

May 12, 2015

Town Board Meeting

A **Regular Meeting** of the Town Board of the Town of Cortlandt was conducted on May 12, 2015 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
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 led all in attendance in a Pledge to the Flag.

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SUPERVISOR’S PROCLAMATIONS AND REPORTS

Supervisor Puglisi mentioned many ceremonies that will be coming up for Memorial Day and urged the residents to attend beginning with the one hosted by the Mt. Carmel Society. It is a picnic for Veterans and supporters on May 17th. The Town of Cortlandt will have their celebration on May 26th at the Community Center for a tribute as well. The Supervisor listed the various ceremonies and parades that will occur for the Memorial Day celebrations.

Supervisor Puglisi introduced the Youth Center Director, Jennifer Schmidberger to announce the Earth Day Contest Winners. Jennifer stated that the contest was part of the Town’s Green Team partnership with the Youth Center and they were looking for posters that emphasized this year’s theme which was celebrating the environment. All the participants were recognized and the winners were announced. The participants were: Kate Marrusich, Marin Wasserman, Morgan Murphy, Daniela DiPietro, Alyssa DeCaprio, Madison Booth, Isabella Zahl, Kathleen Suarez, Sofia Polzella, Julianna Picarello, Julia Pennella, Zorka Lipovac, Katie Gerhardt, Gianna DeLorenzo, Tara Clark, Kayla Campos, Katie Bell, Thomas Barry. The **Supervisor** congratulated all the participants.

SUPERVISOR’S REPORTS, (cont.)

Supervisor Puglisi announced several activities; the opening of the Little Leagues, Girls Softball League, Earth Day Celebrations, Shop, Dine and do Business in Cortlandt. There is also another Substance Abuse Prevention Forum at Hendrick Hudson High School co-sponsored by the Cortlandt Coalition Group and the school district. Supervisor Puglisi stressed how important these forums are to educate the youth and their families about the seriousness of these drugs.

The **Supervisor** attended the DARE graduation with the DARE officer Cliff Gabrielson. They also attended several very special ceremonies for Fire Department Remembrance Days in Buchanan and Montrose. **Supervisor Puglisi** thanked our volunteer firefighters.

Supervisor Puglisi announced that they just learned that the Town of Cortlandt has won a very prestigious Westchester Municipal Planning Federation Award for the Verplanck Waterfront Master Plan. There will be a dinner on June 4th to pick up the award. The **Supervisor** commented they are very proud that they received this honor.

The Montrose Business Association held a craft fair of 24 vendors on the grounds of the Hendrick Hudson High School.

The **Supervisor** said that they are very excited about the first outdoor movie and concert series which is new this year. It will take place at the Cortlandt Waterfront Park in Verplanck on May 28th. It is all free. There will be four concerts and three movies every Thursday til August and there will be food vending booths. The band U Crew will perform on the 28th featuring Alexa Toback and the other band will be The Lost Souls.

Supervisor Puglisi thanked the Traffic and Safety Committee chaired by Ed Coccozza. These are all volunteers and a few have just retired.

Another long time member of the Conservation Advisory Council who retired 7 years ago is Lou Leslie. He advised on environmental and planning matters and he just turned 100 years old.

The **Supervisor** urged residents to check the Town’s website and Facebook for updates on the transformer explosion and fire at Indian Point that just occurred. She explained the facts of the incidents that had nothing to do with the reactors at the Nuclear Plant and no one was injured. She thanked the emergency service providers, fire departments and ambulance corp., and police to go to assist. The DEC is involved with the subsequent spillage and the Supervisor is in touch with them. **Supervisor Puglisi** stated she would get all the information to the residents to be sure all are safe.

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ROLL CALL

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

TOWN BOARD REPORTS

Councilmember Farrell: Stated that on tonight's agenda there are a few resolutions with respect to the Town's vehicles; the cost of painting and powerwashing as the Town does not have the means to do this on their own. Also one regarding the option of municipal leasing that has not been done before, but might be financially beneficial. Hopefully these will yield some savings.

Also there is an item to go out for bid for a rolling dock at Cortlandt Waterfront Park. This was a request by the Cortlandt Community Rowing Association. Councilmember Farrell stated he just wanted to stress that the dock is not just for the exclusive use of the Club, but can be used by anyone who wishes to take out any small craft. This is another effort to bring people to the beautiful waterfront.

There is also an item regarding going out to bid for some improvements to Meahagh Park. These include a full size basketball court, a community garden, and a walking path through the site to see all sorts of wildlife. Councilmember Farrell urged residents to go and enjoy this spot.

Councilmember Freach: Spoke of the Cortlandt Community Coalition who organized and ran a Narcan training session and how it was very successful and educational. Many attended and more were put on a waiting list for the next session. Councilmember Freach commented that this is a great step forward and is something that has to be kept in the forefront of our minds. The tools, education and outreach must be kept available to try to spread as wide of a net around this epidemic of heroin and other drugs.

Solarize Cortlandt is a bulk purchasing program where people can sign up to lower the prices for all in the program. They are solidly in "tier 3" a final and lowest cost of pricing. Councilmember Freach encouraged everyone to sign up for a free home evaluation by June 1st.

Councilmember Freach also urged residents to watch the presentation about the Master Plan on the community channel. There will be another public information session the following Tuesday.

He stated that there was a fire on Saturday and the firefighters didn't know what they were rushing into but they went right there prepared to fight the fire. Councilmember Freach extended his thanks to the volunteer firefighters.

Councilmember Becker: Residents that drive on Watch Hill Road know that the pavement is torn up. Councilmember Becker explained that last year Con Edison replaced a long segment of gas pipeline and the Town planned to repave the whole road, however there was a lot of settling from Con Ed's work. That will be repaired at Con Edison's expense and will be repaved.

TOWN BOARD REPORTS, (cont.)

The project "Abby Rose" is coming up in front of the Planning Board. This is on Dickerson Ave. and surrounded by 2 lakes, a very pristine area. Originally there was to be 47 or more homes on the 130 acre parcel. There was opposition to it and it was turned down. It is now decided that the owners will give the Town 106 acres of open space and 5 homes can be built if approved by Planning Board. Councilmember Becker stated that though some are opposed, he clarified that the property owner has a right to develop something and that the open space obtained by the Town is major as it is contiguous to 2 other properties with open space which results in about 400-500 acres of open space forever. It is now in the hands of the Planning Board but he hopes it will be approved.

Councilmember Costello: Stated that her electric usage bill was 81 cents and is excited to see how the summer months do and she highly recommended going solar.

Councilmember Costello also spoke of the firefighters and she also thanked the Ambulance Corp members and all the volunteers. Volunteering is so important and she urged residents to volunteer for anything it would be very helpful to make the community a better place. There will be "wing night" at the Verplanck Fire Department and she recommended residents to attend and support the fire department. The Cortlandt Community Volunteer Ambulance Corp is looking for new members and Councilmember Costello asked that residents call and join.

Councilmember Costello gave congratulations to the Hendrick Hudson Leos for their Stay Awake-a-Thon and they raised \$20,000 for the Maria Fareri Children's Hospital and for Happiness is Camping.

On the agenda they will be soliciting bids for an all purpose lacrosse field at Sprout Brook. Councilmember Costello stated that they need more fields and it is hard to find fields that are in good shape.

Supervisor Puglisi recognized Kathy Stewart and Dan O'Neil from the Cortlandt Volunteer Ambulance Corp and thanked them. She also acknowledged former Councilmember Joe Cerreto who also is an Iraq veteran.

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APPROVAL OF THE MINUTES

Councilmember Costello moved that the minutes of April 14, 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.)

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 participate in the Best Value Bidding Law..

Supervisor Puglisi called the hearing to order at 7:40 p.m.

Discussion:

Tom Wood stated that whenever a municipality goes out to buy any goods he must under current law go to the lowest responsible bid. Over the years the lowest responsible bidder is not necessarily the best value for the community. So this past year the State Legislature amended the law allowing the municipalities to adopt laws in purchasing of goods, materials and some services to utilize the Best Value process. This local law will allow the Town Purchasing Director to recommend guidelines and standards to the Town Board and if approved by the Town Board will allow the Town to use the process of the Best Value in procuring goods and certain services, janitorial service, etc. Hopefully it optimizes quality, cost and efficiency and brings better savings to the taxpayers of the Town.

Supervisor Puglisi thanked Tom Wood and Purchasing Director Peter McMillian.

A motion to close the Public Hearing at 7:43 p.m., adopt a Negative Declaration and Adopt a Local Law was made by Councilmember Becker and seconded by Councilmember Freach.

RESOLUTION NO. 126-15 RE: Adopt a Negative Declaration with respect to allowing a Town of Cortlandt Best Value Contract Award Law.

LOCAL LAW NO. 1-15: A Local Law authorizing the use of a Best Value Award methodology.

All voted **AYE**

1. Public Hearing to consider a Moratorium with respect to Section 307-52 of the Zoning Law as well as the definition of a Country Club.

Supervisor Puglisi called the hearing to order at 7:44 p.m.

Discussion:

Tom Wood stated that there are certain provisions of the zoning ordinance which pertains to the establishment of Country Clubs and membership clubs and an issue arose as to how that

PUBLIC HEARING, (cont.)

should be implemented if the major part of say a Golf Course is in one of the Villages in the adjoining town and only certain facilities would be in the Town of Cortlandt itself. There is an application that is before the Planning Board which is pending and is so far along in the process that a moratorium would not work but that they have agreed to increase contribution of funds for the reforestation of the property for some of the trees that would be removed on the site and would always render this parcel for open space type use. So it would no longer be able to be turned over into a development site. The Town Board is going to consider to refer this to the committee of the whole which is more or less to table it and put it on the side and to revisit these sanctions of the code independently.

Supervisor Puglisi commented that they. So we are satisfied with that outcome so therefore we're not taking any action on a moratorium, we're referring it to the committee of the whole which is basically taking no further action. We are satisfied with what the occupant said to the Town.

A motion to close the Public Hearing at 7:45 p.m. and refer to the committees of the whole was made by Councilmember Freach and seconded by Councilmember Farrell

All voted **AYE**

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DANGEROUS BUILDING PROCEEDING

To consider Evidence that 2140 Albany Post Road is an unsafe building.

Discussion: Tom Wood explained that this is a proceeding under Chapter 135 in the Town Code that is titled Dangerous Buildings. He explained this code that when the building Dept. has determined to be a dangerous situation after notifications to the property owner, the Town will consider reports by the engineer to determine if it is a danger to the community. If so, the Town can adopt an order for declaring it a dangerous structure and order demolition within 10 days. If the homeowner cannot in that time frame, the Town will do the demolition and charge it to the homeowner.

The report for 2140 Albany Post Road is filed. Tom Wood discussed the timeline of notifications and findings between the Town and the homeowner. A modified schedule of construction was delivered yesterday to the Town but that schedule was for early 2016.

Supervisor Puglisi asked for anyone wanting to comment.

Dangerous Building Proceeding, (cont.)

Michael Caruso
Carmel, N.Y.

Stated that the schedule he submitted was inadequate in terms of timeframe. He can submit a better timeframe to address the Board's concerns. Mr. Caruso stated that once his client can obtain a building permit then he is prepared to get the structural issues under control. He acknowledged there were delays and discussed fencing and other measures to address the issues.

John Lentini
Architect

Explained the reason for the delays and the work that had been done. He stated that the weather was a delay factor and he discussed all that now needs to be done to continue with the house. He stated that he believes it is reasonable that this timetable now will be enough for him to accomplish what needs to be done, which would be about 3 months and that the job should be done in a total of 6 months.

Joe Cerreto
Kings Ferry Road

Lives in the vicinity of this house and doesn't complain but the reality is that there are sheds, fencing, etc. He stated that the only time things get done is when the Town gets on them. Mr. Cerreto said many residents are very upset over the condition of the property and that this is beyond repair.

Marlena Sauer

Asked if the property is zoned residential or commercial property. Tom Wood indicated that it is partly commercial but it is a residence that was being rebuilt.

Councilmember Becker stated that there was no response after letters had been sent to the owner and after that information was requested and there is no other information given. There was no information such as the budget for the project or the financing.

Mr. Caruso apologized for any lack of communication. Councilmember Becker asked where the financing was and that now at the 11th hour they are coming in front of the Board without any of this information. He asked if Mr. Caruso could give them any idea where this money was coming from to hire a contractor and Mr. Caruso answered that his client had private investors as well as his own capitol and that they had financing available and explained what else they would be doing to get this done and be engaging Northeast Construction. He stated that they have a lot to resolve on this project.

Dangerous Building Proceeding, (cont.)

Supervisor Puglisi commented that the Town has given many opportunities to the client to give this information to the Town and they have been give many extensions and have been very patient. She stated that they take this seriously to which Mr. Caruso also said that they do also.

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

All voted **AYE**

RESOLUTION NO. 127-15 RE: Adopt an Order regarding a Dangerous Building on 2140 Albany Post Road

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HEARING OF CITIZENS, (AGENDA ITEMS ONLY)

Jason Hatfield
6 Dimond Ave.

Asked if the speed bump will be put back in. **Supervisor Puglisi** said absolutely and Jeff Coleman responded what they will be doing to have 2 working speed bumps.

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BID REPORTS

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REPORTS

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

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

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OLD BUSINESS

Receive and File the Following:

1. Quarterly Report from Westchester County with respect to the Sprout Brook Ash Pit.
2. Town's Annual Stormwater MS4 Report as required by NYSDEC regulations.
3. Evaluation with respect to 270 Furnace Dock Road; and set a Hearing for June 16, 2015 to consider same (historic significance).

NEW BUSINESS

Receive and File the Following:

1. Letter from Bernard Vaughey requesting to have access or purchase a Town owned parcel; and refer to the Legal Department, DOTS, DES and the Assessor.
2. Letter from the Montrose Business Association requesting the Town establish a commercial sewer district, and refer to the Legal Department and DOTS.
3. Letter from the Richmond Community Services notifying the Town of their intention to establish a community residential facility at 36 Rick Lane.
4. Letter from Eugene Parrotta of Purple Heart Homes with respect to the storage of Civil War uniforms; and refer to DES and the Legal Department.

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

RESOLUTION NO.128-15 RE: Authorize to advertise for three laborers (two to fill vacancies) with respect to DES.

RESOLUTION NO.129-15 RE: Appoint seasonals for DES.

RESOLUTION NO.130-15 RE: Appoint all 2015 Summer Seasonals.

The following was amended to:

Receive and File: CCVAC to place signs in various locations within the Town and refer to Metro North, NYSDOT, Westchester County and Town Staff and review same in one year.

RESOLUTION NO.131-15 RE: Authorize an agreement with New York Presbyterian Hudson Valley Hospital.

RESOLUTION NO.132-15 RE: Authorize an agreement for Per Diem Paramedics with the City of Peekskill.

RESOLUTION NO.133-15 RE: Authorize the Purchase of One (1) Paramedic Vehicle.

RESOLUTIONS, (cont.)

RESOLUTION NO.134-15 RE: Authorize the Department of Environmental Services to conduct an Analysis of Power washing and Painting Vehicles.

RESOLUTION NO.135-15 RE: Authorize the Relocation of an Existing Speed Hump and Install a Temporary Speed Hump along Diamond Avenue.

RESOLUTION NO.136-15 RE: Authorize the Closure of Birch Brook Road.

RESOLUTION NO.137-15 RE: Authorize the Rental of a Material Screener for Arlo Lane.

RESOLUTION NO.138-15 RE: Authorize a Snow and Ice Agreement with NYSDOT for 2015/2016.

RESOLUTION NO.139-15 RE: Authorize a Permit for the use of a portion of Eighth Street and Highland Avenue for Cortlandt Rotary Event.

RESOLUTION NO.140-15 RE: Authorize the Issuance of a request for Proposals for Municipal Lease Financing.

Discussion:

All voted **AYE**

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

RESOLUTION NO.141-15 RE: Authorize DOTS to conduct Phase II Evaluation of the Westchester Lake Dam.

RESOLUTION NO.142-15 RE: Authorize Director of Technical Services to seek bids for the Cortlandt Waterfront Park Rowing Dock.

RESOLUTION NO.143-15 RE: Authorize DOTS to solicit bids for the Sprout Brook Park all purpose Field

RESOLUTION NO.144-15 RE: Authorize the Director of DOTS to Solicit Bids for Lake Meahagh Park.

RESOLUTION NO.145-15 RE: Authorize the Director of DOTS to Solicit Proposals for the Demolition of three structures on the Jessye Norman Property.

RESOLUTION NO.146-15 RE: Authorize DOTS to apply tot eh NYSDEC for a 2015 Hudson River Estuary Grant for an enhancement project in the Croton River area.

RESOLUTIONS, (cont.)

RESOLUTION NO.147-15 RE: Schedule a Public Hearing with respect to renewal of the Cablevision Franchise Agreement.

RESOLUTION NO.148-15 RE: Authorize the increase of Franchise Fees.

Discussion: Supervisor Puglisi stated that they did Phase 1 for the Westchester Lake Dam and met with the residents and the Town Board will vote on the Phase 2 assessment to enable them to get grants for the repair.

The Supervisor commented how excited they were for the new all purpose field and the rowing dock.

All voted **AYE**

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ADDITIONS TO THE AGENDA

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

RESOLUTIONS:

RESOLUTION NO.149-15 RE: Authorize a Quit Claim Deed.

Discussion: None

All voted **AYE**

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BUDGET TRANSFERS

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

RESOLUTION NO.150-15 RE: Authorize Budget Amendments.

RESOLUTION NO.151-15 RE: Authorize Budget Transfers

Discussion: None

All voted **AYE**

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REPORTS FROM VARIOUS DEPARTMENTS

REPORTS FROM STANDING & SPECIAL COMMITTEES

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SECOND HEARING OF CITIZENS

Tom Rapucci
40 Putnam Road

Regarding 215 Sprout Brook Rd. that burned down 2 ½ years ago. He stated it was a monstrosity and he has been looking at this. He asked what the Town was doing about it. Tom Wood answered that they will be going through the same procedure as the other building to demolish this building and put the cost on their tax bill. **Supervisor Puglisi** said it was a legal process and will begin at the June Town Board meeting. Mr. Rapucci thanked them.

Kathy Stewart
171 Lindsey Ave

President of Cortlandt Community Volunteer Ambulance Corp. She thanked **Supervisor Puglisi** and the Town Council for passing the resolution regarding staffing the paramedic program and for all the support given to their organization over the years. She urged young residents to join and the organization will give all the training necessary. They also support the little leagues and donate defibrillator to many churches and public places.

Councilmember Farrell commented that many years ago he suggested that they place in their recreation brochure solicitations for people to join the many emergency programs and that has appeared in all the issues since then. He suggested maybe that page can be revised to make people see it again and update the phone numbers. He also suggested using the community channel. The **Supervisor** thanked her organization for all their work.

Susan McDonnell
19 Susan Lane

Thanked the **Supervisor** for the letter that was put online regarding the pipeline and the Indian Point fire. She spoke of the pipeline and the size which will carry gas at a higher pressure. This creates a more difficult situation in terms of firefighting. Spectra and FERC need to understand the danger they are putting residents into by doing this.

Ms. McDonnell commented that they don't seem to want to respond. Also she stated that we need to have a health and safety assessment done by the State of New York and that has not happened yet. She asked the **Supervisor** to keep pushing.

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May 12, 2015

Town Board Meeting

ADJOURNMENT

The meeting was adjourned at 8:20 p.m. in memory of **Arthur Rickey, Jim Lippert** and **Ken Golden** on a motion by Councilmember Farrell, seconded by Councilmember Costello.

All voted **AYE**

Respectfully submitted,

JO-ANN DYCKMAN
Town Clerk