



LINDA D. PUGLISI
TOWN SUPERVISOR

TOWN OF CORTLANDT

OFFICE OF THE SUPERVISOR
TOWN HALL
1 HEADY STREET
CORTLANDT MANOR, N.Y. 10567-1254
(914) 734-1002
(914) 734-1003 fax
www.townofcortlandt.com

TOWN BOARD
RICHARD H. BECKER
FRANCIS X. FARRELL
ANN LINDAU-MARTIN
JOHN E. SLOAN

REGULAR MEETING

TOWN BOARD AGENDA – OCTOBER 22, 2013

PLACE:

TOWN HALL

TIME:

7:30 PM

ORDER OF BUSINESS

MEETING CALLED TO ORDER

PLEDGE TO THE FLAG

SUPERVISOR'S PROCLAMATIONS & REPORTS

ROLL CALL

TOWN BOARD REPORTS

APPROVAL OF THE MINUTES

Approve the Minutes for the September 17, 2013 Regular Meeting.

PUBLIC HEARINGS

HEARING OF CITIZENS – AGENDA ITEMS ONLY

BID REPORTS

REPORTS

For the month of September, 2013 from the Purchasing Department, the Office for the Aging, the Receiver of Taxes, and the Town Clerk.

OLD BUSINESS:

Receive and File the following:

1. Report from DOTS regarding parcels on 6th Street in Verplanck; and send to resident.
2. Report from DES with respect to a request for a stop sign on Kings Ferry Road.

NEW BUSINESS

Receive and File the following:

1. Letter from "Hillside" Cortlandt Cemetery Association requesting assistance with tree removals; and refer to DES and the Town Comptroller.

RESOLUTIONS

1. Appoint two (2) Water and Sewer Maintenance Workers Grade II (DES/Water).
2. Appoint a DES seasonal laborer.
3. Authorize amending the Temporary Service List.
4. Authorize to advertise for a seasonal intern for DES Water Division with respect to GIS information input services.
5. Reappoint Donald Lieberman as a member of the Board of Assessment Review.
6. Authorize the following with respect to the Department of Environmental Services:
 - a) A Contract with respect to roadside tree branch removal for DES.
 - b) A Contract with respect to the installation of lighting at the sea plane hangers.
7. Authorize a License Agreement with the Cortlandt Community Rowing Association.
8. Authorize a Contract with respect to the printing of the Recreation Brochure.

9. Authorize an Agreement with respect to the Croton/Cortlandt Center for the Arts.
10. Schedule the Town In-Rem sale for February 25, 2014 at 11:00 am.
11. Authorize the Receiver of Taxes to cancel tax liens with respect to property contained in the Abbey Rose Open Space Agreement.
12. Authorize the following with respect to the Department of Technical Services:
 - a) The use of Operating Engineers Local 14 machinery and operators to install clean fill at Lake Meahagh Park (at no cost to the Town).
 - b) Extending a Professional Service Contract with respect to the Furnace Dock Lake Dam repairs (paid for by Con Edison).
13. Authorize the purchase of 2071 Albany Post Road for a sum not to exceed \$1,000,000 plus tax; and expenses not to exceed \$50,000; subject to Permissive Referendum.
14. Authorize the Town to request Intervenor status with respect to the Spectra Project; and Authorize filing comments with respect to the proposed Scoping Document.
15. Authorize continued opposition to the PSC with respect to the West Point Partners, LLC Project and submit comments to PSC.
16. Authorize testing by the NYSDEC on a Town owned Right-of-Way and property with respect to the Magna Metal clean-up site.
17. Authorize the Acceptance of Security from Toll Brothers in the amount of \$7,800,000.00 and the Release of Security posted by AVR in the amount of \$1,000,000.00 with respect to property known as Valeria.

ADDITIONS TO THE AGENDA

BUDGET TRANSFERS

REPORTS FROM VARIOUS DEPARTMENTS

REPORTS FROM STANDING & SPECIAL COMMITTEES

SECOND HEARING OF CITIZENS

ADJOURNMENT

"Close in Memory of Mr. Hank Reynolds"

NEXT TOWN BOARD MEETING

November 19, 2013 at 7:30 pm
Town Hall Web Site address: www.townofcortlandt.com



TOWN OF CORTLANDT
DEPARTMENT OF TECHNICAL SERVICES
CODE ENFORCEMENT DIVISION

LINDA D. PUGLISI
TOWN SUPERVISOR
TOWN BOARD

RICHARD H. BECKER
FRANCIS X. FARRELL
ANN LINDAU-MARTIN
JOHN E. SLOAN

TOWN HALL, 1 HEADY STREET, CORTLANDT MANOR, NY 10567
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e-mail: code@townofcortlandt.com

EDWARD VERGANO, P.E.
Director

KEN HOCH
Assistant to the Director

Sept. 24, 2013

To: Jo-Ann Dyckman, Town Clerk
From: Ken Hoch, Dep. Dir., DOTS
CC: Thomas Wood, Town Attorney
Ed Vergano, Dir. DOTS
Rosemary Boyle-Lasher, Dep. Dir DOTS

Re: Sept. 19, 2013 referral regarding Letter from Daniel Goudreau for parcels on 6th St., Verplanck, NY

I have met with and spoken to Dan on a number of occasions regarding the adjacent property at 189 6th St. A property maintenance violation was first issued on 4/24/12. It was returned marked "deceased". A second copy was mailed c/o Paul Harding at a Manhattan address. There was no response.

The taxes are in arrears and there is no bank involved. In a follow-up inspection in May, I found a real estate sign on the property and called the agent. He confirmed the house was for sale, but there were family issues regarding disposition of the property, so he could not give me the owner information.

In a follow-up call to the realtor in August, I was able to obtain a contact, Jennifer Tiernan-Bindler. I called her about the property maintenance issues and she complained that any rodent problem is due to Mr. Goudrou's tenants leaving uncovered garbage cans in front of the property, which I observed several times. She emailed on 8/19 that she would address the excessive plant growth right away.

On 8/21 she emailed - "we do have a rodent problem because of his garbage but I will have extermination done as well... as long as he is taking steps to fix the underlying issue." I relayed this information to Dan, who told me he had purchased new, covered garbage cans, which I confirmed. The realtor called me to advise they are close to signing contracts for the sale of the house, which may be closed within 30-60 days.

I did an inspection on 9/20 and found some of the vegetation had been cut, but more needed to be done. On 9/23 I was able to reach Jennifer, who said she would have someone do more yard work. She told me there are signed contracts for the sale of the house, which I confirmed with the real estate agent.



TOWN OF CORTLANDT

Department of Environmental Services



Linda D. Puglisi
Town Supervisor

167 ROA HOOK ROAD
CORTLANDT MANOR, NY 10567-7340
(914) 737-0100
FAX (914) 737-1655
www.townofcortlandt.com

Jeffrey C. Coleman, P.E.
Director

Town Board Members
Richard H. Becker
Francis X. Farrell
Ann Lindau-Martin
John E. Sloan

Stephen Ferreira, P.E.
Deputy Director

Gary Wulfhop
Deputy Director

October 8, 2013

To: *Linda D. Puglisi, Town Supervisor*
Town Board Members
Jo-Ann Dyckman, Town Clerk

From: *Jeffrey C. Coleman, PE, PTOE*
Director of D.E.S.

Subject: *Town Board Referral*
Sixth Street Speeding

As directed by the Town Board, this office reviewed the request by Ms. Lois Ann Nelli to address speeding and the request to install STOP signs along both Sixth Street approaches to Riverview.

This location does not meet the required State and Federal warrants for the installation of stop signs along Kings Ferry Road/Sixth Street. Riverview is a one-way roadway away from the intersection at this location, thereby creating a situation where there is no reason for motorists to stop.

However, in an effort to combat speeding, speed measurements were taken at this location prior to the end of the school year. The average speed was found to be greater than the posted speed limit which confirms Ms. Nelli's observations. The speed trailer was deployed earlier in the year and the Town Board authorized the installation of a permanently mounted speed display (driver feedback) sign along Kings Ferry Road west of Sunset Road. Approvals from Con Edison are currently being sought for the installation.

Two courses of action were recommended as countermeasures for speeding along this straightway:

1. Installation of either the Town's or Westchester County trailer mounted speed display (driver feedback) sign as a temporary measure. Both were installed along the straightaway.
2. Request from our partners at the New York State Police and Westchester County Police for visible, targeted speed detail along that section of roadway. County police have conducted speeding detail along the straightaway.

Cc: Traffic and Safety Advisory Committee
Town Engineer
Deputy Director- Highway/Parks
File

"HILLSIDE"
CORTLANDT CEMETERY ASSOCIATION

1033 Oregon Road
Cortlandt Manor, New York 10567-1120
914-737-2929

September 17, 2013

SEP 19 AM 10:56

Mr. Jeff Coleman
Director of BES
167 Roa Hook Road
Cortlandt Manor, NY 10567


Mr. Coleman:

The State Cemetery Board past a resolution allowing Towns to help with shared services.

Thw Cemetery asked the Cemetery Board to let us take \$5,500.00 out of funds to take down 15 Spruce trees and 3 big Maples. We have a contract for this price if we take care of the chips and logs, and clean up afterwards.

The Cemetery Board feels it is better for Towns to help out than have Cemetery, in Town, go under. And the Towns, under State Law, would have to maintain the Cemetery.

Thank you for your consideration.


Richard Brown, Superintendent

TC to Town Supervisor

cc: Town Board

John Dyckman (for Oct 2013 TB agenda)

Tom Wood

Oliver Costello

J.P.

RESOLUTION

NUMBER _____

RE: (APPOINT JOSEPH ROBERTINE AND MICHAEL VARSAMES AS WATER AND SEWER MAINTENANCE WORKER GRADE II IN THE WATER DIVISION OF D.E.S.)

WHEREAS, the Town of Cortlandt Government currently has two vacancies in the title of Water and Sewer Maintenance Worker Grade II in the Water Division of D.E.S.; and

WHEREAS, Mr. Jeff Coleman, Director of DES has asked the Town Board to consider filling these vacancies; and

WHEREAS, the Town Board has agreed with this request; and

WHEREAS, the title of Water and Sewer Maintenance Worker Grade II was posted and advertised in accordance with the AFSCME Union Contract and Westchester County Civil Service List was requested in accordance with Civil Service rules and regulations; and

WHEREAS, Mr. Coleman has asked the Town Board to consider appointing Mr. Joseph Robertine and Mr. Michael Varsames to the title of Water and Sewer Maintenance Worker Grade II in the Water Division of the Department of Environmental Services; and

WHEREAS, the Town Board has agreed with this request; and

NOW, THEREFORE, BE IT RESOLVED, that Mr. Joseph Robertine of P.O. Box 685, Verplanck, NY and Mr. Michael Varsames of 268 Locust Avenue, Cortlandt Manor, NY are hereby appointed to the title of Water and Sewer Maintenance Worker Grade II in the Water Division of D.E.S. Mr. Robertine's effective date is December 1, 2013 and will be paid at an annual salary of \$71,434 (10BC, Step 5). This position is to be considered a provisional appointment for Westchester County Civil Service purposes.

BE IT FURTHER RESOLVED, the appointment of Mr. Michael Varsames is contingent upon the successful completion of pre-employment screening and will be paid at annual salary of \$55,766 (10BC – Step 1).

**BY ORDER OF THE TOWN
BOARD OF THE TOWN OF CORTLANDT
Jo - Ann Dyckman
Town Clerk**

**Adopted on October 22, 2013
at a Regular Meeting
Held at Town Hall**

RESOLUTION

NUMBER _____

**(RE: AUTHORIZE THE APPOINTMENT OF THE FOLLOWING SEASONAL EMPLOYEE IN
THE DEPARTMENT OF ENVIRONMENTAL SERVICES FOR THE YEAR 2013)**

NOW THEREFORE BE IT RESOLVED, the following seasonal employees will be appointed effective October 23, 2013 – February 21, 2014 at an hourly rate of \$11.00 in the Department of Environmental Services. This appointment is subject to completion of drug screening and a clean driving record.

Isaac Clark

**BY ORDER OF THE TOWN BOARD
OF THE TOWN OF CORTLANDT
JOANN DYCKMAN
Town Clerk**

**Adopted on October 22, 2013
at a Regular Town Board Meeting
Held at Town Hall**

RESOLUTION

NUMBER _____

(RE: AMEND THE TEMPORARY FLOATERS LIST TO INCLUDE MARGUERITE FERRANTE AND TO REMOVE LISA WYSKIDA, KRISTEN CERRETO, MATTHEW FERGUSON, ROBERT FOSTER, ANDREW COSENTINO, WAYNE MORAITIS AND CHARLES TRAVIS)

RESOLVED, that effective October 22, 2013, LISA WYSKIDA, KRISTEN CERRETO, MATTHEW FERGUSON, ROBERT FOSTER, ANDREW COSENTINO, WAYNE MORAITIS AND CHARLES TRAVIS are hereby REMOVED from the TEMPORARY SERVICE POOL.

BE IT FURTHER RESOLVED, that effective October 22, 2013, Marguerite Ferrante is hereby APPOINTED to the TEMPORARY SERVICE POOL to work on an as needed basis a maximum of seventeen (17) hours per week, and no more than thirty (30) consecutive work days in any one Town Department, upon call, pursuant to Civil Service Regulations at a salary of \$15.89 per hour; and

BE IT FURTHER RESOLVED, that the above newly appointed individuals shall serve along with the following previously appointed members of the Temporary Service Pool:

Rudolph Grexa
10 Juniper Court
Peekskill, NY 10566

Nick Kuczyra (Court Officer)
6 High Point Drive
Poughkeepsie, NY 12603-4521

Carole Burton
10 Mt. Green Road
Croton-on-Hudson, NY 10520

Carol Costa
36 Cedar Pond Lane
Cortlandt Manor, NY 10567

Marilyn Reif
3786 Valley View Street
Mohegan Lake, NY 10547

Joan Cito
106 Burke Court
Buchanan, NY 10511

Linda Ferreira
105 Paulding Lane
Crompond, NY 10517

Charlotte Ann Hilton
16 Glenwood Drive
Montrose, NY 10548

Margaret McCaffrey
1107 Washington Street
Peekskill, NY 10566

Shawnequa Shand
P.O. Box 472
Mohegan Lake, NY 10547

May Anderson
69 Argyle Street
Lake Peekskill, NY 10537

Anna Ceretti
48 Furnace Woods Road
Cortlandt Manor, NY 10567

Marinna Sherman
214 Craft Lane
Buchanan, NY 10511

Marie Turner
117 Frederick Street
Cortlandt Manor, NY 10567

Susan Yoskowitz
Clover Road, Box 457
Mohegan Lake, NY 10547

Kelly Palmer
9 Habitat Lane
Cortlandt Manor, NY 10567

Antonella Lamberti
108 Baron DeHirsch Road
Crompond. NY 10517

Joann Stella
19 Young Street
Cortlandt Manor, NY 10567

Gail Del Bene
40 Sommerset Lane
Putnam Valley, NY 10579

Helen Fanelli
P.O. Box 605
Crompond, NY 10517

Luanne Glashoff
179 Henry Street
Buchanan, NY 10511

Brian Knapp
19 Victoria Avenue
Montrose, NY 10548

Brian Mehra
16 John Dorsey Drive
Cortlandt Manor, NY 10567

Florence Snarr
60 Oregon Road
Cortlandt Manor, NY 10567

Debra Costello
100 11th Street
Verplanck, NY 10596

**APPOINTED ABOVE:
Marguerite Ferrante
61 Rainbow Crest
Hopewell Junction, NY 12533**

Louise Nigro
99 Furnace Dock Road
Cortlandt Manor, NY 10520

Nicole Kelly
537 Westbrook Drive
Cortlandt Manor, NY 10567

Marilyn Jane Goldberg
1 Davids Lane
Ossining, NY 10562

Debra Mancuso
30 Shuyler Lane
Garrison, NY 10524

Justine Occhipinti
34 Dutch Street
Montrose, NY 10548

Martin Eastwood
337 Lake Drive
Lake Peekskill, NY 10637

**BY ORDER OF THE TOWN
BOARD OF THE TOWN OF CORTLANDT
Jo - Ann Dyckman
Town Clerk**

**Adopted on October 22, 2013
at a regular Town Board Meeting
held at Town Hall.**

RESOLUTION

NUMBER _____

**RE: (AUTHORIZE THE ADVERTISEMENT FOR A TEMPORARY/SEASONAL/FLOATER
WORKER FOR GIS PROJECT FOR DES WATER DIVISION)**

WHEREAS, it has been recommended by the Director of the Department of Environmental Services that the hiring of part-time or seasonal/temporary labor to identify updates and corrections to water system data in the newly instituted GIS system would be a cost effective initial step in improving the data; and,

WHEREAS, tablets can be used cost effectively by field staff to identify necessary corrections to the data.

NOW, THEREFORE, BE IT RESOLVED, that the Director of Department of Environmental Services, together with the Personnel Manager, are authorized to advertise for part-time or temporary/seasonal labor to update the GIS system as a project cost not to exceed \$5,000; and,

BE IT FURTHER RESOLVED, that the Town Board authorizes the purchase of two tablets at a total cost not to exceed \$800 and that the Comptroller is authorized to amend the 2013 budget as necessary, to appropriate additional funding for this project.

**BY ORDER OF THE TOWN
BOARD OF THE TOWN OF CORTLANDT
Jo - Ann Dyckman
Town Clerk**

**Adopted on October 22, 2013
at a regular Town Board Meeting
held at Town Hall.**

RESOLUTION

NUMBER

**(RE-APPOINT DONALD LIEBERMAN TO THE BOARD OF ASSESSMENT
REVIEW)**

WHEREAS, the Town Board wishes to re-appoint Donald Lieberman as member of the Board of Assessment Review;

NOW, THEREFORE, BE IT RESOLVED, that **Donald Lieberman of 4 Dickerson Road, Cortlandt Manor, NY 10567** be, and hereby are, reappointed to serve as a member of the **TOWN OF CORTLANDT BOARD OF ASSESSMENT REVIEW** for a term of 5 years terminating on September 30, 2018; and

BE IT FURTHER RESOLVED, that the above appointee shall serve along with the following previously appointed members whose names and terms are outlined below:

GLEN MALIA

42 Winthrop Drive

Cortlandt Manor, New York 10567

Term Expires 9/30/2016

DAVIS ROTHMAN

5 Benjamin Lane

Cortlandt Manor, NY 10567

Term Expires 9/30/2017

JOHN A. LENTINI

124 Allen Street

Cortlandt Manor, New York 10567

Term Expires 9/30/2017

DONALD LIEBERMAN

4 Dickerson Road

Cortlandt Manor, New York 10567

Term Expires 9/30/2018

VACANCY

Term Expires 9/30/2018

**Adopted on October 22, 2013
At a Regular Meeting
Held at the Town Hall**

**BY ORDER OF THE TOWN BOARD
OF THE TOWN OF CORTLANDT
JO-ANN DYCKMAN
TOWN CLERK**

RESOLUTION

NUMBER

(RE: AUTHORIZE AWARDING A CONTRACT TO DEPENDABLE TREE SERVICE WITH RESPECT TO ROADSIDE TREE AND BRANCE REMOVAL)

WHEREAS, six bids were received on September 19, 2013 at 2:00 pm for Roadside Tree branch Removal (Bid #13-17); and

WHEREAS, said bids have been reviewed by the Director of Environmental Services and the Purchasing Director,

THEREFORE BE IT RESOLVED, that the lowest bidder was Dependable Tree Service, 13 Buena Vista Avenue, Peekskill, NY 10566; and

BE IT FURTHER RESOLVED, that the alternate next lowest bidder was Griffen's Landscaping Corp., 1234 Lincoln Terrace, Peekskill, NY 10566, and shall be awarded as alternate in the event that Dependable Tree Service cannot perform tasks; and

BE IT FURTHER RESOLVED, that the Supervisor is hereby authorized to execute contract documents with respect to the above and that the Comptroller will secure the necessary funds.

**BY ORDER OF THE TOWN BOARD
OF THE TOWN OF CORTLANDT
JO-ANN DYCKMAN
Town Clerk**

**Adopted on October 22, 2013
at a Regular Meeting
Held at the Town Hall**

RESOLUTION

NUMBER _____

RE: (AUTHORIZE THE INSTALLATION OF LIGHTING AND ELECTRICAL FIXTURES IN SEAPLANE HANGERS IN THE HAMLET OF VERPLANCK)

WHEREAS, it has been recommended that lighting and electrical fixtures be installed in both seaplane hangers at the Cortlandt Riverfront Park; and,

NOW, THEREFORE, BE IT RESOLVED, that the Director of Department of Environmental Services is authorized to utilize standing labor contracts for the installation of electrical services and lighting and purchase necessary materials for the installation of 3 lighting fixtures in each hanger at a cost not to exceed \$7,000 and that the Comptroller is authorized to amend the 2013 budget as necessary, to appropriate additional funding for this project.

**BY ORDER OF THE TOWN
BOARD OF THE TOWN OF CORTLANDT
Jo - Ann Dyckman
Town Clerk**

**Adopted on October 22, 2013
at a regular Town Board Meeting
held at Town Hall.**

RESOLUTION

NO.

(AUTHORIZE A LICENSE AGREEMENT WITH THE CORTLANDT COMMUNITY ROWING ASSOCIATION)

WHEREAS, the Cortlandt Community Rowing Association Inc. has recently been established as a proposed not for profit to provide training and activities in the sport of rowing; and

WHEREAS, it is the desire of the Town Board to assist said not for profit by allowing them the use of a facility in the Steamboat River Park; and

WHEREAS, the Association agrees that it will open all of its activities to the youth of the Town and that the primary goal and purpose is to engage the use of the Town in the sport of rowing;

NOW, THEREFORE, BE IT RESOLVED, that the Supervisor be and hereby is authorized to execute a License Agreement with the Cortlandt Community Rowing Association Inc. to allow their use of buildings located in Steamboat Park Dock, more specifically described in said agreement; and

BE IT FURTHER RESOLVED, that said License Agreement shall automatically renew from year to year unless the Town Board gives 90 days' notice prior to the expiration of any calendar year of its intent not to renew said agreement; and

BE IT FURTHER RESOLVED, that the License Agreement shall be the standard customary form utilized by the Town and as approved and prepared by the Town Attorney.

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF CORTLANDT
JO-ANN DYCKMAN, TOWN CLER

Adopted October 22, 2013
At a Regular Meeting
Held at Town Hall

RESOLUTION

NUMBER

(RE: AUTHORIZE AWARDDING A CONTRACT TO GRAPHIC IMAGE INC. WITH RESPECT TO THE PRINTING OF THE RECREATION BROCHURE)

WHEREAS, seven bids were received on September 12, 2013 at 2:00 pm for the printing of the Recreation Brochure (Bid #13-19); and

WHEREAS, said bids have been received by the Director of Recreation and Conservation, and has recommended that said bid be awarded to Graphic Image Inc.

THEREFORE BE IT RESOLVED, that the bid be awarded to Graphic Image Inc., 561 Boston Post Road, Milford, CT 06460 at an anticipated yearly cost of \$32,840.00; and

BE IT FURTHER RESOLVED, that the Supervisor is hereby authorized to execute contract documents with respect to the above and that the Comptroller will secure the necessary funds.

**BY ORDER OF THE TOWN BOARD
OF THE TOWN OF CORTLANDT
JO-ANN DYCKMAN
Town Clerk**

**Adopted on October 22, 2013
at a Regular Meeting
Held at the Town Hall**

RESOLUTION

NUMBER

**(RE: AUTHORIZE SUPERVISOR TO EXECUTE A LICENSE AGREEMENT
WITH THE CROTON CORTLANDT CENTER FOR THE ARTS FOR 2013)**

RESOLVED, that the Supervisor be, and hereby is, authorized to execute a License Agreement with the Croton-Cortlandt Center for the Arts for cultural services to the Town of Cortlandt for the year 2013 in the sum of **\$7,500.00 (SEVEN THOUSAND, FIVE HUNDRED DOLLARS and 00/100)**; and

BE IT FURTHER RESOLVED, that said License Agreement shall be in a form approved by the Town Attorney; and

BE IT FURTHER RESOLVED, that the Comptroller be, and hereby is, authorized to make budget changes necessary to facilitate said License Agreement.

**BY ORDER OF THE TOWN BOARD
OF THE TOWN OF CORTLANDT
JO-ANN DYCKMAN
TOWN CLERK**

**Adopted on October 22, 2013
At a Regular Meeting
Held at the Town Hall**

RESOLUTION

NUMBER

(RE: SCHEDULE A TOWN IN-REM SALE FOR FEBRUARY 25, 3014 AT 11:00 AM)

BE IT RESOLVED, that the Town Board of the Town of Cortlandt does hereby schedule and In-Rem Sale for February 25, 3014 at 11:00 am.

**BY ORDER OF THE TOWN BOARD
OF THE TOWN OF CORTLANDT
JO-ANN DYCKMAN
Town Clerk**

**Adopted on October 22, 2013
at a Regular Meeting
Held at the Town Hall**

RESOLUTION

NO.

(AUTHORIZING THE CANCELLATION OF TAX LIENS)

WHEREAS, the Town Board previously authorized an agreement between the owner of the Abbey Rose Subdivision in the Town; and

WHEREAS, said agreement provides for the dedication to the Town of an Open Space Parcel; and

WHEREAS, in order to effectuate the adjustments to the taxes, etc. agreed to under said agreement, the Tax Receiver must cancel all open tax liens on the subject premises;

NOW, THEREFORE, BE IT RESOLVED, that the Receiver of Taxes be and hereby is authorized and directed to cancel the open tax liens held by the Town of Cortlandt on property known as Sections 45.14, 45.15, 45.10, Blocks 3-1-2, and Lots 1-1-1-; and

BE IT FURTHER RESOLVED, that said cancellation shall take effect immediately upon the signing of the previously authorized agreement by the property owner.

**BY ORDER OF THE TOWN BOARD
OF THE TOWN OF CORTLANDT
JO-ANN DYCKMAN, TOWN CLERK**

Adopted October 22, 2013
At a Regular Meeting
Held at Town Hall

RESOLUTION

NUMBER _____

(RE: **APPROVE RETAINING THE SERVICES OF OPERATING ENGINEERS LOCAL 14
MACHINERY AND OPERATORS TO SPREAD CLEAN FILL SUPPLIED BY THE TOWN OF
CORTLANDT AT LAKE MEAHAGH PARK**)

BE IT RESOLVED, the Town Board authorizes DOTS to retain the services of Operating Engineers Local 14 machinery and operators to spread clean fill supplied by the Town of Cortlandt at Lake Meahagh Park at no cost to the Town subject to an agreement prepare by the Town Attorney.

**BY ORDER OF THE TOWN BOARD
OF THE TOWN OF CORTLANDT
JO-ANN DYCKMAN
Town Clerk**

**Adopted on October 22, 2013
at a Regular Meeting
Held at the Town Hall**

RESOLUTION

NUMBER _____

(RE: AUTHORIZE DOTS TO EXTEND AN AGREEMENT WITH FRENCH & PARRELLO FOR CONSTRUCTION INSPECTION SERVICES FOR THE FURNACE BROOK LAKE DAM PROJECT)

RESOLVED, that the Town Board hereby authorizes DOTS to extend an Agreement with French & Parrello for construction inspection services for the Furnace Brook Lake Dam project for a sum not to exceed an additional twenty thousand dollar (\$20,000) for a total of \$90,000. Said costs to be reimbursed by Con Ed.

**BY ORDER OF THE TOWN BOARD
OF THE TOWN OF CORTLANDT
JO-ANN DYCKMAN
Town Clerk**

**Adopted on October 22, 2013
at a Regular Meeting
Held at the Town Hall**

RESOLUTION

NO.

**(AUTHORIZING THE PURCHASE OF
PREMISES KNOWN AS 2017 ALBANY POST ROAD)**

WHEREAS, the Town Board has been interested in acquiring a parcel of property located at 2017 Albany Post Road at the intersection of Memorial Drive and Route 9A consisting of approximately 8.32 acres; and

WHEREAS, said property has been on the market for a substantial period of time; and

WHEREAS, the property owner has now reduced its price; and

WHEREAS, the property owner has indicated his desire to sell said property to the Town for the sum of \$1,000,000.00, plus the payment of up to \$50,000.00 of unpaid taxes on this and other properties owned by the property owner and it is the desire of the Town Board to enter into an agreement to purchase said property;

NOW, THEREFORE, BE IT RESOLVED, that the Supervisor be and hereby is authorized to execute a contract to acquire the premises known as 2071 Albany Post Road and shown on Tax Map as Sec.55.13, Block 1, Lot 6 for the sum of \$1,000,000.00; and

BE IT FURTHER RESOLVED, that said contract will contain a provision for payment by the Town of up to \$50,000.00 of real estate taxes owed on the subject premises and other premises owned by Robert Tall within the Town; and

BE IT FURTHER RESOLVED, that this Resolution and authorization is subject to Permissive Referendum as required by law and the Town Clerk shall take all the steps necessary to advertise said notice.

**BY ORDER OF THE TOWN BOARD
OF THE TOWN OF CORTLANDT
JO-ANN DYCKMAN, TOWN CLERK**

Adopted October 22, 2013
At a Regular Meeting
Held at Town Hall

RESOLUTION

NO.

**(AUTHORIZING INTERVENER STATUS
WITH RESPECT TO THE SPECTRA PROJECT)**

WHEREAS, the Town has been notified that Spectra Gas Company is proposing to construct new facilities within the Town that would also enter into and traverse the Hudson River; and

WHEREAS, the FERC (Federal Energy Regulatory Commission) has commenced proceedings to consider the application; and

WHEREAS, it is the desire of the Town Board to participate in said proceeding and to allow comments to be submitted with respect to scoping documents and further participation;

NOW, THEREFORE, BE IT RESOLVED, that the Town Attorney be and hereby is authorized to intervene in the FERC proceedings with respect to the Spectra Gas Project in the Town; and

BE IT FURTHER RESOLVED, that the Town Attorney be and hereby is authorized to use outside counsel of his choice to assist in the intervention process.

**BY ORDER OF THE TOWN BOARD
OF THE TOWN OF CORTLANDT
JO-ANN DYCKMAN, TOWN CLERK**

Adopted October 22, 2013
At a Regular Meeting
Held at Town Hall

RESOLUTION

NO.

**(AFFIRMING THE TOWN'S OPPOSITION
TO THE WEST POINT PARTNERS PROJECT)**

WHEREAS, representatives of the West Point Partners LLC came to the Town and made a presentation of its proposed project on September 23, 2013; and

WHEREAS, following said presentation the Town is still in opposition to the project in its current location and terms and conditions;

NOW, THEREFORE, BE IT RESOLVED, that the Supervisor is authorized to continue to oppose the West Point Partners Project in the Town of Cortlandt before the Public Service Commission and any other regulatory board that may have authorization and consideration thereof.

**BY ORDER OF THE TOWN BOARD
OF THE TOWN OF CORTLANDT
JO-ANN DYCKMAN, TOWN CLERK**

Adopted October 22, 2013
At a Regular Meeting
Held at Town Hall

RESOLUTION

NO.

(ALLOWING TESTING ON TOWN OWNED PROPERTY)

WHEREAS, the NYS DEC has previously advised the Town of an ongoing program to clean up contamination which occurred on property formerly known as the Magna Metal site; and

WHEREAS, DEC is conducting tests off of that site in the adjoining area; and

WHEREAS, some of the proposed test locations are within the Town right-of-way and on lands owned by the Town; and

WHEREAS, the Town Board has been requested to allow DEC to test on said property and right-of-way;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board does hereby consent to the NYS DEC to conduct tests upon the right-of-way of the Town and property owned by the Town with respect to their remediation of the Magna Metal site; and

BE IT FURTHER RESOLVED, that any testing agency entering said property shall provide the Town with a Certificate of Liability Insurance naming the Town as an additional insured; and

BE IT FURTHER RESOLVED, that the Town Engineer shall be advised prior to any testing being performed on any Town property.

**BY ORDER OF THE TOWN BOARD
OF THE TOWN OF CORTLANDT
JO-ANN DYCKMAN, TOWN CLERK**

Adopted October 22, 2013
At a Regular Meeting
Held at Town Hall

RESOLUTION

NUMBER

(RE: AUTHORIZE THE RELEASE OF SECURITY IN THE AMOUNT OF \$1,000,000.00 WITH RESPECT TO PROPERTY KNOWN AS VALERIA; AND ACCEPT SECURITY IN THE AMOUNT OF \$7,800,000.00)

WHEREAS, security was posted on August 16, 2011 in the amount of \$1,000,000.00 by Valeria Development Corp. c/o AVR Realty drawn on M&T Bank No. SB1380390001 in accordance with Planning Board Resolution 15-11; and

WHEREAS, in accordance with Planning Board Resolution No..... security is being posted in the amount of \$7,800,000.00 in the form of a Performance Bond by Toll Land VI Partnership and drawn on Hartford Fire Insurance Company

THEREFORE BE IT FURTHER RESOLVED, that the Town Board of the Town of Cortlandt does hereby **RELEASE** security that was posted on August 16, 2011 in the amount of \$1,000,000.00 by Valeria Development Corp. c/o AVR Realty drawn on M&T Bank No. SB1380390001 in accordance with Planning Board Resolution 15-11

THEREFORE BE IT FURTHER RESOLVED, that the Town Board of the Town of Cortlandt does hereby **ACCEPT** security posted in the amount of \$7,800,000.00 in accordance with Planning Board Resolution No..... in the form of a Performance Bond No.39BSBGG1370 by Toll Land VI Partnership and drawn on Hartford Fire Insurance Company

**BY ORDER OF THE TOWN BOARD
OF THE TOWN OF CORTLANDT
JO-ANN DYCKMAN
TOWN CLERK**

**Adopted on October 22, 2013
At a Regular Meeting
Held at Town Hall**