

July 18, 2017

Town Board Meeting

A Regular Meeting of the Town Board of the Town of Cortlandt was conducted on July 18, 2017 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
JEFFREY COLEMAN	Director, DES
MICHAEL PREZIOSI	Director, DOTS

MEETING CALLED TO ORDER

Supervisor Puglisi called the meeting 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 AND REPORTS

Supervisor Puglisi stated it is an honor to introduce Jill Davis. She explained that every year the NY Senate issues awards to members of women in the community for Women of Distinction. The Town nominated Jill Davis for this award. **Supervisor Puglisi** presented a proclamation to Ms. Davis, a longtime director of the Hendrick Hudson Free Library. She also volunteers at the Reformed Dutch Church, serves with the Cortlandt Community Utility Task Force as a co-creator of the NY Sustainable Libraries Initiative, and works with the Montrose Business Association. Ms. Davis served as President of the Westchester Public Library Directors Association and now serves as a member of the New York Library Association. The **Supervisor** read the proclamation. Ms. Davis added that she was born and raised here and that she loves the library and what is being accomplished there. She thanked the Town for their support.

The **Supervisor** commented that they had a victory with the suspension of the Coast Guard’s Barge and Anchor Project. The Town was a leader with other officials to fight this challenge and a few weeks ago the Coast Guard suspended this project. The Town will stay on top of this and continue to be vigilante. They

SUPERVISOR'S REPORTS, (cont.)

not only wanted to maintain the vista but they also were concerned about the environmental impact on the river.

The **Supervisor** stated that recently there was a very positive editorial regarding the work that has been done since the announcement by Entergy of the closure of Indian Point. The Town has appointed a task force because of all who will be affected by this closure. The **Supervisor** has also been asked to sit on the New York State Task Force who will pay for a consultant to look at the potential reuse of the 240 acres on that site. The editorial is on the Town's website and **Supervisor Puglisi** commented that they feel it is important to disseminate all the information to the community so they know what the Town is working on.

Paving is going on throughout the Town, approximately 2 million dollars, none of which is borrowed. This has been done this way every year the **Supervisor** has been here. There is a committee that evaluates the roads for paving.

On the agenda is a plan to look for a design for a new bath house and snack bar at the Town pool.

The **Supervisor** stated that the Town has many Veteran memorials throughout the Town. Just recently they dedicated a Vietnam Memorial on the 50th anniversary of that war.

On the agenda tonight also is an item regarding zoning. **Supervisor Puglisi** stated that they do their best to address these issues. Properties can sometime go into disarray so the Town is in the process of developing additional plans to deal with these issues. The Town Attorney is also involved with this.

The next phase of the Broadway Streetscapes sidewalks is on the way. The **Supervisor** thanked Mike Preziosi for coordinating this project. The cost is approximately \$180,000 and has a matching grant at 20% for the Town. This will take about 3 months to complete.

Supervisor Puglisi invited residents to come to the free outdoor concert and movie series at the Cortlandt Waterfront Park in Verplanck, a lot of fun for the families.

Other events that were attended by the **Supervisor** and some members of the Board:

- 95th Anniversary party for Our Lady of Mt. Carmel Feast.
- Trophies were presented to the Youth Soccer players
- Attended many of the DARE graduations. Supervisor Puglisi thanked the Peekskill Police Department for their help
- Van Cortlandtville Elementary School's Moving Up Ceremony for the 5th graders going into 6th grade

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 Farrell: Commented that it's been many years since he's gone to the library yet as a boy was in there all the time. Councilmember Farrell stated that now his life is changed and work keeps him busy but he'll find himself in the library again as his life progresses. It is one of the institutions that you can use your entire life and most importantly is staffed by people who know how to find things and show you a world of materials that can open your eyes. He was happy to see Jill Davis receive that award.

Councilmember Farrell stated that someone irresponsibly disposed of an oxygen canister in the garbage that was picked up by sanitation and resulted with an explosion in the truck. Thankfully no one was injured and Councilmember Farrell urged everyone to think before throwing anything out and call if there are any questions. There will be a public service announcement to remind people about the danger to the sanitation workers.

With respect to the Waterfront Park and all the activities there, Councilmember Farrell commented that Verplanck is passed by regularly with ships and he is putting together a small committee to see what they can do to get some of the ships to stop in Verplanck. There is a fishing pier so they have to see first if they have the depth of water to permit these ships to dock and then work with the other historic river towns and other organizations for the river to increase business and tourism. So far, Councilmember Farrell has been able to enlist the help of Dr. David Allen, maritime historian, who is familiar with most of the ships and institutions. He will report to the residents further about this.

Councilmember Freach: Stated the reason he is so familiar with the HenHud Library is because his son uses the library often not just for books but also the wonderful program they put on there. The resources there are still being used and he encouraged residents to look at their websites to see all the programs, classes and presentations they run. It is more than just books.

Councilmember Freach also stated that tonight they will be approving a resolution to prepare plans for a fitness trail at Cook Pool. He is very excited about this and that there will be something for everyone there. With the addition of the fitness trail there might be athletic endeavors or just a simple walk, but something for families to enjoy. Councilmember Freach thanked Michael Preziosi and his staff for getting this off the ground.

TOWN BOARD REPORTS, (cont.)

Councilmember Becker: Stated that the public hearing tonight involves a few things; one is special permits. Councilmember Becker explained that when a business comes into Town and wants to open up, many might need a special permit. This has traditionally been handled by the Zoning Board and they also go before the Planning Board. Rather than doing both, the Town wants to reserve the Zoning Board as a type of court of appeals and allow the Planning Board to make these decisions. The second part of this ordinance has to do with the Zoning Board defining specialty contractors. This will very clearly specify what a specialty trade contractor is and is not. A third part will not be in the discussion tonight which is to redefine and clarify what to do with non conforming residences. Councilmember Becker said that frequently these are homes done prior to zoning on small lots and fail to conform with code. These have to go in front of the Zoning Board who wants to help these homeowners but are not permitted to because of the code. This will be looked into to help give relief to those homeowners so the Town will work on redefining the non conforming lot very carefully.

Councilmember Costello: Congratulated Jill Davis on the wonderful work at the Library. Councilmember Costello stated she’s seen it grow over the years and it adds value to our community.

Councilmember Costello also congratulated the Croton Arboretum who had their very successful garden tour. Residents who have a nice garden can be on the tour for people to see.

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APPROVAL OF THE MINUTES

Councilmember Costello moved that the regular minutes of June 13, 2017 be approved as presented by Town Clerk Dyckman. Councilmember Becker seconded the motion.

All voted **AYE**

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PUBLIC HEARINGS

1. **RE: R-convene a Public Hearing to consider Local Law Modifying the Zoning Ordinance with respect to Definitions and Special Permits.**

(A complete transcript of this Public Hearing is on file in the Office of the Town Clerk.)

PUBLIC HEARING, (cont.)

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 7:20 p.m.

Supervisor Puglisi stated that Councilmember Becker gave an excellent explanation and asked to explain.

Tom Wood added that they are also transferring and reviewing the issuance of cell tower permits from the Zoning Board. Part of this also is because the Planning Board usually conducts the environmental review for the projects, so it's more fitting that they then be the authority to consider all the other aspects of the approval.

There were no further comments.

A motion to close the Public Hearing at 7:25 p.m., Adopt a Negative Declaration and Adopt a Local Law was made by Councilmember Becker and seconded by Councilmember Freach

All voted **AYE**

RESOLUTION NO. 170-17 RE: Adopt a Negative Resolution for modifying the Zoning Ordinance with respect to Definitions and Special Permits.

LOCAL LAW # 2-17 RE: Adopt a Local Law amending Local Law #4 of 1998 and Local Law # 12 of 2010 Establishing Jurisdiction for Approvals.

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HEARING OF CITIZENS, (AGENDA ITEMS ONLY)

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BID REPORTS
None

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REPORTS

Councilmember Freach moved that the following reports be received and ordered filed. Councilmember Farrell seconded the motion.

For the month of June, 2017 from the Office for the Aging, Receiver of Taxes and the Town Clerk.

OLD BUSINESS

Receive and File the Following:

- 1. Report from DES with respect to traffic issues at Riverview and Broadway.

NEW BUSINESS

Receive and File the Following:

- 1. Letter from Lorraine McGuire with respect to a lease renewal for property on Broadway and 8th Street; and Authorize same.

RESOLUTION NO. 171-17 RE:

- 2. Petition for a Zoning Map and Text Amendments with respect to NY Indoor Sports, Inc.; and refer to the Legal Department and DOTS.

All voted **AYE**

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RESOLUTIONS

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

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

RESOLUTION NO.172 -17 RE: Appoint John Schembari to the position of Assistant Building Inspector.

RESOLUTION NO.173-17 RE: Appoint seasonals for the Department of Recreation and Conservation.

RESOLUTION NO.174-17 RE: Authorize tax certiorari with respect to Hollow Brook Land Holding, LLC.

RESOLUTION NO.175-17 RE: Authorize tax certiorari with respect to Argiros, Maria & Mrya.

Authorize the following with respect to **DOTS**:

RESOLUTION NO.176-17 RE: Authorize a grant application for the update of the 2008 Indian Brook-Croton Gorge Watershed Conservation Action Plan.

RESOLUTION NO.177-17 RE: Authorize a grant application for the completion of a Local Waterfront Revitalization Plan.

RESOLUTIONS, (cont.)

RESOLUTION NO.178-17 RE: Authorize a grant application with respect to a new bath house and snack bar at the Charles Cook pool.

RESOLUTION NO.179-17 RE: Obtain proposals and execute Agreements with respect to property maintenance of Zombie properties.

RESOLUTION NO.180-17 RE: Prepare plans for the Cook Pool Walking and Fitness Trail.

RESOLUTION NO.181-17 RE: Approve extra work for the Vietnam Veterans Memorial.

RESOLUTION NO.182-17 RE: Solicit proposals for consultant services for the design of the Cook Pool Bath House and snack bar restoration.

RESOLUTION NO.183-17 RE: Solicit proposals for surveying services at the former Con Edison property.

The following was removed:

Temporary night work at the Cortlandt Town Center with respect to sanitary infrastructure for "Cortlandt Crossing".

Discussion: **Supervisor Puglisi** commented that they are very pleased that 99% of the seasonals are from the Town of Cortlandt. It doubles the work force in the summer.

The **Supervisor** noted that DOTS handles a lot of the grant work and there is a lot of work that goes into these plans and she thanked Michael Preziosi and his staff.

All voted **AYE**

The **Supervisor** introduced John Schembari

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

Authorize the following with respect to **DES:**

RESOLUTION NO.184-17 RE: Contract with respect to on-call construction services.

RESOLUTION NO.185-17 RE: Work Change Order with respect to the Charles Cook Pool.

RESOLUTIONS, (cont.)

RESOLUTION NO.186-17 RE: Purchase of a video security system for Arlo Lane.

RESOLUTION NO.187-17 RE: RFP with respect to evaluation and design services for a bridge on Washington Street over Furnace Brook.

RESOLUTION NO.188-17 RE: Purchase/Lease of a garbage truck.

RESOLUTION NO.189-17 RE: Appropriate funds for the repair of a bridge at Putnam Colony Park District.

Discussion: Supervisor Puglisi stated that this garbage truck for smaller roads is about \$160,000.

All voted **AYE**

ADDITIONS TO THE AGENDA

Councilmember Costello moved that the following correspondence be received and ordered filed and the resolutions be adopted. Councilmember Becker seconded the motion.

Received and File the following:

1. Letter from Carol Hillis with respect to loitering on Anton Place; and refer to DES.
2. Letter from Michele Fasolino requesting Glen Lane be a Town road; and refer to DES and the Legal Department.

RESOLUTIONS:

RESOLUTION NO.190-17 RE: Authorize a Leave of Absence with respect to a DES employee.

RESOLUTION NO.191-17 RE: Authorize a Contract with Global Compliance Network with respect to on-line training for Town employees.

RESOLUTION NO.192-17 RE: Authorize a Resolution with respect to funding the Broadway Sidewalk Project from 5th Street to the River.

ADDITIONS to the AGENDA, (cont.)

Authorize the Department of Technical Services to apply for grant funds for the following:

RESOLUTION NO.193-17 RE: Construction of a sewer main on Rt. 9A.

RESOLUTION NO.189-17 RE: Construction of a sewer main with respect to the Furnace Woods Sewer District.

All voted AYE

Supervisor Puglisi recused from the following resolution:

RESOLUTION NO.192-17 RE: Authorize a reduction in security with respect to Valeria to \$1,430,000.00 in accordance with a Planning Board Resolution No. 11-17.

The Board was Polled:

- Councilmember Costello:** Yes
- Councilmember Becker:** Yes
- Supervisor Puglisi:** recused
- Councilmember Freach:** Yes
- Councilmember Farrell:** Yes

The motion passed

BUDGET TRANSFERS
NONE

REPORTS FROM VARIOUS DEPARTMENTS

REPORTS FROM STANDING & SPECIAL COMMITTEES

SECOND HEARING OF CITIZENS

Rosemarie Moscolo
205 Broadway
Verplanck

Ms. Moscolo stated she is delighted regarding good news about the development of Montauk Student Transport relocation out of Verplanck. Many were very concerned about this issue. She stated that upon hearing the company owner commenting and asking what is so special about those people, she responded that Verplanck is special and that is what they are fighting for. Ms. Moscolo read a letter commenting on the special features of Verplanck. She thanked the Board for their interest in this matter.

Supervisor Puglisi stated that they agreed with her. It now is reopened and is hopeful to come to a resolution to this within the next 4-6 weeks.

Bill Oricchio
225 8th Street
Verplanck

There has been a lot of work to beautify Verplanck but feels the Town has done something contrary to that. The property at Broadway and 8th St. where the trucks are parked has a new sign which is 4' x 8' unpainted with employment posters. It looks hideous and he doesn't think the location fits where it should be posted.

Jeff Coleman stated that the contractor put it up and Michael Preziosi stated it was temporary. Mr. Oricchio asked if it could be put on the inside of the fence but was told it has to be put on the jobsite. **Supervisor Puglisi** asked if it could be repositioned. Jeff Coleman stated they will speak with the contractor.

Bernard Vaughey
215 Broadway
Verplanck

Thanked **Supervisor Puglisi** and Board for help on all the Verplanck projects. Mr. Vaughey indicated that there are noise, traffic and quality of life issues regarding the bus issue with Montauk. It exceeds the residential noise limits before 8:00 which is well documented in the noise study. Mr. Vaughey asked that the Town do something to put some restrictions on the enforcement in code, perhaps to prohibit them from working prior to 8:00 a.m. They are well above 65 decibels when the limits are 55 decibels. He asked that the Board look into these issues.

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HEARING OF CITIZENS, cont.

The **Supervisor** replied that they will continue to help. If they could have stopped it initially they would have but now will do everything they can to eliminate it. They will be discussing it further at the next Town work session. The **Supervisor** stated that they hear the residents and know how important it is to them and they don't want this issue to impede the efforts they've made to improve the hamlet.

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ADJOURNMENT

The meeting was adjourned at 7:53 p.m. on a motion by Councilmember Freach, seconded by Councilmember Farrell.

All voted **AYE**

Respectfully submitted,

JO-ANN DYCKMAN
Town Clerk

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