

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 November 13,2018 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 officials and appointed staff in attendance:

LINDA D. PUGLISI	Supervisor
FRANCIS X. FARRELL	Councilmember
DEBRA COSTELLO	Councilmember
RICHARD BECKER	Councilmember
JAMES CREIGHTON	Councilmember

Also present:

TOM WOOD	Town Attorney
MICHAEL CUNNINGHAM	Assistant Town Attorney
LAROUÉ ROSE SHATZKIN	Town Clerk
CHRISTINE COTHREN	Deputy Town Clerk
PATRICIA ROBCKE	Comptroller
MICHAEL PREZIOSI	Director, DOTS
CLAUDIA VAHEY	Human Resources Coordinator
JEFFREY COLEMAN	Director, DES

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 & REPORTS

Supervisor Puglisi gave her report.

OF NOTE:

- Attended several Veterans’ ceremonies. **Supervisor Puglisi** stated that all should thank the Veterans for what they’ve done for the country.
- Members of the Town’s Youth Center attended tonight’s Town Board meeting. **Supervisor Puglisi** thanked these members who were the participants of “Making Strides Against Breast Cancer”. Jamie Bucci, Assistant Director, commented that \$2021 was raised and she and John Palmietto presented proclamations to the participants.
- Attended the dedication of the Purple Heart Memorial Bridge at Bear Mountain which came to be from Purple Heart Veterans as a request to rename the Bear Mt. Bridge. **Supervisor Puglisi** thanked Assemblywoman Sandy Galef and Senator Larkin for introducing this to the State Legislature and thanked Willy Nazario for lobbying the State officials to make this happen.
- Opening of the Cortlandt Crossing which will bring in more jobs to the community and more tax revenue. The owners, Arcadia, also agreed to do some remedies such as sidewalks, new lamps and new traffic signal at Baker Street.
- There were many Town Halloween events in October.
- Attended a Senior Citizen Open House on Westbrook Drive.
- The **Supervisor** and Town Comptroller Patty Robcke completed the 2019 Proposed Budget. The discussion can be found on the Town’s website. There will be a very low Town tax increase of .11% for unincorporated Cortlandt for 2019, about \$1.80 for the year. They will be voting on adopting the budget on December 20, 2018.

SUPERVISOR’S REPORTS, (cont.)

- The trailers have now been removed from the Martin property site and there are many ideas as to what to do with the Hudson River property.
- **Supervisor Puglisi** wished everyone a Happy Thanksgiving.

ROLL CALL

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

TOWN BOARD REPORTS

Councilmember Farrell gave his report

OF NOTE:

- Attended the Veteran’s Day Memorial Service at the Community Center and in Croton at the 5 Corners Veteran’s Monument. Both very well attended and had meaningful observances. Councilmember Farrell noted that the attitude in the country has turned in a positive direction with respect to Veterans and are deserving of our respect, thanks and gratitude. He acknowledged Celia Grabowick and Dorothy Ferguson and Phil Miller for their constant participation.
- The Cortlandt Community Rowing Club has put away their equipment for the season. They are looking forward to the Spring.
- Cleanup of the gas station on Rt. 9A has been completed. This did not cost the Town anything. There are substantial liens on the property and the outcome of that property is unknown.
- Councilmember Farrell stated he was grateful to DES for speaking with representatives of NY State DOT about the condition of the 9A corridor and the repaving to make the traffic flow better.
- Wished everyone a Happy Thanksgiving.

Councilmember Creighton gave his report

OF NOTE:

- Stated what an honor it has been to attend the Veteran’s Day ceremonies highlighted by the dedication of the Purple Heart Memorial Bridge.
- The Town hosted a Hudson Valley Chamber of Commerce breakfast to work on economic development issues, attended another sponsored by M&T Bank, and the Town also hosted a real estate broker’s forum and workshop. Councilmember Creighton commented that the Town is working hard to make sure that economics continue to push forward.
- Congratulated the Hendrick Hudson Volleyball Team for picking up its 14th sectional title in 18 years and also Jamie Strapalino, music teacher from Lakeland School District for his run in the NY Marathon coming in at 118th place overall.
- Commented that Cortlandt had over 50% turnout on Election night.

Councilmember Becker gave his report

OF NOTE:

- Commented on the camaraderie that exists among Veterans.
- Announced that the first of the Town billboards will be removed based on a plan 10 years ago that called for their removal.
- “Taking Care of Business” will be brought back, a TV show where local businesses are interviewed.

Councilmember Costello gave her report

OF NOTE:

- Commented that saying “thank you” is isn’t enough to express our gratitude to the Veterans and urged everyone to thank them whenever possible.
- Wished everyone a Happy Thanksgiving and reminded residents to change the batteries in their smoke detectors.

APPROVAL OF THE MINUTES

Councilmember Costello moved to approve the Minutes for the October 23, 2018 Regular Meeting, seconded by Councilmember Becker

All voted **AYE**

PUBLIC HEARINGS

1. **RE: Public Hearing to consider** adopting a Law to Regulate Solar Energy Systems in the Town of Cortlandt.

(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 7:41 p.m.

Tom Wood explained that the Town Board on May 15th, 2018 adopted a moratorium with respect to solar facilities because they were getting many applications in that they felt needed to be governed by some additional regulations as to their locations. It did not impact the residential installations, they continue. This Local Law that is before the Board tonight would enact certain regulations. He continued to explain the breakdown of the regulations regarding the three Tiers and setback requirements. He also commented that with the NY State Real Property Tax Law, there are certain exemptions for solar facilities and there's also an ability to utilize a pilot with respect to the taxation of solar panels, particularly in commercial operations. The reason for the pilot is that for the operator fixes certain over a period of time, that they know what their payments are going to be and on the Town side, since the solar panels are movable, there could be a possibility that they would not necessarily be deemed as accessible. If the Town enters into a pilot in the beginning, which they are entitled to require under the real property tax law, that would be beneficial to all the taxing entities involved. The Town must give notice to the applicant they will require a pilot. They are recommending that the Town insert that language into this law and make that a permanent directive that a pilot would be required on those commercial facilities consideration.

Supervisor Puglisi added that they are all supportive of solar energy. It's the way of the future and that they have been involved with New York State who still has incentives available for homeowners.

Councilmember Creighton commented that the Solarize campaign has ended, but the incentives that exist now are through the second generation so there remains generous incentives through the industry.

Scott Savad
153 Mercer St,
New York, NY

Asked to have the process explained regarding the setbacks to which Tom Wood responded explaining the Tiers and their setbacks. He added that there was a committee staffed who worked on this. The thought was that if a Tier 3 commercial operation is going to be permitted, and there's an already developed residential community, that perhaps the setbacks should be greater than what would be normally required.

PUBLIC HEARING, (cont.)

Other details regarding the setbacks were discussed. Councilmember Creighton commented that the idea was not to impact the neighborhoods that exist. Those neighborhoods probably expected there would be houses next to them if it was ever developed and to put a solar field might be jarring for them where some people might appreciate it, it depends on your own personal taste.

Councilmember Farrell commented that he appreciated the more conservative setback and that they will give it another go and look at it more carefully. He corrected Tom Wood to revise his earlier statement of 125% of the energy to be the accurate 110%.

Supervisor Puglisi added that they are supportive of new economic growth in our community yet at the same time they have to be cognizent and respectful to residential neighborhoods and the neighbors

A motion was made to close the Public Hearing and adjourn the vote until the December 11th Town Board meeting by Councilmember Becker, seconded by Councilmember Creighton

All voted **AYE**

BID REPORTS

HEARING OF CITIZENS – AGENDA ITEMS ONLY

Councilmember Creighton moved that the following Reports be received and ordered filed. Councilmember Farrell seconded the motion.

REPORTS

Receive and File the following:

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

For the Third Quarter from the Department of Technical Services – Office of Code Enforcement.

OLD BUSINESS:

Receive and File the following:

none

NEW BUSINESS

Receive and File the following:

- 1. Memorandum from the Director of DES regarding refuse collection fees; authorize same.

RESOLUTION NO.276-18 RE: Adopt Fee schedule for refuse Collection and recycling services.

- 2. Letter from the President of the Cortlandt American Little League regarding repairs to Sprout Brook Baseball Field; authorize same.

RESOLUTION NO.277-18 RE: Authorize repairs to the Sprout Brook Park Baseball Field.

REPORTS, (cont.)

- 3. Report from the Director of DOTs and Director of Code Enforcement to consider 270 Furnace Dock Road a dangerous building in accordance with Chapter 135 of the Town Code.

Discussion: Councilmember Farrell commented that the report indicated that the building is in very bad shape and uninhabitable. He stated that the building should be marked as such as there are no markings on it to alert emergency services that it is abandoned. Michael Preziosi indicated it would be marked. Tom Wood stated it would be a universal symbol affixed that would indicate such.

All voted **AYE**

- 4. Letter from Toll Brothers for the dedication of water infrastructure for Phase III and IV of the Valeria Development and refer to DOTs/DES and Legal

A motion to poll the Board was made by Councilmember ?, seconded by ?

The Board was Polled:

- Councilmember Costello: yes**
- Councilmember Becker: yes**
- Supervisor Puglisi: recused**
- Councilmember Creighton: yes**
- Councilmember Farrell: yes**

The motion **passed**

- 5. Letter from the Executive Director of Ferncliff Manor regarding a community residential home and refer to DOTs/Planning and Legal.

A motion to poll the Board was made by Councilmember Farrell, seconded by ?

The Board was Polled:

- Councilmember Costello: yes**
- Councilmember Becker: yes**
- Supervisor Puglisi: yes**
- Councilmember Creighton: recused**
- Councilmember Farrell: yes**

The motion **passed**

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.278-18 RE: Establish an IMA with the Village of Croton-on-Hudson to temporarily share our Town Assessor and assessment services.

RESOLUTION NO.279-18 RE: Authorize the Town to remove a billboard located on Town Property.

RESOLUTION NO.280-18 RE: Adopt the Social Media and updated Sexual Harassment policies.

RESOLUTION NO.281-18 RE: Authorize a new film series of "Taking Care of Business – Cortlandt" to promote local businesses in the Town.

RESOLUTIONS, (cont.)

RESOLUTION NO.282-18 RE: Authorize an RFP for GIS.

Agenda Items for DES:

RESOLUTION NO.283-18 RE: Request NYS DOT evaluate improvements for the intersection of Albany Post Road and Springvale Road/Watch Hill Road/Albany Post Road.

RESOLUTION NO.284-18 RE: Authorize the bid and award of a contract to perform tree removal at 20 locations in Town, for work remaining from March Nor'easter.

Agenda Items for DOTS:

RESOLUTION NO.285-18 RE: Amend Resolution 268-18 for full structure UV Cured in Place Fiberglass Lining of drainage pipes at 2005-2007 Albany Post Road "Amberlands/Food Town Parking Lot".

Discussion: Supervisor Puglisi stated they are pleased to help out the Village of Croton with the Town Assessor. She also thanked Tom Wood and Claudia Vahey involved in our social media and updated sexual and harassment policy.

ADDITIONS TO THE AGENDA

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

NEW BUSINESS

Receive and File the following:

1. Receive and File the Expanded Environmental Assessment for Cortlandt Pitch at 22-26 Crompond Road.

RESOLUTIONS:

RESOLUTION NO.286-18 RE: Schedule a Public Hearing for December 10, 2018 to consider the 2019 Proposed Budget.

RESOLUTION NO.287-18 RE: Amend Resolution 178-18 regarding Town Board Work Sessions and Official Meetings 2018 to reflect the Budget Public Hearing on December 10, 2018.

RESOLUTION NO.288-18 RE: Schedule a Public Hearing for January 15, 2019 to consider an amendment to the Zoning Code.

Discussion: Tom Wood explained that the public hearing is regarding a proposal to construct a sports facility on a section of the Bear Mt. Parkway and Crompond Road. In order to do so, the Town Board is acting as lead agency under SEQUA and also part of the approvals would be an amendment to the Town zoning ordinance to change permitted uses and move a zoning boundary so all would be in one zone.

All voted **AYE**

November 13, 2018

Town Board Meeting

BUDGET TRANSFERS

REPORTS FROM VARIOUS DEPARTMENTS

REPORTS FROM STANDING & SPECIAL COMMITTEES

The meeting was adjourned at 8:00 p.m. on a motion by Councilmember Creighton, seconded by Councilmember Farrell.

All voted **AYE**

Respectfully submitted,

**Laroue Rose Shatzkin
Town Clerk**

NEXT TOWN BOARD MEETING

December 11, 2018 at 7:00 pm
Town Hall website address: www.townofcortlandt.com