

A **Regular Meeting** of the Town Board of the Town of Cortlandt was conducted on August 12, 2014 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 Absent
SETH FREACH	Councilmember

Also present:

JO-ANN DYCKMAN	Town Clerk
EDWARD VERGANO	DOTS, Director
GLENN CESTARO	Comptroller
CLAUDIA VAHEY	Human Resources Coordinator
CHRISTINE B. COTHREN	Deputy Town Clerk
ROSEMARY B. LASHER	DOTS/Asst. to Director
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 AND REPORTS

Supervisor Puglisi spoke of the following updates on key issues of the Town:

There will be a resolution passed tonight stating the Town Board’s opposition to the expansion of the Spectra Algonquin project as it will be too close to the elementary school, would eliminate a youth sport’s field, impact the historic St. Patrick Catholic Church, negatively affect the Hudson River bed and fish catching, and impact many resident’s properties. The **Supervisor** explained that the gas line has coexisted in the Town of Cortlandt for decades with no problems, however the expansion is taking different routes and the impact would be too great for our community. This also is simultaneous to the Town’s position on West Point Partners, a transformer project also on this property and would be a tremendous impact to the residents and the community. **Supervisor Puglisi** commented that they will continue to speak out at future public hearings. An outside attorney has been retained to assist the Town attorney and Town Board

SUPERVISOR’S REPORTS, (cont.)

with this challenge. There was to be a public hearing on September 11 but they decided this was not the appropriate day to hold a hearing as there will be other important ceremonies on that day. It now will be held on September 15th at 6:30 p.m. at the Westbrook Drive Senior Citizen Community Center. The Town Board will be there and the **Supervisor** urged residents to attend.

Also tonight the Town Board will take steps to get back taxes owed to the Town from the 1-2% of taxpayers who have not paid the taxes in a timely fashion. The **Supervisor** explained the process of a tax lien on the property in arrears and how the Town notifies the homeowners. She explained that in Westchester County, the Towns must pay the county taxes and school taxes; there are only 2 counties in the state where this is the rule, Erie and Westchester. If people don't pay, the taxpayers have to make it whole by paying the taxes of those who don't. There are now only 5 properties that have not paid after the 1 ½ years time given to pay. At the time of the recent In-Rem sale, there were 26 properties on the list for sale. People came in to place their bid and 10 properties were not bid on, 16 were bid on. The **Supervisor** explained the procedure for the sale by the people who put in bids. There is still given time afterward for residents to pay their back taxes so the 16 properties that were bid on, most of them have been redeemed and there are now 5 properties left and tonight the Town Board will reject those bids because they didn't come up to the value of the property. Another In-Rem sale will now be scheduled for November 6th on the remaining properties. The **Supervisor** commented on articles that were written midway through this process and were told the process was not yet complete.

The medical drop box is located in the Purchasing office at Town Hall. **Supervisor Puglisi** asked the residents to bring in old medications for Westchester County Police to collect. This is done so the drugs do not get into the wrong hands.

The Town is holding its 9th Family Fun Day, Saturday, September 6th at 2:00 p.m. by the Town's Youth Center and ending with fireworks, funded by Entergy. There will be food, games and rides and the fireworks begin at 8:00 p.m.

The Green Team, chaired by Dani Glaser, and has about 25 Town employees, has planned a Community Swap Day. Items can be brought on Saturday, September 27th, 9:00 a.m. – 1:00 p.m. at the Community Center on Westbrook Drive.

The **Supervisor** added that they also have been working on big issues. She indicated there were petitions available for the residents to take for the West Point Partners Project. The Town Board passed a resolution to place a bid to buy the property they want for their project. The **Supervisor** is hoping to win that bid and the projects will go away.

* * * * *

ROLL CALL

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

* * * * *

TOWN BOARD REPORTS

Councilmember Farrell: Spoke of the road treatment new in Cortlandt which attempts to get some extra life out of a roadway that may or may not be a candidate for repaving. Councilmember Farrell explained how this works which will bring the road back to structural integrity and get more years out of it. This will be done as a trial in Verplanck. He thanked Jeff Coleman and his department for researching and having the willingness to try new ways of doing things as a way to stretch the budget while maintaining the same level of service on our roads.

Councilmember Farrell represented the Supervisor and Town Board at the opening of a new restaurant, the Hummingbird Café on Cortlandt Boulevard. This is operated by Dawn and Westford Briscoe and they will be servicing Jamaican and Spanish food.

A horseshoe pit was discussed at the last Town Board meeting at the Cortlandt Waterfront Park which seemed like a nice idea. Construction has now started and Councilmember Farrell thanked Fred Pardee and his crew for their work.

There is an item on tonight's agenda for the Verplanck Nature Preserve near the Cortlandt Waterfront Park at the site of the now demolished brick building which was in very bad condition. There are about five acres there that will be open to the public through trails and seating as a way for the residents to walk and enjoy the clay hole and the environment. This promises to be another nice amenity in that park area.

Councilmember Freach: Regarding the In-Rem resolution, Councilmember Freach stated that In-Rem is a process, not a one day auction. When the process started there were 95 properties in arrears. Tonight will be the resolution to accept or reject the bids on file. Councilmember Freach commented he will be voting to reject the bids because each was not up to the full value of the property but also it didn't cover the back taxes on the property. This is what the In-Rem process is about, to recoup the back taxes and make the other taxpayers in Cortlandt who have been supporting those homes whole. Over 1.4 million dollars have been brought into the Town in back taxes. He commented that the process has been a very beneficial one for the taxpayers.

Councilmember Freach also commented on the other resolution tonight in opposition to the Algonquin project. He is glad other municipalities are joining Cortlandt in opposition to this and he will be voting to oppose this project because this new gas line will be placing a 42" gas pipeline within 450 feet of an elementary school and near a ball field and that is not acceptable. He thanked the Board for fighting this fight for so long and for continuing to do so.

Councilmember Costello: Announced that on Sunday, September 14th, the Croton Arboretum is celebrating its 20th anniversary and invited residents to visit.

Tonight will be a vote to promote two MEOs and Councilmember Costello commented that it is always good to promote from within and allow the Town employees to move up through the ranks.

TOWN BOARD REPORTS, (cont.)

Councilmember Costello wanted everyone to know that they are going to continue fighting the Algonquin Pipeline and the West Point Partners stating that we are unified as a Board and as a community which is a very special thing. The Board will continue to stand and fight with the residents against these projects.

* * * * *

APPROVAL OF THE MINUTES

Councilmember Costello moved that the minutes of July 22, 2014 be approved as presented by Town Clerk Dyckman. Councilmember Becker seconded the motion.

All voted **AYE**

* * * * *

PUBLIC HEARINGS

(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.

1. **Public Hearing to consider a Local Law to Establish a Sustainable Energy Loan Program**

Supervisor Puglisi called the hearing to order at 7:35 p.m.

Supervisor Puglisi called upon Ms. Roth, the director for the commercial program of this Energize New York project to explain to the community why the Town Board has this on a public hearing and why it would be a great opportunity for our community.

Ms. Roth explained that it is a non profit local development corporation defined by State law to provide a public benefit to the community. The benefit that they are providing is Energize New York Haste Finance, a financing program for commercial properties looking to make clean energy upgrades to their buildings. That includes both energy efficiency, like windows, heating systems, chillers, stuff that reduces your energy consumption as well as renewable energy projects like solar panels or even geothermal.

She added that the reason that this is so important and we would like to be able to work with Cortlandt to provide this opportunity to the property owners in the commercial businesses in the area is because there is not really a financing product right now for commercial properties to make energy upgrades. There are products for residential homeowners and for municipal buildings, but energy efficiency in commercial buildings is the gap we are hoping to fill. We have really old buildings in this area, we have the highest electric charges in New York State and New York State has the highest electric charges in the country and they are trying to take a bite out of that with this.

PUBLIC HEARING, (cont.)

Ms. Roth explained that this opportunity would provide financing for up to 20 years for energy projects and start looking at deep comprehensive projects and have a real impact on our energy usage as opposed to just lighting or something simple that has a 3-4 year payback. They can start thinking about entire heating systems, cooling systems, controls, windows, solar panels, that have a longer payback time and need deeper financing opportunities.

She stated that they can also finance 100% of the project. One of the underwriting standards is that the savings to investment ratio of the project must be greater than one, which means that the property owner will be cash flow positive immediately and not need to lay out any cash to make these upgrades and not have to take a hit financially in order to see an energy efficient positive. In addition to just the finance benefits there are some real economic and environmental benefits as well. So New York State emits 211 million metric tons of carbon dioxide. Ms. Roth stated that this is one step in getting us there for cleaner air, reduced emissions, and just more livable communities.

In terms of economic development there are too many dollars that are leaving our communities to be spent on foreign fuel, that are being shipped out of our community, out of the state and even out of the country. They want to keep the dollars that are being wasted on energy local in the hands of the stakeholders in Cortlandt that can be reinvested into our economy. They also want to reduce the utility bills of the property owners that are in the area and potentially even attract employers because of this.

Ms. Roth commented that they have a very strong partnership with NYSERDA which is the New York State Energy Research and Development Authority. They are our public benefit corporation that provides energy incentive programs to New York State property owners. All projects must be approved by NYSERDA so they use their contractors who are certified and accredited through different programs usually PPI and New York State. They offer property oversight for all of the projects and require there is an energy survey to establish an energy baseline and we can make sure these energy projects are having a deep impact and not just aesthetic purposes.

She stated they are eager to have Cortlandt join the other members that have joined the energy improvement corporation. Yorktown is a member, neighbors in Peekskill as well as New Rochelle and White Plains throughout Westchester. All of Orange County is a member and we are speaking with other counties statewide.

Supervisor Puglisi thanked Ms. Roth and indicated that they wanted to proceed with this and to join some of the other municipalities in Westchester County and become partners in this as well. It is on a voluntary basis and it's for commercial properties. There will be a link on the Town's website for Energize New York and to Ms. Roth and then they can contact her to implement the program.

The **Supervisor** stated that it is an opportunity for commercial property owners to and it will provide jobs as well for local contractors.

A motion to Close the Public Hearing at 7:44 p.m., Adopt a Negative Declaration and Adopt a Local Law was made by Councilmember Freach and seconded by Councilmember Farrell.

All voted **AYE**

PUBLIC HEARING, (cont.)

RESOLUTION NO. 229-14 RE: Adopt a Negative Resolution with respect to a Local Law to establish a Sustainable Energy Loan Program.

Local Law # 3-14: Establish a Sustainable Energy Loan Program

* * * * *

HEARING OF CITIZENS, (AGENDA ITEMS ONLY)

* * * * *

BID REPORTS

* * * * *

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

REPORTS

For the month of July, 2014 from the Office for the Aging, Purchasing Department, the Receiver of Taxes and the Town Clerk.

* * * * *

OLD BUSINESS

Receive and File the Following:

- 1. Report from DES with respect to possible surface treatments for certain streets in Verplanck; and Authorize same.

RESOLUTION NO. 230-14 RE: Authorize the Resurfacing of Certain Streets in Verplanck.

* * * * *

NEW BUSINESS

Receive and File the Following:

- 1. Town Emergency Shelter Operations Plan: and Adopt same.

RESOLUTION NO. 230A-14 RE: Adopt an Emergency Shelter Operations Plan

- 2. Report from DOTS with respect to dangerous building owner notification; and notify owners of the time and place of a hearing for the owner to be heard why the Town should not order the demolition of same.

NEW BUSINESS, (cont.)

Discussion: Supervisor Puglisi stated that the Town Emergency Shelter Operation Plan is critical. The Community Center is used for the shelter for emergencies such as Hurricane Sandy. The facility will be open for those that have no power assisted by our staff and the Red Cross. The Supervisor thanked Jeff Coleman and John Mahoney for working on this.

All voted **AYE**

* * * * *

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 Feach.

The following Resolution was removed:

Authorize retaining MSW professional services for the Senior Citizen Club members.

RESOLUTION NO. 231-14 RE: Authorize increasing the hourly rate for certain part-time staff at the Youth Center.

RESOLUTION NO. 232-14 RE: Authorize extending compensation time for Lesley Bornstein for extra work assisting at the Youth Center.

RESOLUTION NO. 233-14 RE: Appoint one seasonal for DES beginning after Labor Day.

RESOLUTION NO. 234-14 RE: Appoint two MEO's in accordance with the AFSCME contract.

RESOLUTION NO. 235-14 RE: Appoint a substitute chaperone at the Community Center for senior citizen trips.

RESOLUTION NO. 236-14 RE: Authorize a Leave of Absence for a DES employee under FMLA.

RESOLUTION NO. 237-14 RE: Authorize a Fireworks Permit with respect to Family Fun Day on September 6, 2014.

All voted AYE

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

RESOLUTION NO. 238-14 RE: Authorize a Fireworks Permit with respect to an event at Monteverde for August 30, 2014.

RESOLUTIONS, (cont.)

RESOLUTION NO. 239-14 RE: Adopt a Negative Declaration with respect to the Broadway sidewalks Riverview to 5th Street Project in Verplanck.

RESOLUTION NO. 240-14 RE: Authorize to solicit bids for snow and ice control for 2014-2015.

RESOLUTION NO. 241-14 RE: Resolution with respect to Offers to Purchase from the July 15, 2014 In-Rem Sale and set an In-Rem property sale for November 6th at 11:00 a.m.

RESOLUTION NO. 242-14 RE: Authorize design work and seek bids with respect to Phase II at the former Martin house area.

The following resolution was removed:

Award a contract for drainage improvements at 176-184 Westchester Avenue in Verplanck subject to a design and report from DOTS.

RESOLUTION NO. 243-14 RE: Direct staff to research and draft a Local Law with respect to property maintenance.

Discussion:

Discussion: The **Supervisor** stated that perhaps because of the recession and the economy people cannot pay to maintain their property, have abandoned the property or is being foreclosed on. This seems to be happening more and more and the Code Enforcement office deals with these issues as well as they can. The Town will be reviewing other communities and State codes to see what they do about this issue. There will be a draft in September for discussion so there could be a stronger Town ordinance for these issues.

All Voted **AYE**

* * * * *

ADDITIONS TO THE AGENDA

Councilmember Feach moved that the following be received and filed and the following resolutions be adopted. Councilmember Costello seconded the motion.

Receive and File:

1. Letter from Cortlandt WATCH with respect to conservations easements and parcel regarding Mill Court Crossing; and refer to DOTS and the Legal Department.

* * * * *

ADDITIONS to the AGENDA, (cont.)

RESOLUTIONS:

RESOLUTION NO. 244-14 RE: Appoint a Payroll Clerk to fill a vacancy in the Comptrollers office.

RESOLUTION NO. 245-14 RE: Appoint an Office Assistant- Automated Systems to fill a vacancy in the Town Clerk’s office.

RESOLUTION NO. 246-14 RE: Amend the Temporary Service List to include Andrew Cosentino.

RESOLUTION NO. 247-14 RE: Resolution in opposition to the Spectra/Algonquin gas line expansion.

RESOLUTION NO. 248-14 RE: Authorize a renewal and extension of the Cortlandt Heating Oil Program.

RESOLUTION NO. 249-14 RE: Authorize sending a letter to NYS DOT requesting the Town be allowed to install a Welcome/directional sign at the off ramp of Rts. 9 and 9A in Montrose.

RESOLUTION NO. 250-14 RE: Authorize a one year lease with respect to property at 8th Street and Broadway in Verplanck.

RESOLUTION NO. 251-14 RE: Authorize the sale of a Town owned strip of land to an adjacent property owner on Wolf Road for \$500.00 subject to a drainage easement.

Discussion: The Supervisor thanked Cortlandt Watch for always giving suggestions for our community and environment.

Supervisor Puglisi announced the retirement of Andrea Wertheimer in the Comptroller’s office.

The **Supervisor** commented on the CHOP program, an idea by Councilmember Becker, which is extremely successful for reduced oil rates to its members.

Councilmember Costello discussed the idea of putting a Welcome to Cortlandt sign at the Montrose exit. There must be approval from the State so the Town is requesting approval.

All voted **AYE**

* * * * *

BUDGET TRANSFERS

NONE

* * * * *

REPORTS FROM VARIOUS DEPARTMENTS

* * * * *

REPORTS FROM STANDING & SPECIAL COMMITTEES

* * * * *

SECOND HEARING OF CITIZENS

Sue McDonnell
19 Susan Lane

Thanked the Board for the resolutions and for changing the date for the meeting. She also thanked them for responding to Cortlandt Watch letters.

Supervisor Puglisi commented that Cortlandt Watch has been in existence for over 35 years and that she has been there since it started and how it has been instrumental in helping with the important ordinances and environmental issues in the community, such as wetlands laws.

* * * * *

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