



Pursuant to NYS Executive Order 202/2020 issued by the Governor, the Town Board of the Town of Cortlandt is holding meetings virtually via a platform known as Zoom. The public can observe the meetings in real time and they are recorded as usual and posted on the Town Website.

A full audio/video recording of this meeting is available at www.townofcortlandt.com

A **Regular Meeting** of the Town Board of the Town of Cortlandt was conducted on August 11, 2020, 7:01 p.m. **via Zoom**. The following elected officials and appointed staff were in attendance:

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

Also present:

TOM WOOD	Town Attorney
MICHAEL CUNNINGHAM	Deputy Town Attorney
LAROUÉ ROSE SHATZKIN	Town Clerk
CHRISTINE B. COTHREN	Deputy Town Clerk
PATRICIA ROBCKE	Comptroller
MICHAEL PREZIOSI	Director, DOTS
CLAUDIA VAHEY	Human Resources Coordinator
STEPHEN FERREIRA	Director, DES

MEETING CALLED TO ORDER

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

PLEDGE TO THE FLAG

Deputy Supervisor Richard Becker led all in attendance with a Pledge to the Flag.

SUPERVISOR'S PROCLAMATIONS & REPORTS

Deputy Supervisor Richard Becker commented the Supervisor is present in spirit and will be issuing a press release regarding Con Edison's unacceptable response to the hurricane. Both Con Edison and Optimum's response to storm has been totally inadequate, and it needs to be addressed, as there remain residents without power many days after the storm. The lack of power, internet and television is especially isolating due to the Covid situation.

Deputy Supervisor Richard Becker shared that he had personally lost service and had been informed twice by Optimum that his service had been restored when in fact it had not. The conglomerates need to be dissolved and there needs to be competition.

Senator Peter Harckham is proposing legislation, and Deputy Supervisor Richard Becker has invited him to speak at this meeting.

Senator Peter Harckham indicated that he has been dealing with these storms since 2008, and there is no excuse that the utilities have not learned with preparation, communication, or make safe crews and there has not been a real penalty for them. There were many instances where poor internal communication meant crews sat and did nothing for hours because of wires on the trees.

Senator Peter Harckham stated that he is working on legislation demanding that cell phones have back up generators and looking at similar legislation for water and sewer districts, to protect these critical infrastructures. The NYS Senate and Assembly will be having joint hearings next week and are prepared to dissolve the utilities if necessary. These are life and death situations involving people on life support and in other dire situations. Senator Harckham indicated that there is a survey on the State Website and on Facebook and requested that the Town Board and the Public pass along their experiences or anything they would like addressed at the hearings.

Deputy Supervisor Richard Becker thanked Senator Peter Harckham and remarked that Stephen Ferreira, Director of DES, has done a yeoman's job. Stated the team has been extraordinary under his leadership.

Stephen Ferreira, Director of DES thanked Deputy Supervisor Richard Becker for his kind words. The storm rolled in around 2 PM on Tuesday and hundreds of phone calls came pouring in regarding trees down, roads blocked and residents with no power. The current system allows staff to see real-time information about suspected closed roads needing verification. In total, 45 roads were unpassable and "in wires", needing Con Edison attention. Con Edison responded on Wednesday with a single clearing crew that, with Town assistance, was able to clear 6 roads by Friday. Saturday August 8th, three clearing crews and three line crews were assigned to work in Cortlandt. Between Saturday and Sunday, all the remaining roads were cleared. Between 25-30 Con Edison trucks now focusing on restoration, but there are still 350 customers without power. All roads are passable and safe, and brush clean-up will continue for the next 4-5 weeks.

ROLL CALL

On a roll call attendance taken by Town Clerk Shatzkin, Town Board members indicated their presence with the exception of Supervisor Puglisi who was absent.

TOWN BOARD REPORTS

Councilmember Farrell gave his report **OF NOTE:**

Councilman Frank Farrell acknowledged that the main topic of the evening is the storm. Councilman Farrell spoke to a tree crew that had been working very hard for many days but they were doing their job cheerfully. Until electrical lines are secured, they can be fatal and the Town depends on Con Edison to have a full complement of people to respond to these events. Councilman Farrell indicated he was without power for 20 hours and cannot imagine being without power for 5 or 6 days with a house full of children.

Councilman Farrell also discussed a significant investment in Cortlandt Waterfront Park, in the form of replacing a steel building formerly used as a sea plane hangar. The building will allow the Cortlandt Community Rowing Association to continue providing a great service to the Town and to the community. Councilman Farrell thanked the Town Board on behalf of the Cortlandt Community Rowing Association.

Councilmember Costello gave her report **OF NOTE:**

Councilwoman Carter thanked the Director of DES and his crew for their hard work during the storm, and gave kudos to Councilman Farrell for his vision regarding the Cortlandt Community Rowing Club. There are almost 100 members out rowing and it is a great addition to the community. Wholeheartedly support the rowing association. The project was originally approved for \$250,000, but the most recent bids came back at \$500,000. Councilwoman Carter indicated she is not a “no” vote, but is not ready to say “yes” and especially in light of the storm, would like more time to seek other more fiscally responsible alternatives.

Councilmember Creighton gave his report **NOTE:**

Councilman James Creighton stated that the Town was clear that this was going to be a significant storm and we planned for it, with storm drains cleaned, and other measures. About one third of Cortlandt lost power and residents pay a lot for this service. Residents have been promised year after year that Con Edison will get better and fulfill their responsibility to Westchester residents. There was no excuse to have only one crew in Town for the first two days and no ice available for two days. Con Edison completely failed. If Con Edison will still be in charge, residents need to know contingency plans will be submitted to the Governor, and the state can contract out for more storm resilience if the plan is not robust enough. Con Edison needs to be replaced, so residents can be safe and secure.

APPROVAL OF THE MINUTES

There are no available minutes to approve.

DANGEROUS BUILDING PROCEEDINGS

1. To consider evidence that 21 Pump House Road is a dangerous building.

The Dangerous Building Proceeding was opened at 7:41 PM.

Director of DOTS Michael Preziosi indicated the building was fire damaged about a year ago and the property owner was walked through the demolition process by Town Staff. The property owner filed permits and performed some asbestos abatement but has never demolished the structure. The Town's formal proceedings are now in process and will afford the property owner an additional 30 days to remove the building of his own volition. Otherwise, a demolition contract will be awarded to level the building for future development.

Director of DOTS Michael Preziosi indicated to the public that the Town can help in the event of a storm or fire damage and that often a report from our Building Inspector can assist with insurance claims. There are staff on hand to help and the public should reach out.

Councilman Becker made a motion to close the dangerous building hearing and adopt an Order to Demolish providing an additional 30 days, seconded by Councilman Creighton with all voting AYE.

The Dangerous Building Proceeding was closed at 7:43 PM.

RESOLUTION NO. 192-20 RE: Adopt an Order to Demolish

PUBLIC HEARINGS

1. Public Hearing to consider removing redundancies in the Town Code regarding Sprinkler Systems.
 - a. Close Public Hearing
 - b. Adopt Negative Declaration
 - c. Adopt Resolution

The Public Hearing was opened at 7:43 PM.

Town Attorney Thomas Wood explained that New York State Building Code now governs the requirements of sprinkler systems in all buildings, and supersedes the Town Code, so the language will be removed from the Town Code, which is now redundant.

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

The Public Hearing was closed at 7:44 PM

RESOLUTION NO. 193-20 RE: Adopt a Negative Declaration

RESOLUTION NO. 194-20 RE: Adopt Resolution

HEARING OF CITIZENS – AGENDA ITEMS ONLY

Leslie Anne Hunt of 10 Peter A Beet Drive spoke in support of the Sea Plane Hangar Reconstruction on the agenda. Family moved to Cortlandt from Pelham for a quality school system and for access to rowing. The Cortlandt Community Rowing Association was the primary driver in moving to Cortlandt. The Rowing Club is an anchor that brings together a diverse group of people.

Michael Levy of 3 Gilman Lane spoke in support of the Sea Plane Hangar Reconstruction on the agenda. Three members of the family participate in the Rowing Club. Cortlandt Community Rowing Club does wonderful things for the community. Mr. Levy's son is now giving his time to the club over the summer and this kind of dedication drives home the point that this is good for the community.

REPORTS

Receive and File the following:

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

OLD BUSINESS:

Receive and File the following:

NEW BUSINESS

Receive and File the following:

RESOLUTION NO. 195-20 RE: Independent Auditor's Report for the Town of Cortlandt and for the Justice Court; Accept Same.

1. Letter from Gordon B. Fine regarding Paper Road; Refer to Legal and DOTS

Councilman Farrell made a motion to receive and file the above, seconded by Councilwoman Costello with all voting **AYE**.

Deputy Supervisor Richard Becker stated that the independent auditor's reports are part of the fiduciary responsibilities of overseeing the finances of the town, under expert hands of Comptroller Patty Robcke. There is nothing different from standard accounting practices, and everything is done right. The audit shows we are accurate and detailed and that the numbers balance out. It is reassuring to have an outside agency review and say things are being done correctly.

Comptroller Patricia Robcke stated that financial statements are available on website under the Comptroller's department. People with questions are welcome to reach out by email or phone.

RESOLUTIONS

RESOLUTION NO.196-20 RE: Amend resolution numbers 80-20 and 140-20 to authorize a Cider Festival within the Town of Cortlandt

RESOLUTION NO.197-20 RE: Authorize the Town Attorney to retain a Telecommunications Specialist for training and ordinance consultation.

RESOLUTION NO. 198-20 RE: Adopt statements and policies associated with Title 6 Assurances.

RESOLUTION NO. 199-20 RE: Authorize the Receiver of Taxes to cancel all tax liens on parcels subject to In Rem Foreclosure.

RESOLUTION NO. 200-20 RE: Authorize contract with KGD Architects for concept planning for Montrose Matters, not to exceed \$15,000. AS AMENDED.

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

Councilman James Creighton remarked that the Cider Festival is an exciting opportunity for the Cortlandt Waterfront Park but the date is subject to safety and the Governor's guidance. This is a major tri-state area cider festival and the date is currently Saturday, September 19th, 2020.

Attorney Tom Wood spoke regarding the Telecommunications Specialist, explaining that it was an effort to stay ahead of technology and it's growth. All of the carriers are rolling out 5G and regulations need to be in place to protect residents from both equipment and visual impacts. This individual is an expert and will make recommendations.

Attorney Tom Wood remarked that there was a question on the In-Rem raised last evening, and that this resolution would cancel approximately \$950,000. worth of tax liens on 43 properties that were foreclosed upon by the Town. The Town will now become the owner of these properties and sell them on an online auction.

Councilman Frank Farrell commented that the contract with KGB Architects came out of a meeting from residents of Montrose who would like to see a more cohesive downtown in the area of Kingsferry Road and 9A. The Architect will analyze the area lots and make recommendations and provide renderings. This is a State Road but there is a desire to improve this part of town.

1. Agenda Items for DOTS:

RESOLUTION NO. 201-20 RE: Award Bid 2020.05 Sea Plane Hangar

Deputy Supervisor Richard Becker remarked that everyone was surprised at the cost, which began much lower, but the reasons for that were discussed at the Worksession last night and include the expansion of the footprint for the building, as well as the increased price of steel. He is personally in favor of this as it is a wonderful part of the community and is an asset that the town will own forever. It's part of the waterfront development and he believes the costs will go up the longer we wait.

Councilman James Creighton stated the Cortlandt Community Rowing Association sets up apart from so many other communities in Hudson region. The Town is getting an asset it can hold on to and building will be available long into the future. He expects that the Cortlandt Community Rowing Association will continue to grow in the years to come.

Councilman Frank Farrell commented that the first 5 bids were all in similar range, showing that this is the cost of a building of this type. Building and designing to a municipal standard in Westchester County and paying prevailing wage means numbers are higher than a casual conversation with a contractor might indicate. This will be the centerpiece of our new Cortlandt Waterfront Park. He believes the investment will pay off for years to come.

Councilwoman Debra Carter emphasized that her concerns were not anything against the Cortlandt Community Rowing Club, but a pole barn with a gravel floor could cut the price significantly. Councilwoman Carter indicated that if the Board was ready to go ahead, she would abstain from voting.

Councilman Frank Farrell stated in response that he had looked at these options himself and that a gravel floor could pose a danger to young children and the elderly who were carrying boats. Additionally, the building is in a flood plain and needs to be able to withstand mother nature.

Deputy Supervisor Becker made a motion to adopt the above, seconded by Councilman Creighton. The Board was polled as follows:

Councilwoman Carter	ABSTAIN
Councilman Creighton	AYE
Councilman Farrell	AYE
Councilman Becker	AYE
Supervisor Puglisi	ABSENT

The motion passed by a vote of 3 AYES.

RESOLUTION NO. 202-20 RE: Award Bid for Demolition of 19 Cherry Place

RESOLUTION NO. 203-20 RE: Award Bid for Demolition of 21 Pump House Road

RESOLUTION NO. 204-20 RE: Authorize DOTS to apply to EDA for grant to develop the Cortlandt Quarry Park.

2. Agenda Items for DES:

RESOLUTION NO. 205-20 RE: Authorize purchase of Air Exchange Units for Town Hall and Roa Hook to assist in combating the COVID-19 epidemic.

RESOLUTION NO. 206-20 RE: Authorize purchase of replacement storage shed for Town Hall.

RESOLUTION NO. 207-20 RE: Authorize purchase of metal storage shed with rollup doors for Cook Pool for storage of chemicals and pool appurtenances.

RESOLUTION NO. 208-20 RE: Authorize purchase of steel building for Youth Center for storage of items associated with annual festivities.

Deputy Supervisor Becker made a motion to adopt the above resolutions, seconded by Councilman Creighton with all voting **AYE**.

Director of DOTS Michael Preziosi explained about the federal program administered by Economic Development Agency for communities impacted by closure of a nuclear facility. Staff at the grant program suggested the Town increase the amount we are asking for from a 50/50 match for 6 million, and so the resolution is revising to 6.4 million. DOTS will know in a few months if the Town will receive the grant.

Director of DES Stephen Ferreira discussed that air exchange units are for each individual office suite in Town Hall and will allow for a daily air exchange of fresh air into the building. He further explained that an aging storage shed behind Town Hall will be replaced, wood storage sheds at Cook Pool will be replaced by a steel storage container, and a small steel building will be erected behind the youth center.

ADDITIONS TO THE AGENDA

OLD BUSINESS

Receive and File the following:

2. Referral response from DOTS and Legal regarding Cortlandt Boulevard Special Permit; Refer to Planning Board and ~~Zoning Board of Appeals~~. *Legal, AS AMENDED.*

Attorney Thomas Wood explained that there is an already existing Cortlandt Blvd. Special Permit allowing existing single family homes to be converted to part commercial. Some owners have approached the Board who would like to go back to all residential. Staff has proposed changes to the existing permit, which, if adopted, would allow Code enforcement to issue permits to allow apartments. This is based somewhat on the

accessory apartment law and requires the building to look residential. There are two proposed limits to the number of apartments. The buildings cannot be expanded, and minimum square footage of each apartment matches the state building code. The Board could elect to expand that.

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

RESOLUTIONS:

RESOLUTION NO 209-20 RE: Authorize an Easement Agreement with the owner of 21 and 22 Scott Lane.

RESOLUTION NO. 210-20 RE: Authorize the Supervisor to take decisive action with respect to Utilities and Cable.

RESOLUTION NO. 211-20 RE: Authorize a leave of absence for an employee in the Department of Technical Services – Code Enforcement Division effective September 18th.

RESOLUTION NO. 212-20 RE: Schedule a Public Hearing for September 22, 2020 regarding Cortlandt Boulevard Residential Zoning Text Amendments.

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

BUDGET TRANSFERS - NONE

REPORTS FROM VARIOUS DEPARTMENTS

REPORTS FROM STANDING & SPECIAL COMMITTEES

SECOND HEARING OF CITIZENS

Councilwoman Carter made a motion to adjourn the meeting seconded by Deputy Supervisor Becker with all voting AYE.

The meeting adjourned at 8:29 PM

ADJOURNMENT

NEXT TOWN BOARD MEETING

September 22, 2020 at 7:00 pm
www.townofcortlandt.com

Respectfully submitted,
Laroue Rose Shatzkin
Town Clerk