

February 10, 2015

Town Board Meeting

A **Regular Meeting** of the Town Board of the Town of Cortlandt was conducted on February 10, 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

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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 introduced Scout Troop #45 from Walter Panas High School led all in attendance in the Pledge to the Flag.

Emmett Breen, former Assistant Scout Master, introduced his son, Liam, an Eagle Scout and his other son, Kieran who will be an Eagle Scout very soon. He explained that the reason they are here tonight is because Kieran needs a communications merit badge and there is no better place than a Town Board Meeting.

Supervisor Puglisi congratulated the Scouts.

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Supervisor Puglisi stated that they will proceed with the adjourned Public Hearing of Cortlandt Crossing of the application from Arcadia.

ROLL CALL

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

PUBLIC HEARINGS

RE: Reconvene a Public Hearing to consider the Draft Environmental Impact Statement with respect to Cortlandt Crossing; and a Legislative Public Hearing with respect to same.

(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 7:08 p.m.

The **Supervisor** explained the location of the property on Rt. 6 across from the Cortlandt Town Center and its several owners. She stated that during the hearing the Town Board will listen to the comments and questions and everything will be answered in a Final Environmental Impact Statement.

Tom Wood explained, as they did last month at the first meeting, the application process and for adjusting the zoning map. When it is presented, a determination has to be made as to what agency plays the most significant role in the process. In this case it was determined that the Town Board plays the most significant role and the Town Board is the lead agency to coordinate the process. The purpose of the public hearing is to afford the public the opportunity to raise questions or concerns. There will also be public hearings in front of the Planning Board and then the Town Board will make decisions regarding the legislative actions and other actions that would have to take place. This is a very open process and he stated that any issues that are identified this evening must be addressed by the applicant in one form or another.

Supervisor Puglisi added that they had asked the applicant to meet with a few residents who had more questions. She then turned the meeting over to David Steinmetz, law firm for the applicant.

Mr. Steinmetz stated that they sent out another mailing to the community responding to anyone who contacted him and to the neighbors in the vicinity as part of a continuing dialogue that Arcadia is prepared to have with the community.

Speakers

Ronit Mendelowitz
1 Baker Street

Submitted a letter regarding a needed light pole on the street

John DeBenedictis
35 Westminster Drive

Stated this has all been done before with a developer, especially with rezoning. It is the residents who are impacted by the rezoning and should be protected. The buyers should stay within the codes.

PUBLIC HEARING, (cont.)

Dominick Esposito
6 Lucs Lane

Stated that he is directly impacted by the application. He proceeded to read the letter (A complete transcript of this letter is on file with the filed minutes) regarding rezoning.

David Wald
49 Conklin Avenue

Here to support this project. The intent of this process is to have a dialogue over an extended period of time to fine tune the proposal. He stated it is not the developer’s job to “save the Town” as commented by Mr. DeBenedictus. The job is to ensure that the property is developed in such a way that it will be a benefit and an enhancement to the Town. The existing businesses are not victims, they’ve known this might be happening for many years and many of the residents living there want to see improvements.

David Steinmetz asked that the Public Hearing be closed and leave a public comment period open as state law requires. He stated that they are anxious to take the comments heard from the public and papers from the Town and begin the final preparation of the final FEIS.

Tom Wood commented that there would be a 30 day written comment period from the residents and the applicant is required to respond. All the other agencies involved will be conducting a series of public hearings and comments and these comments will also be part of the SEQUA record.

A motion to close the Public Hearing at 7:38 p.m. was made by Councilmember Becker and seconded by Councilmember Freach.

All voted **AYE**

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SUPERVISOR’S PROCLAMATIONS AND REPORTS

Supervisor Puglisi commented on the amount of snow this year and thanked Jeff Coleman and his staff for their work.

The **Supervisor** spoke of the events: Martin Luther King Jr. Day and President’s Day and hoped to see the Lincoln Depot Museum in the City of Peekskill.

John Federspiel, President of Hudson Valley Hospital, notified the Town that they are now affiliated with New York Presbyterian Hospital and it is now officially called New York Presbyterian/Hudson Valley Hospital. There will be more physicians, more staff and services to the community.

More businesses have opened up at the Cortlandt Town Center; Moe’s Restaurant, Children of American Childcare, and Starbucks across from Curry car dealership.

SUPERVISOR’S REPORTS, (cont.)

Eaglefest was held this past Saturday with about 200 participants at Verplanck and there were about 54 eagles that were sighted.

The Town Board is doing their best to fight Spectra/Algonquin gas line from 26” to 42” and its proposed location. It is not known what the FERC decision will be but the Town is doing its part on behalf of the residents. They will be purchasing the Con Ed property and that will stop the other impact to the community by West Point Partners, but FERC supersedes local Town government.

Supervisor Puglisi wished everyone a Happy Valentine’s Day.

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TOWN BOARD REPORTS

<u>Councilmember Costello:</u>	no report
<u>Councilmember Becker:</u>	no report
<u>Councilmember Freach:</u>	no report

Councilmember Farrell: Regarding a request by the State Police to modify a building on Memorial Drive that is rented to them, they are asking the Town to build a garage, about 1000 sq. ft for storage of equipment. This will be referred to Town departments for analysis of costs and will do what they can to accommodate their request.

Also on the agenda is an item to appoint two members to the Fire Advisory Board, Holly Haight and John Schembari. The Board meets to discuss various items of interest to firematic agencies throughout the Town including solar panel installation issues. Councilmember Farrell thanked them for their volunteer service on that Board and in their department.

Another item on the agenda is to award to a contractor modification of a building that the Town has recycled and reused now being used by the Cortlandt Community Rowing Association.

APPROVAL OF THE MINUTES

Councilmember Costello moved that the minutes of January 13, 2015 regular meeting be approved as presented by Town Clerk Dyckman. Councilmember Becker seconded the motion.

All voted **AYE**

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Dangerous Building Proceeding

To consider Evidence that 270 Furnace Dock Road is an unsafe building.

Tom Wood, Town Attorney, stated that the Director of Technical Services is suggesting that this be granted an adjournment due to the snow and other issues til the March meeting.

HEARING OF CITIZENS, (AGENDA ITEMS ONLY)

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BID REPORTS

NONE

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

REPORTS

For the month of December, 2014 from the Receiver of Taxes.

For the month of January, 2015 from the Receiver of Taxes and the Town Clerk.

2014 Annual Report from the Purchasing Director, the Receiver of Taxes and the Annual Planning Board Report.

OLD BUSINESS

Receive and File the Following:

1. Quarterly Report from Westchester County with respect to the Sprout Brook Ashpit.
2. 2014 Service Award Program Points List from the Cortlandt Community Volunteer Ambulance Corps.

RESOLUTION NO.60-15 RE: Accept the 2014 Member List of Volunteer Ambulance Workers for the Cortlandt Community Volunteer Ambulance Award Program.

3. Report from the Director of DES with respect to leasing vehicles.

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NEW BUSINESS

Receive and File the Following:

1. Letter from the New York State Police requesting a garage facility on Memorial Drive; and refer same to DOTs, DES for a cost analysis and the legal Department to evaluate a lease amendment.

Discussion: Supervisor Puglisi stated that the New York State Police pays off the life of the 20 year bond, not the taxpayers.

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

RESOLUTION NO.61-15 RE: Authorize a three month Leave of Absence for a DES employee.

RESOLUTION NO.62-15 RE: Appoint members to the Cable TV Advisory Board.

RESOLUTION NO.63-15 RE: Appoint members to the Electrical Board.

RESOLUTION NO.64-15 RE: Appoint members to the Plumbing Board.

RESOLUTION NO.65-15 RE: Appoint members to the Fire Advisory Board.

RESOLUTION NO.66-15 RE: Appoint Representative to the Historic Hudson River Towns

RESOLUTION NO.67-15 RE: Appoint Representative to the Hudson Highlands Gateway Task Force.

RESOLUTION NO.68-15 RE: Appoint members to the Joint Advisory Committee of the Continental Village Park District for the year 2015.

Discussion: Supervisor Puglisi said they applaud and thank all the volunteers that work on these committees.

All voted **AYE**

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

RESOLUTION NO.69-15 RE: Authorize a Contract extension with respect to SRO services at Copper Beach Middle School.

RESOLUTION NO.70-15 RE: Authorize a New Collective Bargaining Agreement for the Blue Collar Unit of AFSCME.

RESOLUTION NO.71-15 RE: Authorize a Contract with Hudson Valley Bus Co. with respect to Camp Bus Transportation.

RESOLUTION NO.72-15 RE: Authorize repairs to the salt dome at Arlo Lane.

RESOLUTION NO.73-15 RE: Authorize a pilot program with respect to the permanently repairing of potholes.

RESOLUTION NO.74-15 RE: Authorize a contract with respect to electrical services.

RESOLUTIONS, (cont.)

RESOLUTION NO.75-15 RE: Authorize modifications to an existing building at the Cortlandt Waterfront Park for the Cortlandt Rowing Association.

RESOLUTION NO.76-15 RE: Solicit proposals with respect to the removal of an oil tank at 29 Gabriel Drive.

RESOLUTION NO.77-15 RE: Authorize reduction in security with respect to Hillside Estates off Locust Avenue per the Planning Boards recommendation.

RESOLUTION NO.78-15 RE: Authorize the Supervisor to forward a letter to Westchester County with respect to their efforts in the reduction of the use of plastic bags.

RESOLUTION NO.79-15 RE: Resolution to join Westchester County in complying with the Property Tax Freeze Legislation and Government Efficiency Plan.

Discussion: The **Supervisor** stated that repairs to the salt dome had been a vision by the Town for many years and the cost to the repair will be about \$25,000.

Jeff Coleman explained that the technique of the hot injection pothole repair will be used for the repairs of the potholes due to the inclement weather.

All voted **AYE**

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ADDITIONS TO THE AGENDA

NONE

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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

Sara Nolte
61 Dogwood Road

Respectively disagreed on the state of the roads for the storm the previous Sunday. She spoke of her daughter having an accident that day on Red Mill Road at 4:00 p.m. because the roads had not been "touched" at that point. She asked why they hadn't been done and still not done by 8:30 p.m.

Jeff Coleman responded that they had been monitoring the storm event all day and discussed the condition with Ms. Nolte. Tim Nolte asked about what the time is that the Town goes out to

HEARING OF CITIZENS, cont.

sand the roads. He asked if it was a matter of overtime to which **Supervisor Puglisi** answered that it was not.

Supervisor Puglisi apologized stating it would not happen again and will be addressed more. Mr. Nolte also discussed the towing fee that was charged as Cortlandt does not have guidelines as far as what tow companies can charge, as Peekskill has. Tom Wood indicated that the State Police are in charge of that, not the Town. Mr. Nolte asked about the fee schedule that the police have to which Tom Wood stated that the Town is not involved as they do not have a police force and that the Town cannot mandate their fee schedule.

Councilmember Farrell asked Mr. Nolte what the other tow operator was going to charge. Mr. Nolte indicated it would be free or he would have done it himself. Mr. Nolte felt it was price gouging and was told to speak to the Town.

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ADJOURNMENT

The meeting was adjourned at 8:15 p.m. on a motion by Councilmember Costello seconded by Councilmember Becker.

All voted **AYE**

Respectfully submitted,

JO-ANN DYCKMAN
Town Clerk

February 10, 2015

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