

January 12, 2016

Town Board Meeting

A **Regular Meeting** of the Town Board of the Town of Cortlandt was conducted on January 12, 2016 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
SETH FREACH	Councilmember

Also present:

JO-ANN DYCKMAN	Town Clerk
CHRISTINE B. COTHREN	Deputy Town Clerk
PATRICIA ROBCKE	Comptroller
ROSEMARY B. LASHER	DOTS/Asst. to Director
JEFFREY COLEMAN	Director, DES
MICHAEL PREZIOSI	Director, DOTS
EDWARD VERGANO	Senior Civil Engineer

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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 thanked the Lakeland High School Choir and the elected officials who attended the Swearing in Ceremony for the newly elected Town of Cortlandt officials. They were Congresswoman Nita Lowey, Assemblywoman Sandy Galef, and County Legislator Catherine Borgia. The **Supervisor's** grandchildren also attended, Oliver and Jeremy, who led all in the Pledge of Allegiance.

The **Supervisor** congratulated the officials that were sworn in at the ceremony, Councilman Frank Farrell, Councilman Richard Becker and Town Judge Daniel McCarthy. She thanked the staff members of the Supervisor's office that put the ceremony together.

Supervisor Puglisi noted that she attended several events over the last month. There were

SUPERVISOR’S REPORTS, (cont.)

Holiday events such as the Cortlandt Manor Rotary Club Breakfast with Santa and the Cortlandt Youth Center had a Santa Claus festivity also. There was a lighting of the Tree and Menorah off of Cortlandt Boulevard and all the Senior Citizen clubs also held Holiday lunches.

The 2015 Achievements List in on the Town’s website and Facebook page along with the 2016 list of goals. **Supervisor Puglisi** stated that they are constantly thinking of things to improve and make the Town even better than it is. Again there are very low Town taxes and the Town passed the budget for 2016 in mid December which is under the New York State Tax Cut. That is important because if the Town does not go under the tax cut, then the taxpayers don’t get the refund check from New York State.

Supervisor Puglisi stated that because they have been lobbying Arcadia, the owners of Cortlandt Crossing, they took down the small buildings that have been mentioned of being in disrepair for many years.

Meahagh Park in Verplanck was dedicated, Michael Preziosi, Director of DOTs stated that the lacrosse field on Sprout Brook Road will be completed in early spring.

Supervisor Puglisi thanked a Town wide Homeowner’s Association, Cortlandt Watch. She explained that Cortlandt Watch was established by volunteers, citizens in the community in the mid 1980’s. Their goals, to name a few, were to preserve more open space, to protect the environment and the ecology of our community, and to control development for rational growth. Many of their ideas have been assimilated into the community as did many of the members. They are going to be disbanded and the **Supervisor** thanked them for everything they have done to bring to our attention these important ideas.

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ROLL CALL

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

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TOWN BOARD REPORTS

Councilmember Costello: Commented that the swearing in ceremony was beautiful and the staff did a great job of putting it all together. Councilmember Costello thanked Jeff Coleman for getting the crew out to salt the roads and also thanked the Town employees for their work sanding and salting the roads.

Councilmember Costello congratulated those employees being reappointed and said she is looking forward to working with all of them. There will be a new employee, Michelle Robbins and Councilmember Costello welcomed her.

Councilmember Becker: The agenda tonight is longer than usual and all were reviewed at the work session in detail. Councilmember Becker thanked all the voters who endorsed them

TOWN BOARD REPORTS, (cont.)

and gave them another opportunity to serve. He stated he was looking forward to both the challenges and to many successes working with this Board.

Councilmember Freach: Echoes everything that has been said about the events in the last month, as well as the lovely swearing in ceremony on Sunday. Councilmember Freach said that it really is wonderful to know that his colleagues on the board were reaffirmed by the community. He stated that he is excited that they are still all together as a Board because they work so well together doing the business of Cortlandt and making it the community a place we all want to be. They all have their disagreements, compromises and conversations but they all work together well as a team. Councilmember Freach said he is very grateful the team will remain together for another few years.

Councilmember Farrell: Stated it was an honor and a pleasure for him to continue serving on the Board with his colleagues. Councilmember Farrell went on to say he is looking forward to all this year will bring, things that are planned and also unplanned. He wished everyone a happy and healthy New Year.

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APPROVAL OF THE MINUTES

Councilmember Costello moved to approve the minutes of the Regular Meeting of December 15, 2015 and the Special Meeting of December 7, 2015 be approved as presented by Town Clerk Dyckman. Councilmember Becker seconded the motion.

All voted **AYE**

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PUBLIC HEARINGS

(A complete transcript of this Public Hearing is on file in the Office of the Town Clerk.)

1. Public Hearing to consider Agreements with respect to Fire Protection Services (Montrose Fire Department, Village of Croton, and Continental Village Fire Department).

Supervisor Puglisi called the hearing to order at 7:18 p.m.

Supervisor Puglisi stated that these are items that are done every January and it is more or less a pro forma item that is done.

A motion to close the Public Hearing at 7:20 p.m., adopt a Negative Declaration and Adopt a Resolution was made by Councilmember Becker and seconded by Councilmember Freach.

All voted **AYE**

RESOLUTION NO. 1-16 RE: Adopt a Negative Declaration with respect to

PUBLIC HEARING, (cont.)

RESOLUTION NO. 2-16 RE: Authorize agreement with respect to Fire Protection Services with the Montrose Fire Department.

RESOLUTION NO. 3-16 RE: Authorize agreement with respect to Fire Protection Services with the Village of Croton.

RESOLUTION NO. 4-16 RE: Authorize agreement with respect to Fire Protection Services with the Continental Village Fire Department.

1. Public Hearing to consider the establishment of the Furnace Woods Sewer District.

Supervisor Puglisi called the hearing to order at 7:21 p.m.

Tom Wood stated that this matter comes before the Board on petition of the property owner who wishes, at their own cost and expense, construct a pump station and sewer lateral to connect into the Town's other already formed sewer district and this system, once installed, taken over by the Town, would also make sewer available to other properties in the immediate area and along the route.

Dan Ciarcia
Ciarcia Engineering

Stated that they are here this evening to establish a sewer district referred to as a no cost district. The Town is not floating any bonds or any expenditure associated with it. He stated that they are setting up the framework for the future of which the Department of Health was very adamant about as they went through the process which is putting the members in place for the future and to follow all protocols associated with the public system. In theory, they could come to the Town for a sewer permit but they are actually getting full Health Department approval to facilitate the hand over of these facilities to the Town at some point in the future. In doing this there will be about 3900 feet of pipe. There's a single tax lot which is the Yeshiva campus and a long narrow line you see is the Town right of way along Galloway, Furnace Woods Road, Maple Avenue and ultimately Hill and Dale to the point which is the edge of the Red Oak Estates subdivision and the Red Oak Estates sewer district. Along that route, approximately 3900 feet, would open up the potential for those properties, around 40 properties, not all that have been developed, some are vacant, but will allow them the ability to connect and pump similar to the ones that are used in Red Oak Estates. Mr. Ciarcia stated that they've looked at a number of alternatives and this one is the most cost effective but also provides solutions along the properties out there and that is the other properties associated with Red Oak Estates. The future handoff, potentially to the Town, provides the mechanism for the Town collecting funds for the future operation of maintenance as well as immediately. This district will allow the Town to have them participate, provide a share of costs associated with paying down the bond associated with the recent upgrade as well as the operation and maintenance of that facility. That will allow the Town not only to collect money from them, but also from other properties when and if they decide to connect to the system.

PUBLIC HEARING, (cont.)

Supervisor Puglisi commented that to have various benefits for existing residents was very important and that can be expandable for other residents in that vicinity. She stated that they were not going to vote on it tonight, but will close the hearing and then vote on it at the February meeting to give more time for our residents to make their comments known by January 31st.

Councilmember Farrell noted that they will be forwarding the proposal to the County for their review.

Supervisor Puglisi stated that what they want to give ample time for residents and asked Michael Preziosi, Town Engineer if the residents received the notification letter to which he answered yes, they sent out the notice to the Red Oaks Sewer District late December notifying of the public hearing.

Supervisor Puglisi stated that to date they only have about 2 or 3 responses on that letter and that they want to be fair and let people have a few more weeks to respond.

Councilmember Becker added that he wants to point out that the Yeshiva has been at this for years and have come up with a solution. The problem is that there is a septic system and this existing organization has a need for dealing with its refuse and multiple options have been explored. Councilmember Becker stated that both Mike and Ed Vergano have assured the staff that the plan was safe and will be effective and asked for an outside consultant to review this. The outside consultant endorsed the plan and agreed that it was a workable solution. As a fourth layer of protection, it's now going to the County for their review and as a fifth layer, we have asked as a Board that the applicant guarantee the pumps for the people who could be possibly potentially affected by it down the road. Councilmember Becker stated that it is a safe way of securing the future of the Yeshiva and providing access to those properties who one day may want to hook up, so he was very satisfied.

Tom Wood stated that the public hearing will be closed except that the Town Board will still receive written comments up to and including January 31st. The matter will then appear on the Town Board's February agenda and also this evening the resolution to authorize the appropriate Town official to sign the forms for the Westchester County Department of Health to begin its review of the plans.

Supervisor Puglisi asked if that would be Michael Preziosi to which Tom Wood replied yes.

A motion to close the Public Hearing at 7:30 p.m., adopt a Negative Declaration and Adopt an Order was made by Councilmember Becker and seconded by Councilmember Freach.

RESOLUTION NO. 5-16 RE: Adopt a Negative Declaration in regard to the establishment of the Furnace Woods Sewer District.

PUBLIC HEARING, (cont.)

RESOLUTION NO. 6-16 RE: Authorize a comment period ending January 31st ; and refer to Westchester County Board of Health for review.

All Voted **AYE**

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HEARING OF CITIZENS, (AGENDA ITEMS ONLY)

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BID REPORTS

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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, 2015 from the Office for the Aging, Receiver of Taxes, and the Town Clerk.

OLD BUSINESS

Receive and File the Following:

- 1. A revised memo from DOTS with respect to a request for an abandoned portion of Locust Avenue; and Authorize notification of neighbors.

NEW BUSINESS

Receive and File the Following:

- 1. Dangerous Building Report from DOTS with respect to 2 Lafayette Street in Verplanck; and set a Hearing for February 9, 2016 with respect to same.

Discussion: none

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. 7-16 RE: Appoint Michelle Robbins to a 3/5th position in the Planning Division of DOTS; and Authorize an IMA with East Fishkill with respect to shared services.

RESOLUTION NO. 8-16 RE: Appoint Rebecca Ferguson to the title Recreation Supervisor.

RESOLUTION NO. 9-16 RE: Appoint two (2) seasonals for DES.

RESOLUTION NO. 10-16 RE: Appoint Councilman Francis Farrell as Deputy Supervisor for the year 2016.

Discussion: Supervisor Puglisi congratulated Michelle Robbins on her position and also congratulated Rebecca Ferguson on her new title.

Councilmember Freach congratulated everyone and thanked Rebecca Ferguson on all her good work at the Senior Center. He commented that Michelle Robbins has worked with the Town many years in various capacities and most recently on the Master Plan, stating she was very instrumental in that process.

All voted **AYE**

Councilmember Becker moved that the Board be Polled for the following resolution, seconded by Councilmember Freach

RESOLUTION NO. 11-16 RE: Adopt the salary resolution for town employees for the year 2016.

<u>Councilmember Costello:</u>	No
<u>Councilmember Becker:</u>	Yes
<u>Supervisor Puglisi:</u>	Yes
<u>Councilmember Freach:</u>	Yes
<u>Councilmember Farrell:</u>	Yes

The motion Passed.

RESOLUTIONS, (cont.)

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

RESOLUTION NO. 12-16 RE: Appoint the Town Attorney and Town Comptroller as Town Officers; and Authorize employment contracts with respect to same.

RESOLUTION NO. 13-16 RE: Authorize various employment contracts with respect to non-union contractual employees.

Discussion: none

All voted **AYE**

Councilmember Becker moved that the Board be Polled for the following resolution, seconded by Councilmember Freach

RESOLUTION NO. 14-16 RE: Authorize an employment contract for the Director of DES.

Supervisor Puglisi: Yes
Councilmember Farrell: Yes
Councilmember Freach: Yes
Councilmember Becker: Yes
Councilmember Costello: No

The motion Passed.

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

RESOLUTION NO. 15-16 RE: Re-Appoint Peter McMillan as the Purchasing Director.

RESOLUTION NO. 16-16 RE: Reappoint Robert Foley as a member of the Planning Board and Reappoint Loretta Taylor as Chairwoman and Thomas Bianchi as Vice Chairman of same.

RESOLUTION NO. 17-16 RE: Reappoint Charles Heady as a member of the Zoning Board of Appeals and Reappoint David Douglas as Chairman and Wai Man Chin as Vice Chairman of same.

Discussion: Supervisor Puglisi thanked Peter McMillan for his many years of working with the Town. She noted that the members of the Zoning and Planning Boards are volunteers with a minor stipend for all the hours with Charles Heady being the longest running member.

All voted **AYE**

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RESOLUTIONS, (cont.)

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

RESOLUTION NO. 18-16 RE: Appoint the members of the Town Safety Committee with Peter McMillan and Claudia Vahey as Co-chairpersons.

RESOLUTION NO. 19-16 RE: Appoint the members of the Architectural Review Council.

RESOLUTION NO. 20-16 RE: Appoint the members of the Alarm Appeals Board.

RESOLUTION NO. 21-16 RE: Appoint Dani Glaser as the Town Consultant to assist with Green Team/Energy Conservation/Sustainable issues.

RESOLUTION NO. 22-16 RE: Appoint O'Connor Daview (Bennett and Kielson and Co.) as the Town Auditors.

RESOLUTION NO. 23-16 RE: Appoint the Bingo Inspector.

RESOLUTION NO. 24-16 RE: Appoint the Town Board Liaisons to Departments.

RESOLUTION NO. 25-16 RE: Appoint Triad Group, LLC as manager of the Town Self Insured Workers' Compensation Fund.

Discussion: Supervisor Puglisi commented that Dani Glaser, an outside consultant, does a wonderful job with the Green Team.

All voted **AYE**

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

RESOLUTION NO. 26-16 RE: Adopt the Rules of Procedure for the Town Board Meetings.

RESOLUTION NO. 27-16 RE: Designate the 2016 Official Newspaper and alternates

RESOLUTION NO. 28-16 RE: Designate the 2016 Depositories.

RESOLUTION NO. 29-16 RE: Designate the Supervisor and Human Resource Coordinator as authorizing authorities to execute all Civil Service Forms.

RESOLUTION NO. 30-16 RE: Set the mileage reimbursement rate at \$.50 for Town Officials and employees for 2016.

RESOLUTIONS, (cont.)

RESOLUTION NO. 31-16 RE: Adopt the Purchasing Manual for 2016.

RESOLUTION NO. 32-16 RE: Authorize Town Officials to attend the Association of Towns training sessions in February in NYC

RESOLUTION NO. 33-16 RE: Designate the voting delegate and alternate.

Discussion: none

All voted **AYE**

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

RESOLUTION NO. 34-16 RE: Authorize the Supervisor to execute all contracts on behalf of the Town awarded by the Purchasing Director.

RESOLUTION NO. 35-16 RE: Authorize the Supervisor to execute applications for pool and concession permits.

RESOLUTION NO. 36-16 RE: Authorize the Supervisor to execute applications for State Aid for Youth and Senior Citizens.

RESOLUTION NO. 37-16 RE: Authorize the Supervisor to execute an agreement with Westchester County covering Employee Assistance Program.

RESOLUTION NO. 38-16 RE: Authorize the Supervisor to execute an agreement with Westchester County with respect to Youthful Drug Abuse Prevention Program funding.

RESOLUTION NO. 39-16 RE: Authorize the Supervisor to execute an agreement with the City of Peekskill covering Nutrition Meals under Title 3C of the Older Americans Act.

RESOLUTION NO. 40-16 RE: Authorize the Supervisor to execute Inter-Local Agreements for Nor-West Regional Services.

RESOLUTION NO. 41-16 RE: Authorize the Supervisor to execute all nutrition contracts.

RESOLUTION NO. 42-16 RE: Authorize the Supervisor to execute agreements with respect to covering shared equipment.

RESOLUTION NO. 43-16 RE: Authorize the Supervisor to execute and agreement with the Villages covering Freon Disposal.

RESOLUTIONS, (cont.)

RESOLUTION NO. 44-16 RE: Authorize the Supervisor to execute an agreement with the Villages authorizing the Town Purchasing Director to advertise bids on behalf of the Villages.

RESOLUTION NO. 45-16 RE: Authorize the Supervisor to execute all Personal Service Contracts.

Discussion: The Supervisor stated that there are a lot of shared services. The Town was early on talking to the Villages and other municipalities about shared services going back 20 years ago.

All voted **AYE**

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

RESOLUTION NO. 46-16 RE: Authorize Agreements with Peekskill Community Volunteer Ambulance Corps., the Village of Croton-on-Hudson and Cortlandt Volunteer Ambulance Corp. with respect to calls within the Town of Cortlandt.

RESOLUTION NO. 47-16 RE: Authorize the Supervisor to execute contracts with Westchester County with respect to CDBG projects for 2016.

RESOLUTION NO. 48-16 RE: Adopt the 2015 Westchester County Hazard Mitigation Plan update.

Authorize the following with respect to Department of Environmental Services:

RESOLUTION NO. 49-16 RE: Authorize the purchase/lease of refuse collection truck.

RESOLUTION NO. 50-16 RE: Adopt the 2016 water rates.

RESOLUTION NO. 51-16 RE: License Agreement with respect to 21 Travis Lane.

Authorize the following with respect to Department of Technical Services:

RESOLUTION NO. 52-16 RE: Design and solicit proposals for professional services for a water main interconnect with NWJWW along Rt. 202.

RESOLUTION NO. 53-16 RE: Design and solicit proposals for professional services for a Croton Park Colony water main replacement.

RESOLUTIONS, (cont.)

RESOLUTION NO. 54-16 RE: Design and solicit proposals for professional services for a water main interconnect between NWJWW at Maple Row to the Croton Park Colony water main replacement.

RESOLUTION NO. 55-16 RE: Authorize the use of Town Park property for a two (2) day training session for the New York Naval Militia (June 17-18, 2016)

Discussion: Supervisor Puglisi stated that water rates are eminated from the NY City DEP.

All voted **AYE**

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ADDITIONS TO THE AGENDA

Councilmember Costello moved that the following resolution be adopted. Councilmember Becker seconded the motion.

RESOLUTION NO.56-16 RE: Authorize an intermittent Leave of Absence for a DES employee.

RESOLUTION NO.57-16 RE: Schedule a Public Hearing for February 9, 2016 to consider a moratorium on certain uses and special permits.

Discussion: none

All voted **AYE**

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BUDGET TRANSFERS

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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

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ADJOURNMENT

The meeting was adjourned at 7:56 p.m. on a motion by Councilmember Costello, seconded by Councilmember Becker

All voted **AYE**

Respectfully submitted,

JO-ANN DYCKMAN
Town Clerk