

October 17, 2017

Town Board Meeting

A **Regular Meeting** of the Town Board of the Town of Cortlandt was conducted on October 17, 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	ABSENT
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

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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 commented that Veteran’s Day is just around the corner and the Town will be kicking off important ceremonies on Friday Nov. 10th at the Community Center followed by several others on Saturday, Nov. 11th. She stated how important it is to attend these ceremonies to pay tribute to the veterans.

The Town had its annual charitable golf outing which was very well attended. The **Supervisor** thanked the Recreation Department and to the Hollow Brook Golf Course who donated the course. All proceeds this year will go to the Hurricane Relief Efforts.

The Annual 5K Race will be held on Oct. 28th at the Waterfront Park and she again thanked the Recreation Department for coordinating it.

Supervisor Puglisi stated that she is working on the 2018 Town budget with Comptroller Patty Robcke. This preliminary budget will come out at the end of October and she thanked the Comptroller and her staff for their work. There will be a very low Town tax to add to the Town’s excellent record of 1% over the many years.

SUPERVISOR’S REPORTS, (cont.)

The Town has once again received accolades from the Governmental Finance Officials Association for excellence in finances.

The **Supervisor** attended the rededication of the John Paulding Memorial at the Historic cemetery by the Old St. Peter’s Church. He was one of the 3 American soldiers who captured Major John Andre.

Other events attended by the **Supervisor**:

- Irish Festival
- Croton Rotary Car Show
- the Peekskill Rotary Car Show
- the Montrose Business Association Craft Fair

Supervisor Puglisi reminded residents of all the Halloween events coming up which are explained on the Town’s website.

The **Supervisor** attended a serious forum at the Library with the topic of the Prevention of Opioid and Substance Abuse. She also stated they are attending forums and working hard to address the challenges and issues facing the Town with the closure of Indian Point. The Town voted to bring in an economic consultant who will work with the staff and Town Board to find new industry, corporations, and commercial establishments to come into the community to help offset the loss of revenue. The NRC will be present at the Town’s next local task force meeting.

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ROLL CALL

On a roll call attendance taken by Town Clerk Dyckman all Town Board members indicated their presence with the absence of Councilmember Costello.

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TOWN BOARD REPORTS

Councilmember Becker: Regarding the Receiver of Taxes authorization to place liens against zombie properties, Councilmember Becker commented that sometimes the homeowner falls on hard times or is disabled and will abandon the property which falls into disrepair. The Town gets involved and cleans up the properties and then places a lien back on the property so that the taxpayers don’t pay for it.

Councilmember Freach: no report

Councilmember Farrell: Stated that he is happy about the sidewalk project on 9A and it will make for a nice improvement in Montrose. Councilmember Farrell stated that also the work on the sidewalk on Montrose Station Road is being performed. He commented that the gas station on 9A and Travis Avenue has been abandoned and has had an ongoing

TOWN BOARD REPORTS, (cont.)

cleanup for many years. Everyone is frustrated by it and the DEC that is overseeing the cleanup is content to let the property owner proceed at his own pace. It is an eyesore to the community and now the DEC will adhere to a schedule that we can all live with. Councilmember Farrell stated that now we will see some positive movement on that site.

Councilmember Farrell commented that he has been involved with the Cortlandt Community Rowing Association for several years. They are winding up their season and going to Boston for the Head of the Charles Race, the largest rowing race in the U.S. We are sending 26 rowers, youth and adult to compete and then on to Philadelphia. There will be a “learn to row” at the Youth Center and he urged residents to check it out. All the funds come from fund raising to promote the sport in our community.

Councilmember Farrell attended with the Supervisor the opening of the Children’s Room at the Hendrick Hudson Free Library. He congratulated Director Jill Davis and staff for making this library a “jewel” of the Town.

The **Supervisor** congratulated Councilmember Farrell for the success of the rowing club. She also introduced Charlie Divose, a freshman, is working on his Eagle Scout from Troop 267.

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APPROVAL OF THE MINUTES

Councilmember Becker moved that the regular minutes of September 19, 2017 be approved as presented by Town Clerk Dyckman. Councilmember Freach seconded the motion.

All voted **AYE**

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PUBLIC HEARINGS

1. RE: Public Hearing to consider the renewal of the Verizon Franchise Agreement

(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 7:36 p.m.

Tom Wood explained that every 5 to 10 years the Town Board is asked to authorize a franchise agreement with one of the two cable providers in the Town. This public hearing is with respect to the renewal of the FIOS or Verizon franchise agreement. While most of the

PUBLIC HEARING, (cont.)

major issues as to the cost and content of the service are deregulated by the United States government, the Town still has to approve the use of the Town traffic ways by these companies. That's what the franchise agreement does. The public hearing this evening will be continued next month and this will be a five year agreement. It is basically the same terms as the past, there's a franchise fee allowable up to 5% and theres also a requirement that Verizon pay over 3 years a sum of \$90,000 to help upgrade and modernize the broadcast system that is used for this public government access channel. That's the same amount that were receiving from the other cable program. The Cable Advisory Board could not attend this public hearing, therefore a motion was made to adjourn the public hearing til the November Town Board meeting.

A motion to adjourn this public hearing til the November Town Board meeting was made by Councilmember Freach and seconded by Councilmember Farrell

All voted **AYE**

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BID REPORTS

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HEARING OF CITIZENS, (AGENDA ITEMS ONLY)

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REPORTS

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

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

OLD BUSINESS

None

NEW BUSINESS

Receive and File the Following:

1. Letter with respect to the Church of Divine Love's parking lot on Sunset Road, and requesting the Town purchase a second lot also on Sunset Road, and refer to DES, DOTS and the Legal Department.
2. Letter from Lisa Milano regarding a speed hump on Robbie Road; and refer to DES, DOTS and the Legal Department.

NEW BUSINESS, (cont.)

- 3. Letter from Margaret Saunter regarding parking issues on Meadow Sweet Road; and refer to DES.
- 4. Letter from Marianne Kapfer requesting to reinstate a parcel on Buttonwood Road back into the Peekskill Sanitary Sewer District; referred to Westchester County for their consideration.

RESOLUTION NO.256-17 RE: Reinstate a parcel on Buttonwood Road back into the Peekskill Sanitary Sewer District.

- 5. Letter from Scott and Ronit Mendelowitz requesting to reinstate a parcel on 1 Baker Street back into the Peekskill Sanitary Sewer District; referred to Westchester County for their consideration.

RESOLUTION NO.257-17 RE: Reinstate a parcel on 1 Baker Street back into the Peekskill Sanitary Sewer District

Discussion: Councilmember Farrell corrected that item #3 was to be Meadow Sweet Road.

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

The following resolution was removed:

Appoint three laborers (Kevin Bell, Andrew Fennell, Ramon Searight) for DES.

RESOLUTION NO.258-17 RE: Appoint one seasonal laborer

RESOLUTION NO.259-17 RE: Authorize a Leave of Absence for a DES employee

Authorize the following with respect to DES:

RESOLUTION NO.260-17 RE: Contract for the replacement of a boiler at Town Hall.

RESOLUTION NO.261-17 RE: Contract for design services with respect to the Washington Street bridge.

RESOLUTIONS, (cont.)

RESOLUTION NO.262-17 RE: Fall 2017 landscaping services.

RESOLUTION NO.263-17 RE: Ahared Service Agreement with the Village of Croton-on-Hudson with respect to vehicle transfer/ re-purpose.

RESOLUTION NO.264-17 RE: Grant application with respect to the purchase of an electric vehicle.

RESOLUTION NO.265-17 RE: Authorize the Town Comptroller to amend the DOTS-Engineering Consultant line for groundwater monitoring at the Steamboat Riverfront Park.

RESOLUTION NO.266-17 RE: Authorize DOTS and the Town Attorney to prepare a Conservation Easement for the Sprout Brook Park wetlands mitigation.

RESOLUTION NO.267-17 RE: Authorize DOTS to solicit bids with respect to the construction of a sidewalk on Rt. 9A.

RESOLUTION NO.268-17 RE: Authorize the Receiver of Taxes to place liens against certain zombie properties.

RESOLUTION NO.269-17 RE: Authorize air quality testing with respect to restoration efforts and Con Edison.

RESOLUTION NO.270-17 RE: Resolution to the NYS DEC with respect to conditions at a gas station on Rt. 9A in Montrose; and copy to NYS officials.

RESOLUTION NO.271-17 RE: Authorize a Tax Certiorari settlement with respect to NY Dealer Stations LLC.

Discussion: Supervisor Puglisi commented how colorful and beautiful the Town is with the landscaping services. Tom Wood explained about tax certiorari for the gas station on Oregon Road who contested their assessment and with this adjustment, the cost to the Town is approximately \$3500.00.

All voted **AYE**

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ADDITIONS TO THE AGENDA

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

ADDITIONS to the AGENDA, (cont.)

Received and File the following:

- 1. Letter from Orlando Papaleo requesting security be released with respect to Sunset Ridge; and refer to DOTS and DES.

RESOLUTIONS

RESOLUTION NO.272-17 RE: Authorize DOTS to enter into an Agreement with Badey and Watson for surveying services for the design services of the new DES Headquarters

RESOLUTION NO.273-17 RE: Solicit proposals to clear and grub 9 acres with respect to the new DES Headquarters.

Authorize the following with respect to DOTS:

RESOLUTION NO.274-17 RE: Seek proposals to prepare an updated Phase 1 Environmental Assessment for 167 Roa Hook Road.

RESOLUTION NO.275-17 RE: Obtain proposals to update the survey with respect to 167 Roa Hook Road.

RESOLUTION NO.276-17 RE: Authorize an Intermunicipal Agreement with the Village of Croton on Hudson and the City of Peekskill with respect to the Organic Transfer Station.

RESOLUTION NO.277-17 RE: Authorize an amendment/correction to Resolution 303-16 with respect to Standard Work Day Reporting in accordance with the NYS Retirement System.

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

Mark Lawrence
110 Seward

Stated that he submitted about 30 FOIL requests and he has not gotten them back in time. He has been contacted by others and stated he was informed of something disturbing that affects him and other residents. He asked for the protocol of asbestos removal and expressed his concern of asbestos being released during a water main break. Workers have been covered with the dust and he asked about safety procedures that are in place.

Supervisor Puglisi commented about the safety of the water. Jeff Coleman added that they follow the EPA regulations as well as State agencies. There are procedures that are in place. The Town has adopted a policy to replace annually pipe.

Mr. Lawrence asked again about the cutting of the pipes and about the asbestos and again asked about the protocol.

Jeff Coleman suggested he speak with his foreman or Deputy Director. Mr. Lawrence answered that he is asking him directly here. The **Supervisor** added that he has the right to ask but they will not get into that here.

Tom Wood asked if Mr. Lawrence has participated in the training and safety programs. Mr. Lawrence answered he was not invited nor was it mandatory and if he had known the pipes had asbestos, he would not have gone near it and no one he works with was ever told. He expressed concern that the residents were also exposed during the removal of the asbestos on the pipes.

Tom Wood answered that protocols are in place and the workers are trained by the Town and that they are in full compliance. Mr. Lawrence asked about the moral factor of bringing the asbestos back to their families. Tom Wood stated that any safety concerns should be brought up to the department safety committee. Mr. Lawrence commented that the Town is pretending that all is good and passing it on to other agencies.

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ADJOURNMENT

The meeting was adjourned at 7:34 p.m. on a motion by Councilmember Becker seconded by Councilmember Freach.

All voted **AYE**

Respectfully submitted,

JO-ANN DYCKMAN
Town Clerk

October 17, 2017

Town Board Meeting