average of 1% Town tax increase. The Town tax is about 12% of the overall tax amount.

There are a few special events:

Saturday will be the Egg Hunt at the Cortlandt Youth Center at 1:00. Cortlandt’s Earth Day Celebration will take place on Saturday, April 16th kicking off with a hike. All details are on the Town’s website.

This month is American Red Cross month, thanking the Red Cross for helping people in need and is also Women’s History Month.

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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 Costello: Congratulated all the Eagle Scouts stating how proud everyone is of them. She thanked them for staying in the scouting program.

Councilmember Costello announced four new laborers being voted on this evening and how working for the Town is a great place to work. She also congratulated Bobby Feenstra for his promotion as Assistant General Foreman and Jimmy Kelly for his new title.

On the agenda is to approve construction for a Vietnam Memorial. Councilmember Costello stated that the Town has always been extremely supportive of all the Veterans and that we owe them everything so the Town is very pleased to construct a new Memorial for them.

Councilmember Costello wished everyone a Happy St. Patrick’s Day, her favorite holiday. She congratulated the City of Peekskill Parade Committee in which her sister happened to be one of the aides and the Village of Buchanan parade committee who’s Grand Marshall was Joe Ryan who ran the living history program in the Blue Mt. Middle School.

Councilmember Becker: Noted that each of the items on the agenda needed working on for months or sometimes years yet they seem to be automatic. Councilmember Becker commented that it is satisfying to see it come to this point. This contrasts what is wrong with the Federal Government, as the Town works hard to protect the environment and quality of life and many items are geared towards that and maintaining the infrastructure. The Master Plan is a very detailed summary that promotes growth that is safe and effective and still maintains our quality of life.

They are signing off on the Hudson Highlands of over 300 acres of open space. This is a key area and adds to our almost 5000 acres. Cortlandt Crossing, a business development, will be moved on but is a step to be sure the development goes in the right direction and the Town benefits with sewer systems and other infrastructures that are needed. Councilmember Becker is also pleased they will be contributing to the Cortlandt National Little League with over 500 ballplayers matching dollar to dollar with raised money up to \$15,000.

Supervisor Puglisi added that they contribute to all the Little Leagues. Opening day is April 16th.

Councilmember Freach: Congratulated the Eagle Scouts also. He thanked all the members of the Master Plan and that this Master Plan is a culmination of a tremendous amount of effort for sustainability. The award is a testament of that work.

Councilmember Freach said that of all the sustainable efforts put in the plan, it’s nice to see a developer with commercial interest be on board. He thanked Arcadia for the time they took to do more sustainability studies on the Cortlandt Crossing project. They were able to reduce their projected electric supply and perhaps solar installation which is in line with the Master Plan.

They are looking at other uses for the Quarry in Verplanck and Councilmember Freach hopes that they can find an organization for recreational scuba diving to make this a win/win for everyone around.

Councilmember Farrell: Thanked the Buchanan/St. Patrick’s Day Parade Committee for organizing and hosting a terrific parade and commented that it is a nice day to see your neighbors after a long winter.

The Rowing Club has been working all winter on rowing machines. Councilmember Farrell stated that they hosted the 2nd Seaplane 500 rowing race, called this because a lot of their activities take place at the old Seaplane place in Verplanck. The location is ideal for this sport

TOWN BOARD REPORTS, (cont.)

of crew or rowing. Councilmember Farrell thanked Katherine Sclafani, Director of the Youth Center, for allowing the Rowing Club to host this event where everyone got a chance to feel the rowing on these machines and to get a sense of the sport.

Councilmember Farrell recognized and expressed his thanks to the Master Plan Committee for all their work. It was a very thoughtful report and how much they want this Town to move in the right direction.

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APPROVAL OF THE MINUTES

Councilmember Costello moved that the regular minutes of February 9, 2016 be approved as presented by Town Clerk Dyckman. Councilmember Becker seconded the motion.

All voted **AYE**

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PUBLIC HEARINGS

1. RE: Public Hearing to consider Bonding for facility improvements for the Cortlandt Consolidated Water District.

(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.

Supervisor Puglisi called the hearing to order at 7:45 p.m.

Supervisor Puglisi: I'll begin with our Town Attorney, Tom Wood who will give us an explanation of this public hearing.

Tom Wood explained that this public hearing is to consider authorizing the borrowing of up to 4 million dollars for certain improvements within the Cortlandt Consolidated Water District. The Water District serves about 70% of the Town and obtains its water from the New York City Aqueduct System. These projects are a combination of the request for the regulation directive New York City as we increase our storage capacity and also to replace some aging infrastructure. We work together with our adjoining communities. Some of these improvements will allow for better movement of water flows within the Town's water district and keep energy costs down because it requires less pumping, easier to fill the tanks, etc.

Supervisor Puglisi asked Michael Preziosi, Town Engineer, to elaborate.

Michael Preziosi said that in addition to that, they are proposing installation of three water main projects which will help aging infrastructure within a section of time on Old Crompond Road. These four projects in total are estimated to come in at about 4 million dollars which is why they are putting out the proposal for the monies. He stated that these projects are all necessary and meet the requirements of the New York City DEC and our Town policy, also part of the Master Plan for replacements of these units.

Supervisor Puglisi added that the Town has very low debt, something they are very proud of.

Patty Robcke, Town Comptroller commented that they just completed paying off a 4 million dollar water bond for infrastructure that was put in place 20 years ago. They are in a good position now to be able to take on a new project and the timing allows them to do this. She added that they do have very low debt, only about 6 million which is a very small fraction of what they are allowed to borrow.

Supervisor Puglisi stated that most of that are infrastructure water projects. They waited for that to be paid off and are going on to the next step, as water is a number one priority for our community and in our Town Government. Through the years the Town has been replacing

PUBLIC HEARING, (cont.)

water lines, moving on to the Crompond section next and has been doing that periodically through the years. The Supervisor added that because everybody is talking about water in the nation and rightly so, there are checks and balances on our filtered water with our Northern Westchester Joint Water Works and with Westchester County Health Department. All of those reports get filed in the Town Clerk's office from the County Health Department so there are a number of checks and balances and our water supply is excellent. That is in the report from the County Health Department.

There were no further comments.

A motion to close the Public Hearing at 7:50 p.m., Adopt a Negative Declaration and Adopt a Bonding Resolution was made by Councilmember Becker and seconded by Councilmember Freach

All voted **AYE**

RESOLUTION NO. 89-16 RE: Adopt a Negative Resolution for Bonding for facility improvements for the Cortlandt Consolidated Water District.

RESOLUTION NO. 90-16 RE: Adopt a Bonding Resolution for facility improvements for the Cortlandt Consolidated Water District.

2. **RE: Public Hearing to consider Bonding for water tank replacement and enlargement for the Cortlandt Consolidated Water District and the Montrose Water Improvement District.**

(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.

Supervisor Puglisi called the hearing to order at 7:50 p.m.

Tom Wood stated that this is a separate public hearing. The Town of Cortlandt participates with the Towns of Yorktown and Somers and the Montrose Improvement District in the water filtration plant which is located on Rt. 6 and they also have an interest in the Amawalk Filtration Plant in Amawalk in the Town of Somers which are all interconnected to provide diversification in our water supply. The need has arisen in the Joint Waterworks facility to replace a 3 million gallon water tank which is going to be replaced with a 4 million gallon water tank. This bonding resolution will bond for the Montrose Improvement District, which is in Montrose, about \$400,000 and the Town's share of \$800,000. Similarly, the Town of Yorktown will borrow and the Town of Somers with their shares and when it all comes together we'll have a new 4 million gallon storage facility.

Supervisor Puglisi added that the Town will have a tremendous amount of storage supplying our communities. She said that seven years ago in the mid 90's there was a mandate from the EPA to filter our water so instead of just doing it by ourselves in the Town of Cortlandt they had a shared project, venture with Yorktown, Somers and Town of Cortlandt. They were able to keep Cortlandt's portion lower because they shared services. The plant on Rt. 6 is the end result of that. She stated that this is the next step to stay on top of the infrastructure improvements all the time.

There were no further comments.

A motion to close the Public Hearing at 7:54 p.m., Adopt a Negative Declaration and Adopt a Bonding Resolution was made by Councilmember Freach and seconded by Councilmember Farrell

All voted **AYE**

PUBLIC HEARING, (cont.)

RESOLUTION NO. 91-16 RE: Adopt a Negative Resolution regarding Bonding for water tank replacement and enlargement for the Cortlandt Consolidated Water District and the Montrose Water Improvement District.

RESOLUTION NO. 92-16 RE: Adopt a Bonding Resolution for water tank replacement and enlargement for the Cortlandt Consolidated Water District and the Montrose Water Improvement District.

3. RE: Public Hearing to consider the Adoption of Envision Cortlandt- 2016 Sustainable Comprehensive Master Plan.

(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.

Supervisor Puglisi called the hearing to order at 7:54 p.m.

Supervisor Puglisi stated that they have had several letters, emails, documents and they will all be recorded in the Town Clerk's office and the residents will be hearing from the staff and Planning Department. The Supervisor announced that Chris Kehoe and Michelle Robbins will give a brief overview power point presentation of our "Envision Cortlandt".

Chris Kehoe began the slide presentation. **(See Attached Presentation)**

Supervisor Puglisi thanked Michelle and Chris for the excellent overview and asked Tom Wood for his comments.

Tom Wood stated that this plan has been prepared and submitted to the Town Board by a special committee that was appointed by this Board. Tonight's hearing will be for the public to comment on it and then the Town Board will deliberate and decide if they will adopt it so it will become the nonremissable plan of 2016 for the Town of Cortlandt.

He added that a Master Plan is not a change of zoning, but a Master Plan is the high level of goals and now the implementation committee will be working taking the steps necessary to do the actual nuts and bolts of the zoning ordinance to make the changes that will allow this to be implemented throughout the community.

Supervisor Puglisi asked for any questions or comments from the audience.

David Steinmetz
Law Firm of Zarin and Steinmetz

Here representing two different clients in connection with the Sustainable Master Comprehensive Plan. He stated that he is tonight with regard to the Citizens for the Responsible Development of the Hudson Institute, which is a fairly significant group of neighbors in the southwestern portion of the Town who live near the proposed Hudson Institute Redevelopment. Mr. Steinmetz added that he is also here on behalf of VS Construction, Val Santucci, and is pleased to say on behalf of both of my clients that he is here to support the efforts and the adoption of the Master Plan Comprehensive Plan update. He commended the members of the committee and that it allows a number of very important decisions to now begin to work their way through the process. Mr. Steinmetz said that he had a chance to review some of the written comments that were recently submitted by the Hudson Institute who is proposing a 92 bed drug rehabilitation faculty in the Teatown section of the Town of Cortlandt. He believes that the attacks that were launched against the plan are without merit. The Institute's failure to understand why 92 bed "luxury institution" does not belong on Quaker Ridge Road is somewhat mystifying. The Town's comprehensive plan very clearly says "preserve the character of rural areas"; preserve the large plat r-80 zoning areas. It acknowledges the low density section of the Town, in particular this magnificent Teatown section of the Town of Cortlandt which is one of the many treasures here. The committee

PUBLIC HEARING, (cont.)

spent a long time analyzing appropriate locations today in 2016 for uses like hospitals, medical facilities, and clinics. It expressively endorses specialty facilities and rehab centers in the MOD, the medical oriented district, and he is pleased that he's been able to spend a great deal of time at the MOD meetings on behalf of Mr. Santucci. It's quite clear that the MOD not only endorses rehab facilities and medical facilities to be located on 202, and also sees value in promoting things like independent living for seniors, assisted living for seniors, Alzheimer care, all wonderful uses. It seems that it's possible that folks affiliated with the Hudson Institute didn't read the work not only of the committee but the work that has been put out by the consultants regarding the MOD. He continued that it's also somewhat inappropriate for this report that was again attacked and launched yesterday to relay on group homes in table one of their objection letter Mr. Davis and his consultants are very well aware, he assumes, that group homes are classified regulated under Section 41.34 of the NY State Mental Hygiene Law. They require bed counts of between 4-14 beds to constitute a group home. So to try to analogize group homes that may be located in the Town of Cortlandt in residential areas with a 92 bed rather institutionalized drug rehabilitation facility Mr. Steinmetz stated that he thinks it is really grossly inappropriate and somewhat insulting toward the work that's been done. In addition, the Hudson Institute and their team concede on page 6 of their report "Clients of the specialty hospital are not permitted to leave the grounds". Maybe that is all the more reason why in your wisdom we're looking at possibly having specialty hospitals not located in the middle of a wonderful residential area, but maybe they should be located as the MOD suggests near other medical uses.

In fact, the comprehensive plan states on page 107 that the Town actually seeks to follow "a new trend in health care where patients can access a range of health services and other complementary uses in one central area" On behalf of his clients, Mr. Steinmetz want to endorse that concept that's been memorialized in the plan. He thinks that is an appropriate utilization, cross utilization of healthcare facilities. It is completely appropriate that the Town is focusing on where these uses belong and while the Hudson Institute repeatedly refers to itself as a "luxury facility", that this is its affluent clientele, it's somewhat outrageous if not blatantly discriminatory to maintain that regular folks can and should get their medical care out of Rt. 202, but the affluent folks should try to go get their healthcare in some bucolic setting. Mr. Steinmetz added that he thinks that fails to acknowledge some basic principles of fairness. His clients fully appreciate the need for care, privacy and respect and just like all the other folks who receive treatment and services, it's important that the Town is not precluding the use, in fact, all of the material and literature seem to indicate that the Town Board acknowledges the need for these types of facilities Mr. Steinmetz commented that it is a wonderful thing to provide medical and supportive care to people that are suffering from mental illness or some kind of other disability. That needs to be handled in an appropriate location and in an appropriate way.

Lastly, on behalf of Mr. Santucci, Mr. Steinmetz stated that they are pleased that Mr. Santucci has been able to be an active participant in the MOD process and the adoption of this Master Plan update launches them in the direction of beginning to wrestle with all of the new uses and the concepts that can be introduced into the MOD district and will encourage things along the lines of senior housing and the mixed use development that they've been talking about in the MOD. Mr. Steinmetz added that they are very pleased to see the comprehensive plan committee discussing the importance of economic vitality, looking closely at the 202 corridor and some of the other areas we have seen in the other smaller classifications, that now there is a wonderful opportunity for not only some new uses, job creation, economic vitality, stimulating the Town's tax base, and promoting additional infrastructure. He concluded that it is wonderful that the Town of Cortlandt is actually out in front and leading in this way and Mr. Steinmetz commended the Town Board and the committee for the work on the Master Plan and they are looking forward to working with everyone going forward.

Supervisor Puglisi thanked Mr. Steinmetz and asked if there was anyone else who would like to speak.

PUBLIC HEARING, (cont.)**Karen Wells****28 Applebee Farm Road****(Ms. Wells read attached letter)**

Tom Wood then pointed out that it's recommended that you do a Master Plan every 10 years and he thinks that the Master Plan Committee did such a great job as identifying areas of the Town that have historically presented some dilemmas for the Town Board. While the zoning ordinances have a way of becoming somewhat antiquated, and there are sometimes provisions in it, there are zoning ordinances over 150 pages, have 80-90 different sections, so some uses that were very significant when the zoning ordinance was originally adopted, are now obsolete or more so perhaps the location or the allowance to locate particular uses in particular areas are obsolete. Mr. Wood added that the four issues this year identify four areas of the Town that over the years the Town Board has had to struggle with the appropriateness of permitted uses vis-a-vis the community that has developed around a particular area. A particular note would be on the Rt. 9A corridor where the transportation overlay district is proposed. That area, many parts of it, is zoned industrial which dates back to the days when there weren't any homes around it. The Board struggled many years ago with an application which would have had a very loud industrial use, which is appropriate in an industrial zone but is very inappropriate when that industrial zone is now surrounded by residential uses. Also, along the waterfront. He stated that the Hudson River communities thrived in the day of commerce when anything came up the river and docked, and you needed the ships repaired and while some of that is needed and is still recognized, he believes that the waterfront tourism concept certainly gets into the concept of reforming the uses that current residents of the Town see the need along the river. That's the significance of the Cortlandt Boulevard and the Medical Overlay District, so he thinks that this document certainly has done a great job in analyzing those areas where there have been concerns and impacts to the community in the past and will give this Board great guidance now going forward as to what changes are going to be needed to be made in the zoning ordinance. There are several different factors that he thinks now have been identified and will appropriately be able to be addressed.

Supervisor Puglisi added that she was a Councilwoman for four years and now I've had the honor of being Supervisor for 25 years and so, every 10 years a community should, and in their case does, write a new plan. The last one they implemented 86% of the policies in the last Master Plan, so during her tenure this is the third Master Plan she's had the privilege and honor of being part thereof. The things that the Town has been able to accomplish over the years emanated from these guides and these plans and these tools and 29 years ago. Commenting that they didn't have a Town Hall and that was one of the things that were suggested in the Master Plan 29 years ago, and they shared space with the Village of Croton on Hudson. They didn't have a Town Historian, their own train station, the wonderful land on the Hudson River, 911, and the list goes on and on. All of these things have been things that have been suggested in previous Master Plans that have been implemented and now they are going on to the next phase. The Town of Cortlandt is receiving this prestigious award and the **Supervisor** stated that they are very honored to vote for it this evening. She thanked the committee, the advisors, the consultant and the public who gave their suggestions in a survey. The **Supervisor** said she was sure the members of the committee welcomed them and it helped them develop the policies as well.

Councilmember Farrell commented that he wanted to address some thoughts to some comments made by Mr. Wood, particularly when he was noting how the evolving community may render some uses obsolete or less desirable in zones where they were originally thought beneficial or useful. He stated that the Master Plan and the zoning and all our codes and laws and everything we do are meant to address the tensions that exist between competing desires and competing uses for properties and etc, resources. While the growth of a neighborhood around a zone may render its originally contemplated uses less desirable, Councilmember Farrell stated that we want to be careful not to inadvertently zone out the diversity that is desirable in the community between different types of uses. While the waterfront is no longer the highway of the Town as it was hundreds of years ago, and when it was zoned for industrial etc, it still is very often used for people whose employment revolves not only on the waterfront,

PUBLIC HEARING, (cont.)

but in the use of machinery, different contractor’s yards, different uses that I want to be very careful that we don’t actually zone out. But there is no place in Cortlandt where certain businesses can’t operate because in our zeal to make it tourist friendly and family friendly that we don’t preclude the uses of woodworkers, metal workers, repairs of all different kinds. So that’s something that I would like all the Master Plan people of this Board, everyone, to just bear in mind. That there are people that make their livings in these zones. They provide services that are required by all of us and we don’t want to just zone everything industrial away in favor of coffee shops.

There were no other comments

A motion to close the Public Hearing at 8:25 p.m., Adopt a Negative Declaration and Adopt the 2016 Master Plan was made by Councilmember Freach and seconded by Councilmember Farrell

All voted **AYE**

RESOLUTION NO. 93-16 RE: Adopt a Negative Resolution regarding the Adoption of Envision Cortlandt- 2016 Sustainable Comprehensive Master Plan

RESOLUTION NO. 94-16 RE: Adopt the 2016 Master Plan

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HEARING OF CITIZENS, (AGENDA ITEMS ONLY)

Tina Volz-Vongar
426 Smith Street, Peekskill

Here to address the order of FERC denying the rehearing and dismissal of the stay request and to ask the Board to seriously consider not giving up the request for independent risk and safety analysis for that section of SPECTRA pipeline that is going right next to Indian Point.

Ms. Volz-Vongar commented about Governor Cuomo’s request to stop the pipeline but it hasn’t been done and the citizens that oppose this feel that they need to help Governor Cuomo to put pressure on the elected officials to stop the work while this assessment is being done.

Being concerned about the health and safety of residents in the community. Ms. Volz-Vongar spoke of blasting permits.

Michael Preziosi, Town Engineer, stated that SPECTRA spoke to him regarding blasting policy in the Town regarding notification of within 500 feet. SPECTRA notified the properties that fell within the 500 feet and that they have been respectful in following the Town’s policy.

Ms. Volz-Vongar commented that SPECTRA agreed to respect the codes of Peekskill and Cortlandt to do the work they are supposed to do.

Tom Wood stated the rules that that are in the policy that they will follow, notice, insurance, etc. SPECTRA offered to do a “pre inspection “of the homes affected to document the home so if there is any damage, it will be clear as to who is responsible. The Town has no right to prohibit them, but they agreed to that and as far as the Town knows, they are cooperating. If not, the Town would make a complaint to the FERC monitor.

Supervisor Puglisi stated that they just had a meeting with SPECTRA and the residents in Verplanck about dust particles.

Ms. Volz-Vongar said that the Town is not really enforcing the limits of the blasting permit. She went to about 12-14 homes and 6 of those have not received a letter and didn’t know what they were talking about. They asked the residents to contact the Town as other

HEARING OF CITIZENS, cont.

residents in other areas have had damage, specifically water pipe damage. Ms. Volz-Vongar asked the Town to be the monitor for that.

Tom Wood said that if they get a complaint from a resident they contact SPECTRA and asked Ms. Volz-Vongar which area she was referring to.

Ms. Volz-Vongar indicated it was Washington Street and Boulder Drive.

Supervisor Puglisi added that anyone who calls her office, she immediately contacts SPECTRA on their behalf and there is also a SPECTRA hotline they can call directly. The **Supervisor** stated that she has opposed this for 3 years and all the Town did to oppose this. Tom Wood also stated that the **Supervisor** called upon the Senators and the Governor to intervene when they could have intervened and now they take action now that FERC is finished. The **Supervisor** said she hopes it now works, but she was hoping that they had done it before March 3, 2015 while she was going to all the public hearings and that they would have been there.

Ms. Volz-Vongar said she was here to ask the Supervisor and to tell her that they are creating an initiative to go to legislators and representatives throughout the State to join together in asking these Senators.

Councilmember Freach commented that they are in line and have been leading with all the efforts opposing this project and they asked for 2 ½ years for the Governor and Senators to support their efforts at that time. The Town is still against it and welcomes anyone even after the last legal avenue, to echo their concerns.

Supervisor Puglisi stated that the construction that FERC approved started last summer and now they are hearing from the Governor. That is the problem.

Ms. Volz-Vongar stated that given the information about the leaking Indian Point, it is smart to stop and do an independent health and safety assessment.

Councilmember Freach replied that they have been doing that for years and are glad that they are echoing their sentiments. Ms. Volz-Vongar asked that the Town not give up to which the **Supervisor** replied that she has never given up in her life.

Ms. Volz-Vongar asked the Town to be accountable to the residents.

Sonya Carbone
15 Boulder Drive

Stated that Ms. Vongar came to visit her on Sunday and commented that she is concerned about health issues due to the blasting.

Councilmember Freach replied that he gets the impression this resident feels the Town is not doing what was needed to do, but that this Board has organized and mobilized to prevent this project. The Federal regulators have the final say. Supervisor Puglisi added that they had a citizen task force working alongside the Town to fight this project.

She has taken pictures of the blasting and feels it has affected the value of her house.

Supervisor Puglisi discussed how they were able to stop a previous pipeline. The New York State DEC came out against it and worked with the Town to stop it because it affected the fish hatching at Haverstraw Bay. New York State was right by their side. That one we won, but the DEC approved and supported this recent pipeline despite the Supervisor's efforts to speak with them. The NRC also had no problem with it going close to Indian Point. Letters were written to all and the Town went to all meetings. She is glad they are talking now, but asked where were they before March 3, 2015 when the Town was out there with the people fighting?

Ms. Carbone asked how they can monitor the environment.

HEARING OF CITIZENS, cont.

Tom Wood commented that there was already an easement on the property and also stated if there is a complaint, the Town will pass it on to see that something is done.

Supervisor Puglisi again commented they were disappointed not to get the support from the others that she mentioned.

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BID REPORTS

None

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REPORTS

Councilmember Costello moved that the following reports be received and ordered filed. Councilmember Becker seconded the motion.

For the month of February, 2016 from the Office for the Aging, Purchasing Department, Receiver of Taxes and the Town Clerk.

OLD BUSINESS

Receive and File the Following:

- 1. 2015 Service Award Program Points List from the Cortlandt Community Volunteer Ambulance Corps.

RESOLUTION NO. 95-16 RE: Accept the 2015 Member List of Volunteer Ambulance Workers for the Cortlandt Community Volunteer Ambulance Award Program

- 2. Memo from the Director of DES with respect to 2016 Equipment purchases/leases.
- 3. Order from FERC denying the re-hearing and dismissal of a stay request regarding the Spectra/Algonquin gas line expansion.

NEW BUSINESS

Receive and File the Following:

- 1. Letter from the Croton Park Colony, Inc. with respect to concerns on Oak Street, parking on Croton Park Road and water main reconstruction; and refer to DOTS and DES; and direct DES staff to survey residents with respect to parking restrictions; and refer to Code Enforcement and the Legal Department with respect to Oak Road.

All voted **AYE**

- 2. Documents with respect to the Valeria Wastewater Treatment Plant Improvements; and refer same to the Legal Department and DOTS.

Councilmember Costello moved that the Board be polled. Councilmember Becker seconded the motion.

Councilmember Costello: Yes
Councilmember Becker: Yes
Supervisor Puglisi: Recused
Councilmember Freach: Yes
Councilmember Farrell: Yes

The motion passed

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RESOLUTIONS

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

Councilmember Costello moved that the following resolutions be adopted, seconded by Councilmember Becker

RESOLUTION NO.96-16 RE: Appoint four (4) new laborers for DES.

RESOLUTION NO.97-16 RE: Appoint four (4) seasonals for DES.

The following resolution was removed:

Establish the part-time position of and appoint a Safety Officer for DES

RESOLUTION NO.98-16 RE: Appoint Robert Feenstra to the title Assistant General Foreman per civil service.

RESOLUTION NO.99-16 RE: Appoint James Kelly to the title Water and Sewer Maintenance Foreman per civil service.

RESOLUTION NO.100-16 RE: Authorize a Leave of Absence (FMLA) for a Recreation employee.

Discussion: Supervisor Puglisi commented that they are pleased to hire the new laborers and to appoint Mr. Feenstra and Mr. Kelly

All voted **AYE**

RESOLUTION NO.101-16 RE: Authorize the Town Attorney to begin the process of transferring DES Foremen to the Teamsters Union.

Councilmember Costello moved that the Board be polled. Councilmember Becker seconded the motion.

<u>Councilmember Costello:</u>	No
<u>Councilmember Becker:</u>	Yes
<u>Supervisor Puglisi:</u>	Yes
<u>Councilmember Freach:</u>	No
<u>Councilmember Farrell:</u>	Yes

The motion passed

Councilmember Becker moved that the following resolutions be adopted, seconded by Councilmember Freach

RESOLUTION NO.102-16 RE: Re-appoint the members, Chairman and Vice Chairman of the Conservation Advisory Committee.

Authorize the following with respect to Cortlandt Crossing:

RESOLUTION NO.103-16 RE: Adopt the SEQR Findings Statement.

RESOLUTION NO.104-16 RE: The Zoning Map amendment.

RESOLUTION NO.105-16 RE: The transfer of ownership with respect to a road widening to NYS DOT for the Baker Street intersection.

RESOLUTION NO.106-16 RE: Authorize a Contract extension for Concession Services at the Charles Cook Pool.

RESOLUTIONS, (cont.)

Discussion: Supervisor Puglisi stated that David Douglas wears many hats and he's also the Chairman of the Conservation Advisory Committee, on the Master Plan Committee and Chairs the Zoning Board of Appeals. She thanked him for all his work.

Cortlandt Crossing owners Arcadia have reduced the size which will help mitigate any impact in that area and making improvements including road improvements.

Rosa Verella has been doing the concession at the Charles Cook Pool for over 25 years and the **Supervisor** said they are delighted she is coming back.

All voted **AYE**

Councilmember Becker moved that the following resolutions be adopted, seconded by Councilmember Freach

RESOLUTION NO.107-16 RE: Authorize the Supervisor to execute a Hold Harmless Agreement with the Department of Health with respect to the spray feature at Charles Cook pool.

RESOLUTION NO.108-16 RE: Acknowledge the transfer of ownership of the Hudson Highlands Gateway Park from Scenic Hudson to the Town subject to a conservation easement.

RESOLUTION NO.109-16 RE: Re-affirm the acceptance of easements and roadway with respect to Gabriel Drive and Jacobs Hill.

RESOLUTION NO.110-16 RE: Set the annual sewer rate caps for the Joint Sewer District/3 Jonas Bastys.

RESOLUTION NO.111-16 RE: Authorize the construction of a Vietnam Veterans Memorial either at Town Hall or the Waterfront Park.

The following resolution was removed:

Authorize the cancellation of a tax bill on property owned by NWJWW on Locust Avenue levied in error.

Authorize the following with respect to the Department of Environmental Services:

RESOLUTION NO.112-16 RE: Authorize the installation of flood lighting at the Cortlandt Riverfront Park.

RESOLUTION NO.113-16 RE: Authorize an agreement with NYS DOT for shared services.

RESOLUTION NO.114-16 RE: Authorize a contract for the repair of catch basins.

RESOLUTION NO.115-16 RE: Authorize emergency repair of an above ground diesel fuel tank.

RESOLUTION NO.116-16 RE: Authorize a Contract with respect to brush and fill removal.

RESOLUTION NO.117-16 RE: Authorize a Contract for grass cutting services.

RESOLUTION NO.118-16 RE: Resolution requesting a report from DES and Recreation with respect to proposed work at Sunset Park for baseball use.

RESOLUTIONS, (cont.)

Authorize the following with respect to the Department of Technical Services:

RESOLUTION NO.119-16 RE: Direct DOTS staff to begin plans in phases to replace waterlines in Crompond; and apply for possible grant funds with respect to same.

RESOLUTION NO.120-16 RE: Authorize DOTS to seek assistance from NYS DEC with respect to the gas station at Travis Ave. and Albany Post Road.

RESOLUTION NO.121-16 RE: Direct DOTS and DES to review safety at the Quarry site and make recommendations to the Town Board prior to the Town's acquisition.

RESOLUTION NO.122-16 RE: Direct DOTS and DES to conduct a traffic study for Sprout Brook Road.

RESOLUTION NO.123-16 RE: Schedule a Public Hearing for May 17, 2016 to consider amending the Zoning Law to regulate the location of businesses that sell nicotine products and paraphernalia.

Discussion: Supervisor Puglisi commented that the spray feature is a pet project of hers and is delighted they are going forward with that for the younger kids. The Supervisor stated they are now going to pay tribute to the Veterans of Vietnam War on the 50th Anniversary of the Vietnam War.

Councilmember Farrell commented that regarding the gas station on Albany Post Road and Travis Avenue, he sees everyone trying to improve their businesses, and residents have to look at this unsightly eyesore. The Town is now seeking assistance from the DEC to get it closed off and capped.

All voted **AYE**

ADDITIONS TO THE AGENDA

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

RESOLUTIONS:

RESOLUTION NO. 124-16 RE: Authorize a salary increase for the Deputy Court Clerk.

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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March 15, 2016

Town Board Meeting

ADJOURNMENT

The meeting was adjourned at 9:00 p.m. on a motion by Councilmember Farrell, seconded by Councilmember Costello.

All voted **AYE**

Respectfully submitted,

JO-ANN DYCKMAN
Town Clerk