



A **Regular Meeting** of the Town Board of the Town of Cortlandt was conducted on **November 14, 2023** with the following elected officials and appointed staff in attendance:

<b>RICHARD H. BECKER</b>	<b>Supervisor</b>
<b>FRANCIS X. FARRELL</b>	<b>Councilmember</b>
<b>CRISTIN JACOBY</b>	<b>Councilmember</b>
<b>ROBERT MAYES</b>	<b>Councilmember</b>
<b>JAMES CREIGHTON</b>	<b>Councilmember</b>

**Also present:**

<b>TOM WOOD</b>	<b>Town Attorney</b>
<b>MICHAEL CUNNINGHAM</b>	<b>Assistant Town Attorney</b>
<b>LAROUÉ ROSE SHATZKIN</b>	<b>Town Clerk</b>
<b>CHRISTINE B. COTHREN</b>	<b>Deputy Town Clerk</b>
<b>PATRICIA ROBCKE</b>	<b>Comptroller</b>
<b>MICHAEL PREZIOSI</b>	<b>Director, DOTS</b>
<b>CLAUDIA VAHEY</b>	<b>Human Resources Coordinator</b>
<b>STEPHEN FERREIRA</b>	<b>Director, DES</b>
<b>JOE BASSELL</b>	<b>Junior Network Specialist</b>

\* \* \* \* \*

### **MEETING CALLED TO ORDER**

The meeting was called to order at 7:00 p.m.

### **PLEDGE TO THE FLAG**

### **SUPERVISOR'S PROCLAMATIONS & REPORTS**

Supervisor Becker spoke about the following:

Congratulated Councilperson Robert Mayes on his re-election, and Councilperson elect Joyce White.

Veteran's Day ceremony held on Saturday 11/11/23. This year the ceremony involved the youth in our community, which included an essay contest where there were many talented pieces of work presented.

Shop and Dine Cortlandt will be taking place the month of November. Encouraged all to support local businesses.

Ribbon Cutting ceremony on the former Malles Auto Body Shop in Montrose. The business is now the Montrose Auto Body, which was featured on channel 78, "Taking Care of Business."

Town of Cortlandt ice skating rink to open for the season on 11/24/23.

Pearl Harbor Day Ceremony on 12/7/23.

Winter Wonderland 12/9/23.

## **ROLL CALL**

## **TOWN BOARD REPORTS**

### **Councilperson James Creighton gave his report OF NOTE:**

Councilperson Creighton spoke about the following:

Agenda item regarding PRC Advisory Board, amend to include more board members.

Recycling, Composting food scraps project.

Repair Café, Village of Croton to hold 12/9/23 at Croton Municipal Building.

Public Hearing on 12/12/23 regarding Indian Point PILOT program and taxing the casting system.

Proposed Budget Hearing 12/4/23

### **Councilperson Francis Farrell gave his report OF NOTE:**

Councilperson Farrell spoke about the following:

Veteran's Day Ceremony at Community Center. He thanked and acknowledged the long standing musical talents of Celia Robowicki, Phil Miller, and Dorothy and Bob Ferguson who all help to make the ceremony meaningful and memorable. He also wanted to recognize the Town of Cortlandt youth for contributing with their essays, and the HHHS music program for their participation, and beautiful singing.

Congratulated Supervisor Becker, and Councilperson Mayes on their re-election, and Councilperson elect Joyce White on her election, and recognized the Town of Cortlandt staff members that help to make the Town run smoothly.

Wished all a Happy Thanksgiving season.

**Councilperson Robert Mayes gave his report**  
**OF NOTE:**

Councilperson Mayes spoke about the following:

Congratulations to Supervisor Becker on winning another term as Town Supervisor.

Congratulations to Councilperson elect Joyce White on her election. Also noted she is the first black woman to sit on the Town Board.

Thank you to his election opponents for their interest in government, and encouraged their participation in Town government.

Taking Care of Business featured Montrose Auto Body.

Veteran's Day ceremonies in Cortlandt and Croton were both special in their own ways.

Wished all a Happy Thanksgiving, and encouraged donating to less fortunate through various food pantries in the Town, ie; St. Mary's Church, Mohegan Lake, Croton-Cortlandt food pantry, Let it Shine, Verplanck, First Presbyterian Church, Yorktown, CHOP/Fred's Food Pantry, Peekskill.

Annual Turkey trot in Peekskill being held on 11/18/24 to benefit Fred's Food Pantry.

National Seat Belt Day, and National Pickle Day is today.

**Councilperson Cristin Jacoby gave her report**  
**OF NOTE:**

Councilperson Jacoby spoke about the following:

Congratulated Councilperson elect Joyce White on her election, and Councilperson Mayes, and Supervisor Becker on their re-election.

Recognized Patty Robcke, Comptroller for her hard work, dedication, and thanked her for the enormous task of preparing and explaining the proposed budget.

Supervisor Becker wanted to recognize Councilperson Jacoby on her efforts to involve students in government activities.

### **APPROVAL OF THE MINUTES**

Approve the Minutes for the October 24, 2023 Regular Meeting

Councilperson Mayes made a motion to approve the above Minutes, seconded by Councilperson Jacoby with all voting **AYE**.

### **PUBLIC HEARINGS**

Public Hearing to Consider an Increase and Improvement of the Facilities of the Cortlandt Consolidated Water District.

The Public Hearing was opened at 7:33 P.M.

Supervisor Becker explained the planned project. NYS is requiring lead and copper tests for all residences, and simultaneously to that project the Town has decided to replace the existing water meters.

**RESOLUTION NO. 319-23 RE:** Adopt Negative Declaration

**RESOLUTION NO. 320-23 RE:** Adopt Public Interest Order

**RESOLUTION NO. 321-23 RE:** Adopt Bond Resolution

Councilperson Jacoby made a motion to Close the Public Hearing, adopt a Negative Declaration, and adopt the Public Interest Order, and adopt the Bond Resolution, seconded by Councilperson Creighton, with all voting **AYE**.

The Public Hearing was closed at 7:35 P.M.

Public Hearing to Consider creating an Increase and Improvement of the Facilities of the Dickerson Pond Sewer District.

The Public Hearing was opened at 7:35 P.M.

Supervisor Becker explained that they will have the public comments tonight, however, the Public Hearing will be adjourned to the next meeting, 12/12/23 to allow time for further research into the financial aspect of this project.

The following Town of Cortlandt residents spoke at the Public Hearing:

Sean Dugan, Valeria resident, Valeria II Board President, and Dickerson Pond Association Board President brought up the following points:

Town of Cortlandt purchased wastewater treatment plant from Toll Bros. for \$1.85 million, which was covered by a bond anticipation note.

The wastewater treatment plant services 229 units in the Dickerson Pond Sewer District.

In December 2022 pumps failed at treatment plant, and the plant stopped functioning properly. The Town worked diligently to correct the problems. Unfortunately, the problems started to “snowball”, and the Town was keeping the Dickerson Pond Association apprised of the costs to fix this, because the cost would eventually be passed to the residents of the sewer district. The costs are mounting exponentially and the Association was informed that there was going to be a very significant increase in sewer charges for 2024. In addition, the 229 residents were also going to be responsible to start paying back the bond anticipation notice. He thanked Supervisor Becker for agreeing to provide and itemized list of the charges. He thanked Michael Preziosi, Dir. Of DOTS/Engineering and his staff for getting the itemized list to him today. He just wanted to make things clear that they would like to be kept apprised of the amount for repairs, and the time line in which the residents can expect to be responsible for the expenses involved.

Michael Preziosi, Dir. DOTS/Engineering stated that the installation of the membranes for the pumps was just approved by the Westchester County Health Department, and should take 7-10 days for installation , electrical upgrades, and necessary upgrades to get the plant “live”. The NYS DEC, and the Health Department dictate to the Town what the acceptable treatment will be. There will always be some sort of pumping, and hauling sludge off site, but not nearly as much as they are spending at this time.

Supervisor Becker requested that Michael Preziosi, Dir. DOTS/Engineering give a weekly update on Fridays to Mr. Dugan so he can pass along the information to the residents of the sewer district. The Public Hearing will be adjourned to 12/12/23 and the Board will vote on the matter at that meeting.

Thomas Wood, Town Attorney wanted to reiterate that the Town must comply with the NYSDEC, and the Health Department in regard to rectifying the situation so that the Town does not incur fines for non-compliance. He also stated that the Town Board is keeping all options open for potential recovery for negligence but this is a complicated and time consuming process. He also wanted to note that it is important for the Dickerson Pond Sewer District residents are not directly paying the Town staff for their many hours of work to rectify this situation. The Town has to comply with the requests of the DEC and Health Department whether the Town, and the Sewer District residents agree that they are necessary or not.

Patricia Robcke, Comptroller wanted to add that it is very important for the Town to have the resolution in place for December 2023 in order to qualify for any possible grant money, and loan options. The vote to approve the bond issuance is just to have in place when necessary to use. The full amount may or may not be used, and will be dictated by the amount of repairs necessary.

John DeBenedictis, Town of Cortlandt resident wanted to make sure that the other Town residents were not going to be charged in their taxes for these repairs.

Supervisor Becker stated that was exactly the subject matter that they are currently discussing. The Dickerson Pond Sewer District 232 residents would be responsible for the costs of this repair.

Tim Murphy, Valeria resident appeared before the Board. He asked Michael Preziosi, Dir. DOTS/Engineering if the flow rate history was complete.

Mr. Preziosi stated that the company who was contracted out by the Town to do this flow rate study had just completed the process, and the Town is waiting to review the data, which should be taking place this week.

Tim Murphy asked if the 2024 budget has included the funds for this project?

Patricia Robcke, Comptroller stated that until they know if there will be any grants applied, and loans incurred, they cannot give the figure for the cost to the residents of the sewer district.

Tim Murphy stated that he does not feel as though the Town has been forthcoming with real time numbers for the residents, and would like to know more exact information as to how much the sewer district residents will be facing.

Patricia Robcke, Comptroller suggested that he take a look at the comprehensive report submitted to Mr. Dugan by Mr. Preziosi, and that there was a substantial amount of information in that email.

Thomas Wood stated that they should have more concrete numbers to give to the district in the next few weeks.

Michael Preziosi stated that the costliest part of this has been the pumping and treatment off site. Now that they have replaced the membranes and have the plant up and running, the cost should decrease to that of the typical cost to run operations of the plant efficiently. They should be able to get a handle on the numbers at this time. They have been working hard on gathering vouchers and getting the information from all the departments to be able to share with the residents. Prior to the Town taking over the plant was being operated for 6 years privately by VRI corporation.

Tim Murphy was most concerned with a time line of when the association could expect some more exact numbers so that they can plan accordingly.

Thomas Wood stated that in the next 2 months the Town should have a better handle on it, and should have more concrete numbers to work with.

Supervisor Becker assured everyone that the Town is doing its' due diligence to examine the entire situation, and to understand what VRI is ultimately responsible for. The priority at this time was to get the plant up and functioning.

Bernis Nelson appeared before the Board. She has lived at Valeria I since 1984. She wanted to know if the Public Hearing on 12/4/23 for the Benefit Assessment Unit was going to be passed that evening.

Thomas Wood, Town Attorney stated that this was a part of the Public Hearing for the budget process.

Bernis Nelson wanted to point out that the Planning Board SEQR from 2005 stated that there would be few modifications needed for the sewer plant, and this language was carried forward with each Planning Board resolution related to this subject. She wanted to know if the Town has done its' due diligence when they took over the plant. She also wanted to point out that just the regular SEQR findings and Negative Declaration may not be enough, and perhaps a more in depth environmental study should be considered before the Town adopts just a simple Negative Declaration.

Thomas Wood, Town Attorney stated that the CO issued by the Town of Cortlandt was for the structural part of the facility, and the Certificate of Compliance for the plant itself is issued by the NYS DEC.

- a. ~~Close Public Hearing~~
  - b. ~~Adopt Negative Declaration~~
  - c. ~~Adopt Public Interest Order~~
  - d. ~~Adopt Bond Resolution~~
- Adjourn to December 12, 2023 AS AMENDED*

Councilperson Creighton made a motion to adjourn the Public Hearing to the 12/12/23 meeting, seconded by Councilperson Farrell with all voting **AYE**.

The Public Hearing was closed at 8:14 P.M.

### **HEARING OF CITIZENS – AGENDA ITEMS ONLY**

Johnathan Hills, resident of Valeria I appeared before the Board. He stated that they recently had their water meters replaced, and wanted to know when the monthly bill would exemplify an actual reading as opposed to an estimated bill?

Steve Ferreira, Dir. DES answered that it should appear on the next monthly bill, as the work was just completed.

Tim Murphy just wanted to clarify that the new Valeria would not be responsible for the cost of this water meter replacement.

Steve Ferreira acknowledged that they would not be responsible for the cost.

## **REPORTS**

### **Receive and File the following:**

For the month of July 2023 from the Recreation Department.

For the month of October 2023 from the Office of the Aging, Purchasing Department, Receiver of Taxes and the Town Clerk. Authorize two Leaves of Absence in DES – Highway.

DOTS-Code Enforcement 3<sup>rd</sup> Quarter Report

## **OLD BUSINESS:**

### **Receive and File the following:**

## **NEW BUSINESS**

### **Receive and File the following:**

Councilperson Farrell made a motion to receive and file the above, seconded by Councilperson Mayes with all voting AYE.

## **RESOLUTIONS**

**RESOLUTION NO. 322-23 RE:** Authorize Amending the 2023 Budget and Close Capital Projects.

**RESOLUTION NO. 323-23 RE:** Authorize the Town to enter into an Agreement with the Verplanck Fire District for Advanced Life Support.

**RESOLUTION NO. 324-23 RE:** Authorize an agreement for the purchase of Baseball Field Materials.

**RESOLUTION NO. 325-23 RE:** Approve a Salary Increase for the Per Diem Cortlandt/Peekskill Paramedics.



**RESOLUTION NO. 326-23 RE:** Authorize Relocation of Nor West to the former CUE at the Cortlandt Town Center.

**RESOLUTION NO. 327-23 RE:** Authorize two Leaves of Absence in DES – Highway.

**RESOLUTION NO. 328-23 RE:** Authorize two Leaves of Absence in DES – Highway.

**RESOLUTION NO. 329-23 RE:** Schedule a Public Hearing for December 12, 2023 to consider amending a Local Law to allow a PILOT for the Indian Point Energy Center.

**RESOLUTION NO. 330-23 RE:** Schedule a Public Hearing for December 12, 2023 to amend Chapter 92-7 of Town Code related to the PRC Advisory Board.

**RESOLUTION NO. 331-23 RE:** Schedule a Public Hearing for December 12, 2023 to consider a Local Law concerning the Senior Citizen Exemption.

**RESOLUTION NO. 332-23 RE:** Schedule a Public Hearing for December 4, 2023 to consider the 2024 Proposed Budget.

Councilperson Mayes made a motion to adopt the above, seconded by Councilperson Jacoby with all voting AYE.

### **ADDITIONS TO THE AGENDA**

#### **RESOLUTIONS:**

**RESOLUTION NO. 332-23 RE:** Appoint a Seasonal Employee in DES.

Councilperson Jacoby made a motion to adopt the above, seconded by Councilperson Creighton with all voting AYE.

### **BUDGET TRANSFERS- NONE**

### **REPORTS FROM VARIOUS DEPARTMENTS**

### **REPORTS FROM STANDING & SPECIAL COMMITTEES**

### **SECOND HEARING OF CITIZENS**

Ryan Mulcahy, Town of Cortlandt resident appeared before the Board. He congratulated Councilperson Farrell on his 28 years of service to the Town. He congratulated Supervisor Becker, Councilperson Mayes, and Councilperson elect White on their victory in the election. He wanted to note that on his campaign trail, and interactions with Town of Cortlandt citizens that many expressed concerns with the development that is going to be happening in the Town. He expressed that he would like to see balance, and transparency in the Town government. He offered his services to the Board, and would like to remain a voice for the people.

Supervisor Becker stated that this Town Board is bipartisan, and diverse, and makes decisions based on the subject matter without any political thought involved. He welcomed Mr. Mulcahy's involvement, and encouraged him to participate, and perhaps apply for one of the many boards in the Town.

Bernard Vaughey, Town of Cortlandt resident appeared before the Board. He wanted to express concerns over the zoning of the ball field known as Letteri field, and possibly changing the zoning to limit what kinds of projects can be built on this property. This was previously requested under previous administration. The quarry grant dictates some sort of work to begin by 2024, and when the next meeting of the Quarry Committee will take place?

Supervisor Becker stated the next Quarry Sub Committee meeting was going to be held on 11/28/23. There will be 3-4 presenters at that meeting, then that committee will refer any or all presenters to the entire Quarry Committee on 12/7/23. They are in full agreement that the property be preserved and respected as well as being developed for a positive use for the Town and its' residents. The ultimate decision will be in the hands of the Quarry Committee.

Thomas Wood, Town Attorney mentioned that they recently met with EDC grant, and they indicated that they may widen the time period that the Town will have to start any construction at the site, but they must continue to show plans for the property, and substantial progress of the obtaining options.

John DeBenedictis, Town of Cortlandt resident appeared before the Board. He spoke graphically about the lack of concern and assistance for veterans on a County, State, and National level. He expressed great concern with housing of the disabled veterans, and the cancellation of local support programs at the VA hospital in Montrose.

Supervisor Becker agreed that this is a national crisis, and the Town of Cortlandt tries to do more than just honoring Veterans at annual ceremonies. They have an active Veterans Committee that meets monthly, and he encouraged Mr. DeBenedictis to possibly participate in these meetings.

Ms. Laroue Shatzkin, Town Clerk stated that before becoming Town Clerk she had worked extensively in affordable housing, and that programs for housing veterans truly do exist. She encouraged him to call her office, and she would try her best to set him up with contacts that she knew about.

Mr. Ryan Mulcahy, Town of Cortlandt resident appeared before the Board. He asked if the Town would possibly be able to help provide affordable housing for Veterans in any of their future development plans.

Councilperson Creighton stated that they would first need a developer to sponsor such a project, but the Town could certainly keep that in mind, and possibly request some kind of housing set aside for veterans in a future development or something like that to assist our Town veterans.

### **ADJOURNMENT**

Councilperson Creighton made a motion to adjourn the meeting, seconded by Councilperson Farrell with all voting **AYE**.

The meeting was adjourned at 8:50 P.M.

### **NEXT TOWN BOARD MEETING**

**December 4, 2023 at 6:00 pm**  
**Town Hall Web Site address: [www.townofcortlandt.com](http://www.townofcortlandt.com)**

**Respectfully submitted,**

**Laroue Rose Shatzkin**  
**Town Clerk**

**Christine B. Cothren**  
**Deputy Town Clerk**